

APPENDIX N

COMMENTS AND RESPONSES ON THE DEIS

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- N.1 Federal Officials, Federal Agencies, State Officials, State Agencies, Special Interests, and Public Officials
- N.2 Public Responses and Comments

N.1

**Federal Officials, Federal Agencies, State Officials, State Agencies,
Special Interests, and Public Officials**

The DEIS became available for review in December, 2005. The EPA published a Notice of Availability (NOA) in the Federal Register and the FAA sent 2,800 newsletters to notify residents of the release of the DEIS. Both the NOA and the newsletter stated that comments regarding the DEIS would be accepted until June 1, 2006. Because of numerous requests from public officials and interested parties, on May 30, 2006 the FAA announced that the comment period was extended until July 1, 2006. All comments received during the comment period were reviewed and addressed by the FAA. This appendix contains the DEIS comments and the FAA responses to those comments. The following sections identify the process conducted to address each of the comments from the Federal and State officials, Federal and State agencies, public officials, special interest groups and the general public.

The FAA received, read, and individually responded to all comments received from State officials, Federal and State agencies, public officials, and special interest groups. Within each received comment, the FAA has highlighted and assigned a number to the individual concerns the commenter has made. Following the letter is the FAA's response in the form of a table containing both the assigned code for the individual comment and the FAA's response. This method allowed the FAA to clearly address multiple concerns, while still providing a straightforward reference to the comment.

Federal Officials

1. Senator Loretta Weinberg (NJ-D)
 - a. Gordon M. Johnson, Assemblyman
 - b. Valeri Vainieri Huttle, Assmeblywoman
2. Steven R. Rotham (NY)
3. Senator Hillary Rodman Clinton (D-NY)
4. Senator Charles E. Schumer (D-NY)
5. Senator Thomas H. Kean, Jr (R-NY)
6. Senator Robert Menendez (D-NJ)
 - a. Senator Frank R. Lautenberg (D-NJ)
 - b. Congressman Steven R. Rothman (D-NJ)
 - c. Congressman Scott Garrett (D-NJ)
 - d. Congressman Donald M. Payne (D-NJ)
 - e. Congressman Robert E. Andrews (D-NJ)
7. Senator Joseph Coniglio (D-NJ)
 - a. Assemblyman Robert M. Gordon (NJ)
 - b. Assemblywoman Joan M. Voss (NJ)
8. Congressman James R. Roebuck (D-PA)
9. Congresswoman Sue W. Kelly (D-NY)
10. Congressman Curt Weldon (R-PA)
11. Congressman Greg Lavelle (R-D)
12. Congressman Robert E. Andrews (D-NJ)
13. Congresswoman Carolyn B. Maloney (D-NY)
14. Congressman Scott Garrett (R-NJ)
15. Congressman Joseph Crowley (D-NY)
16. Congressman Jerrold Nadler (D-NY)
17. Congresswoman Nancy L. Johnson (R-CT)
18. Congressman Rush D.Holt, Jr. (D-NJ)
19. Congressman Eliot L. Engel (D-NY)
 - a. Nita M. Lowey (D-NY)
 - b. Maurice D. Hinchey (D-NY)
20. Congresswoman Nita Lowey

STEVEN R. ROTHMAN
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Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON THE
DEPARTMENTS OF TRANSPORTATION,
TREASURY, AND HOUSING AND URBAN
DEVELOPMENT, THE JUDICIARY,
DISTRICT OF COLUMBIA, AND
INDEPENDENT AGENCIES
SUBCOMMITTEE ON
FOREIGN OPERATIONS, EXPORT
FINANCING AND RELATED PROGRAMS
WEBSITE AND E-MAIL ACCESS:
<http://www.house.gov/rothman>

**Congressman Steve Rothman's Statement on
FAA Airspace Redesign**

On April 6, a public meeting on the NY/NJ/PA Metropolitan Airspace Redesign Project is taking place in Hasbrouck Heights, NJ. Rep. Steve Rothman's (D-NJ) statement follows:

"It is clear from the Draft Environmental Impact Statement (DEIS) that the Federal Aviation Administration (FAA) ignored New Jersey's main concern for airspace redesign: noise abatement. The Congress directed the FAA to consider both noise abatement and ocean routing in their plan for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign. Instead of taking the Congress and New Jerseyans seriously, the FAA decided to make the lives of an estimated 500,000 people more difficult by significantly increasing the amount of noise that already erodes the quality of life for those of us who hear planes flying over our homes and places of work around the clock.

1

"Northern New Jersey will be impacted the most by the proposed redesign plans. The towns of Rutherford and Fair Lawn, in my district, are expected to be significantly affected with increased noise from the FAA's proposals. In addition, according to the DEIS, the rest of my constituents will get absolutely no reprieve from the level of noise they hear now.

2

"I do not believe that the FAA cares in any meaningful way about noise abatement or the quality of life of the people living beneath their airspace.

3

"I reject the DEIS for Airspace Redesign and I will do everything I can to try and force the FAA back to the drawing board for a new approach that seriously addresses noise abatement. For far too long New Jerseyans have suffered because of the deafening noise of planes overhead, therefore I demand that any plan to alter our airspace seriously address the issue of noise. I urge my constituents to join me in making their opposition to the FAA's proposals known by submitting their comments directly to the FAA."

4

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Else Owl.

3049

Response to Comment 3049: Congressman Steve Rothman, 9th District, New Jersey

Comment Number	Comment Response
1	<p>FAA did more than consider Ocean Routing. In fact, FAA fully modeled Ocean Routing, both operationally and environmentally. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. Specifically on April 6, 2007, the FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, was provided. It should be recognized that the majority of areas (500,000 people) that are mentioned in this comment do not experience significant noise increases as defined by the federal government, but rather experience slight to moderate increases in noise which may be noticeable to them.</p>
2	<p>The areas in northern New Jersey referred to by the commenter are expected to be affected by reportable changes in noise levels as a result of the Integrated Airspace Alternative Variation with ICC. In this case, both reportable increases and decreases in noise are expected. However, none of the areas in northern New Jersey would be exposed to any significant changes in noise levels, nor are they currently exposed to aircraft noise levels that constitute a significant impact based on FAA's criterion. While aircraft noise abatement is not a specific part of the purpose and need for the project, noise abatement measures were considered as mitigation for the Preferred Alternative. Details regarding the noise mitigation evaluation are presented in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, in the FEIS document. Mitigation for the Preferred Alternative eliminates any reportable noise changes for Fair Lawn and Rutherford.</p>
3	<p>FAA provides strong financial support for noise compatibility planning and for mitigation projects. The FAA has a sizable noise set-aside in Airport Improvement Program funding. One FAA program designed to assist airports with their noise abatement responsibilities is called the Part 150 program. In addition, the NEPA process allows for examination of quality of life issues including noise, and provides a mechanism for noise mitigation of significant impacts where possible. The FAA completed the DEIS in accordance with NEPA and the analysis requirements and standards of the Council of Environmental Quality regulations and the FAA. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided.</p>
4	<p>Comment noted.</p>

HILLARY RODHAM CLINTON
NEW YORK
SENATOR

COMMITTEES:
ARMED SERVICES
ENVIRONMENT AND PUBLIC WORKS
HEALTH, EDUCATION, LABOR AND PENSIONS
SPECIAL COMMITTEE ON AGING

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202-224-4451

United States Senate

WASHINGTON, DC 20510-3204

June 27, 2006

The Honorable Marion Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, D.C. 20591

Dear Ms. Blakey:

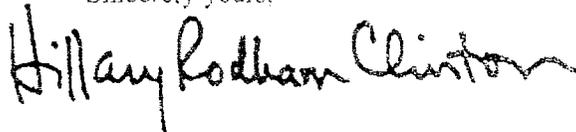
I write to echo concerns raised by Westchester County Executive Andrew Spano with respect to the Draft Environmental Impact Statement (DEIS) for the New York/New Jersey/Philadelphia airspace redesign.

Based on reports provided to my office, it appears that the proposal being forwarded in the DEIS would increase air traffic over the Indian Point Nuclear Power Plant located in Westchester County, New York. Further, it appears that air traffic patterns currently in use at Westchester County Airport would shift flights over areas that do not currently experience such traffic and disrupt existing patterns.

That there appears to be a significant failure by the Federal Aviation Administration (FAA) to outline the potential impacts to Westchester County is alarming. Westchester County hired its own experts to map out the impact of details contained within the annexes of the DEIS. When one result is increased commercial aviation traffic over Indian Point is not highlighted or fully explained to the elected officials and citizens, the process is broken. Answers must be provided as soon as possible to the area.

Therefore, I am asking for a full explanation of the proposed impact the DEIS could have upon the communities outlined in County Executive Spano's letter to you dated June 18, 2006. Further, I would like the FAA's explanation of the potential for increased aviation traffic over the Indian Point nuclear power plant. It appears that more work needs to be done to ensure that these critical concerns are addressed.

Sincerely yours,



Hillary Rodham Clinton

Response to Comment 5743: US Senator Hillary R. Clinton

Comment Number	Comment response
1	<p>The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.</p> <p>There are some route changes at a distance from HPN. These flight route changes occur beyond the HPN noise abatement procedures and beyond the extent of the HPN 2005 60 DNL noise contour as published in HPN's 2002 Aircraft Noise Study. The EIS provides detailed discussions regarding the changes in noise levels that meet FAA's thresholds of reportability. These discussions include the identification of the cause and/or contributing factors to the changes depicted for each alternative. The changes identified in the comment are below FAA's thresholds of reportability and thus are not discussed in detail.</p>
2	<p>The EIS provides detailed discussions regarding the changes in noise levels that meet FAA's thresholds of reportability. These discussions include the identification of the cause and/or contributing factors to the changes depicted for each alternative. The changes identified in the comment are below FAA's thresholds of reportability and thus are not discussed in detail.</p>
3	<p>The FAA met with Westchester County officials at the request of Senator Schumer to discuss their concerns about the project. Also, refer to responses to County Executive Spano's letters dated June 22nd and June 27th, 2006 (Comment Letters # 4938 and #4976 respectively).</p> <p>See response to comment 5743 #1.</p>

United States Senate

WASHINGTON, DC 20510

June 02, 2006

The Honorable Marion C. Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Administrator Blakey,

I write to express my concern, and the concern of many Staten Island residents, regarding the Federal Aviation Administration's (FAA) consideration of permanent "Oceanic Routing" flight routes for planes departing Newark Airport as part of the redesign of the New York area's air space.

Oceanic Routing has long been considered an onerous noise burden for Staten Island residents and inefficient for our region's airports and economy. It is my hope and expectation that the FAA ought to immediately remove permanent Oceanic Routing as an option from the air space redesign Draft Environmental Impact Statement (DEIS).

Oceanic Routing would direct planes leaving Newark to the New York side of the harbor, then up the Arthur Kill, to the lower bay, on their way to making their final ascents. Currently, air traffic controllers use Oceanic Routing only when necessitated by weather.

This proposal to advance permanent Oceanic Routing would result in Staten Island residents bearing an inequitable burden of airplane noise. One community should not be responsible for absorbing the lion's share of airplane noise from Newark Airport. The FAA has twice before considered redirecting departing nighttime aircraft from Newark International Airport over the South Shore of Staten Island permanently, but both times the FAA rejected the plan as impractical and costly.

The negative economic impacts of permanent Oceanic Routing are also staggering. The FAA has spent at least \$6 million studying Oceanic Routing and has found that redirecting night traffic from Newark over Staten Island would cost \$300 million a year in fuel costs alone. This cost will surely be passed along to the already overstressed air travel consumer. Furthermore, because of the interdependency of regional transportation systems, delays and inefficiency will tax capacity at LaGuardia and Kennedy Airports, leading to increased flight delays and vehicular traffic.

In the most recent DEIS, the FAA concluded that Oceanic Routing does not meet the "purpose and need" of airspace redesign. I fail to understand why, after such lengthy

and costly analysis, the FAA is again considering this option. To put it bluntly, it is a bad idea that should be killed, not kept on life support in the environmental impact statement.

Opposition to Ocean Routing has come from a wide range of industry leaders, community groups and governmental entities, including the owner and operator of New York's Airports – The Port Authority of New York and New Jersey (PA). The PA strongly objects to Oceanic Routing, writing that, "implementing the Oceanic Routing Procedure will cripple the local economy...radically increase the disruption on major roadways, and on air quality in the region...Oceanic Routing needs to be eliminated from all future consideration."

1

Redesigning the air space of New York City's three metropolitan airports presents us with a unique opportunity to increase the capacity of our badly overcrowded airports and address a myriad of community concerns. Given the significant resources that have been invested into this study, I am disappointed that the FAA has not comprehensively addressed the airplane noise burden that currently exists in the Staten Island community of Arlington on the Northwest shore. Before the EIS is issued, it is critical that these concerns are met and mitigation measures formulated to alleviate a burden these citizens have had to bear for too long.

2

Extending the deadline for public comment to July 1 should give the FAA ample time to remove the Oceanic Routing proposal and address noise concerns in Arlington. In that time, it is my hope that you hold another open forum on State Island so that residents and community leaders may share their concerns with you directly. If you have any questions or concerns, please do not hesitate to contact Alexandria Sica in my office at 202-224-6542.

Thank you.



Charles E. Schumer
United States Senator

Response to Comment 5764: Charles E. Schumer, United States Senate

Comment Number	Comment response
1	This alternative does not meet the stated purpose and need for this project and has been eliminated from further analysis and consideration.
2	<p>Comment noted. It is true that noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>However, noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. Specifically on April 6, 2007, the FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p>

Merrill, Michael

From: Sen. Kean, Asm. Munoz, Asm. Bramnick NJ Legislative District 21 [SenKean@NJLEG.ORG]
Sent: Friday, June 30, 2006 11:41 AM
To: FAA DEIS
Subject: Written comments
Attachments: FAAcomments.doc

Please find attached a document from New Jersey state legislators Senator Thomas H. Kean, Jr.; Assemblyman Eric Munoz and Assemblyman Jon M. Bramnick. Please include this document as part of your public comments. Thank you.
908-232-3673.

005256

1 of 9

June 30, 2006

Mr. Steve Kelley, FAA-NAR
C/o Michael Merrill
12005 Sunrise Valley Road
Reston, VA 20191

Dear Mr. Kelley,

We would like to submit our comments as New Jersey legislators regarding the FAA airspace redesign proposal. We have attached copies of two legislative resolutions that we introduced in the New Jersey Legislature that formally states our continued opposition to the most recent redesign proposal. Our concerns are echoed by others in the Legislature as evidenced by the bipartisan sponsorship of these initiatives and the March 2006 approval of Assembly Joint Resolution 88 by the New Jersey Assembly.

The issue of airspace redesign has not been adequately addressed in this region in more than 40 years. Current decisions made regarding this most recent redesign will not only negatively impact 332,000 people with increased noise pollution immediately, but does not look forward toward addressing future problems.

We understand the need to revisit the issue of the airspace in this region, and appreciate the time that the FAA has put into researching possible alternatives. However, the alternative which has been touted as the best redesign, minimally changes the terminal airspace that has been in place since the 1960's, and consequently creates many negative outcomes such as increased noise and air pollution.

We encourage the FAA to continue to research alternative possibilities for this current redesign, ones that take into account noise pollution as well the impact on air quality. While reductions in delays at the airports are important, so is the quality of life for thousands of New York, New Jersey, and Pennsylvania residents who would be negatively affected by the current proposal.

Sincerely,
Senator Thomas H. Kean, Jr.
Assemblyman Eric Munoz, M.D.
Assemblyman Jon M. Bramnick
New Jersey Legislature District 21

[First Reprint]

ASSEMBLY JOINT RESOLUTION

No. 88

STATE OF NEW JERSEY

212th LEGISLATURE

INTRODUCED FEBRUARY 6, 2006

Sponsored by:

Assemblyman ERIC MUNOZ

District 21 (Essex, Morris, Somerset and Union)

Assemblyman JOHN F. MCKEON

District 27 (Essex)

Co-Sponsored by:

Assemblyman Connors

SYNOPSIS

Opposes NY/NJ/Philadelphia Metropolitan Airspace Redesign proposals of Federal Aviation Administration.

CURRENT VERSION OF TEXT

As reported by the Assembly Environment and Solid Waste Committee on February 27, 2006, with amendments.

A JOINT RESOLUTION opposing the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals.

WHEREAS, The basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960s and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, The EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the EECP and mitigate the noise; and

WHEREAS, In the 1995 final Environmental Impact Study, the FAA committed to mitigate noise in a “follow-up regional study”; and

WHEREAS, In 2001, the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public; however, the FAA failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, On December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, The airspace redesign involves a 31,000 square mile, five-state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, Two of the FAA proposed plans would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, The proposed plans would raise environmental concerns for the State and would cost an estimated \$2.5 billion; and

WHEREAS, The FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, The New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, It is in the best interest of the State to oppose the FAA's proposal to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. ¹**[This Joint Resolution]** The State of New Jersey¹ opposes the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals set forth in the Draft Environmental Impact Statement issued on December 20, 2005 by the Federal Aviation Administration.

2. Duly authenticated copies of this joint resolution shall be transmitted to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of Congress elected from this State, and the Administrator of the Federal Aviation Administration.

3. This joint resolution shall take effect immediately.

SENATE JOINT RESOLUTION
No. 34
STATE OF NEW JERSEY
212th LEGISLATURE

INTRODUCED MARCH 6, 2006

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Essex, Morris, Somerset and Union)

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Co-Sponsored by:

Senators Coniglio and Bucco

SYNOPSIS

Opposes NY/NJ/Philadelphia Metropolitan Airspace Redesign proposals of Federal Aviation Administration.

CURRENT VERSION OF TEXT

As introduced.

A JOINT RESOLUTION opposing the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals.

WHEREAS, The basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960s and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, The EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the ECCP and mitigate the noise; and

WHEREAS, In the 1995 final Environmental Impact Study, the FAA committed to mitigate noise in a “follow-up regional study”; and

WHEREAS, In 2001, the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public; however, the FAA failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, On December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, The airspace redesign involves a 31,000 square mile, five-state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, Two of the FAA proposed plans would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, The proposed plans would raise environmental concerns for the State and would cost an estimated \$2.5 billion; and

WHEREAS, The FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, The New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, It is in the best interest of the State to oppose the FAA's proposal to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The State of New Jersey opposes the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals set forth in the Draft Environmental Impact Statement issued on December 20, 2005 by the Federal Aviation Administration.

2. Duly authenticated copies of this joint resolution shall be transmitted to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of Congress elected from this State, and the Administrator of the Federal Aviation Administration.

3. This joint resolution shall take effect immediately.

STATEMENT

This resolution would oppose the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals. The plans, proposed by the Federal Aviation Administration (FAA), would likely cause dramatic aircraft noise increases in New Jersey, adversely affecting more than 300,000 residents while benefiting relatively few.

The basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960s. Despite changes in the volume of air traffic and the type of aircraft used by the National Airspace System over the last 40 years, the structure of the airspace has not been adequately modified to address these changes. The FAA recently issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/ New Jersey/ Philadelphia Metropolitan Airspace.

**Response to Comment 5256: New Jersey State Legislators Senator Thomas H. Kean, Jr.,
Assemblyman Eric Munoz, and Assemblyman Jon M. Bramnick**

Comment Number	Comment response
1	<p>Comment noted. Noise abatement measures were considered as mitigation for the FAA's Preferred Alternative. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS. The Preferred Alternative permits adaptation to new technologies and there does consider the future beyond the years analyzed.</p>
2	<p>Terminal airspace is tightly constrained by the runways it feeds, so in many ways even a major terminal redesign will look on a map like the design it is intended to replace. The most important part of the Preferred Alternative is the change in allocation of responsibility for separating aircraft and the consequent improvements in delays and altitude assignments, neither of which is visible on a map. From the pilot's seat or the air traffic controller's scope, however, the terminal will change fundamentally. The Integrated Airspace Alternative Variation with ICC removes an invisible ceiling that restricts the freedom of departures to climb and complicates the task of creating a sequence of arrivals. When the airspace is integrated, even small changes in aircraft tracks can yield large benefits.</p>
3	<p>Comment noted. Noise abatement measures were considered as mitigation for the FAA's Preferred Alternative. While noise abatement was not possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p>
4	<p>The FAA recognizes the quality of life issues of residents in the Study Area and has always intended to consider mitigation once it selected its preferred alternative. The FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level prior to designing any mitigation. All mitigation measures to avoid or minimize significant noise impacts are included in the Final EIS. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided.</p>
5	<p>Comment noted. It is true that noise was not part of the purpose and need (or goals) of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>However, noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential</p>

**Response to Comment 5256: New Jersey State Legislators Senator Thomas H. Kean, Jr.,
Assemblyman Eric Munoz, and Assemblyman Jon M. Bramnick**

Comment Number	Comment response
	<p>environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided.</p> <p>Neither estimated nor actual costs have yet been developed for any of the Alternatives.</p> <p>It is not true that the FAA admits that none of the proposed plans would result in major improvements in delay. The delay reductions discussed in the DEIS are considerable. See the section "Interpreting Average Delay" in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.</p>
6	Comment noted.

Nagendran, Ram

From: Feldgus, Steve (Menendez) [Steve_Feldgus@menendez.senate.gov]
Sent: Wednesday, June 28, 2006 11:58 AM
To: FAA DEIS
Subject: Comments on NY/NJ/PHL Airspace Redesign
Attachments: Airspace Redesign Comments signed 6-28-06.pdf

Please let me know if you have any questions about the attachment.

Thank you,

--Steve Feldgus

Steve Feldgus, Ph.D.
Legislative Assistant
Senator Robert Menendez (D-NJ)
502 Hart Senate Office Building
(202) 224-4744
steve_feldgus@menendez.senate.gov

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Congress of the United States
Washington, DC 20515

June 28, 2006

Mr. Steve Kelley
c/o Nessa Memberg
FAA-Airspace Redesign
12005 Sunrise Valley Road
Reston, VA 20191

Dear Mr. Kelley,

We are writing to express our strong concerns about the Draft Environmental Impact Statement (DEIS) for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign (Redesign). While we appreciate the incredible challenges involved in trying to manage an airspace containing four major passenger airports in one of the most densely populated regions of the country, and agree that improvements need to be made in order to more efficiently handle the increasing levels of traffic in that airspace, we vehemently believe that the quality of life of the people who live in the region is of paramount importance. Reduced delays and additional flights for air travelers should not come at the expense of New Jersey's families.

1

Unfortunately, the Federal Aviation Administration (FAA) did not take noise mitigation into account when developing the alternatives in the DEIS. The stated "Purpose and Need" of the Redesign project was focused on airspace efficiency and capacity improvements only, despite FAA indications in the 1990's that one of the benefits of a major airspace redesign effort would be reduced adverse environmental impacts, including noise and air pollution. As a result, the FAA maximized operational benefits to the aviation community without any consideration of the noise impacts on New Jersey residents. The result was not surprising. MITRE Corporation, an aviation consulting firm, concluded that the only alternative "worth the effort and expense of implementing an airspace redesign of this magnitude" is the Integrated Airspace Alternative with Integrated Control Complex (Integrated with ICC), which subjects hundreds of thousands of New Jerseyans to a dramatic increase in aircraft noise.

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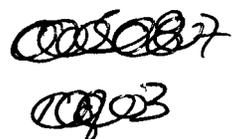
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In addition to our general concerns outlined above, we have the following additional comments regarding the DEIS:

- We believe the FAA should develop new alternatives, where the minimization of aircraft noise should be one of the stated purposes. The way these alternatives have been developed pits operational efficiency versus the well-being of residents. It does not have to be that way. If noise reduction had been in the original purpose and need, the FAA could have developed alternatives that found the maximum efficiency for the minimum noise impact. Mitigation strategies pasted onto the preferred alternative will not be enough.
- The Day/Night Average Sound Level (DNL) metric is very misleading. People don't hear an average 24-hour sound level; they hear a plane flying over their house.

4

5



- Hypothetically, a person could experience a sonic boom each day, which would be extremely detrimental to their health and well-being, but still have a very low DNL if that was the only flight in a 24-hour period. The DNL metric does not tell people what they really want to know: how many planes would fly over their homes, and what they would sound like. To our knowledge, the FAA has made no attempt to actually provide people with this information, instead forcing them to accept the FAA's conclusion that a 5 dB increase, which corresponds to a greater than 200% increase in air noise, constitutes a "Slight to Moderate" impact. 5
- Instead of using a graduated penalty scale for nighttime flights, the FAA applies a flat 10 dB sound penalty for all flights occurring between 10pm and 7am for calculating DNL. While this approach properly penalizes disruptive night-time flights, it is possible to demonstrate tremendous noise "reductions" simply by gaming the model—such as shifting flights to a time slightly earlier than 10 p.m. or slightly later than 7 a.m. A graduated penalty scale would be more appropriate, and would take into account the fact that many people, particularly children and shift workers, go to sleep before 10pm. 6
- The FAA understates the real noise impact on residents of affected areas. Although Table ES.3 shows that 281,884 people would experience an increase of 5 dB from the Integrated with ICC alternative, a closer inspection of the data shows that thousands of people would see a 10 dB or greater increase in air noise in 2011 versus the no action alternative, including over 15,000 people in Bergen County alone. However, this information was not adequately disseminated to Bergen County elected officials and the public, and only one public hearing was held in that region – none in the heavily-affected northern parts of the county. 7
- The proposal to fan departures leaving Newark Liberty International Airport to the south is entirely unacceptable, as it results in severe noise impacts for the people of Elizabeth. Noise would be increased for over 70,000 people in the city, raising serious environmental justice concerns that no proposed mitigation can adequately address. Even soundproofing the homes of all 70,000 people, which is exceptionally unlikely, would be unhelpful during warm weather when doors and windows were opened. We believe that the current departure pattern out of Newark Liberty needs to be maintained. 8
- An independent consultant, Williams Aviation, found that FAA's analysis reclassified some larger jets as quieter regional jets in its modeling, which lowers the perceived impact of the alternatives. We would like the FAA to explain why this was done, to explain why they feel it is a realistic assumption, and to show how the noise impacts would change if the larger jets were not reclassified. 9
- We are concerned that the DEIS has not proposed an alternative to the current Instrument Landing System (ILS) on Runway 19 at Teterboro Airport in Teterboro, New Jersey. When ILS-19 was proposed, an Environmental Assessment (EA) was submitted which concluded there would be "no impact" from implementation of this new flight route. However, this conclusion was based on a projection of 170,000 annual operations at 10

Teterboro Airport. Unfortunately, flights at Teterboro Airport have already exceeded this level, with the airport handling over 200,000 aircraft movements each year. Though intended to make flying into Teterboro Airport safer for planes in foul weather by allowing them to use instruments on their approach, the ILS-19 flight path has brought air traffic extremely close to many high-rise buildings in Hackensack and the Hackensack University Medical Center, causing safety concerns by residents of and visitors to these buildings. Over the past several years, pilots have become more reliant upon the ILS-19, using it not only in inclement weather but on a regular basis. We recommend that the final DEIS address this issue and offer an alternative approach for an ILS system at Teterboro Airport.

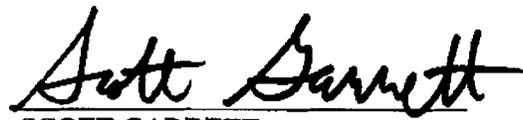
Thank you very much for your attention to these comments.

Sincerely,


ROBERT MENENDEZ
United States Senator


FRANK R. LAUTENBERG
United States Senator


STEVEN R. ROTHMAN
Member of Congress


SCOTT GARRETT
Member of Congress


DONALD M. PAYNE
Member of Congress


ROBERT E. ANDREWS
Member of Congress

Response to Comment 5086: New Jersey Representatives - Senator Menendez, Senator Lautenberg, Congressman Rothman, Congressman Garrett, Congressman Payne, and Congressman Andrews

Comment Number	Comment Response
1	<p>The FAA acknowledges the quality of life issues impacted by aviation activities. A comprehensive public involvement process was an integral part of this Airspace Redesign Project, and impacts to residents living in communities adjacent to the airport and various flight paths were extensively analyzed including noise and environmental justice. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated potential environmental impacts. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. Lastly, the beneficial employment and economic impacts of EWR, LGA, and JFK reach beyond the industry and its users. According to the Port Authority of New York and New Jersey these airports employ 67,000 people and contribute \$48.2 billion in economic activity to the NY/NJ metropolitan region generating some 435,000 jobs and \$16.9 billion in wages.</p>
2	<p>We understand the long-standing concerns about aircraft noise, not only of New Jersey residents, but also of residents of New York, Pennsylvania, Delaware, and Connecticut, who are also stakeholders in this redesign project. That is why noise was the primary factor considered in the analysis of impacts, including a comprehensive noise modeling analysis using FAA's state-of-the-art model, the Noise Integrated Routing System (NIRS), which was specifically created to handle noise impact analysis for airspace studies over large geographic areas involving multiple airports.</p> <p>The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>
3	<p>MITRE-CAASD is a Federally-Funded Research and Development Center, created by Congress for the purpose of providing impartial advice to FAA reflecting the public interest. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. Appendix P, Noise Mitigation Report, and Chapter 5, Preferred Alternative and Mitigation, of the FEIS disclose that with mitigation applied to the Preferred Alternative in 2011 the population expected to be exposed to noise increases that trigger on the three FAA thresholds to be approximately 67,000 persons and eliminates significant noise impacts in the entire Study Area. Noise increases that are equal to or greater than 1.5 dB within the 65 dB day-night average sound level (DNL) range as a "significant impact". Furthermore, in consideration of the public response to past air traffic changes, the FAA has identified a threshold of a +/- 5 dB DNL change between 45 to 60 DNL and +/- 3 dB DNL between 60 to 65 DNL to identify slight to moderate levels of impact.</p>

Response to Comment 5086: New Jersey Representatives - Senator Menendez, Senator Lautenberg, Congressman Rothman, Congressman Garrett, Congressman Payne, and Congressman Andrews

Comment Number	Comment Response
4	<p>It is true that noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>However, noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible.</p> <p>Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. Appendix P, Noise Mitigation Report, and Chapter 5, Preferred Alternative and Mitigation, of the FEIS disclose that with mitigation applied to the Preferred Alternative in 2011 the population expected to be exposed to noise increases that trigger on the three FAA thresholds to be approximately 67,000 persons and eliminates significant noise impacts in the entire Study Area. Noise increases that are equal to or greater than 1.5 dB within the 65 dB day-night average sound level (DNL) range as a "significant impact". Furthermore, in consideration of the public response to past air traffic changes, the FAA has identified a threshold of a +/- 5 dB DNL change between 45 to 60 DNL and +/- 3 dB DNL between 60 to 65 DNL to identify slight to moderate levels of impact.</p>

Response to Comment 5086: New Jersey Representatives - Senator Menendez, Senator Lautenberg, Congressman Rothman, Congressman Garrett, Congressman Payne, and Congressman Andrews

Comment Number	Comment Response
5	<p>It is true that individuals do not “hear” the DNL, but it is not misleading to use the DNL metric. An average noise metric such as DNL takes into account the noise levels of all individual events that occur during a 24 hour period, as well as the number of times those events occur. The DNL metric also accounts for the time that events occur by applying a 10 dB penalty to noise events which occur during nighttime hours (10pm-7am).</p> <p>In the 1992 FICON report, the group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. Additionally, the EPA “Levels Document” identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)."</p> <p>During the development of the DEIS, consideration was given to the development of supplemental metrics for informational purposes. The metrics the commenter suggests, like single event noise level analysis and number of overflights, were indeed considered. While this type of data is inherently part of the detailed noise modeling process, it is not readily available as an output from the NIRS model. Furthermore, it was found that the task of presenting such data in an efficient, meaningful, and understandable way for all persons within the 30,000+ square mile Study Area was not possible. With more than 7,000 flights at 21 airports, distributed over some 22,000 modeled flight tracks for two different years and four alternatives, the sheer magnitude of the data was considered to be overwhelming. Given these complexities, the FAA decided to rely on the DNL metric for this study since it accounts for both the number of events and the noise levels of those individual events, as well as the fact that it is the sole metric that will be considered in the decision making process.</p>

Response to Comment 5086: New Jersey Representatives - Senator Menendez, Senator Lautenberg, Congressman Rothman, Congressman Garrett, Congressman Payne, and Congressman Andrews

Comment Number	Comment Response
6	<p>The DNL metric was developed long before the FAA came into existence and was defined scientifically to include the 10 dB nighttime penalty. Detailed flight schedules with some 7,000+ flights at specific times were input into a comprehensive operational model (TAAM). This model provided detailed output for the takeoff or landing time of each scheduled flight. These results were used to identify any scheduled flights that would be expected to be delayed into the nighttime hours (or the daytime hours in the early morning) so that the most accurate day/night proportions could be modeled in the noise model. This approach was applied equally for the No Action conditions as well as each of the proposed alternatives. Furthermore, in the 1992 Federal Interagency Committee on Noise (FICON) report, the group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. The EPA "Levels Document" identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)."</p>

Response to Comment 5086: New Jersey Representatives - Senator Menendez, Senator Lautenberg, Congressman Rothman, Congressman Garrett, Congressman Payne, and Congressman Andrews

Comment Number	Comment Response
7	<p>The DEIS did not understate any of the results of the noise modeling for the alternatives. In fact, it quite clearly points out all of the areas of significant noise change, as well as those with reportable values of noise change (Bergen County). Indeed, the data provided in the supplemental on-line spreadsheet tables does provide further detail to the public regarding the level of noise change associated with each alternative. The commenter is correct in pointing out that some areas may receive an increase of 10 DNL or more resulting from an alternative. However, these changes are generally at noise levels well below the 65 DNL level of significance. Furthermore, FAA does analyze noise increases of +5 DNL or more where the alternative noise levels are 45 DNL or greater pursuant to FAA Order 1050.E Appendix 14.5e. Specifically, the changes over Bergen County are due to the relocation of arrival routes to Newark in that area. Finally, the noise changes associated with the Preferred Alternative are the focus of the noise mitigation analysis effort. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided.</p> <p>A newsletter announcing the release of the Draft EIS and where to acquire a copy was mailed directly to over 1800 individuals in NJ. Another postcard was mailed out to these same individuals in February, 2006 listing the public meeting locations. 25 public officials in Bergen County, including the Mayor of Hillsdale, NJ, were sent both notifications prior to any public meetings.</p> <p>Newspaper advertisements with circulation in Bergen County were run prior to the meetings in the following papers: El Diario, The North Jersey Herald News, and the Bergen Record. Public service announcements listing the meeting locations and times were run on the following radio stations also with coverage over Bergen County: WAXQ, WBGO, SDHA, WHTZ, WJUX, WNEW, and WRKS.</p> <p>In addition to the meeting held in Hasbrouck Heights, NJ (Bergen County), the FAA also held meetings in Clifton, NJ (approximately 10 miles from the center of the County) and White Plains, NY (approximately 15 miles from the center of the county).</p>
8	<p>Comment noted. Unfortunately, all communities located in the EWR Environmental Justice Study Area would be considered minority communities. Therefore, with the exception of the Future No Action Airspace Alternative, there does not appear to be an alternative to the particular airspace route causing the significant noise impact that would not also significantly impact a minority community. It is noted that the Ocean Routing Airspace Alternative has basically the same initial route for EWR Runway 22 departures as the Future No Action Airspace Alternative. Lastly, upon selection of the Preferred Alternative the FAA considered mitigation measures to avoid, minimize, rectify, reduce, eliminate, or compensate for the significant environmental justice impacts. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided.</p>

Response to Comment 5086: New Jersey Representatives - Senator Menendez, Senator Lautenberg, Congressman Rothman, Congressman Garrett, Congressman Payne, and Congressman Andrews

Comment Number	Comment Response
9	<p>The finding indicated by this consultant is incorrect and stems from either a limited reading or a misreading of the DEIS. Section 3.4.5.1 in Chapter 3 of the DEIS discusses the noise modeling input for the baseline 2000 conditions. The fleet mix of aircraft is discussed on Page 3-28 and 7 aircraft groupings were introduced in the context of assigning traffic to major flows in the area. The discussion presents a "generalized summary" table of the fleet mix for all 21 airports. The discussion indicates that the "Jet" category in the table was comprised of all the aircraft contained in the 5 unique groups of aircraft that represented jets. This was done simply to provide the reader with an easy to understand overview of the jet/prop mix at each airport and does not represent the detailed fleet mix that was input into the noise modeling. A similar discussion is provided in Chapter 4 on Pages 4-4 through 4-6 for the future operations and fleet mix. This discussion refers the reader to Appendix B to find the details of the forecasts including the fleet mix. Attachment B to Appendix B presents 21 detailed fleet mix tables detailing the specific fleet mix modeled for each airport in the study for each year. As an example, there were some 48 unique aircraft/engine combinations modeled for Newark alone. Furthermore, Attachment A to the Noise Modeling Technical Report also presents the detailed fleet mix for the 21 airports while including the actual average annual day operations modeled and the day/night distribution of those operations. Overall the modeled fleet mix in the DEIS was very detailed and incorporated the best information possible regarding current traffic conditions and future conditions as predicted by the detailed forecasting effort.</p>
10	<p>The ILS approach to TEB Runway 19 does keep aircraft away from structures and in addition provides a glide angle to the runway; it was and is a major improvement for arrivals to Runway 19. The ILS procedures into TEB meet current FAA safety standards. An ILS approach enhances the safety of aircraft landings in good weather as well as bad. The area to the north of Teterboro is important airspace for three major airports. The other types of approaches currently possible in this tightly constrained airspace can not improve on the "gold standard" safety level of an ILS.</p>



**NEW JERSEY STATE LEGISLATURE
DISTRICT 38**

From

Senator Joseph Coniglio
205 Robin Road
Suite 216
Paramus, NJ 07652
201-576-9199
June 28, 2006

Assemblyman Robert M. Gordon
14-25 Plaza Road
P.O. Box 398
Fair Lawn, NJ 07410
201-703-9779

Assemblywoman Joan M. Voss
520 Main Street
Suite 300
Fort Lee, NJ 07024
201-346-6400

Mr. Steve Kelley
c/o Nessa Memberg
FAA-Airspace Redesign
12005 Sunrise Valley Road
Reston, VA 20191

Dear Mr. Kelley,

We are writing to express our strong concerns about the Draft Environmental Impact Statement (DEIS) for the New York/New Jersey/ Philadelphia Metropolitan Area Airspace Redesign (Redesign). While we appreciate the incredible challenges involved in trying to manage an airspace containing four major passenger airports in one of the most densely populated regions of the country, and agree that improvements need to be made in order to more efficiently handle the increasing levels of traffic in that airspace, we vehemently believe that the quality of life of the people who live in the region is of paramount importance. Reduced delays and additional flights for air travelers should not come at the expense of New Jersey's families.

Unfortunately, the Federal Aviation Administration (FAA) did not take noise mitigation into account when developing the alternatives in the DEIS. The stated "Purpose and Need" of the Redesign project was focused on airspace efficiency and capacity improvements only, despite FAA indications in the 1990's that one of the benefits to the aviation community without any consideration of the noise impacts on New Jersey residents. The result was not surprising. MITRE Corporation, an aviation consulting firm, concluded that the only alternative "worth the effort and expense of implementing an airspace redesign of this magnitude" is the Integrated Airspace Alternative with Integrated Control Complex (Integrated with ICC), which subjects hundreds of thousands citizens to a dramatic increase in aircraft noise.

In addition to our general concerns outlined above, we have the following additional comments regarding the DEIS:

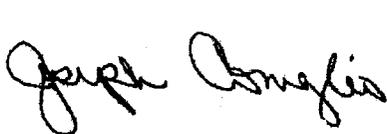
- We believe the FAA should develop new alternatives, where the minimization of aircraft noise should be one of the stated purposes. The way these alternatives have been developed pits operational efficiency versus the well-being of residents. Noise reduction should have been in the original purpose and need, the FAA could have developed alternatives that found the maximum efficiency for the minimum noise impact. Mitigation strategies pasted onto the preferred alternatives will not be enough.

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- We are concerned that the DEIS has not proposed an alternative to the current Instrument Landing System (ILS) on Runway 19 at Teterboro Airport in Teterboro, New Jersey. When ILS-19 was proposed, an Environmental Assessment (EA) was submitted which concluded there would be “no impact” from implementation of this new flight route. However, this conclusion was based in a projection of 170,000 annual operations at Teterboro Airport. Unfortunately, flights at Teterboro Airport have already exceeded 200,000 aircraft movements this year. Though intended to make flying into Teterboro Airport safer for planes in foul weather, the ILS-19 flight path has brought air traffic extremely close to many high-rise buildings in the area, causing safety concerns by residents of and visitors to these buildings. Over the past several years, pilots have become more reliant on this runway, using it not only in inclement weather but on a regular basis. We recommend that the final DEIS address this issue and offer an alternative approach for an ILS at Teterboro Airport.
- An independent consultant, Williams Aviation, found that FAA’s analysis reclassified some larger jets as quieter regional jets in its modeling, which lowers the perceived impact of the alternatives. We would like the FAA to explain why this was done, to explain why they feel it is a realistic assumption, and to show how the noise impacts would change if the larger jets were not reclassified.
- The FAA understates the real noise impact on residents of the affected areas. Although Table ES.3 shows that 281,884 people would experience an increase of 5dB from the Integrated with ICC alternative, a closer inspection of the data shows that thousands of people would see a 10 dB or greater increase in air noise in 2011 versus no action alternative including over 15,000 people in Bergen County alone. However, this information was not adequately disseminated to Bergen County elected officials and the public, and only one public hearing was held in that region – none in the heavily –affected northern parts of the county.

Thank you very much for your attention to these comments.

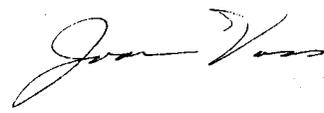
Sincerely,



Joseph Coniglio
Senator



Robert M. Gordon
Assemblyman



Joan M. Voss
Assemblywoman

==

Response to Comment 5229: New Jersey State Legislature District 38 – Senator Coniglio, Assemblyman Gordon, and Assemblywoman Voss

Comment Number	Comment response
1	Comment noted.
2	<p>Noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five "Preferred Alternative and Mitigation" of the Final EIS.</p>
3	Comment noted.
4	The ILS procedure for TEB Runway 19 meets current FAA safety standards.
5	The fleet mix used as input for the noise modeling presented in the DEIS was very detailed and incorporated the best information possible regarding current and forecast future conditions. The detailed fleet mix information is contained in Attachment B to Appendix B and Attachment A to the Noise Modeling Technical Report (Appendix E.2) of the EIS.
6	<p>The DEIS accurately presents the results of the noise modeling for the alternatives and identifies all of the areas which could experience noise impacts in excess of FAA's threshold of significance. Data provided online in supplemental tables present further detailed information regarding the level of noise change associated with each alternative. The noise analysis provided in the DEIS is the information upon which the FAA based its selection of alternatives and mitigation measures. Changes in noise levels resulting from implementation of the Preferred Alternative were the focus of the noise mitigation analysis. The mitigation analysis evaluated raising altitudes over Bergen County of arrival routes to Newark to reduce the noise impacts disclosed in the DEIS. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, in the FEIS.</p> <p>A newsletter announcing the release of the Draft EIS and where to acquire a copy was mailed directly to over 1800 individuals in NJ. Another postcard was mailed out to these same individuals in February, 2006 listing the public meeting locations. Twenty-five public officials in Bergen County, including the Mayor of Hillsdale, NJ, were sent both notifications prior to any public meetings.</p>

**Response to Comment 5229: New Jersey State Legislature District 38 – Senator Coniglio,
Assemblyman Gordon, and Assemblywoman Voss**

Comment Number	Comment response
	<p>Newspaper advertisements with circulation in Bergen county were run prior to the meetings in the following papers: El Diario, The North Jersey Herald News, and the Bergen Record. Public service announcements listing the meeting locations and times were run on the following radio stations also with coverage over Bergen County: WAXQ, WBGO, SDHA, WHTZ, WJUX, WNEW, and WRKS.</p> <p>In addition to the meeting held in Hasbrouck Heights, NJ (Bergen County), the FAA also held meetings in Clifton, NJ (approximately 10 miles from the center of the county) and White Plains, NY (approximately 15 miles from the center of the county).</p>
7	<p>Both pre-scoping and scoping phases of the project showed a high level of interest in the Hasbrouck Heights area of Bergen County, so it was decided to return to this area for the DEIS public meeting phase of the project. Additionally, this meeting location is within a short commute from most of the areas in the northern areas of the county.</p>

FAA-060613-003 SB

Democratic Chairman Education Committee

Caucuses

PA Higher Education Assistance Agency, Member Board of Directors

PA Historical And Museum Commission Black History Advisory Committee, Member

PA Legislative Black Caucus, Member



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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4800 BALTIMORE AVENUE
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FAX: (215) 724-2230

June 7, 2006

Ms. Marion C. Blakey
Federal Aviation Administrator
U. S. Department of Transportation
800 Independence Avenue, SW
Washington, DC 20591

Dear Ms. Blakey:

I am contacting you as a State Representative in the General Assembly of the Pennsylvania House of Representatives, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity- the redesign of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving this metropolitan area, which is composed of over 8 million people. Under the auspices of a Presidential Executive Order (E. O.) and with the support of the Federal Aviation Administration (FAA), the Airport has advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvements has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Improvements to PHL's airfield will not yield optimum benefits, however, unless the airspace serving Philadelphia is re-engineered in coordination with these runway projects. Last year, PHL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control Tower at PHL is the busiest in the FAA's Eastern Region.

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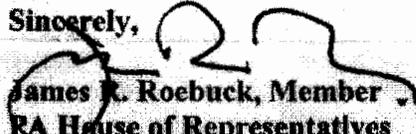
Marion C. Blakey, Federal Aviation Administration
Page 2

As improvements to the management of Philadelphia's airspace are evaluated along with that of the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that you give strong consideration to whichever alternative will offer the most relief of congestion at PHL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHL. Furthermore, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of this decade, ultimately causing enormous economic harm to the entire metropolitan area.

Please be assured that the Greater Philadelphia business community will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Sincerely,



James K. Roebuck, Member
PA House of Representatives
188th Legislative District

CC: The Honorable Arlen Specter
The Honorable Rick Santorum
The Honorable Robert A. Brady
The Honorable Chaka Fattah
The Honorable Allyson Y. Schwartz
The Honorable Curt Weldon

JRR: sit

Response to Comment 5735: James R. Roebuck, Member, Pennsylvania House of Representatives, 188th Legislative District

Comment Number	Comment response
1	We understand that in order for the airport to yield optimum benefits, the airspace serving Philadelphia needs to be "re-engineered." Redesign of Philadelphia Airspace was an important component of the NYNJPHL project, and two of the alternatives, Modifications to Existing Airspace, and Integrated Airspace included changes as compared to the Future No Action. Optimum benefits for Philadelphia Airport would be reached with the Integrated Airspace Alternative Variation with ICC. A summary of the changes from the Future No Action for the Integrated Airspace Alternative Variation with ICC include: West departure gate expanded to the northwest; new procedures for aircraft heading to the West departure gate, East departure gate is shifted to the east; new procedures for aircraft heading to the East departure gate; west arrival post shifts to the northeast; new distant procedures for aircraft arriving from the West arrival post; new departure headings for aircraft heading to the North, East, West, Southwest, and South departure gates; and an additional route added to the North arrival post.
2	The FAA has no intention of short-changing Philadelphia's airspace in the allocation of routings. As mentioned above, optimizing Philadelphia's airspace was an important component of the NY/NJ/PHL Airspace Redesign Project. In the designs, emphasis was placed on the ability to integrate Philadelphia's traffic into the overhead traffic traversing the New York and Washington Centers' airspace. The FAA has selected the Integrated Airspace Alternative Variation with ICC.
3	Comment noted.

SUE W. KELLY

Member of Congress

COMMITTEE ON FINANCIAL SERVICES

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WASHINGTON, DC 20515

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WWW.SUEW.KELLY.CONGRESS.GOV

The Honorable Marion Blakey
Administrator
U.S. Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, DC 20591-0004

Dear Administrator Blakey,

My purpose in writing today is to voice my concerns regarding the Federal Aviation Administration's recently-released plans for the redesign of the New York New Jersey/Philadelphia Metropolitan airspace.

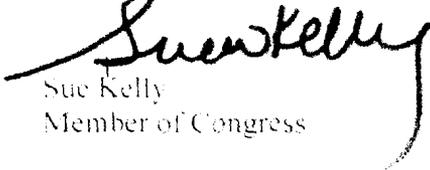
As you know, the Agency's airspace redesign plan will allow for the redirecting of commercial flights over the Indian Point nuclear facility in my congressional district in Buchanan, New York. I understand that some form of rerouting must take place in order to make the airspace more efficient, but letting planes fly over the plant at this time raises deep concerns for those living in the region surrounding it, and I urge the FAA to reconsider its decision.

Because of its proximity to New York City, the Indian Point nuclear facility has been and remains a potential target for those who would like to do us harm. Proposals which may increase the plant's vulnerability to attack must be taken with great seriousness, and I strongly urge you to reconsider this plan. As Westchester County Executive Andrew Spano said in his correspondence to you on June 22nd, redirecting planes over Indian Point "makes no sense" and it was "not well thought out."

I hope that you will take the concerns of my constituents and of local officials into consideration during the current public comment period and reach a new conclusion for redesigning the airspace around Indian Point.

I look forward to your timely response.

Sincerely,


Sue Kelly
Member of Congress

005744

Response to Comment 5744: US Congresswoman Sue Kelly

Comment Number	Comment response
1	The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.

CURT WELDON

7th District, Pennsylvania

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REPUBLICAN STEERING COMMITTEE



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House of Representatives
Washington, DC 20515-3807

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AND TERRORISM RISK ASSESSMENT
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DUMA--CONGRESS STUDY GROUP
GLOBE OCEAN PROTECTION TASK FORCE
CONGRESSIONAL DIABETES CAUCUS
HOMELAND SECURITY CAUCUS

July 10, 2006

Ms. Marion Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, D.C. 20591

Dear Administrator Blakey:

I am writing you, again, on behalf of the residents of Pennsylvania's Seventh Congressional District who have sincere concerns regarding the proposed New York/New Jersey/Philadelphia Airspace Redesign currently in the Draft Environmental Impact Statement phase. These concerns are borne from a growing incidence of daily noise due to increased air traffic. These encounters with airplane overflights are not theoretical nor are they based on modeling and simulations - they are current, tangible intrusions into the region's quality of life, and I stand with my constituents in their opposition to any plan that would place increased air traffic over their homes and neighborhoods.

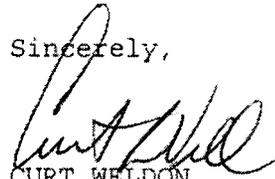
I appreciate your granting an extension to July 10, 2006 to accept additional comment from my constituents and the local elected officials that serve them; however, I believe that further extension is warranted to allow Delaware County time to assemble the appropriate expert interpretation of the data included in the Draft EIS. The County's Planning Department is an exceptional resource for Delaware County residents, but they do not possess the personnel to undertake this review on their own and to do so will take time and money. Interpreting the impact of this radical alteration to the regional airspace is not the sole providence of the Federal Aviation Administration, and I would encourage you to take into consideration diverse views as part of the EIS process and general good governance.

In the meantime, please enter the enclosed correspondence from Delaware County, and many municipalities therein, into the formal record to be published with the Final Environmental Impact Statement. In addition to expressing frustration that affected municipalities were not adequately notified of the one public meeting held in the County, the enclosed statements posit reasonable arguments for extending the comment period further and choosing against the favored

alternatives. I ask, then, that these statements be taken seriously and viewed with the same weight that is granted to supposed or expected noise values.

I appreciate your thoughtful consideration of these comments and recommend that the FAA grant Delaware County additional time to present their findings for the Administration's review. The county and municipal leaders in my District have admirably established smart growth practices, protected open space from development, and reclaimed old industrial land for public use all to preserve a better quality of life for their residents. To jeopardize this impressive record and negatively impact these hardworking residents for the possibility of reducing flight delays by a minute or two stretches the bounds of logic and prudence. I look forward to your joining me in the District in the coming months to tour the neighborhoods already impacted by current air traffic and those that would be greatly disturbed under any of the FAA's preferred options.

Sincerely,



CURT WELDON

Member of Congress

CW:jc

Cc: Steve Kelley, FAA ✓
Delaware County Council
Tinicum Township Board of Commissioners
Chadds Ford Township Board of Supervisors
Ridley Township Board of Commissioners
Springfield Township Board of Commissioners
Radnor Township Board of Commissioners
Concord Township Board of Supervisors
Sharon Hill Borough Council
Ridley Park Borough Council

Response to Comment 5757: US Congressman Curt Weldon, 7th District, Pennsylvania

Comment Number	Comment response
1	Comment noted.
2	The comment period was extended by 30 days to July 1, 2000, a total of over six months.
3	Comment noted. The FAA has provided for a public involvement program to accompany this EIS that has gone well beyond standard practice including a six month comment period and over 30 public comment meetings.
4	See response to comment 5757 #2. The FAA identified the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative in March 2007
5	All comments regarding the DEIS are taken seriously and treated equally. According to CEQ Regulations Section 1502.9b, Final EISs shall respond to comments and the agency shall discuss at appropriate points in the Final EIS any responsible opposing view which was not adequately discussed in the Draft EIS and indicate the agency's response to the issue raised. The FAA has prepared its Final EIS and responded to comments and opposing views received on the Draft EIS.
6	Comment noted. The "few minutes in travel time" is an average over a large number of flights. It is difficult to assess the value of noise exposure, but the efficiency benefit to users of the aviation system is large. See the section "Interpreting Average Delay" in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign of the FEIS.

ROBERT E. ANDREWS

FIRST DISTRICT, NEW JERSEY

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MEMBER, SPECIAL OVERSIGHT PANEL ON MORALE, WELFARE AND RECREATION

MEMBER, SUBCOMMITTEE ON MILITARY PERSONNEL

**Congress of the United States
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E-MAIL:

rob.andrews@mail.house.gov

May 30, 2006

Mr. Steve Kelley, FAA NAR
FAA Airspace Redesign
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Dear Mr. Kelley:

I support the No Action Alternative for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Project. I strongly urge the Federal Aviation Administration to reject the proposed alternatives.

1

The proposed airspace redesign is a solution in search of the problem. The Draft Environmental Impact Statement ("DEIS") fails to show measurable and significant evidence that "enhanced safety, reduced delays, and the ability to accommodate growth," (FN1) will occur, and the financial burden on the American taxpayer is undetermined, but has been estimated to potentially be \$300 Million.

2

3

One point I find troubling is that no where in the DEIS is cost of this project mentioned. How can one be expected to make an educated decision on which option is best if one can not make a cost/benefit analysis of each option. Any decision about any option without knowing the projected cost is a mistake and is premature.

4

Furthermore, the DEIS does not indicate any appreciable increase in safety, or any measurable reduction of collision risk over the current airspace configuration. The DEIS also indicates only a marginal (maximum 17%) impact on delay reduction, with the greatest projected delay reduction at three minutes for arrival delays and four minutes for departure delays. (FN2)

5

I am greatly concerned about the impact this proposed redesign will have upon my constituency, as this project will simply shift the current noise levels for the surrounding communities. I have consulted the National Air Traffic Controllers Association (NATCA) to request their feedback on this matter, and was advised that the NATCA Philadelphia was never invited to or received a briefing on this proposal. The NATCA has also indicated to me that they have concerns that this plan does not provide any real solutions to the overall airspace patterns throughout the region as the aircraft will continue to enter the same airspace sectors they currently use once the aircraft are airborne.

6

004269

182

Mr. Steve Kelley, FAA NAR
May 30, 2006
Page 2

The proposed airspace redesign only results in minimal and insignificant improvements in delay reduction, with no measurable increase in aircraft safety, and has an undetermined, but potentially very expensive cost to the taxpayer. I strongly encourage the FAA to continue with the current airspace configuration.

7

8

Sincerely,



Robert Andrews
Member of Congress

REA:ja

Enclosure: Footnotes:

1. DEIS Executive Summary, Sec. 3, p. 2.
2. Table ES-1, DEIS Executive Summary, p. 7.

Response to Comment 4269: Congressman Robert E. Andrews, 1st District, New Jersey

Comment Number	Comment Response
1	Comment noted.
2	The delays in the Future No Action Airspace Alternative are very large. They show a worsening of the trend of the last three years toward long delays in all the airports around New York and Philadelphia. Table ES-1 in the DEIS shows the reduction of delays that would result from the Modifications to Existing Airspace and Integrated Airspace Alternatives. Appendix C gives details of reduced delays and the ability to accommodate growth. Neither estimated nor actual costs have yet been developed for any of the Alternatives.
3	In the past, prior to the passage of the National Environmental Policy Act, agencies often made their decisions based only on technical and cost decisions. The purpose of the NEPA process is to provide environmental considerations of alternatives for decision makers so that they can examine those along with other technical considerations such as cost, which may be provided to the decision makers from other sources. A cost-benefit analysis is not required by CEQ regulations. While some federal agencies include a cost-benefit analysis in the EIS to complete their administrative record regarding the justifications for making a decision on the proposed action, this goes beyond the requirements of NEPA. For purposes of complying with NEPA, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations, such as quality of life factors.
5	Safety is difficult to quantify, but qualitative improvements in safety can be seen in numerous places in the Preferred Alternative. For example, fanned departure headings mean that successive departing aircraft can be separated in two dimensions (along-track and laterally) instead of just one. In another case, under specific circumstances such as when headings are used as exemplified by the Preferred Alternative, departures from Newark do not converge with the LaGuardia flow. If headings of 220 or greater are used, as in the Preferred Alternative, the departures do not converge with the LaGuardia flow so this ceiling is no longer needed. The delay reductions mentioned in the comment are not small. See the chapter "Interpreting Average Delay" in – Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.
6	<p>FAA disagrees that NATCA Philadelphia was not briefed on this project. Additionally, NATCA representatives also participated on the Airspace Redesign Team.</p> <p>The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, was provided.</p>
7	See responses to comment 4269 #2 and #5.
8	NEPA does not require federal agencies to prepare cost-benefit analyses as part of an EIS. One of the objectives of the NEPA process is to disclose potential environmental effects for alternatives being considered to decision makers so that these effects can be examined equally. Other technical considerations such as cost may be provided to the decision makers and included or incorporated by reference in the EIS. Your comment to continue with the current airspace configuration has been noted.

CAROLYN B. MALONEY
14TH DISTRICT, NEW YORK

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Statement of Congresswoman Carolyn B. Maloney
at the Federal Aviation Administration NY/NJ/PHL Airspace Redesign Public Meeting
April 27, 2006

Thank you for the opportunity to express my concerns about the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Plan. The primary focus of any airspace redesign should be safety. Given the enormous increase in the number of planes flying over the city, it is hard to believe that safety was the primary focus of this plan. Instead, this plan seems to put commercial interests ahead of community concerns. With events such as September 11, the 2001 crash of American Airlines Flight 587 into a Queens neighborhood, and numerous instances of airplane debris crashing into urban areas, New York City has already seen what can happen to people on the ground when terrorism or human errors cause planes (or pieces of planes) to fall out of the sky.

1

I share many of the community's concerns regarding the redesign of airspace in the New York metropolitan area. Because of the proximity of the location of John F. Kennedy International and LaGuardia Airports to densely populated areas in Manhattan and Queens, I am particularly troubled by the possibility of increased air traffic over these areas. Following the attacks on September 11, 2001, we need to take every precaution to limit aircraft traffic over densely populated urban areas. After the crash of American Airlines Flight 587, which departed Kennedy Airport before crashing into the residential community of Belle Harbor, Queens, killing all 260 persons on board and 5 residents who were in homes on the ground, more stringent guidelines were implemented to ensure that flights no longer flew directly over residential communities in Queens. Quixotically, more of them began flying over Manhattan, where one mistake would take thousands upon thousands of lives.

2

Despite tragic events like September 11, flights continue to be routed over New York City, which features some of the country's most densely populated neighborhoods. The danger of a low flying plane crashing into a residential or commercial building is an ever-present fear for the community. In 2004, The Associated Press reported a small plane crashing into a residential neighborhood east of Baltimore-Washington Airport, barely missing homes and luckily injuring no one ("Small Plane Crashes in Neighborhood Near Baltimore-Washington Airport", May 14, 2004). In another fatal crash in Texas in 2004, a small plane crashed into a residential community outside of Dallas, killing those on board and setting fire to two homes, according to the Chicago Tribune ("Small Plane Crashes into Dallas Neighborhood", January 2, 2004). Residents barely made it out of their homes in time. These two incidents are just a few of the many fatal crashes of planes into residential neighborhoods. One can only imagine the scale of the fatalities if a large jetliner were to crash into a residential or commercial building in the New York metropolitan area.

3

There is also an imminent danger of parts of planes falling off into these residential communities. A Newsday review of aviation safety records shows that parts dislodge from flying aircrafts with surprising frequency, putting both passengers and residents in the communities over which these planes are traveling at an alarming risk (“Sudden Danger/The Risks from Falling Jet Parts”, Ford Fessenden, September 18, 2006). Within the New York metropolitan area, there are several documented instances of loose parts of planes falling onto populated areas in recent history, including one incident where a piece of a Delta Airlines jet engine fell onto a house in Flushing, Queens shortly after a plane left LaGuardia Airport as reported by the Daily News (“In Fear of [Debris] Flying”, Blanca M. Quintanilla, August 19, 1996). In a separate incident in 1996, part of the wing of a TWA aircraft fell off the plane and landed in the middle of a street in a Queens neighborhood (“In Fear of [Debris] Flying”, Blanca M. Quintanilla, August 19, 1996). Clearly, the risk will increase as numbers of planes increase.

4

Another issue that is of great concern to my constituents is the possibility of increase in noise in residential areas with the re-design of airspace. Studies show links between airport noise and increased risk of cardiovascular disease, psychiatric disorders, changes in brain chemistry, increased heart rate, loss of sleep and other health problems (Ephonline.org, December 16, 2004). Most troubling, a recent study found that the impact of airplane noise on children is particularly harmful and may cause life long effects, including hearing and reading impairment, and memory loss (Medicinenet.com, June 2, 2005). In areas which are already plagued with noise issues caused by low flying aircrafts such as helicopters, the possibility of an additional increase in noise is extremely troubling. The Executive Summary of the Draft Environmental Impact Statement clearly states that the proposed redesign alternatives would result in significant noise impacts. The redesign calls for more planes and lower flying planes, both of which will have a negative impact on the quality of life in our residential neighborhoods. Either flights need to be routed so that they avoid flying over densely populated areas altogether or the Federal Aviation Administration needs to implement concrete measures in order mitigate this significant and potentially harmful noise impact on the community.

5

6

In conclusion, I strongly urge the Federal Aviation Administration to rethink this plan. It is not fair to play Russian roulette with the lives of New Yorkers. I urge you to fully consider the community’s concerns as you make critical planning decisions that will affect the safety and health of New York City’s residents for decades to come.

7

Response to Comment 3340: Congresswoman Carolyn B. Maloney, 14th District, New York

Comment Number	Comment Response
1	Aircraft operations will increase whether or not the airspace is redesigned. The intention of the Airspace Redesign is so that the traffic can be handled in a safe and more efficient manner. The objectives of the Study were developed with the goal of insuring that risks such as mentioned in your letter will not increase as the number of aircraft operations increases.
2	Because the airports are located in densely populated area, it is impossible not to fly over them. The Study Area contains approximately 29 million people. In this area, 8,000 to 10,000 flights overfly the population safely on a daily basis. Past attempts to locate airports in sparsely populated areas have ultimately failed because the populations moved to them (Denver, Dallas). Airports and air carriers are responsible for the scheduling of flights to meet market demands; the FAA cannot dictate flight schedules. Land use planning around an airport is the responsibility of the local and state jurisdictions. The FAA has recommended guidelines for land use planning that state and local governments can implement, but these are guidelines, not criteria or enforceable regulations. It is local government's right and responsibility to zone and manage land use around the airport.
3	We understand the fears of the public related to aircraft crashes and specifically as a result of the events of September 11, 2001. The FAA has taken measures to ensure that such an act cannot occur again. The tragic events of September 11, 2001 have led to increased security at the metropolitan airports, in the NY-NJ-PA airspace, as well as nationwide. These procedures are continually reviewed and improved upon, as well as adding new measures as new circumstances warrant. We expect that this increased vigilance will continue for the foreseeable future.
4	Comment noted.
5	The analysis provided in the DEIS document indicates that there are no reportable changes in noise at residential areas in Queens, Brooklyn, Manhattan, or vast majority of the Bronx. Of course, small changes below the reportable thresholds are possible and would be likely depending on the alternative. In the areas of the 14th Congressional District, these changes are generally less than a 1 dB DNL increase with some areas actually expected to experience slight decreases in average annual noise levels. There is currently no consensus within, or among, the scientific, medical, and government communities' regarding the health effects of aircraft noise. As the commenter indicates, there are some studies that indicate a possible relationship between aircraft noise and nonauditory health effects; however, these relationships tend to be weak at best and thus far are insufficient for either the scientific or medical communities to reach a conclusion. In fact, there are other studies that conclude no relationship between increased aircraft noise and detrimental nonauditory health effects occur. While some studies have shown that aircraft noise can have a negative effect on classroom learning, it is generally agreed that the body of research is still insufficient for drawing policy conclusions. Furthermore, it should be noted that these studies have generally found negative effects in areas of high aircraft noise relatively close to airports. In the NY metro area, the Port Authority of New York and New Jersey has been engaged in a school sound insulation program dating back to 1983. This program has sound insulated some 77 schools in New York and New Jersey since 1983 and in 2006 some \$37M was authorized for the continuation of the program at 21 schools in the area.

Response to Comment 3340: Congresswoman Carolyn B. Maloney, 14th District, New York

Comment Number	Comment Response
6	The study area for this project is densely populated in proximity to the major airports as described in Section 3.3 Land Use. Therefore, it would be impossible to route aircraft to avoid densely populated areas. The FAA always intended to consider noise mitigation once it selected its preferred alternative. However, it is true that the FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level prior to designing any mitigation.
7	The FAA understands the community's concerns regarding safety and health. Assigning, maintaining and enhancing safety and security are the highest priorities in air commerce. Safety is the utmost concern of the FAA, and has been a priority throughout the Airspace Redesign Process. The Airspace Redesign Project addresses many safety-related inefficiencies and will contribute to enhanced safety in light of growing traffic.

SCOTT GARRETT
5TH DISTRICT, NEW JERSEY

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May 24, 2006

Mr. Steve Kelley
Federal Aviation Administration
12005 Sunrise Valley Drive
MS C3.02
Reston, Virginia 20191

Dear Mr. Kelley:

I want to thank you for meeting with the Pascack Valley mayors and other elected officials on Monday, May 22nd in River Vale. I regret that votes in the House of Representatives prevented me from joining the meeting.

As you know, I am very concerned about the potentially adverse impact on the quality of life in these communities under some of the proposals being considered in the airspace redesign process. I had hoped to be able to attend to share these concerns with you in person and to hear firsthand the data that the FAA is taking into account in this process. However, I appreciate the opportunity for these local elected officials to share their concerns with you.

1

I realize that the FAA has denied my request for an additional public meeting on the various airspace redesign proposals. I would appreciate your consideration of extending the public notice period so that more individuals in my district, who did not have the benefit of a public meeting, may have the opportunity to share their thoughts with the FAA.

2

Again, I appreciate your accepting my invitation to meet with these local officials from my district and your willingness to work with me and with them to include the concerns of these communities in the airspace redesign process. If you have any questions, please feel free to contact me or my Chief of Staff, Michelle Presson, at 202-225-4465.

3

Sincerely,



Scott Garrett
Member of Congress

cc: Honorable Marion Blakey
FAA Administrator

004267

Response to Comment 4267: Congressman Scott Garrett, 5th District, New Jersey

Comment Number	Comment Response
1	Comment noted. The FAA acknowledges the quality of life issues impacted by aviation activities.
2	The original comment period was extended from June 1 to July 1, 2006 for a total of over six months. FAA provided a six month comment period on the DEIS, well beyond the 45 day comment period required by CEQ regulations. Additionally, during the comment period, FAA held 30 public meetings on the DEIS, over a period from February to April 2006 throughout the Study Area.
3	The FAA values the cooperative relationship we share with elected officials, community organizations and individual residents in addressing the difficult environmental issues related to aircraft.

JOSEPH CROWLEY
7TH DISTRICT, NEW YORK

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INTERNATIONAL MONETARY POLICY,
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May 24, 2006

Steve Kelley, FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Dear Mr. Kelley:

As a member of the House of Representatives for parts of Queens and the Bronx in New York City, I would like to raise my concerns regarding the New York/New Jersey/ Philadelphia Metropolitan Area Airspace Redesign Draft EIS. I understand the need to increase efficiency and reliability of our air travel and reduce delays in the metropolitan area airports. However, I strongly oppose allowing congestion in our skies to impact the residents living in the vicinity of our airports, especially my constituents living near LaGuardia Airport.

1

This study was done because of the large numbers of Americans choosing air travel as a means of transportation; the problems associated with this tremendous growth have serious side effects. While much attention has been paid to the comfort and rights of the passengers aboard the aircraft, very little attention has been paid to residents living in communities adjacent to the airport and in its various flight paths. Additionally, airport noise has been proven both to be harmful to human health and a violation of human rights. As you know, the Environmental Protection Agency (EPA) argued that for people's health and peace of mind, the threshold should be far lower the 65 DNL.

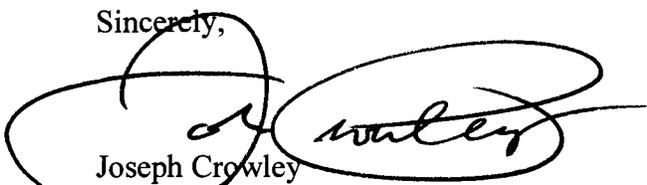
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I would urge you to take into account the people who live in the flight plan with the same focus as reducing delays.

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Sincerely,


Joseph Crowley
Member of Congress

004268

WASHINGTON OFFICE:
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WASHINGTON, DC 20515
(202) 225-3965

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Response to Comment 4268: Congressman Joseph Crowley, 7th District, New York

Comment Number	Comment Response
1	Comment noted. The FAA acknowledges the quality of life issues impacted by aviation activities.
2	The FAA acknowledges the quality of life issues impacted by aviation activities. A comprehensive public involvement process was an integral part of this Airspace Redesign Project, and impacts to residents living in communities adjacent to the airport and various flight paths were extensively analyzed including noise and environmental justice. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated potential environmental impacts. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. Lastly, the beneficial employment and economic impacts of EWR, LGA, and JFK reach beyond the industry and its users. According to the Port Authority of New York and New Jersey these airports employ 67,000 people and contribute \$48.2 billion in economic activity to the NY/NJ metropolitan region generating some 435,000 jobs and \$16.9 billion in wages.
3	There is currently no consensus within or among the scientific, medical, and government communities' regarding the health effects of aircraft noise. It should be noted that EPA has been a signatory agency in the development and findings of the 1992 Federal Interagency Committee on Noise (FICON) report which reaffirmed the use of the DNL metric and the use of 65 DNL for land use compatibility. The 1992 FICON report concluded that no other metrics are of sufficient scientific standing to replace DNL.
4	Comment noted. The FAA acknowledges the quality of life issues impacted by aviation activities. The noise analysis for the Airspace Redesign Project considered noise exposure for population within the entire study area. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated potential environmental impacts. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible.

Merrill, Michael

From: Gottheim, Robert [Robert.Gottheim@mail.house.gov]
Sent: Saturday, July 01, 2006 11:52 PM
To: FAA DEIS; steve.kelley@faa.gov
Subject: Comments by US Rep. Jerrold Nadler - NY/NJ/Phil. Airspace Area Redesign
Attachments: FAA Airspace Redesign Testimony - July 2006.pdf

Dear Mr. Kelley:

Please find attached comments by US Rep. Jerrold Nadler on the Draft EIS on the NY/NJ/Phil. Airspace Area Redesign.

Sincerely,

Rob Gottheim

Robert M. Gottheim
Director of District Relations
US Rep. Jerrold Nadler
Phone: 212-367-7350
Fax: 212-367-7356
Email: robert.gottheim@mail.house.gov



Congress of the United States
House of Representatives
Washington, DC 20515

US Representative Jerrold Nadler (NY/8)
Comments on the Draft Environmental Impact Statement
for the New York/New Jersey/Philadelphia
Metropolitan Area Airspace Redesign

June 30, 2006

After reviewing the Draft Environmental Impact Statement, (DEIS) I am submitting the following comments, questions, and concerns for consideration by the Federal Aviation Administration (FAA).

When dealing with issues of air travel, the foremost consideration must always be the safety, security, and health of passengers and the general public. Issues of convenience, efficiency, and cost-savings, while important, should never replace these three paramount concerns. The New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign appears to have lost sight of this.

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I have divided my comments into three sections: (1) Noise, (2) Air Quality, and (3) Costs vs. Benefits. I look forward to reviewing the FAA's responses to the following issues.

1. Noise

Defining a proposed action's "purpose and need" is the single most important step in the environmental impact assessment process required under the National Environmental Policy Act. It forms the basis for identifying and evaluating the reasonable alternatives that must be included in the resulting environmental impact statement. In reviewing the DEIS, it seems clear that the purpose and need were defined so as to marginalize the important public policy goal of mitigating adverse noise impacts associated with air traffic in New York and New Jersey.

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It is my understanding that when the FAA first began to address the problems associated with increased air traffic demand in the New York Metropolitan Area airspace, mitigating the substantial negative noise impacts of having three major commercial airports in close

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proximity to each other originally was to be included within the scope of the redesign project. For the record, I would like the agency to answer the following questions:

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- At some point, did the FAA formally consider including noise mitigation as a purpose and need to be addressed by the redesign project?
- If so, when did the FAA narrow the scope of the project to eliminate noise mitigation as an explicit goal?
- Please describe the process of review and analysis that contributed to this decision. Was there an opportunity for the public or elected officials to provide input before a final decision as to the scope of the project was made?

In addition to this fundamental issue of scope, there appear to be several questionable parameters and assumptions used in the DEIS that require more detailed explanation. These include the following:

- The type of aircraft included in the fleet mix appears to have been manipulated to lessen the noise impacts. Why were all aircraft weighing less than 225,000 pounds classified as “regional jets”? Do the noise analyses accurately reflect and incorporate the impact of larger and noisier aircraft? Given the DEIS’ contention that “even subtle variations in aircraft types can result in significant changes in noise level,” it is critical that conservative but appropriate assumptions and classifications be used with respect to the fleet mix arriving at these airports.
- The DEIS does not appear to identify or specify altitudes along the potential arrival and departure flight paths. Without this information, and an estimate of the number of flights that will be allowed along each path in any given time frame, it seems difficult to arrive at a truly accurate analysis of the noise impacts.

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2. Air Quality

An obvious omission in the DEIS is the failure to analyze the potentially significant medium- and long-term consequences of the proposed alternatives for air quality in the New York Metropolitan Area. Even more troubling are the reasons for this omission.

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In section 4.9 of the document, the agency states that in meetings with EPA Regional staff it “indicated that no air quality analysis would be undertaken” because the proposed airspace redesign would amount to a *de minimis* action under existing Clean Air Act regulations. The FAA proceeds to set forth its reasoning for this unilateral decision. The FAA contends that the Proposed Action alternatives are exempt from analysis under the EPA’s General Conformity Rule, which governs conformity of Federal Actions to State and Federal Implementation Plans established under the Clean Air Act. It cites the preamble to the regulation as support for this interpretation. In the preamble, EPA states that it believes that “air traffic control activities and adopting approach, departure, and en route procedures for air operations are illustrative of *de minimis* actions” under the Act.

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On its face, it seems nonsensical to imagine that the perambulatory language the FAA depended upon was intended to encompass the radical redesign of the airspace for four of the busiest general aviation airports in the country. Accordingly, I have the following questions:

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- Did the FAA ask for a legal opinion from its general counsel concerning the interpretation of the General Conformity Rule it used to justify this decision? If so, I would appreciate a copy of this opinion.
- Did EPA formally acquiesce to the FAA's interpretation of the Clean Air Act? If so, I would appreciate a copy of any correspondence to that effect.
- Section 4.9 of the DEIS mentions meeting with staff from EPA Regions 1, 2, and 3. Did the FAA also consult with EPA's Air and Radiation Division before proceeding with the DEIS?

The DEIS also contends that, since the proposed redesign would not necessarily add capacity above and beyond the Future No Action Alternative, no air quality analysis is needed. This is a specious argument in light of the FAA's Future Air Capacity Task (FACT) study, which found that the four airports dealt with in the DEIS would all need to add capacity by 2013. To argue that a supposedly more efficient airspace design would not foster the addition of more capacity in the future than the current configuration seems disingenuous at best and intentionally misleading at worst. Moreover, the routine stacking of flights called for under the Integrated Airspace Alternative clearly would result in different dispersion patterns and intensity of emissions at various times of the day. Given the severe air quality problems already being faced by New York City, a better understanding of how the proposed alternatives might exacerbate these problems is both appropriate and necessary.

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3. Costs vs. Benefits

Because a major redesign of the New York Metropolitan Area Airspace carries with it a range of known and unknown environmental consequences and may introduce new risks into a previously stable, if overburdened, air traffic control system, we must be careful to insure that the benefits to the region and the nation of taking such a radical step clearly and convincingly outweigh the costs.

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For example, two elements of the Integrated Airspace Alternative, the dual simultaneous arrivals technique proposed for Newark International Airport and the increased use of stacked flights with reduced separation between aircraft would appear to increase the complexity of the air controller's task, thereby increasing the possibility of error. This is simply not a situation where we can sacrifice safety for dubious or ephemeral efficiency improvements.

The DEIS routinely references flight delays and uses delay data as an indication of the fundamental inefficiencies of the current system, thereby implicitly making a case for the radical redesign of the airspace represented by the Integrated Airspace Alternative.

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However, the majority of the delays in the NY-NJ area are weather-related and not due to intrinsic inefficiencies in the design of the airspace. In addition to weather, equipment failures, runway congestion, and staffing problems that cause delays are not addressed by the project. A far more explicit and detailed explanation of the nature and consequences of any airspace design inefficiencies is needed before an appropriate course of action can be selected.

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In particular, the public should be able to determine what percentage of delays would be affected by the proposed redesign at each of the four major airports studied. Significantly increasing noise and air pollution across the metropolitan area and introducing greater risks for a catastrophic miscalculation while only decreasing delays in 20-30% of arriving and departing flights represents a marginal benefit not worth the considerable cost.

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Conclusion

The alternatives included in the DEIS do not adequately balance the need to increase the efficiency of the existing airspace with protecting the health, safety, and well-being of the residents of my district and the New York Metropolitan Area. Rather than being an afterthought, mitigating the adverse environmental impacts associated with having three major airports in close proximity should have been squarely within the scope of this project. If the FAA chooses to proceed with the Integrated Airspace Alternative as currently formulated, in a decade we could once again be dealing with congested skies and excessive delays, except with the additional burdens of even more noise and air pollution, and even greater risk.

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Response to Comment 5264: US Representative Jerrold Nadler (NY/8)

Comment Number	Comment Response
1	<p>Comment noted. The FAA developed the purpose and need for the project, consistent with NEPA regulations, to reflect its mission. In the EIS process, the agency first develops a purpose/need for a project, second, develops alternatives, third evaluates the environmental impacts (such as noise) of the project alternatives, and finally, develops mitigation (to reduce or minimize effects of the proposed project). NEPA was not designed to prevent agencies from carrying out their statutory missions or to have environmental factors become more important or supersede other factors such as technical or operational ones. It was designed to have environmental considerations taken into account along with other factors. The FAA has committed to the communities from the beginning of the project that it would consider means to reduce noise and other environmental effects where feasible and without derogating safety or efficiency of the national airspace system.</p>
2	<p>It is true that noise was not part of the purpose and need (or goals) of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>However, noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, we made a commitment to the communities in the Study Area that, where possible, we would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible.</p> <p>The FAA did not develop new alternatives where minimizing noise was a part of the purpose and need. Any plan to seriously address the airspace limitations of the region cannot simultaneously seriously improve the noise situation. Airspace redesign is not a cure-all for noise problems for the 29 million people living in the Study Area. In fact, for many people within 10 to 15 miles of an airport, depending on where they live in relation to the runway alignments, there may be little or no mitigation possible and no noise benefits possible. Additionally, in heavily populated areas, such as those surrounding PHL, EWR, LGA, and JFK, mitigation of noise in one neighborhood usually means moving the noise to another neighborhood, not moving it to an unpopulated area.</p>

Response to Comment 5264: US Representative Jerrold Nadler (NY/8)

Comment Number	Comment Response
3	<p>Throughout the entire EIS process, there seems to have been considerable confusion regarding the terms noise impacts, noise reduction, and noise mitigation. Precise definition of these terms, while considering where each one fits in the context of the NEPA process, helps to clarify that the FAA's policy has been consistent, and in accordance with NEPA, throughout the EIS process. Regarding the first question, did the FAA formally consider including noise mitigation as a purpose and need to be addressed by the redesign project? The answer is no. That is because the FAA developed the purpose and need for the project, consistent with NEPA regulations, to reflect its mission. The FAA then initiated scoping for the project by publishing a Notice of Intent in the Federal Register, which included a description of the purpose and need for the project. In the EIS process, the agency first develops a purpose/need for a project, second, develops alternatives, third evaluates the environmental impacts (such as noise) of the project alternatives, and finally, develops mitigation (to reduce or minimize effects of the proposed project). NEPA was not designed to prevent agencies from carrying out their statutory missions or to have environmental factors become more important or supersede other factors such as technical or operational ones. It was designed to have environmental considerations taken into account along with other factors. Regarding the second question, "When did the FAA narrow the scope of the project to eliminate noise mitigation as an explicit goal?" The FAA did not narrow the scope of the project to eliminate noise mitigation as a specific goal, but instead considered noise mitigation in its proper context in the process. The belief that FAA once promised to reduce noise by airspace redesign and then reneged on it stems from people taking its commitment to the communities out of context. The FAA has committed to the communities from the beginning of the project that it would consider means to reduce noise and other environmental effects where feasible and without derogating safety or efficiency of the national airspace system. It has consistently been the "where feasible" portion of the commitment that has been left out of reports on what FAA officials have promised the public. As for the question as to whether there was an opportunity for the public or elected officials to provide input before a final decision as to the scope of the project was made, the answer is yes. The FAA conducted a lengthy and comprehensive scoping process. In fact, the FAA had conducted "pre-scoping" with the same purpose and need in 1999-2000. So the FAA has been clear from the beginning of the process what the purpose and need was for the project, that noise impacts would be thoroughly analyzed using NIRS modeling, and noise mitigation measures would be examined. No promise of mitigation or ability to reduce noise for large portions of the population have ever been made, as FAA is well aware that this Study Area containing 29 million people, is heavily and densely populated, and opportunities for mitigation are slim.</p>

Response to Comment 5264: US Representative Jerrold Nadler (NY/8)

Comment Number	Comment Response
4	<p>This assertion is incorrect and stems from either a limited reading or a misreading of the DEIS. Section 3.4.5.1 in Chapter 3 of the DEIS discusses the noise modeling input for the baseline 2000 conditions. The fleet mix of aircraft is discussed on Page 3-28 and 7 aircraft groupings were introduced in the context of assigning traffic to major flows in the area. The discussion presents a "generalized summary" table of the fleet mix for all 21 airports. The discussion indicates that the "Jet" category in the table was comprised of all the aircraft contained in the 5 unique groups of aircraft that represented jets. This was done simply to provide the reader with an easy to understand overview of the jet/prop mix at each airport and does not represent the detailed fleet mix that was input into the noise modeling. A similar discussion is provided in Chapter 4 on Pages 4-4 through 4-6 for the future operations and fleet mix. This discussion refers the reader to Appendix B to find the details of the forecasts including the fleet mix. Attachment B to Appendix B presents 21 detailed fleet mix tables detailing the specific fleet mix modeled for each airport in the study for each year. As an example, there were some 48 unique aircraft/engine combinations modeled for Newark alone. Furthermore, Attachment A to the Noise Modeling Technical Report also presents the detailed fleet mix for the 21 airports while including the actual average annual day operations modeled and the day/night distribution of those operations. Overall the modeled fleet mix in the DEIS was very detailed and incorporated the best information possible regarding current traffic conditions and future conditions as predicted by the detailed forecasting effort.</p>
5	<p>During the development of the DEIS, consideration was given to the development of supplemental metrics for informational purposes. The metrics the commenter suggests, like altitude and number of overflights, were indeed considered. While this type of data is inherently part of the detailed noise modeling process, it is not readily available as an output from the NIRS model. Furthermore, it was found that the task of presenting such data in an efficient, meaningful, and understandable way for all persons within the 30,000+ square mile Study Area was not possible. With more than 7,000 flights at 21 airports, distributed over some 22,000 modeled flight tracks for two different years and four alternatives, the sheer magnitude of the data was considered to be overwhelming. There are also subjective issues such as how do you define an overflight of one of the 325,000+ population centroids. Is it any flight that crosses within 1-mile of the point, 2-miles, 500-feet? Similar difficulties arise when trying to present aircraft altitudes over a given location. As with the number of overflights, which tracks should count in the altitude discussion? What altitude should be presented; the highest, lowest, or the average? Should the presented altitude(s) be for just one airport, or several? Given these complexities, the FAA decided to rely on the DNL metric for this study since it accounts for both the number of events and the noise levels of those individual events (altitudes effect the individual noise levels), as well as the fact that it is the sole metric that will be considered in the decision making process.</p>

Response to Comment 5264: US Representative Jerrold Nadler (NY/8)

Comment Number	Comment Response
6	<p>The Proposed Action is not expected to negatively impact air quality. It is not a capacity enhancement project. The total number of aircraft operations would not differ between the Future No Action Airspace Alternative and the other Airspace Redesign Alternatives. In addition, the purpose and need for the Proposed Action includes increasing efficiency and reducing delay in the airspace system. Qualitatively, reduction of delay and more efficient flight routings would serve to reduce fuel burn and thereby reduce air pollutant emissions. No detailed air quality analysis was undertaken as a part of this Airspace Redesign Project because projects such as this are considered de minimis actions under the General Conformity Rule and therefore do not require a detailed analysis of air quality. In addition, the FAA coordinated with EPA Regions 1, 2, and 3 during development of the Draft EIS to determine that there were no Federal requirements for an air quality analysis for this type of project as it is an example of a de minimis action specific to air pollutant emissions. Lastly, the FEIS includes an analysis of fuel burn which verifies the FAA conclusion that the Proposed Action would not increase air pollution emissions.</p>
7	<p>FAA legal opinions are part of the internal deliberative process of the agency and are not shared with outside parties. The FAA does not characterize EPA's correspondence with FAA as "acquiescence". However, the EPA did provide comments to the Draft EIS on June 8, 2006 (see the "Comments and Responses on DEIS" Appendix of the FEIS for a copy of EPA's letter), and did not comment negatively on the FAA's air quality analysis. On NEPA matters, the FAA consults with EPA through its Federal Facilities offices, as do other Federal agencies. When reviewing other agencies EISs, the EPA calls in appropriate staff from its internal offices as it deems necessary. The FAA is not privy to the internal workings of EPA offices. The FAA did not separately confer with the EPA's Air and Radiation Division.</p>
8	<p>The acronym "FACT" stands for "Future Airport Capacity Task". The difference is important. Airport capacity will be needed in the New York/Philadelphia area. A good argument can be made that more airport capacity has been needed for years. However, new airport capacity is expensive and slow to build, and can be politically divisive. Philadelphia International Airport is beginning an expansion project, but none of the major airports around New York City are adding runways. Airspace redesign, by comparison, is a way to make the best use of the capacity that already exists. The efficiency benefits are smaller, but they can be implemented sooner and can reduce delays for less expenditure.</p>
9	<p>At no point did this EIS argue that "a more efficient airspace would not foster the addition of more capacity in the future". It is entirely possible that other projects may be undertaken to increase capacity around New York City. (Such a project has already begun at Philadelphia.) It is also possible that, without the increased efficiency provided by the preferred alternative in this Airspace Redesign, some of those future projects might be unworkable. However, this is all speculative, and outside the purview of this EIS. The "stacking" of flights anticipated in the Integrated Airspace Alternative with ICC occurs above 20,000 ft. This is much too high to have a measurable effect on local air quality. Globally, the stacked departure altitudes reduce airborne delay, so they reduce the amount of fuel burned.</p>

Response to Comment 5264: US Representative Jerrold Nadler (NY/8)

Comment Number	Comment Response
10	<p>The Proposed Action is not expected to exacerbate air quality in the Study Area or negatively impact air quality. It is not a capacity enhancement project. The total number of aircraft operations would not differ between the Future No Action Airspace Alternative and the other Airspace Redesign Alternatives. In addition, the purpose and need for the Proposed Action includes increasing efficiency and reducing delay in the airspace system. Qualitatively, reduction of delay and more efficient flight routings would serve to reduce fuel burn and thereby reduce air pollutant emissions. A detailed air quality analysis was not completed for the DEIS because: (1) The Preamble to the CAA listed air traffic changes as an example of a de minimis action. (2) The total number of aircraft operations would not differ between the Future No Action Alternative and the other Airspace Redesign Alternatives. (3) Qualitatively, reduction of delay and more efficient flight routings would serve to reduce fuel burn and thereby reduce air pollutant emissions. The FEIS includes an analysis of fuel burn which verifies the FAA conclusion that the Proposed Action would not increase air pollution emissions.</p>
11	<p>The airspace redesign team was composed of Certified Professional Controllers from the air traffic control facilities concerned. Each member of the team approached every proposed change as if he or she would be assigned responsibility for making it work safely. Any suggested change the redesign team would not feel comfortable working with every day (and there were many in the early stages) was rejected. All of the cases cited in the comment, where aircraft would be closer together than they are today, still keep the aircraft further apart than the current, long-established separation minima require. As for air traffic control complexity, complexity is highest when aircraft must be delayed. Anything that can improve the free flow of aircraft, which parallel arrivals certainly do, reduces complexity.</p>
12	<p>Table ES-1 in the Draft EIS shows summaries of the effect of each alternative on a variety of possible system performance metrics. The single largest benefit of all the metrics in the table is the benefit of increased routing flexibility under the Integrated Airspace Alternative Variation with ICC. Routing flexibility is a means of adapting to inclement weather. (See Cooper, A. and J. Reese, Analysis of a Severe Weather Scenario, MP05W243, The MITRE Corporation, September 2005, for details.)</p>

Response to Comment 5264: US Representative Jerrold Nadler (NY/8)

Comment Number	Comment Response
13	<p>The public may find in Appendix C of the Draft EIS the numbers needed to compute the percentage of delays affected by each alternative.</p> <p>The reference to "catastrophic miscalculation" is unsubstantiated. The FAA assessed the environmental impacts in accordance with FAA Order 1050.1E. Noise impacts were evaluated by carefully completing detailed modeling of the air traffic in the entire Study Area using state of the art noise analysis software. Detailed air quality analysis was not completed. FAA Order 1050.1E states the air traffic control activities and adopting approach, departure and en route procedures for air operations are exempt from the requirement of the General Conformity Rule because they result in no emissions or emissions are clearly below the Rule's applicable emission thresholds. Additionally, air quality would not be impacted because the total number of aircraft operations would not differ between the Future No Action Alternative and the other Airspace Redesign Alternatives and the reduction of delay (except for the Ocean Routing Alternative) and more efficient flight routings would serve to reduce fuel burn and thereby reduce air pollutant emissions.</p> <p>A saving of 20-30% of a large number is a large benefit. See the chapter "Interpreting Average Delay" in the "Mitigation - Operational Analysis" Appendix for further information. Upon completion of the NEPA process the FAA will develop an implementation plan for the Preferred Alternative, Integrated Airspace Alternative Variation with ICC, including a cost benefit analysis.</p>
14	<p>In the EIS process, the agency first develops a purpose/need for a project, second, develops alternatives, third evaluates the environmental impacts (such as noise) of the project alternatives, and finally, develops mitigation (to reduce or minimize effects of the proposed project). NEPA was not designed to prevent agencies from carrying out their statutory missions or to have environmental factors become more important or supersede other factors such as technical or operational ones. It was designed to have environmental considerations taken into account along with other factors. The FAA has committed to the communities from the beginning of the project that it would consider means to reduce noise and other environmental effects where feasible and without derogating safety or efficiency of the national airspace system.</p>

NANCY L. JOHNSON
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COMMITTEE ON
WAYS AND MEANS

SUBCOMMITTEES:
CHAIRMAN, HEALTH
HUMAN RESOURCES

Congress of the United States
House of Representatives
Washington, DC 20515-0705

June 29, 2006

Mr. Steve Kelley, FAA-NAR
C/o Michael Merrill
12005 Sunrise Valley Road
Reston, VA 20191

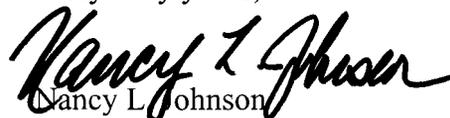
Dear Mr. Kelley:

I urge you to carefully assess all aspects of the three proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Area airspace to ensure that none of them will diminish the quality of life of my constituents in Northwest Connecticut. While I understand that the alternatives currently under consideration would not adversely affect our state, I want to emphasize that I oppose any airspace redesign that might increase noise pollution in such a tranquil area rich in environmental and cultural treasures.

I understand that increasing security concerns and traffic volume have challenged the FAA to modernize this heavily-traveled airspace. I appreciate your efforts to make our nation's skies safer and our air transit more efficient, and I recognize that we must do all that we can to reduce transit delays to aid the flow of passengers and commerce in the Northeast. As you move forward with the redesign process, I urge you to reject the introduction of any additional proposals that would compromise the daily life generations of Connecticut residents have cherished.

I appreciate your due diligence and attention to this matter, and thank you again for your efforts to improve our nation's airways.

Very truly yours,


Nancy L. Johnson
Member of Congress

NLJ: jae

005225

Response to Comment 5225: US Congresswoman Nancy L. Johnson, 5th District, Connecticut

Comment Number	Comment response
1	Comment noted.
2	Comment noted.

RUSH HOLT
Twelfth District, New Jersey

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Congress of the United States

June 29, 2006

Committee on Education
and the Workforce

Permanent Select Committee
on Intelligence
Ranking Member
Subcommittee on Intelligence Policy

Co-Chair
Children's Environmental Health Caucus
Member
Congressional Arts Caucus
Internet Caucus
Law Enforcement Caucus
Historic Preservation Caucus

Mr. Steve Kelly
c/o Nessa Memberg
FAA Airspace Redesign
12005 Sunrise Valley Drive
Reston, Virginia 20191-3404

Dear Mr. Kelly:

I would like to thank you for the opportunity to comment on the Draft Environmental Impact Statement (DEIS) for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign. I appreciate that the Federal Aviation Administration is redeveloping the outdated airspace plan for the NY/NJ/PHL Metropolitan Area. However, I write today with a major concern over the proposed plan's omission of a major quality of life issue for many of my constituents in the 12th Congressional District of New Jersey: aircraft noise.

As outlined in the DEIS, "the purpose of this project is to increase the efficiency and reliability of the airspace structure and air traffic control system." Many factors were included in the Purpose and Need Section of the draft, including reducing delay, expediting arrivals and departures, and balancing controller workload. Absent, however, was noise mitigation. Considering the densely populated region that this airspace redesign aims to help and the FAA's previous indication that reduction of air noise would be part of ameliorating overall environmental impact, noise mitigation should have been a stated objective of this redesign. I ask that the FAA begin immediately to develop an airspace redesign that effectively eliminates a majority of aircraft noise that affects residents of New Jersey.

It is my understanding that Senators Robert Menendez and Frank Lautenberg and Representatives Steven Rothman, Robert Andrews, Scott Garrett and Donald Payne have submitted public comments as well. I share many of their concerns. I agree that if noise mitigation had been included in the original Purpose and Need section of the DEIS, optimizing efficiency would not have to be reached at the cost of decreasing noise. Also, the Day/Night Average Sound Level (DNL) metric does not take into account what individuals on the ground are actually hearing on a day-to-day basis. Individuals who live near major airports hear aircraft noise in intervals, as planes take off and land. Using an average measurement of noise level for determining how to mitigate noise levels is therefore misleading.

In addition to my overall concerns for the region, I would like to express specific concerns for two areas in my Congressional District. I express my objection to any proposal that will increase unnecessary aircraft traffic, and therefore air and noise pollution over Monmouth County. Residents of Monmouth County rely heavily on the coast for industry, business, and recreation. Additional aircraft noise has the potential to impact the local economy and lower the quality of life in Monmouth County. Also, my district is home to the Trenton/Mercer Airport. As the redesign process continues into the next stages, I would like to propose that a proper Environmental Impact Study be completed for any increase in air traffic through the

005226

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Trenton/Mercer Airport that outlines air and noise pollution for the surrounding communities in Mercer, Middlesex, and Hunterdon counties.

Thank you for your attention to this matter. If you have any additional concerns, please contact me or Orly Amir of my staff at (202) 225-5801.

Sincerely,

A handwritten signature in black ink that reads "Rush Holt". The signature is written in a cursive style with a large, prominent "R" and "H".

RUSH HOLT
Member of Congress

RH/oa

Response to Comment 5226: US Congressman Rush Holt, 12th District, New Jersey

Comment Number	Comment response
1	Comment noted.
2	<p>In the DEIS, the FAA described to the public the general mitigation strategies that it would attempt to apply to whichever alternative it ultimately selected as the preferred. Those general mitigation strategies included: (1) use of continuous descent approach (keeping aircraft on a higher altitude flight path at lower engine power levels for a continuous steady descent to landing, which lowers noise levels on the ground at certain distances from the airport); (2) nighttime noise abatement procedures; (3) additional use of water/industrial areas and proposed flight track refinements; (4) sound insulation of impacted buildings with educational or medical uses (this would require airport sponsorship and would be outside the control of FAA).</p> <p>The FAA also acknowledged and recognized that while the general principals were described in the DEIS, the specifics would be forthcoming in the FEIS. The FAA, therefore, committed to conducting one public workshop per state to discuss mitigation. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>
3	<p>It is true that noise was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>However, noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the study area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. On April 6, 2007, the FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, was provided.</p>

Response to Comment 5226: US Congressman Rush Holt, 12th District, New Jersey

Comment Number	Comment response
4	<p>It is true that individuals do not “hear” the DNL, but it is misleading to use the DNL metric. An average noise metric such as DNL takes into account the noise levels of all individual events that occur during a 24 hour period, as well as the number of times those events occur. The DNL metric also accounts for the time that events occur by applying a 10 dB penalty to noise events which occur during nighttime hours (10pm-7am).</p> <p>In the 1992 FICON report, the group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. Additionally, the EPA “Levels Document” identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)."</p>
5	Comment noted.
6	<p>The FAA is required, under NEPA, to disclose the potential environmental effects of a proposed project or Federal Action. An increase in air traffic through the Trenton/Mercer County Airport would not necessarily involve a Federal action or project. If a Federal action were required the FAA would conduct the appropriate level of environmental review pursuant to NEPA. The FAA has little authority to control demand. Consequently, there is no requirement for FAA or any other Federal Agency to evaluate the effects of traffic growth at TTN.</p>

Congress of the United States

Washington, DC 20515

June 28, 2006

The Honorable Marion C. Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Room 1022
Washington, DC 20591

Dear Administrator Blakey:

We are writing in strong opposition to any plan by the Federal Aviation Administration to allow commercial planes to fly over the Indian Point nuclear power plants. We urge you to reject this plan and designate the airspace within 10 miles of Indian Point as a no-fly-zone.

The Indian Point nuclear power facility is in a growing and heavily populated area situated very close to New York City. Scheduling regular commercial flights over Indian Point would be irresponsible. We feel strongly that this proposal plays into the hands of terrorists who continue to seek ways to harm our nation. It is imperative to keep Indian Point clear of air traffic by designating the airspace around this potential target as a no-fly-zone.

We know for a fact that plans to attack U.S. nuclear power plants were found in the caves of Afghanistan where Al Qaeda operatives were hiding. In fact, during the 9/11 attacks, one of the planes that struck the World Trade Center flew directly over Indian Point. Shortly after the 9/11 attacks, Governor George Pataki commissioned a study of the evacuation plan for the communities surrounding Indian Point by former Federal Emergency Management Agency (FEMA) Director James Lee Witt. The study found that the evacuation plan is fatally flawed. The report determined that "the current radiological response system and capabilities were not adequate to overcome their combined weight and protect the people from an unacceptable dose of radiation in the event of a release from Indian Point..." In the event of an attack or even an accident at Indian Point, surrounding residents will find themselves in complete grid-lock and will not be able to safely evacuate the region.

We urge you to withdraw or modify this proposal to increase air traffic over Indian Point. We firmly believe the Northeast Air Traffic Corridor can be safely redesigned without expanding the risks associated with this nuclear power facility.

Sincerely,


Eliot L. Engel


Nita M. Lowey


Maurice D. Hinchey

005227

Response to Comment 5227: US Congress Members Eliot Engel, Nita Lowey, and Maurice Hinchey

Comment Number	Comment response
1	The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station..

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EMERGENCY PREPAREDNESS, SCIENCE,
AND TECHNOLOGY



Rita M. Lowey
Congress of the United States
18th District, New York

WASHINGTON

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WASHINGTON, DC 20515
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FAX: (202) 225-0546

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(By Appointment)

June 30, 2006

Steve Kelley, NY/NJ/PHL Airspace Project Manager
Federal Aviation Administration
c/o Michael Merrill
12005 Sunrise Valley Drive
Reston, VA 20191

Dear Mr. Kelley:

I am writing in regard to the Federal Aviation Administration's New York/New Jersey/Philadelphia Airspace Redesign project and the Draft Environmental Impact Statement (DEIS). While I share the goal of making our airspace more efficient, I have great concerns about the environmental, health and safety impacts, and the ultimate efficacy of the proposed alternatives in reducing delays. In particular, I am disappointed by the FAA's response to specific Congressional direction and concerned about the potential for increased over-flights and associated noise in Westchester County.

The proposed alternatives may create severe noise impacts in affected areas. It is therefore troubling to me that you do not go into greater detail about the potential noise impacts of each alternative. Furthermore, the FAA declines to explore any mitigation measures in the DEIS, nor does the document use noise impacts as a criteria in determining new routes.

The failure to address air noise appears to contradict instructions in House Report 109-307 the statement of managers accompanying H.R. 3058, the FY 2006 Treasury, Transportation, and Housing and Urban Development (TTHUD) Appropriations Act. The Report states that no funds made available in the bill may be used to prepare the Environmental Impact Statement for the redesign of the New York/New Jersey/Philadelphia regional airspace, or to conduct any work as part of the review of the redesign project conducted under the National Environmental Policy Act and related laws, as long as the FAA fails to consider noise mitigation.

In light of the documentation submitted thus far, I believe the FAA has failed to comply with the above instruction. Congress is serious in its desire to have the FAA consider air noise; the Report accompanying the House-passed FY 2007 TTHUD Appropriations Act, H.R. 5576, contains language directing the FAA to report to the House and Senate Committees on Appropriations by January 7, 2007, on the specific

005228

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mitigation measures to address noise impacts of the redesign. I urge the FAA to expedite this request and provide the requested information as soon as possible so that communities impacted by this redesign can assess the negative impacts they face and measures that might reduce those impacts.

We all know that air traffic has grown tremendously over the past several decades. Yet the basic principles that have regulated our airspace have not changed. The communities that surround airports and lie along takeoff and landing pathways have borne the side effects of increased air travel and the strains it has placed on the air traffic control system. In redesigning the airspace, every effort must be made to minimize environmental impacts and implement aggressive, state-of-the-art techniques to mitigate any adverse impacts.

I am particularly concerned about Westchester County, NY, along the northern shore of the Long Island Sound, an area I represent in Congress. The communities along the Sound Shore lie along the extension of LaGuardia's runway 4/22 and often have planes lining up and flying overhead to land on runway 22. An increase in the number of planes flying over this area or in noise associated with flight operations is simply unacceptable.

In fact, it is my sincere hope that the FAA will use this once-in-a-generation opportunity to take steps to reduce the number of planes flying over this area. I am not asking that we shift the burden of flight operations to another community; I am merely requesting that the FAA route as many flights as safely possible over the Long Island Sound. The FAA should make full use of existing technologies and integrate new technologies into plans for changing arrival and departure routes. However, under no circumstances should the FAA put a new departure route over this area that could instead be routed over the Long Island Sound.

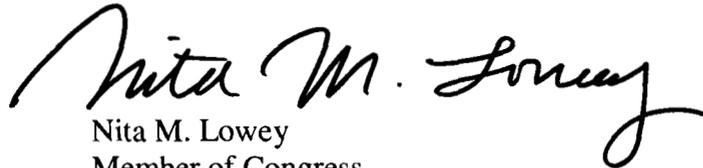
Another area of particular concern is around Westchester County Airport in White Plains, NY. For years, the airport's neighbors have worked with the airport's operators, carriers and clients, and the FAA to implement stringent environmental controls. In fact, this airport has received the ISO 14001 certification, a distinct environmental honor. In addition, a consensus has emerged that the airport should not be physically expanded and that the commercial passenger load should not increase. All of these actions have had positive impacts on the quality of life for the surrounding community and have maintained the environmental quality of the surrounding area. Any airspace redesign by the FAA must be consistent with these actions. Specifically, implementation of an alternative must not lead to more air traffic over this area, when every effort has been made by the surrounding communities to implement policies that have had the opposite effect. It is not acceptable for the FAA to undo years of hard work by these communities.

Finally, I urge the FAA to fully consider the potential homeland security implications of airspace redesign. There are many sites of critical infrastructure in the Westchester and Rockland areas as well as numerous terrorist targets. Specifically, security at the Indian Point nuclear power facility must be considered. I, and many of my

colleagues, have long believed that the area above Indian Point should be a no-fly zone. To instead route more flights over Indian Point would be a mistake. The FAA must ensure that flight patterns do not compromise the overall homeland security mission of our country.

I look forward to continuing to work with you and your staff on this important process. I am confident that by working together through the administrative and legislative processes we can achieve results that improve efficiency and better the quality of life for those who have long been impacted by air traffic.

Sincerely,

A handwritten signature in black ink that reads "Nita M. Lowey". The signature is fluid and cursive, with the first name "Nita" being the most prominent.

Nita M. Lowey
Member of Congress

Response to Comment 5228: US Congresswoman Nita M. Lowey, 18th District, New York

Comment Number	Comment response
1	<p>The DEIS clearly indicated that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. All noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project web site allowing for further comparisons beyond that of FAA's change thresholds.</p>
2	<p>In the Draft EIS, the FAA described to the public the general mitigation strategies that it would attempt to apply to whichever alternative it ultimately selected as the preferred. Those general mitigation strategies included: (1) use of continuous descent approach (keeping aircraft on a higher altitude flight path at lower engine power levels for a continuous steady descent to landing, which lowers noise levels on the ground at certain distances from the airport); (2) nighttime noise abatement procedures; (3) additional use of water/industrial areas and proposed flight track refinements; (4) sound insulation of impacted buildings with educational or medical uses (this would require airport sponsorship and would be outside the control of FAA).</p> <p>The FAA also acknowledged and recognized that while the general principals were described in the Draft EIS, the specifics would be forthcoming in the Final EIS. The FAA conducted public workshops to discuss mitigation, took comments on the noise mitigation report, and responded to comments received. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>
3	<p>In the Draft EIS, the FAA described to the public the general mitigation strategies that it would attempt to apply to whichever alternative it ultimately selected as the preferred. Those general mitigation strategies included: (1) use of continuous descent approach (keeping aircraft on a higher altitude flight path at lower engine power levels for a continuous steady descent to landing, which lowers noise levels on the ground at certain distances from the airport); (2) nighttime noise abatement procedures; (3) additional use of water/industrial areas and proposed flight track refinements; (4) sound insulation of impacted buildings with educational or medical uses (this would require airport sponsorship and would be outside the control of FAA).</p> <p>The FAA also acknowledged and recognized that while the general principals were described in the Draft EIS, the specifics would be forthcoming in the Final EIS. The FAA, therefore, committed to conducting one public workshop per state to discuss mitigation. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five "Preferred Alternative and Mitigation" of the Final EIS.</p>
4	<p>Comment noted.</p>

Response to Comment 5228: US Congresswoman Nita M. Lowey, 18th District, New York

Comment Number	Comment response
5	<p>Upon receipt of public and agency comments, the FAA selected a Preferred Alternative and designed mitigation to minimize the environmental impacts to the extent possible. On April 6, 2007, the FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p>
6	<p>There currently exists an approach to LGA Runway 22 called "LDA-A" which goes over the water. This approach is anticipated to be used as often as weather and aircraft equipment permit. Precision navigation approach and departure procedures may be able to increase usage of the LDA-A approach to LGA Runway 22, but because of the proximity of the JFK instrument landing system approach to Runway 22L, airspace design alone can not.</p>
7	<p>The aircraft involved in this project are under positive control of Air Traffic Control. Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with the traffic that currently flies within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station. As such, there is no increased security risk regarding this power plant.</p>

Federal Agencies

1. Peter D. Colosi, Jr., Assistant Regional Administrator, Northeast Region, National Marine Fisheries Service, National Oceanic and Atmospheric Administration
United States Department of Commerce
2. Nancy Dorigi, FutureFlight Central Manager, Ames Research Center, NASA
3. Rick Perez, FAA/ NAVREP/Eastern-New England Regions
4. John Filippelli, Chief Strategic Planning and Multi-Media Programs Branch, United States Environmental Protection Agency,
5. Michael T. Chezik, Regional Environmental Officer, Office of Environmental Policy and Compliance, Office of the Secretary, United States Department of the Interior



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

MAR - 6 2006

Steve Kelley, FAA-NAR
c/o Nessa Memberg
12005 Sunrise Valley Rd., MS C302
Reston, VA 20191

Dear Mr. Kelley:

NOAA's National Marine Fisheries Service (NMFS) Northeast Region has reviewed the Federal Aviation Administration's *Draft Environmental Impact Statement (DEIS) for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign*. The DEIS evaluates the impacts of the proposed airspace redesign in the NY/NJ/Philadelphia Metropolitan area including the entire state of Connecticut. The purpose of the project is to increase the efficiency and reliability of the airspace structure and air traffic control system in the region. No waterways or wetlands will be affected by the proposed airspace redesign. As such, the proposed project will not affect any species listed under the jurisdiction of NMFS. Therefore, no consultation pursuant to Section 7 of the Endangered Species Act is necessary for this project. Should you have any questions about these comments or about the section 7 consultation process in general, please contact Julie Crocker at (978) 281-9328 ext. 6530. In addition, the proposed project will not affect essential fish habitat or other resources of concern to NMFS. Should project plans change or new information become available that would change the basis of this determination, consultation should be reinitiated. If you would like to discuss this matter further, please contact Karen Greene at (732) 872-3023.

Sincerely,

Peter D. Colosi, Jr.
Assistant Regional Administrator
Habitat Conservation Division

cc: PRD – Crocker
HCD – Greene, Ludwig, Riportella, Rusanowsky
NOAA - PPI



002847

Response to Comment 2847: Peter D. Colosi, Jr, of NOAA

Comment Number	Comment response
1	Comment noted.
2	Comment noted.

Memberg, Nessa

From: Nancy.S.Dorighi@nasa.gov
Sent: Tuesday, January 03, 2006 6:27 PM
To: FAA DEIS
Subject: New York/New Jersey/Philadelphia Airspace Redesign Inquiry

Follow Up Flag: Follow up
Flag Status: Red

This email was sent through the Federal Aviation Administration public website. You have been contacted through an email link on the following page:
http://www.faa.gov/airports_airtraffic/air_traffic/nas_redesign/regional_guidance/eastern_reg/nynjphl_redesign/contact/index.cfm

Comments:

I recommend a full human-in-the-loop (HITL) simulation of the airspace & airport inter-operation. A simulation would flush out operational issues that may not be apparent in the design. An operational validation of the concept would be faster in the long run and reduce the risk by validating the preferred alternative. NASA Ames has the only high fidelity integrated TRACON-Tower simulation capability. The FAA Tech Center and NASA Ames have the tools to participate simultaneously in a simulation and thereby represent multiple sectors/centers/airports. Please contact me for further information.

Nancy Dorighi
Manager, FutureFlight Central
NASA Ames Research Center
650-604-3258
Nancy.S.Dorighi@nasa.gov

Memberg, Nessa

From: FAA DEIS
Sent: Tuesday, January 10, 2006 3:40 PM
To: 'Nancy.S.Dorighi@nasa.gov'
Subject: RE: New York/New Jersey/Philadelphia Airspace Redesign Inquiry

Hello,

Thank you for your comments concerning the NY/NJ/PHL Draft EIS.

Responses will be included in the Final EIS.

We will be holding public meetings in various locations throughout the study area to answer specific questions on the document. Please see the FAA webpage at www.faa.gov/nynjphl_airspace_redesign for specific locations.

~Nessa

Nessa Memberg
for Steve Kelley, FAA-NAR
NY/NJ/PHL Airspace Redesign Program
1.866.347.5463

-----Original Message-----

From: Nancy.S.Dorighi@nasa.gov [mailto:Nancy.S.Dorighi@nasa.gov]
Sent: Tuesday, January 03, 2006 6:27 PM
To: FAA DEIS
Subject: New York/New Jersey/Philadelphia Airspace Redesign Inquiry

This email was sent through the Federal Aviation Administration public website. You have been contacted through an email link on the following page:
http://www.faa.gov/airports_airtraffic/air_traffic/nas_redesign/regional_guidance/eastern_reg/nynjphl_redesign/contact/index.cfm

Comments:

I recommend a full human-in-the-loop (HITL) simulation of the airspace & airport inter-operation. A simulation would flush out operational issues that may not be apparent in the design. An operational validation of the concept would be faster in the long run and reduce the risk by validating the preferred alternative. NASA Ames has the only high fidelity integrated TRACON-Tower simulation capability. The FAA Tech Center and NASA Ames have the tools to participate simultaneously in a simulation and thereby represent multiple sectors/centers/airports. Please contact me for further information.

Nancy Dorighi
Manager, FutureFlight Central
NASA Ames Research Center
650-604-3258
Nancy.S.Dorighi@nasa.gov

Response to Comment 2977: Nancy Dorighi of the NASA Ames Research Center

Comment Number	Comment response
1	In the case of the Integrated Airspace Alternative Variation with ICC, several parts of the design require new criteria for route definition and advanced avionics aboard the aircraft. In a world where not all aircraft will be equipped to the state of the art, there may be many issues where Human In the Loop simulations are needed to confirm or reject the design of a particular procedure.

Nagendran, Ram

From: Rick.Perez@faa.gov
Sent: Tuesday, April 25, 2006 2:08 PM
To: FAA DEIS
Cc: Steve.Kelley@faa.gov
Subject: Navy comments
Attachments: NEW REDESIGN ResponseCHG1.doc

Submitted for review.

CDR Rick Perez
Naval Representative to the FAA for the Eastern and New England Regions
(781) 238-7907
DSN 478-4447

003149

4/26/2006

3700
Ser 06-008
April 25, 2006

Mr. Steve Kelley, FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191
Faa.deis@ngc.com

Dear Mr. Kelley:

The information contained within following text is submitted as input to the Draft EIS for NY/NJ/PHL Airspace Redesign. Based on the information that has been provided it appears three of the four proposals potentially have an impact to Special Use Airspace (SUA). The potential impact is as follows:

Interaction with Warning Area Alternative. Four routes depicted in this alternative have potential to impact Warning Areas (W) 106 (A)(C), W-105 (A)(B), Restricted Area (R) 5001 and R-4007.

Route impacting W-106 (A)(C) and W-105 (B): Informal information exchanged between MITRE Corp and FACSFAC VACAPES disclosed that the route would be at or above FL 180. If that is indeed the case, the concern for that route has been mitigated.

Route impacting W-105 (A): Appears to intrude into SUA released to Fleet Area Control and Surveillance Facility, Virginia Capes (FACSFAC VACAPES) Surf-FL500. I must stress that this is not to be considered a charted route. This will only be available to the center when released by FACSFAC VACAPES). The route is oriented along the coastline from abeam Kennedy VORTAC northeast-bound to abeam Nantucket Island. Currently, a Letter of Agreement between Washington Center, New York Center, Boston Center, Jacksonville Center and FACSFAC VACAPES, dtd July 15, 1999, allows for a similar procedure to be employed when the SUA is released to the appropriate center. The intent is not to revoke the agreement reached in 1999 but to reinforce that SUA is designed and released for Military Training. When training is not being conducted the military shall act as good stewards and release the airspace to the appropriate center.

Route impacting R-5001 and R4007: Informal information exchanged between MITRE Corp and FACSFAC VACAPES disclosed that the routes would be at or above FL 180. If that is indeed the case, the concern for that route has been mitigated.

Integrated w/o ICC Alternatives. The route depicted over R5001 may potentially impact that piece of SUA. Informal information exchanged between MITRE Corp and FACSFAC VACAPES disclosed that the route would be at or above FL240. If that is indeed the case, the concern for that route has been mitigated.

Modifications Alternative. Two routes depicted have the potential to impact W-107 (B) (C) and Restricted Area (R) 5001.

Route impacting W-107 (B) (C): Informal information exchanged between MITRE Corp and FACSFAC VACAPES disclosed that the route would be at or above FL300. If that is indeed the case, the concern for that route has been mitigated.

Route impacting R-5001: Informal information exchanged between MITRE Corp and FACSFAC VACAPES disclosed that the route would be at or above FL230. If that is indeed the case, the concern for that route has been mitigated.

Communication that confirms the altitudes of the aforementioned potential conflicts will resolve a majority of our concerns. With regard to the Interaction with Warning Area Alternative, if it is the FAA's desire to use the route through W-105 outside the confines of the current letter of agreement a request should be submitted to the Policy Board for Aviation, specifically the Special Use Airspace Sub-Group Committee.

If you need further assistance in this matter, please feel free to contact me at (781) 238-7907 or LT Morris at (757) 433-1248.

Sincerely,

//signed//

R. PEREZ

FAA/NAVREP/Eastern-New England
Regions

Response to Comment 3149: CDR Rick Perez, Naval Representative to the FAA for the Eastern and New England Regions

Comment Number	Comment response
1	MITRE corresponded with informally with FACSAC VACAPES in January and February of 2006. The minimum altitudes for flights on these routes meet the requirements stated in the comment. The route over W-105 A mimics a route in place today the Preferred Alternative assumes the same coordination responsibilities as for the current route.
2	The minimum altitudes for flights on these routes meet the requirements stated in the comment.
3	The minimum altitudes for flights on these routes meet the requirements stated in the comment.
4	The current Letter of Agreement was used as a guide in the design of the route. The Policy Board will be consulted if the need arises to use the route through W-105 outside the conditions of the current Letter of Agreement.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUN 08 2006

Mr. Steve Kelley
Federal Aviation Administration
National Airspace Redesign
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Dear Mr. Kelley:

The Environmental Protection Agency (EPA) has reviewed the draft environmental impact statement (DEIS) for the New York/New Jersey/Philadelphia (NY/NJ/PHL) Metropolitan Area Airspace Redesign (CEQ # 20050540) which encompasses the entire state of New Jersey and portions of New York, Connecticut, Delaware and Pennsylvania. The Study Area comprises approximately 31,180 square miles and encompasses all or portions of 64 counties, and hundreds of municipalities. This review was conducted in accordance with Section 309 of the Clean Air Act, as amended (42 U.S.C. 7609, PL 91-604 12(a), 84 Stat.1709), and the National Environmental Policy Act (NEPA).

Project and Alternatives:

The stated purpose of the project is to increase the efficiency and reliability of the airspace structure and Air Traffic Control (ATC) system by making modifications to aircraft routes and air traffic control procedures used in the NY/NJ/PHL Metropolitan Region. In addition to the No Action Alternative, the DEIS analyzes three other alternatives: the Modifications to Existing Airspace Alternative, the Ocean Routing Airspace Alternative, and the Integrated Airspace Alternative (with and without an Integrated Control Complex). No preferred alternative was indicated. Based upon our review of the document, we have the following comments.

Comments:

- 1) In Appendix B, the Aviation Activity Forecasts Report, Section 2, a few of the key assumptions need to be updated or clarified. For example, discuss whether the U.S. economy recovered to the extent predicted after 2002, and whether the United States is in the expected "robust recovery." Also, delete the reference to the Concorde as it is no longer flying. It is also our understanding that fuel costs have affected the costs of and demand for airline travel. As such, in the final EIS discuss any resulting changes in impacts that may result from changes in demand estimates and travel forecasts.

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- 2) Table 4.1 is mislabeled, and should be “Integrated Airspace Alternative Variation with ICC.”
- 3) We have questions related to the comparisons of the Significant Noise Impacted Census Blocks and the Comparison Census Blocks. Please indicate how comparison census blocks were chosen. For example, Table 4.16 indicates that Modification to Airspace Alternative for EWR (Newark) has a population of 768 people. Its comparison Census Block has 144,874 persons. Please explain the selection of a census block with a population that is so much larger than the study block.
- 4) The DEIS found that three of the alternatives would result in disproportionate impacts to minority populations and, therefore, would result in significant environmental justice impact. With this in mind, please describe any steps taken by FAA to assure the meaningful participation of minority and low income communities during hearings on the DEIS.
- 5) The DEIS states that the NY/NJ/PHL Metropolitan Area Airspace Redesign Project, and other airspace projects in the country do not induce growth or increase capacity. While three of the alternatives will increase the efficiency and reliability of the airspace structure and ATC system, EPA also believes that they will increase the capacity of the airspace to accept more aircraft departing from or arriving at metropolitan airports. According to a March 2003 fact sheet on the National Airspace Redesign (NAR) of which the NY/NJ/PHL Airspace Redesign is a part, “The Federal Aviation Administration (FAA) is in the midst of a multiyear effort to redesign the nation’s airspace to add capacity and improve the efficiency of air travel by the airlines, general aviation and the military.” In addition, the fact sheet states, “One goal of local airspace redesign is to take maximum advantage of the additional capacity offered by new runways coming into service this decade.” The DEIS should make it clear that while this redesign does not in itself increase any airport capacity, it does facilitate future airport expansions. The maximum potential capacity increase in the area should be identified.

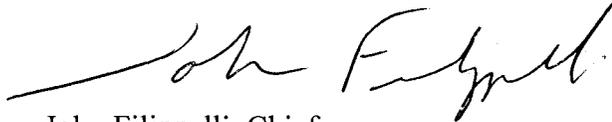
Furthermore, the cumulative impacts of any planned airport expansion should be discussed in the DEIS. For example, the Philadelphia Airport is well into a Capacity Enhancement Program which will take advantage of increased airspace capacity. Also, according to an April 29, 2006 New York Times report, the FAA has commissioned a study to determine if one of six airports located near New York City could be expanded. That expansion would also take advantage of any increase in airspace capacity. The outcome of these projects will be changed by the presence of a more efficient airspace in the NY/NJ/PHL region.

- 6) Page 4-71 – Third Paragraph. The second sentence should read “See Figure 3.14...” not 3.7.
- 7) All mitigation measures to avoid or minimize significant noise impacts should be included in the Final EIS.

In summary, EPA has rated the draft EIS as EC-2 (see enclosed rating sheet), indicating that we have environmental concerns because of the need for analysis of cumulative impacts to the environment from increasing airspace capacity. Additionally, future NEPA documentation for the project should include updated demand estimates and travel forecasts, information on outreach to environmental justice communities, and discussion of efforts to minimize and mitigate noise impacts.

Thank you for the opportunity to comment. Should you have any questions concerning this letter, please contact Lingard Knutson of my staff at (212) 637-3747.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John Filippelli". The signature is written in a cursive style with a long horizontal stroke at the beginning.

John Filippelli, Chief
Strategic Planning and Multi-Media Programs Branch

Enclosure

SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommend for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1-Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analysis, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

Response to Comment 4440: John Filippelli of the US Environmental Protection Agency, Region 2

Comment Number	Comment response
1	<p>The assumption outlined in Section II of Appendix B regarding the US economy was that it would recover at a slower rate than that seen from previous recessions. In a report focusing on the recovery of air travel since 9/11, the Bureau of Transportation Statistics found the following: "In the August preceding 9/11, the airline industry experienced what was then a record high in the number of airline passengers for a given month when 65.4 million travelers took to the air. After 9/11, that number trailed off dramatically, and it took nearly 3 years, until July 2004, for the industry to match and finally surpass the pre 9/11 levels. But the number of available seats—an industry measure of capacity— in July 2004 was just 98.3 % of its August 2001 peak. By July 2005, the number of airline passengers had reached 71 million." Additionally, since several years have passed since the development of the forecasts and the completion of the DEIS, further analysis was conducted to determine the degree of divergence between the forecasts and the current conditions. The MITRE Corp. conducted an evaluation of the forecasts in comparison to the 2005 and 2006 actual traffic volumes. This report is presented in Appendix B.2, Comparative Analysis of the NY/NJ/PHL Forecast, of the FEIS document. It concludes that the projections were not in error in any important way.</p>
2	<p>The title of Table 4.11 was changed to "...- Integrated Airspace Alternative Variation with ICC".</p>
3	<p>Comparison census blocks are those census blocks upon which the percentage of minority and low-income population will be compared to the impacted census blocks. Comparison census blocks for the Environmental Justice analysis were not chosen based on population but rather by the feature of the Alternative which would cause a significant impact's alternative locations. Specifically, if an alternate procedure were used the area potentially impacted by that alternative is included. The EJ Study Areas include the entire area adjacent to the runways where there is potential for significant impacts due to the specific features of the Proposed Action Airspace alternatives and alternatives to those specific features. For example, significant noise impacts would result from the feature of the Modifications to Existing Airspace Alternative which routes departures from EWR to the southeast. An alternative to this feature would route those flights to the southwest instead. At EWR, the EJ Study Area includes areas to both the southeast and southwest of the Airport.</p>
4	<p>As with scoping and prescoping meetings, all of the public meetings following the release of the DEIS were designed with sensitivity to low-income and minority populations. To conduct meaningful public involvement, the FAA considered the special needs of the low-income and minority communities. Special needs were accommodated by holding meetings in locations accessible by public transit, providing translators, advertising meetings in specialized local foreign language media, and contacting community and church leaders.</p>

Response to Comment 4440: John Filippelli of the US Environmental Protection Agency, Region 2

Comment Number	Comment response
5	<p>This Airspace Redesign examined the traffic through the year 2011 and did anticipate the increases in traffic at the 5 major airports through that time period. The only airport authority deliberating increased runway capacity for one of its airports is Philadelphia and that project, following a separate environmental track, although mentioned in this EIS, is projected for a time frame further in the future - about 2020. The PANYNJ airports are limited with the amount of land available to them and PANYNJ is not deliberating expansion of any of its four airports. In fact, it has initiated very preliminary studies of off-loading some of its traffic to other regional airports such as Islip, Westchester County, and Stewart. But each of these airports has limitations in their own right and some may not desire additional traffic. In addition, some preliminary exploration of the possibility of a new airport within 100 miles of the NY Metropolitan Area has been considered by airport planners (New York Times article to which you referred). Neither of these preliminary efforts is to the level that we could even consider any of it as data at this time. The NEPA process calls for examination of studies/plans that are projected for the foreseeable future and it is FAA's professional opinion that these two studies are not yet ripe for consideration. The FAA believes that, to the best of its ability and using the best forecasting tools available to the agency, that it has identified the maximum potential capacity increase in the area through the year 2011.</p>
6	<p>The PHL Capacity Enhancement Program is in its infancy. The DEIS for that project is anticipated in about a year. At the time when the FAA was developing the DEIS, the CEP was not considered reasonably foreseeable because alternatives including very different runway orientations were being evaluated for PHL. However, the FAA has been coordinating on the two projects. All of the air traffic projections, while developed by different contractors and for different years and different lines of business for the FAA, were examined by both teams for consistency. While the actual numbers may differ, they were within a reasonable range of each other for planning purposes. As far as cumulative noise impacts go, the total amount of traffic for each year for each airport within the study was forecasted and included in the analysis. Therefore, cumulative noise impacts were accounted for. Projections were made at the six airports in the NYC area and a sensitivity analysis has recently been concluded.</p>
7	<p>Text will be edited to reflect comment.</p>
8	<p>The FAA always intended to consider mitigation once it selected its preferred alternative. The FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level prior to designing any mitigation. All mitigation measures to avoid or minimize significant noise impacts are included in Chapter Five, Preferred Alternative and Mitigation, of the FEIS document. On April 6, 2007, the FAA published its Noise Mitigation Report, Appendix P, to the FEIS. The FAA took comment and held public meetings after issuance of the Report. Comments and Responses on the Noise Mitigation Report are provided in Appendix Q of the FEIS.</p>

**Response to Comment 4440: John Filippelli of the US Environmental Protection Agency,
Region 2**

Comment Number	Comment response
9	This project is not a capacity enhancement project. Cumulative impacts are accounted for because the total amount of traffic for each year for each airport within the study was forecasted and included in the analysis. The total number of operations would be the same with the Future No Action Airspace Alternative as with the other Airspace Redesign Alternatives. Potential cumulative impacts are considered in Section 4.18.1 of the DEIS. The MITRE Corp. conducted an evaluation of the forecasts in comparison to the 2005 and 2006 actual traffic volumes. This report is presented in Appendix B2, Comparative Analysis of the NY/NJ/PHL Forecast, of the FEIS document. It concludes that the projections were not in error in any important way. Information on outreach to environmental justice communities is provided in Section 4.2.2.1 of the DEIS. All mitigation measures to avoid or minimize significant noise impacts are included in Chapter 5, Preferred Alternative and Mitigation, of the FEIS.



IN REPLY REFER TO:

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Custom House, Room 244
200 Chestnut Street
Philadelphia, Pennsylvania 19106-2904



June 12, 2006

ER 05/1089

Mr. Steve Kelley, FAA-NAR
c/o Nessa Memberg
12005 Sunrise Valley Road, MS C302
Reston, Virginia 20191

Dear Mr. Kelley:

The U.S. Department of the Interior (Department) has reviewed the December 2005 Draft Environmental Impact Statement (DEIS) for the New York/New Jersey/Philadelphia (NY/NJ/PHL) Metropolitan Area Airspace Redesign (Airspace Redesign). The DEIS was prepared by the U.S. Department of Transportation, Federal Aviation Administration (FAA). Notice of availability for the DEIS was published in the December 30, 2005 Federal Register (*Federal Register*, Vol. 70, No. 250, page 77381).

The Department provides the following comments pursuant to the National Environmental Policy Act of 1969 (83 Stat. 852, as amended; 42 U.S.C. 4321 *et seq.*) (NEPA), as well as the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) (ESA), the Migratory Bird Treaty Act of 1918 (40 Stat. 755, as amended; 16 U.S.C. 703-712), Section 4(f) of the Department of Transportation Act of 1966 (96 Stat. 2419; 49 U.S.C. 303(f)), and the Wild and Scenic Rivers Act of 1968 (82 Stat. 906, as amended; 16 U.S.C. 1271-1287).

BACKGROUND

The basic air traffic environment for the NY/NJ/PHL Metropolitan Area airspace was designed and implemented in the 1960s. Since that time, the volume of air traffic and the types of aircraft using the region's air traffic control system have changed significantly, while the basic structure of the NY/NJ/PHL airspace has essentially remained the same. The Airspace Redesign is proposed to address the following needs identified by the FAA: accommodate growth while maintaining safety and mitigating delays, and accommodate changes in the types of aircraft using the system. The purpose of the proposed Airspace Redesign is to increase the efficiency and reliability of the airspace structure and the air traffic control system.

The proposed action is to redesign the airspace in the NY/NJ/PHL Metropolitan Area, including developing new routes and procedures to take advantage of improved aircraft performance and

emerging air traffic control technologies. The proposed action does not include any physical changes or development of facilities, nor does it require local or State actions. No physical alteration to any environmental resource would occur and no permits or licenses would be required. The Airspace Redesign would not require changes to any Airport Layout Plan and infrastructure funding is not expected to be necessary. Since the Airspace Redesign involves modifications to airspace configuration and air traffic management procedures, direct FAA action would be required, including the design, development, implementation, and use of new or modified air traffic control procedures and reconfigured airspace.

The proposed Airspace Redesign would primarily affect air traffic to and from five major airports (John F. Kennedy International, LaGuardia, Newark Liberty International, Teterboro, and Philadelphia International), as well as 16 satellite airports. Numerous additional airports are located within the study area, but are largely unaffected by the proposed action because of the types of flights they handle.

In addition to the No Action alternative, the FAA is considering three alternatives for Airspace Redesign: (1) Modifications to Existing Airspace; (2) Ocean Routing; and (3) Integrated Airspace with two variations – with and without an Integrated Control Complex (ICC) that would merge two existing air traffic control facilities (the New York Terminal Radar Approach Control and the New York Air Route Traffic Control Center). Any required environmental analysis for the establishment of an ICC (*i.e.*, physical construction of a new facility) would be handled separately based on the independent utility of the ICC from the Airspace Redesign. The DEIS evaluates changes in airspace usage that would occur with and without the physical integration of the two existing air traffic control facilities into a single ICC.

The DEIS does not designate a preferred alternative, but indicates that the Integrated Airspace alternative with the ICC would produce the most improvements in the use of the region's air space. The DEIS states that the Ocean Routing alternative would not address the stated purpose and needs of Airspace Redesign.

GENERAL COMMENTS

Based on information presented in the DEIS, the Department acknowledges the needs identified by the FAA, specifically to redesign the region's airspace to improve efficiency, reduce complexity, accommodate current numbers and types of flights, incorporate newer air traffic control technologies, ensure safety, and minimize delays. The Department concurs that the alternatives under consideration by the FAA are reasonable options to address the stated purpose and needs.

The Department's key recommendation is to revise the information presented in the DEIS to: (1) clarify and expand the analysis of impacts to national park units and other Section 4(f) properties from noise and visual changes, and evaluate the compatibility of each alternative with local management plans for such sites; (2) include conservation measures to protect federally listed species from noise and disturbance; and (3) expand the assessment of the potential for Airspace Redesign to affect the frequency of aircraft-bird collisions, and evaluate measures to minimize collision hazards. Information presented in the DEIS regarding noise and visual

changes, federally listed species, and aircraft-bird collisions is currently insufficient. However, these insufficiencies can be rectified by incorporating the Department's recommendations for revision into the Final Environmental Impact Statement (FEIS). The Department requests that the FAA coordinate the resolution of these issues with the National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS) during development of and prior to issuance of the FEIS.

SPECIFIC COMMENTS

Noise (Section 4.1)

Insufficient Data

The information presented in the DEIS should be revised in the FEIS to address potential impacts from changes in routes, flight paths, and operating characteristics of aircraft under each alternative. It is difficult to determine potential impacts to the 30 national park units within the study area with the data provided. For example, Fire Island National Seashore, Delaware Water Gap National Recreation Area, and Upper Delaware Scenic and Recreational River are within the airspace of Islip and Newburgh/Stewart airports. These park units may be subject to impacts from routing more traffic over them. However, information in the DEIS is insufficient to evaluate such impacts because the airspace of the various airports, the proposed reroutes of flights, and the locations of parks, historic sites and other noise-sensitive receptors are not clearly illustrated. Historic resources and parks, including the park units listed above, should be added to the Alternative Flight Track Change Illustrations located in Appendix E, Attachment C. It is not clear how determinations regarding impacts to NPS resources were made. Data required to make such determinations were either not available or not clearly identified.

The DEIS states (page 4-3) that noise-sensitive sites were evaluated by identifying the “*noise-sensitive sites located within the significantly impacted census blocks by using the GIS land use data. Each site was assigned the noise exposure level computed for the census block in which it resided.*” However, the DEIS does not contain a clear explanation of how the “significantly impacted” census tracks were identified. Therefore, the Department cannot concur with conclusions in the DEIS relating to impacts to NPS resources.

Section 3.3.11 of the Noise Modeling Technical Report indicates that grid-point analysis was conducted for 281 NPS points. The results of the grid point analysis are not presented. A clear presentation of the grid-point data is essential for identifying potential impacts to national park units and other Section 4(f) properties within the study area.

Inconsistency with FAA Order 1050.1E

The analysis of impacts to units of the National Park System and other noise-sensitive receptors presented in the DEIS is not consistent with FAA guidance for conducting such analyses. Section 6.2i of FAA Order 1050.1E (FAA guidance for implementing NEPA) states:

“Additional factors must be weighed in determining whether to apply the thresholds listed in Part 150 guidelines to determine the significance of noise impacts on noise sensitive areas within

national parks . . . For example, Part 150 guidelines may not be sufficient for all historic sites (see 6.2h above) and **do not adequately address the effects of noise on the expectations and purposes of people visiting areas within a national park or national wildlife refuge** where other noise is very low and a quiet setting is a generally recognized purpose and attribute.” (emphasis added).

Inadequate Metrics

The main metric used for noise analysis in the DEIS (*i.e.*, Day/Night Average Sound Level (DNL)) is not appropriate as the only metric for determining noise impacts to national parks. Additional metrics, such as time above ambient and percent time audible, provide a more complete and accurate description of potential noise impacts on national parks and other noise-sensitive receptors.

The Department finds that the noise analysis presented in the DEIS for NPS units and other noise-sensitive receptors in the study area is inadequate, and recommends revising the impact analysis to follow the correct FAA guidelines for noise-sensitive receptors and to include audibility and other more appropriate metrics in the assessment of impacts.

Section 4(f) Properties (Section 4.4)

Corrections

Page 3-37, Table 3.18: Great Swamp National Wildlife Refuge is approximately 7,600 acres, not 7,500 acres.

Figure 3.20: Great Swamp National Wildlife Refuge and the Lower Delaware Scenic and Recreational River are missing from the map.

Impacts to Section 4(f) Resources

On page 4-3, the DEIS states, “*Location data was only available for some 4(f) sites and historic sites;*” however, Figure 3.21 is presented as a map of all historic sites within the study area. Therefore, it is unclear why locational data could not be found for any site included on the map. The information presented in the DEIS should be revised for the FEIS to clarify which 4(f) and historic sites did not have locational data available, why this information was unavailable, and how these omissions affect the analysis of impacts to Section 4(f) and historic sites.

On page 4-4, the DEIS states “*...noise exposure levels for all identified noise-sensitive areas were compared with the noise levels designated as compatible using the FAA’s Part 150 land use compatibility table.*” As discussed above, the Part 150 guidelines are not the correct guidelines for assessing impacts to noise-sensitive receptors, which include Section 4(f) resources. In addition, the metrics used in the impact assessment may not be appropriate for a Section 4(f) evaluation. The FEIS should specifically identify and discuss the results of the impact analysis on the noise-sensitive sites within the study area. The DEIS also refers to residential land use as “noise-sensitive areas” (*e.g.*, Section 4.1.4.3, page 4-15), thereby making

it impossible to distinguish impacts to residential areas from impacts to noise-sensitive areas that are not residential (*i.e.*, Section 4(f) resources).

Based on the above uncertainties, the Department cannot concur with the conclusion in the DEIS that there is no use of a Section 4(f) resource. We recommend that the FAA perform a more thorough analysis of impacts to National Park System units and the other listed Section 4(f) resources, using the correct guidelines and appropriate metrics, then re-evaluate the issue of 4(f) use.

Impacts to Section 6(f) Resources: Land and Water Conservation Fund (LWCF) Sites

Typically, the activities described in the DEIS would not likely result in direct impacts on, or conversion of, a Section 6(f) area to a non-recreation use. However, as stated above, the Department does not concur that an adequate analysis of impacts has been done for noise-sensitive receptors, which would include non-federal parks and recreation areas. In addition to conducting a more thorough impact analysis following the correct guidelines and using appropriate metrics, the Department recommends that the FAA contact the LWCF State Liaison Officer for each effected State to ensure that all Section 6(f) resources have been identified, and to obtain local input regarding potential impacts of the proposed Airspace Redesign.

Wild and Scenic Rivers (Section 4.6)

Page 4-51: The Upper Delaware Scenic and Recreational River is located in Pennsylvania as well as New York. The Middle and Lower Delaware Scenic and Recreational River segments are located in Pennsylvania and New Jersey, not in New York.

Federally and State-Listed Species (Section 4.7.1)

Federal Endangered Species Act

Section 7(a)(2) of the ESA requires consultation with the FWS for any federal action that may affect federally listed species under FWS jurisdiction. Low-flying aircraft may adversely affect the federally listed (endangered) roseate tern (*Sterna dougallii*) or the federally listed (threatened) piping plover (*Charadrius melodus*) or bald eagle (*Haliaeetus leucocephalus*) by disturbing nesting birds and impacting reproductive success. To protect these species, the FWS recommends flight restrictions; specifically, maintaining a minimum vertical distance of 2,000 feet above ground level (FAA Advisory Circular 91-36C) or at least 1.0 mile lateral distance¹ from active nesting sites seasonally, as follows:

- from May 1 to September 30 for roseate tern;

¹ Note that lower vertical distances and/or smaller later distances have been deemed sufficient to prevent disturbance to nesting birds under particular circumstances. Through the informal consultation process under Section 7 of the ESA, the FWS is available to work with the FAA to refine these recommended distances based on actual noise levels and disturbance potential for particular airports or classes of aircraft.

- from April 1 to August 15 for piping plover; and
- from January 1 to July 30 for bald eagle.

Although most flights affected by the proposed action travel at high altitudes, nesting roseate terns, piping plovers, and bald eagles may be adversely affected by low-flying aircraft during arrival and departure, and by non-commercial aircraft utilizing the satellite airports included in the Airspace Redesign. Therefore, the Department recommends incorporating the above flight restrictions into the proposed Airspace Redesign, including notification to all airports within the study area. Roseate tern, piping plover, and bald eagle nesting locations may be obtained from the FWS on an annual basis.

The FWS must review the flight restrictions and concur in writing that Airspace Redesign is not likely to adversely affect listed species. If the FAA cannot incorporate the recommended flight restrictions into the proposed Airspace Redesign, further consultation between the FAA and the FWS will be required to evaluate and minimize adverse effects to federally listed species. Consultation under Section 7 of the ESA must be concluded prior to completion of the NEPA process, and should be summarized in the FEIS.

Corrections to Appendix G

Current information regarding federally listed species occurring in New Jersey, New York, and Pennsylvania is enclosed.

The following corrections should be made to Table G.3 (New Jersey):

- The title of the table should be changed to “State and Federal Threatened and Endangered Wildlife Species,” as no listed plants are included.
- Blue whale (*Balaenoptera musculus*), sei whale (*Balaenoptera borealis*), and sperm whale (*Physeter macrocephalus*) are federally listed as endangered, as well as State-listed.
- Eastern cougar (puma) (*Puma concolor cougar*) is considered extirpated from the State of New Jersey.
- (Atlantic) green turtle (*Chelonia mydas*) is federally listed as threatened, as well as State-listed.
- Queen snake (*Regina septemvittata*) should be added as a State-listed (endangered) species.
- Tremblay’s salamander (*Ambystoma tremblayi*) is not a State-listed species in New Jersey. Tremblay’s salamander was once listed as an endangered species in New Jersey; however, recent genetic investigations demonstrated that Tremblay’s salamander is not a true species but instead part of a dynamic hybrid complex that is still in taxonomic debate

(Beans and Niles, 2003), and was therefore removed from the State list.

- Pine Barrens treefrog (*Hyla andersonii*) is listed by the State of New Jersey as threatened, not endangered.
- Mitchell's satyr (*Neonympha mitchellii*) and American burying beetle (*Nicrophorus americanus*) are federally listed as endangered, as well as State-listed, but are considered extirpated from the State of New Jersey. There is a typographical error in the scientific name of American burying beetle.

In Table G.4 (New York), the federal status of piping plover should be changed from endangered to threatened. A corrected version of Table G.5 (Pennsylvania) is enclosed.

Mammals (Section 4.7.1)

The Department recommends that the FEIS address aircraft collisions with bats and other mammals, and likely changes in the rates of such collisions as a result of Airspace Redesign. Mammal strike data are available from Cleary *et al.* (2005) and the National Wildlife Strike Database (<http://wildlife.pr.erau.edu/public/>).

Migratory Birds (Section 4.7.2)

Corrections

Introductory Cover Page: The Migratory Bird Treaty Act was passed in 1918, not 1981.

Page 3-57: The Migratory Bird Treaty Act prohibits all take of migratory birds, not just intentional take, except as authorized by the Department. There is currently no mechanism by which the Department can authorize unintentional take that is incidental to an otherwise lawful activity. Instead, the Department works cooperatively with other agencies and private industries to evaluate and minimize major causes of incidental take. For example, in 2003 the FWS entered into a multi-agency Memorandum of Agreement (MOA) regarding aircraft-wildlife strikes, to promote both aviation safety and migratory bird conservation.

Page 4-53: The DEIS states that 435 species of migratory birds occur in New Jersey, of which 349 are annual visitors; however, the DEIS does not provide a citation for these figures. The New Jersey Audubon Society (2004) reports that 445 bird species occur in New Jersey, of which about half are migratory (*i.e.*, longer-distance migrants; note that nearly all of the bird species occurring in the study area are protected under the Migratory Bird Treaty Act).

Executive Order on Migratory Birds

The Department recommends including in the FEIS reference to Executive Order 13186, dated January 10, 2001, entitled *Responsibilities of Federal Agencies to Protect Migratory Birds*. The Executive Order directs each federal agency taking actions that negatively affect migratory birds to develop a Memorandum of Understanding (MOU) with the FWS to promote the conservation

of migratory bird populations. Although no such MOUs have been completed to date, the Executive Order encourages each agency to begin immediately implementing 15 listed categories of conservation measures as appropriate and practicable.

Conservation measures listed in the Executive Order that are especially relevant to the proposed Airspace Redesign include: (#1) avoiding and minimizing adverse impacts on migratory bird resources when conducting agency actions; (#4) designing migratory bird conservation into agency planning; (#6) ensuring that environmental analyses of federal actions required by NEPA include an evaluation of the effects of actions on migratory birds, with emphasis on species of concern (see enclosed lists); (#7) reporting intentional take of migratory birds to the FWS, such as for depredation control (note that FWS permits are needed for such actions); (#8) minimizing the intentional take of species of concern (note that FWS permits are needed for such actions); (#9) identifying where unintentional take caused by agency actions has measurable negative effects on migratory bird populations with a focus on species of concern, taking steps to minimize such take, and inventorying and monitoring bird populations to evaluate the effectiveness of conservation efforts; (#11) promoting research and information exchange related to the conservation of migratory bird resources; and (#12) providing training and information to appropriate employees on methods and means of avoiding or minimizing the take of migratory birds.

Migration Flyways

The DEIS states, “*The Atlantic Flyway is one of four major migratory bird flyways traversing the United States. . . . Flyways are well defined and proven patterns of migration made up of thousands of individual migration routes.*” The Department recommends revising these and related statements to clarify the complex nature of bird migration in the FEIS.

Based on early waterfowl banding data, four flyways were delineated in the mid-20th Century and used to set hunting regulations. The four flyways have been useful in regionalizing the harvest of waterfowl for areas of different vulnerability to hunting pressure (Lincoln *et al.*, 1998). Through participation on the Atlantic Flyway Council, the FWS continues to use the flyway concept in managing waterfowl hunting (U.S. Fish and Wildlife Service, 2003).

A map of the Atlantic Flyway in use by the FWS is enclosed. Note that the waterfowl migration routes converge in the Mid-Atlantic and cover nearly the entire Airspace Redesign study area. The Department recommends correcting the statement on page 3-60 to indicate that the Atlantic Flyway is “strongly aligned” with the coastal plain physiographic province only in the Southeast, not along its entire route.

Moreover, biologists now realize that the notion of bird populations being confined to four fairly definite and distinct migration flyways is an oversimplification of a complex pattern of crisscrossing of migration routes that vary from species to species (Lincoln *et al.*, 1998). Each migratory species has a characteristic general route of travel between its nesting and winter range, but for most species these migration routes are quite broad (Able, 2004).

The concept of four distinct flyways is probably most applicable to those birds that migrate in family groups, specifically geese, swans, and cranes, but does not appear to be very helpful in understanding the movements of the more widely dispersing ducks or most other groups of birds (Lincoln *et al.*, 1998). Waterfowl tend to follow narrower corridors, which are often determined by the availability of suitable stopover habitat (Able, 2004). Even for waterfowl, however, flyways can be considered meaningful only in a general sense (Lincoln *et al.*, 1998).

With present knowledge of bird migration, recognizing distinct broad belts of migration down the North American continent encompassing groups of distinct populations or species is not realistic (Lincoln *et al.*, 1998; Able, 2004). Instead, newer studies provide a more complex picture of migration that permits only a few broad conclusions to be drawn: birds travel between certain breeding areas in the North and certain wintering areas in the South; a few heavily traveled corridors are used by certain species; and more generalized routes are followed by other species (Lincoln *et al.*, 1998).

Migration Routes

The Department recommends that the FEIS reflect generalized differences in migration routes among various avian guilds. The DEIS states that migration routes may be defined as the various lanes birds travel from their breeding grounds to their winter quarters, and correctly notes that the more heavily traveled lanes follow north-south oriented topographical features such as coasts, mountain ridges, and principal river valleys. In fact, the Atlantic coast and its river systems constitute a well-known migration route. However, topography influences different bird groups in different ways (Lincoln *et al.*, 1998), with diurnal migrants typically more influenced by landscape features than nocturnal migrants (Able, 2004).

Radar surveillance indicates that nocturnal migrants (mostly neotropical songbirds) move in a dispersed fashion (broad fronts) with little regard to what lies below (Able, 2004). However, fall songbird migration is mostly a coastal phenomenon, as birds get pushed to the shoreline by northwesterly prevailing winds (New Jersey Audubon Society, 2004).

Birds that migrate by day include shorebirds, raptors, waterfowl, and some songbirds (New Jersey Audubon Society, 2004). These groups tend to follow topographical features trending north and south, such as mountain ranges, chains of lakes, river valleys, and peninsulas extending into large bodies of water (Able, 2004). Soaring birds like raptors rely on thermals or updrafts for long-distance flights (Lincoln *et al.*, 1998; Able, 2004). Accipiter and buteo hawks are typically observed following ridge lines within the study area (Reshetiloff, 2004), while other hawks like falcons and harriers tend to migrate along the coastline (Reshetiloff, 2004; Streeter, 2002). Bald eagles and ospreys (*Pandion haliaetus*) migrate along the Delaware River (Streeter, 2002), as well as the Atlantic coast. Certain shorebirds and waterfowl follow narrow migration routes along a coastline or river due to narrow stopover habitat requirements (Lincoln *et al.*, 1998; Able, 2004).

Migration Routes in the Study Area

The Airspace Redesign study area lies at a geographic crossroads of bird migration, located at a latitude about mid-way between the equator to the south and northern forests and the Arctic to the north. The area's geography and habitats are other reasons for the noteworthy abundance and diversity of birds that pass through the region during migration (Dunne, 1989; New Jersey Audubon Society, 2004).

A large number of migratory birds are funneled through the New York urban core by the convergence of several river systems (Hudson, Raritan, Passaic, Hackensack, Shrewsbury, Navesink), and the meeting of north-south (New Jersey) and east-west (Long Island) oriented coastlines at the New York-New Jersey Harbor. The north-south oriented migratory corridors of the New York-New Jersey Highlands, Watchung Ridges, and the Hudson River valley also concentrate overland migrating species through or near to the urban core (U.S. Fish and Wildlife Service, 1997).

The Delaware Bay shorelines of New Jersey, Delaware, and Pennsylvania are critical stops on the migration route of several shorebird species. In fall, the geography of the study area funnels many bird groups into the Cape May peninsula, where they rest and congregate in preparation for crossing the Delaware Bay (Dunne, 1989; Able, 2004).

A map of major migration routes in New Jersey is enclosed (Dunne, 1989). For the FEIS, the Department recommends revising the text and map (Figure 3.25) to reflect the major migration routes through the study area as described above. Currently, the map shows migration routes only along the Delaware and Atlantic coasts; other key routes should be added and described.

Migratory Bird Habitats by Bird Conservation Region

The Department recommends revising the information in Section 3.14.2 of the DEIS to characterize bird habitats in the study area by Bird Conservation Region (BCR), with a focus on those bird groups that present the greatest hazards to aircraft. Cleary *et al.* (2005) report that five bird groups account for over 70 percent of documented aircraft-wildlife strikes: gulls, doves/pigeons, raptors, blackbirds/starlings, and waterfowl.

The DEIS presents descriptions of habitat conditions and lists of priority species within the study area broken down by physiographic area. These physiographic areas and priority species were designated by Partners in Flight (<http://www.partnersinflight.org/>). Partners in Flight, in which the Department participates, is a cooperative effort among public and private entities launched in 1990 to advance landbird conservation.

By 1999, public and private groups recognized a need for coordination among various bird conservation efforts (like Partners in Flight) and launched the North American Bird Conservation Initiative (NABCI) (<http://www.nabci-us.org/>) to integrate bird conservation efforts across various taxonomic groups (*e.g.*, landbirds, waterbirds, shorebirds, waterfowl, raptors). The NABCI partners have designated and mapped Bird Conservation Regions (BCRs), which are ecologically distinct regions in North America with similar bird communities, habitats, and

resource management issues. The BCRs are intended to foster coordination among the various bird conservation initiatives. For most cross-cutting bird conservation efforts and issues, the Department uses BCRs.

The Department recommends reorganizing the text and maps (DEIS Figures 3.1 and 3.25) for the FEIS by BCR rather than the Partners in Flight physiographic areas, which are more appropriately used in analyses limited to landbirds. This change is especially appropriate since gulls and waterfowl, two of the five bird groups posing the greatest risk to aircraft, are not landbirds. Likewise, the priority species given in the DEIS were designated by Partners in Flight, and therefore focus on landbirds. The Department recommends replacing this information (Tables 3.23 through 3.27) with the FWS (2002) national and regional lists of Birds of Conservation Concern (enclosed), consistent with Executive Order 13186.

Portions of BCR 13, 14, 28, 29, and 30 are located within the study area. Descriptions of each BCR are available online at <http://www.nabci-us.org/bcrs.html>. To characterize bird habitats by BCR, in the FEIS the Department recommends focusing on habitat for those species and groups of greatest hazard to aircraft. For example, locations and descriptions of waterfowl Focus Areas designated by the Atlantic Coast Joint Venture are available at http://www.acjv.org/acjv_publications.htm. A summary of periodic FWS waterbird colony surveys in the northeast is available at http://fwie.fw.vt.edu/www/nframes/waterbird/waterbird_report.html. Information regarding regular surveys of waterbird colonies on the islands of New York-New Jersey Harbor is available from the New York City Audubon Society at <http://www.nycaudubon.org/projects/harborherons/>.

Migratory Bird Population Centers

The DEIS states on page 3-62, “*There are two ecological regions within the Study area that are population centers for migratory birds: New York Bight and Delaware Bay.*” The Department recommends revising this statement to indicate that the New York Bight and Delaware Bay are the two bird population centers of greatest relevance to Airspace Redesign, but are not the only important areas for migratory birds. Several other population centers are present within the study area. For example the Atlantic coastal bays are a key wintering area for waterfowl such as black duck (*Anas rubripes*) and Atlantic brant (*Branta bernicla*), and the forests of the northwestern part of the study area (including the New York-New Jersey Highlands) are important breeding grounds for many songbirds.

The Department recommends including in the FEIS an explanation of how the New York Bight and Delaware Estuary boundaries were delineated on Figure 3.25, or revising the boundaries to coincide with watersheds.

Under the discussion of the New York Bight, the Department recommends adding reference to the high importance of stopover habitats within the urban core. The large numbers of migratory birds funneled through the New York-New Jersey Harbor are further concentrated in the small amounts of remaining open space. Even isolated habitat pockets along major river corridors provide essential stopover habitats, serving as “urban oases” for energetically-stressed migrants.

Protection of remaining open space and restoration of additional areas is a conservation priority in the New York urban core (Dunne, 1989; U.S. Fish and Wildlife Service, 1997; New Jersey Audubon Society, 2004).

Bird Strike Data

The Department recommends revising Table 4.19 with the most current data (through 2005) from the National Wildlife Strike Database (<http://wildlife.pr.erau.edu/public/>). In addition, break down cumulative bird strike totals (1990 through 2005) by State, and give the average annual number of strikes by State over that period. The Department also recommends adding the number of strikes, by State, for each group identified by Cleary *et al.*, (2005) as presenting particular aircraft strike hazards (gulls, doves/pigeons, raptors, blackbirds/starlings, waterfowl). Strike data should also be added for key strike-hazard species identified by Cleary *et al.*, (2005) or in the 2003 multi-agency MOA, such as ring-billed gull (*Larus delawarensis*), Canada goose (*Branta canadensis*), red-tailed hawk (*Buteo jamaicensis*), mallard (*Anas platyrhynchos*), and turkey vulture (*Cathartes aura*).

The Department also recommends the addition of strike data by State for the federally listed roseate tern, piping plover, and bald eagle, and for bird species of conservation concern to the FWS (see enclosed lists). A brief description should also be included in the FEIS of any existing procedures to report strikes of federally listed species to the FWS. If no such procedures are in place, developing a periodic reporting protocol with the FWS Washington Office is recommended.

Bird Strike Impact Assessment

The Department recognizes the grave risk to human safety posed by aircraft-bird collisions, and offers the following recommendations to help improve the assessment of the potential for Airspace Redesign to affect the frequency of bird strikes.

According to the DEIS, about 73 percent of bird strikes occur at altitudes under 500 feet, and about 93 percent occur under 3,500 feet. The impact assessment (Section 4.7.2.4) focuses on the airspace under 500 feet. However, significant bird strike risks exist between 500 and 3,500 feet, particularly from waterfowl and unidentified birds, which tend to be struck at higher altitudes than other bird groups. Likewise the DEIS focuses on strike hazards to departing aircraft, but acknowledges that about 39 percent of bird collisions occur during the approach phase (arrivals). Based largely on Wildlife Hazard Managements Plans in place at the three major airports that would experience changes to departure headings, the DEIS concludes that no significant impacts to birds would be expected to result from any of the Airspace Redesign alternatives. The impact analysis as presented in the DEIS is not adequate to support this conclusion.

To protect both birds and aircraft safety, the Department recommends expanding the impact assessment to include a quantitative analysis of flights under 3,500 feet passing over bird concentration areas. In particular, the FAA should map existing bird habitats in the vicinity of all five major and 16 satellite airports under the current configuration of departures and arrivals out to the lateral distance where aircraft are generally above 3,500 feet. This mapping exercise

should be repeated for the proposed configuration of departures and arrivals under the preferred Airspace Redesign alternative selected by the FAA. The two sets of maps should be compared to determine if proposed airspace changes would affect the numbers of flights passing over migratory bird concentration areas at altitudes under 3,500 feet. Bird concentration areas include the major migration routes described above as well as rookeries and other bird breeding areas; wintering grounds; stopover, staging or resting areas; National Wildlife Refuges, State lands and other wildlife preserves; and seasonal flight paths (e.g., between feeding and nesting or roosting areas). New Jersey has habitat maps available at <http://www.state.nj.us/dep/fgw/ensp/landscape/>. The Department recommends that the FEIS present a summary of this expanded impact assessment, including maps of important bird habitats located within the range of low-altitude flight paths (*i.e.*, arriving and departing aircraft under 3,500 feet), and the numbers of low-altitude flights passing over these habitats under both existing and proposed airspace-use conditions.

Bird Strike Avoidance

Depending on the results of the expanded habitat mapping and impact analysis (as recommended above), the Department recommends investigating the following measures to minimize aircraft-bird collision hazards, to protect human safety and avian resources. These measures should be evaluated in the FEIS.

- Revisions of the Wildlife Hazard Management Plans at all five major and all 16 satellite airports to reflect the proposed changes in flight paths, and expansion of these plans to address habitat management in the surrounding area. For example, the proposed Airspace Redesign may reroute flights over landfills, golf courses, or other man-made bird concentration areas that would benefit from measures to reduce populations of resident, nuisance bird species that present an aviation hazard.
- Adjustments to the preferred alternative (*i.e.*, permanent modifications to proposed flight paths) to avoiding routing aircraft under 3,500 feet through known natural bird concentration areas (described above).
- Temporary rerouting of flight paths to minimize collision risks based on weather, season, and/or time of day.
- Use of radar to track the locations and altitudes of resident and migrating bird flocks. Low-powered marine radar systems may be used to track bird movements at small spatial scales (such as an individual airport), while WSR-88D (Doppler Weather Surveillance Radar or NEXRAD) may be used to track movements of migrating birds at large spatial scales (Gauthreaux and Belser, 2005). Background information on radar ornithology is available from Clemson University at <http://virtual.clemson.edu/groups/birdrad/index.htm>, and information regarding application of NEXRAD radar to studying bird migration in New Jersey is available from the New Jersey Audubon Society at <http://www.njaudubon.org/Education/Oases/Index.html>.

- Use of aircraft-bird strike avoidance technology initially developed by the U.S. Geological Survey (USGS) for use by the U.S. Navy. The USGS research on migratory bird occurrence for some areas of the country was entered into an expert software system that provided information on the probability of migratory bird location by elevation, Universal Transverse Mercator location, and time of year to help military flight personnel avoid bird strikes and enhance the safety of aircraft and passengers, as well as birds flying aloft in the vicinity. This technically is now commercially available. More information is available through the Bird Aircraft Strike Hazard (BASH) Prevention Program (U.S. Navy <http://www.safetycenter.navy.mil/aviation/operations/bash/>; U.S. Air Force http://afsafety.af.mil/SEF/Bash/SEFW_home.shtml). The U.S. Avian Hazard Advisory System/Bird Avoidance Model incorporates information from NEXRAD radar, and may be useful in mitigating collision hazards during Airspace Redesign.

Visual Impacts (Section 4.8)

The visual impact assessment presented in the DEIS lacks sufficient detail. The information should be revised to include discussions of potential impacts from each alternative on viewsheds and other scenic qualities protected by national parks.

Section ES.6 states that visual impacts were evaluated, but further analysis was deemed unnecessary because: *“Radar data indicates that areas where lower altitude airspace changes would take place are likely already exposed to aircraft lights and aircraft flights; therefore, no light emissions or visual impacts would be expected in these areas.”*

Visual impacts from aircraft, however, are an important issue at many national parks. Flights at any altitude near national parks can have substantial effects on views and visitor experience. Many parks in the study area have significant viewsheds and other scenic qualities that the NPS is required to protect for the enjoyment of future generations. For example, the project area includes the Appalachian National Scenic Trail, as well as the Delaware Water Gap National Recreation Area, which was established for the “preservation of scenic, scientific, and historic features contributing to public enjoyment.” Other national parks in the area are also required to protect scenic resources.

While it may be true that some or all of the 30 national parks located in the study area are already exposed to aircraft, each of the action alternatives analyzed in this DEIS would affect aircraft routes and other operational characteristics of overflights and could result in changes to viewsheds from national parks. Any Airspace Redesign alternative that changes a route such that it crosses the viewshed of a national park could have adverse impacts on visitors experiencing the view. The impacts could include the sight of aircraft and the formation of contrails in the viewshed. Therefore, a more comprehensive visual analysis should be conducted.

Coastal Resources (Section 4.13)

The Department recommends that the FEIS include concurrence statements from each State in the study area that the proposed Airspace Redesign will meet applicable standards for a Federal Consistency Determination under the Coastal Zone Management Act of 1972 (86 Stat. 1280; 16 U.S.C. 1451-1464).

Wetlands (Section 4.15)

If the FAA approves construction of an ICC, the Department recommends siting the facility to avoid wetland impacts, as well as fragmentation of upland resources such as forests or grasslands.

Consistency with State and Local Plans (Section 4.19)

The information for the FEIS should be revised to include a discussion of consistency with NPS Land Use Management Plans. The Council on Environmental Quality's regulations implementing NEPA (40 CFR 1500-1508) state that an EIS shall include a discussion of :

“(c) Possible conflicts between the proposed action and the objectives of Federal, regional, State, and local (and in the case of a reservation, Indian tribe) land use plans, policies and controls for the area concerned (Sec. 1502.16).”

In section 4.19, the DEIS states that the *“proposed air traffic procedural changes are consistent with applicable state and local plans as they would not have an impact on existing or proposed state and local government land use plans and development patterns.”*

The DEIS provides no indication that a review of national park planning documents was conducted and no disclosure concerning the consistency of the alternatives with NPS plans, policies, and controls. The land use compatibility analysis that was conducted for noise does not address this requirement.

The FAA must review NPS park plans, policies and controls, and disclose in the FEIS whether the alternatives are consistent with them. National park units of particular concern for noise and/or visual impacts are discussed below.

Upper Delaware National Park Units

Delaware Water Gap National Recreation Area and the Upper Delaware Scenic and Recreational River are both in close proximity to Newburgh/Stewart International Airport (SWF). The FEIS should specifically identify proposed changes to SWF air traffic and thoroughly analyze potential impacts on these two units of the National Park System, following the correct FAA guidelines and using appropriate metrics for analysis.

Floyd Bennett Field

The criteria used to assess impacts to Floyd Bennett Field (part of Gateway National Recreation Area) were from the Part 150 Guidelines. Floyd Bennett Field offers park visitors a variety of experiences, including camping areas, natural areas, hiking trails, areas for wildlife viewing, and an environmental center. These are typical visitor activities within Floyd Bennett Field, and visitors have an expectation of a quiet setting appropriate to these activities. Therefore, the conclusion in the DEIS that “*a quiet setting is not a generally recognized purpose and attribute*” of the park is not correct.

Fire Island National Seashore

Fire Island National Seashore (FINS) is within the air traffic pattern of Islip Long Island MacArthur Airport (ISP). In response to the 2001 Notice of Intent, FINS sent written comments to the FAA, outlining its concerns for increased air traffic over FINS, especially the designated Wilderness within the unit. Despite the FINS comments, the DEIS concludes there are no changes or impacts associated with ISP; however, Appendices C and E clearly show that the two Integrated Airspace alternatives would result in major changes in departure routes for ISP, which will redirect substantial traffic over portions of FINS. Since ISP is growing rapidly, with a forecast 56 percent increase in air traffic between 2000 and 2011 to 200 operations per day and use of larger aircraft, there is potential for long-term impact and change to the character of FINS that is not identified and analyzed in the DEIS.

Furthermore, the measurements used to characterize the FINS soundscape and analyze noise impacts may be misleading. The baseline data used in the DEIS were derived from the average of two sets of measurements taken in Robert Moses State Park. The Phase 1 measurements (taken December 18 through 21, 2001) yielded 68.9 DNL, and the second Phase 2 measurements, (taken August 12 through 15, 2002) yielded 64.8 DNL, which results in an average of 67.3 DNL. This is a very high level of noise, comparable to measurements taken in mid-Manhattan. Sources of noise were not identified in the DEIS. The sound level measurements at Robert Moses State Park are not representative of the FINS experience. The FINS encompasses a variety of weather conditions, and part of the park experience is enjoyment of natural sounds on calm days.

The impact analysis presented in the DEIS should be revised such that the FEIS clearly describes the proposed changes in ISP air traffic patterns and provides a thorough analysis of potential impacts to the park, including the designated Wilderness, following the correct FAA guidelines and using appropriate metrics as noted above. The analysis must take into account both noise and visual impacts that may adversely impact the visitor experience of the park and the Wilderness. Further, the Department requests that the Integrated Airspace alternatives be revised to route air traffic as far away from the Wilderness Area as possible.

SUMMARY COMMENTS

The Department acknowledges the needs for Airspace Redesign as identified by the FAA, and finds that the alternatives under consideration represent reasonable options to address the safe and efficient use of the NY/NJ/PHL region’s airspace.

The following recommendations reflect our detailed comments and are intended to enhance the FEIS, promote aviation safety, and protect natural and cultural resources.

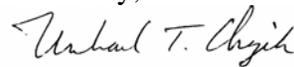
- Correct the minor editorial and other errors noted above.
- Clarify and expand the noise impact assessment, including presentation of supporting data, use of additional metrics, and use of guidelines appropriate to noise-sensitive sites such as national park units and other Section 4(f) properties.
- Incorporate flight restrictions to protect federally listed species into the Airspace Redesign, and conclude consultation with the FWS pursuant to Section 7 of the ESA prior to completion of the NEPA process.
- Add information regarding aircraft-mammal strikes.
- Clarify the complex nature of bird migration and to describe all major migration routes through the study area.
- Characterize bird habitats by BCR, with a focus on those bird species and groups that are a particular hazard to aircraft, and to note the importance of stopover habitats in the New York urban core.
- Add strike data for bird groups and species of particular hazard to aircraft, and for federally listed species, and bird species of conservation concern to the FWS.
- Expand the aircraft-bird impact assessment by mapping proposed changes in arrival and departure headings under 3,500 feet relative to important bird habitats.
- Evaluate measures to minimize aircraft-bird collision hazards including revision of Wildlife Hazard Management Plans, permanent and temporary rerouting of flight paths, use of radar to track bird movements, and use of aircraft-bird strike avoidance technology.
- Address the potential impacts of each alternative on the viewsheds and other scenic qualities protected by national parks.
- Obtain Federal Coastal Zone Consistency Determinations from each State.
- Locate the ICC, if approved, to minimize impacts to wetlands and other natural resources.
- Address the consistency of each alternative with management plans for national park units, particularly addressing noise and/or visual impacts to Delaware Water Gap National Recreational Area, Upper Delaware Scenic and Recreational River, Floyd Bennett Field, and Fire Island National Seashore.

The Department recommends incorporating the above revisions into the FEIS in order to enhance the analyses of impacts related to noise and visual changes, federally listed species, and aircraft-bird collisions. The Department requests that the FAA coordinate the resolution of these issues with the NPS and the FWS during preparation of and prior to issuance of the FEIS.

CONCLUSION

The Department appreciates the opportunity to comment on the DEIS for Airspace Redesign. Please contact Clifford G. Day, Supervisor of the FWS New Jersey Field Office at (609) 646-9310, extension 31, if you have any questions regarding fish and wildlife resources. Questions or further coordination about cultural and recreational resources should be addressed to Frank Turina, NPS Natural Soundscapes Program, Fort Collins, Colorado at (970) 225-3530.

Sincerely,



Michael T. Chezik
Regional Environmental Officer

Enclosures

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FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES IN NEW JERSEY



An **ENDANGERED** species is any species that is in danger of extinction throughout all or a significant portion of its range.

A **THREATENED** species is any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

	COMMON NAME	SCIENTIFIC NAME	STATUS
FISHES	Shortnose sturgeon*	<i>Acipenser brevirostrum</i>	E
REPTILES	Bog turtle	<i>Clemmys muhlenbergii</i>	T
	Atlantic Ridley turtle*	<i>Lepidochelys kempii</i>	E
	Green turtle*	<i>Chelonia mydas</i>	T
	Hawksbill turtle*	<i>Eretmochelys imbricata</i>	E
	Leatherback turtle*	<i>Dermochelys coriacea</i>	E
	Loggerhead turtle*	<i>Caretta caretta</i>	T
BIRDS	Bald eagle	<i>Haliaeetus leucocephalus</i>	T
	Piping plover	<i>Charadrius melodus</i>	T
	Roseate tern	<i>Sterna dougallii dougallii</i>	E
MAMMALS	Eastern cougar	<i>Felis concolor cougar</i>	E+
	Indiana bat	<i>Myotis sodalis</i>	E
	Gray wolf	<i>Canis lupus</i>	E+
	Delmarva fox squirrel	<i>Sciurus niger cinereus</i>	E+
	Blue whale*	<i>Balaenoptera musculus</i>	E
	Finback whale*	<i>Balaenoptera physalus</i>	E
	Humpback whale*	<i>Megaptera novaeangliae</i>	E
	Right whale*	<i>Balaena glacialis</i>	E
	Sei whale*	<i>Balaenoptera borealis</i>	E
	Sperm whale*	<i>Physeter macrocephalus</i>	E

	COMMON NAME	SCIENTIFIC NAME	STATUS
INVERTEBRATES	Dwarf wedgemussel	<i>Alasmidonta heterodon</i>	E
	Northeastern beach tiger beetle	<i>Cicindela dorsalis dorsalis</i>	T
	Mitchell's satyr butterfly	<i>Neonympha m. mitchellii</i>	E+
	American burying beetle	<i>Nicrophorus americanus</i>	E+
PLANTS	Small whorled pogonia	<i>Isotria medeoloides</i>	T
	Swamp pink	<i>Helonias bullata</i>	T
	Knieskern's beaked-rush	<i>Rhynchospora knieskernii</i>	T
	American chaffseed	<i>Schwalbea americana</i>	E
	Sensitive joint-vetch	<i>Aeschynomene virginica</i>	T
	Seabeach amaranth	<i>Amaranthus pumilus</i>	T

STATUS:			
E	endangered species	PE	proposed endangered
T	threatened species	PT	proposed threatened
+	presumed extirpated**		

* Except for sea turtle nesting habitat, principal responsibility for these species is vested with the National Marine Fisheries Service.

** Current records indicate the species does not presently occur in New Jersey, although the species did occur in the State historically.

Note: for a complete listing of Endangered and Threatened Wildlife and Plants, refer to 50 CFR 17.11 and 17.12.

For further information, please contact:

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Revised 12/15/04

Federally Listed Species Known to Occur in Pennsylvania Presently and Historically

Red = extirpated species/historic ranges

Blue = extant species/ranges

Species Common Name	Species Scientific Name	Status	Range
Fishes			
Shortnose Sturgeon	<i>Acipenser brevirostrum</i>	E	Delaware River & other Atlantic coastal waters
Reptiles			
Turtle, bog	<i>Clemmys muhlenbergii</i>	T	Adams, Berks, Bucks, Chester, Cumberland, Delaware, Franklin, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill, York <i>Historic - Crawford, Mercer, Philadelphia Co.</i>
Eastern Massasauga Rattlesnake	<i>Sistrurus catenatus catenatus</i>	C	Butler, Crawford, Mercer, Vernango
Birds			
Eagle, bald	<i>Haliaeetus leucocephalus</i>	T	Butler, Cameron, Center, Chester, Crawford, Dauphin, Erie, Forest, Huntingdon, Lancaster, Lebanon, Mercer, Northumberland, Pike, Susquehanna, Vernango, Warren, Wayne, York
Plover, piping	<i>Charadrius melodus</i>	E	Erie
Mammals			
Gray Wolf	<i>Canis lupus</i>	T	<i>State-wide</i>
Canada lynx	<i>Lynx canadensis</i>	E	<i>North Central PA (Tioga Co.)</i>
Squirrel, Delmarva Peninsula fox	<i>Sciurus niger cinereus</i>	E	<i>Delaware, Chester</i>
Puma (=cougar), eastern	<i>Puma (=Felis) concolor cougar</i>	E	<i>State-wide</i>
Bat, Indiana	<i>Myotis sodalis</i>	E	Armstrong, Blair, Lawrence, Luzerne, Mifflin, Somerset

Mollusks			
Mucket, pink (pearlymussel)	<i>Lampsilis abrupta</i>	E	Armstrong, Allegheny, Beaver
Pearlymussel, cracking	<i>Hemistena lata</i>	E	Armstrong
Pigtoe, rough	<i>Pleurobema plenum</i>	E	Armstrong, Allegheny, Beaver
Pimpleback, orangefoot (pearlymussel)	<i>Plethobasus cooperianus</i>	E	Armstrong, Allegheny, Beaver
Ring pink (mussel)	<i>Obovaria retusa</i>	E	Beaver
Fanshell	<i>Cyprogenia stegaria</i>	E	Armstrong, Allegheny, Beaver
Clubshell	<i>Pleurobema clava</i>	E	Clarion, Clearfield, Crawford, Erie, Forest, Mercer, Vernango, Warren <i>Historic - Armstrong, Butler, Fayette, Greene, Lawrence, Westmoreland</i>
Riffleshell, northern	<i>Epioblasma torulosa rangiana</i>	E	Clarion, Clearfield, Crawford, Erie, Forest, Mercer, Vernango, Warren <i>Historic - Armstrong, Greene, Erie</i>
Wedgemussel, dwarf	<i>Alasmidonta heterodon</i>	E	Wayne, Pike <i>Historic - Monroe, Philadelphia Co.</i>
Plants			
Pogonia, small whorled	<i>Isotria medeoloides</i>	T	Center, Chester, Vernango
Bulrush, Northeastern	<i>Scirpus ancistrochaetus</i>	E	Adams, Bedford, Blair, Carbon, Center, Clinton, Cumberland, Dauphin, Franklin, Huntingdon, Lackawanna, Lehigh, Lycoming, Mifflin, Monroe, Perry, Snyder, Union
Eastern prairie fringed orchid	<i>Platanthera leucophaea</i>	T	Crawford
Joint-vetch, sensitive	<i>Aeschynomene virginica</i>	T	Delaware, Philadelphia Co.
Coneflower, smooth	<i>Echinacea laevigata</i>	E	Lancaster Co.
Spiraea, Virginia	<i>Spiraea virginiana</i>	T	Fayette
Insects			
American Burying Beetle	<i>Nicrophorus americanus</i>	E	State-wide
Karner Blue Butterfly	<i>Lycaeides melissa samuelis</i>	E	Wayne Co.,
Tiger beetle, northeastern beach	<i>Cicindela dorsalis dorsalis</i>	T	along large rivers in Southeast PA



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Species List:

**FEDERALLY LISTED AND PROPOSED ENDANGERED, THREATENED,
AND CANDIDATE SPECIES IN NEW YORK**



Common Name:	Scientific Name:	Status	Distribution
FISHES			
Sturgeon, Shortnose*	<i>Acipenser brevirostrum</i>	E	Hudson River & other Atlantic Coastal Rivers
REPTILES			
Massassauga, Eastern	<i>Sistrurus catenatus catenatus</i>	C	Genesee and Onondaga Counties
Turtle, bog	<i>Clemmys muhlenbergii</i>	T	Albany, Columbia, Dutchess, Genesee, Onondaga, Orange, Oswego, Putnam, Seneca, Sullivan, Ulster, Wayne, and Westchester counties
Turtle, green*	<i>Chelonia mydas</i>	T	Oceanic summer visitor coastal waters
Turtle, hawksbill*	<i>Eretmochelys imbricata</i>	E	Oceanic summer visitor coastal waters
Turtle, leatherback*	<i>Dermochelys coriacea</i>	E	Oceanic summer resident coastal waters
Turtle, loggerhead*	<i>Garetta caretta</i>	T	Oceanic summer resident coastal waters
Turtle, Atlantic ridley*	<i>Lepidochelys kempii</i>	E	Oceanic summer resident coastal waters
BIRDS			
Eagle, bald	<i>Haliaeetus leucocephalus</i>	T	Entire state
Plover, piping (Great Lakes Population)	<i>Charadrius melodus</i>	E	Great Lakes Watershed Critical Habitat - Eastern Lake Ontario shoreline from Salmon River (Oswego County) to Stony Point (Jefferson County)
Plover, piping (Atlantic Coast Population)	<i>Charadrius melodus</i>	T	All other coastal sites in New York (Atlantic Coast)
Tern, roseate	<i>Sterna dougallii dougallii</i>	E	Southeastern coastal portions of state
MAMMALS			
Bat, Indiana	<i>Myotis sodalis</i>	E	Entire state

Cougar, eastern	<i>Felis concolor cougar</i>	E	Entire state - probably extinct
Whale, blue*	<i>Balaenoptera musculus</i>	E	Oceanic
Whale, finback*	<i>Balaenoptera physalus</i>	E	Oceanic
Whale, humpback*	<i>Megaptera novaeangliae</i>	E	Oceanic
Whale, right*	<i>Eubalaena glacialis</i>	E	Oceanic
Whale, sei*	<i>Balaenoptera borealis</i>	E	Oceanic
Whale, sperm*	<i>Physeter catodon</i>	E	Oceanic
MOLLUSKS			
Snail, Chittenango ovate amber	<i>Novisuccinea chittenangoensis</i>	T	Madison County
Mussel, dwarf wedge	<i>Alasmidonta heterodon</i>	E	Orange County - lower Neversink River, Delaware and Sullivan Counties - Delaware River
Clubshell	<i>Pleurobema clava</i>	E	Chautauqua County
Rayed bean	<i>Villosa fabalis</i>	C	Cattaraugus and Chautauqua Counties
BUTTERFLIES			
Butterfly, Karner blue	<i>Lycaeides melissa samuelis</i>	E	Albany, Saratoga, Warren and Schenectady Counties
PLANTS			
Monkshood, northern wild	<i>Aconitum noveboracense</i>	T	Ulster, Sullivan, and Delaware Counties
Pogonia, small whorled	<i>Isotria medeoloides</i>	T	Entire state
Swamp pink	<i>Helonias bullata</i>	T	Staten Island - presumed extirpated
Gerardia, sandplain	<i>Agalinis acuta</i>	E	Nassau and Suffolk Counties
Fern, American hart's-tongue	<i>Asplenium scolopendrium var. americana</i>	T	Onondaga and Madison Counties
Orchid, eastern prairie (fringed)	<i>Platanthera leucophea</i>	T	Not relocated in New York
Bulrush, northeastern	<i>Scirpus ancistrochaetus</i>	E	Not relocated in New York
Roseroot, Leedy's	<i>Sedum integrifolium ssp. Leedyi</i>	T	West shore of Seneca Lake
Amaranth, seabeach	<i>Amaranthus pumilus</i>	T	Atlantic coastal plain beaches
Goldenrod, Houghton's	<i>Solidago houghtonii</i>	T	Genesee County

E=endangered T=threatened P=proposed C=candidate

* = Except for sea turtle nesting habitat, principal responsibility for these species is vested with the National Marine Fisheries Service.

Revision Date: 8/17/05



Last modified: September 13, 2005

Table G.5 (Pennsylvania)

Category	Common Name	Species Name	Status
Mammals	Least Shrew	<i>Cryptotis parvawas</i>	SE
	Small-Footed Myotis	<i>Myotis leibii</i>	ST
	Indiana Bat	<i>Myotis sodalis</i>	FE/SE
	Eastern Woodrat	<i>Neotoma magister</i>	ST
	Delmarva Fox Squirrel	<i>Sciurus niger cinereus</i>	SE
	West Virginia Water Shrew	<i>Sorex palustris punctulatus</i>	ST
Birds	Great Egret	<i>Ardea alba</i>	SE
	Short-eared owl	<i>Asio flammeus</i>	SE
	Upland Sandpiper	<i>Batramia longicauda</i>	ST
	American Bittern	<i>Botaurus lentiginosus</i>	SE
	Piping Plover	<i>Charadrius melodus</i>	FE/SE
	Black Tern	<i>Childonias niger</i>	SE
	Sedge wren	<i>Cistothorus platensis</i>	SE
	Blackpoll Warbler	<i>Dendroica striata</i>	SE
	Yellow-Bellied Flycatcher	<i>Empidonax flaviventris</i>	SE
	Peregrine Falcon	<i>Falco peregrinus</i>	SE
	Bald Eagle	<i>Haliaeetus leucocephalus</i>	FT/ST
	Least Bittern	<i>Ixobrychus exilis</i>	SE
	Loggerheaded Shrike	<i>Lanius ludovicianus</i>	SE
	Yellow-Crowned Night-Heron	<i>Nyctanassa violacea</i>	ST
	Black-Crowned Night-Heron	<i>Nycticorax nycticorax</i>	SE
	Osprey	<i>Pandion haliaetus</i>	ST
King Rail	<i>Rallus elegans</i>	SE	
Dickcissel	<i>Spiza americana</i>	SE	
Common Tern	<i>Sterna hirundo</i>	SE	
Reptiles	Bog Turtle	<i>Clemmys muhlenbergii</i>	FT/SE
	Kirtland's Snake	<i>Clonophis kirtlandii</i>	SE
	Rough Green Snake	<i>Opheodrys aestivus</i>	ST
	Red-Bellied Turtle	<i>Pseudemys rubriventris</i>	ST
	Eastern massasauga	<i>Sistrurus catenatus catenatus</i>	SE
Amphibians	Green Salamander	<i>Aneides aeneus</i>	ST
	New Jersey Chorus Frog	<i>Pseudacris feriarum kalmi</i>	SE
	Eastern Mud Salamander	<i>Pseudotriton montanus</i>	SE
	Coastal Plain Leopard Frog	<i>Rana utricularia</i>	SE
Fish	Short-Nosed Sturgeon	<i>Acipenser brevirostrum</i>	FE/SE
	Lake Sturgeon	<i>Acipenser fulvescens</i>	SE
	Atlantic Sturgeon	<i>Acipenser oxyrhynchus</i>	SE
	Skipjack Herring	<i>Alosa chrysocholris</i>	ST
	Hickory Shad	<i>Alosa mediocris</i>	SE
	Black Bullhead	<i>Amerius melas</i>	SE
	Long-Nosed Sucker	<i>Catostomus catostomus</i>	SE
	Cisco	<i>Coregonus artedi</i>	SE
	Banded Sunfish	<i>Enneacanthus obesus</i>	SE
	Gravel Chub	<i>Erimystax x-punctatus</i>	SE
	Bluebreast Darter	<i>Etheostoma camurum</i>	ST

	Iowa Darter	<i>Etheostoma exile</i>	SE
	Spotted Darter	<i>Etheostoma maculatum</i>	ST
	Eastern Sand Darter	<i>Etheostoma pullucida</i>	SE
	Tippecanoe Darter	<i>Etheostoma Tippecanoe</i>	ST
	Threespine Stickleback	<i>Gasterosteus aculeatus</i>	SE
	Goldeneye	<i>Hiodon alosoides</i>	ST
	Mooneye	<i>Hiodon tergisus</i>	ST
	Northern Brook Lamprey	<i>Ichthyomyzon fossor</i>	SE
	Mountain Brook Lamprey	<i>Ichthyomyzon greeleyi</i>	ST
	Smallmouth Buffalo	<i>Ictiobus bubalus</i>	ST
	Bigmouth Buffalo	<i>Ictiobus cyprinellus</i>	SE
	Spotted Gar	<i>Lepisosteus oculatus</i>	SE
	Warmouth	<i>Lepomis gulosus</i>	SE
	Longear Sunfish	<i>Lepomis megalotis</i>	SE
	Burbot	<i>Lota lota</i>	SE
	Redfin Shiner	<i>Lythrurus umbratilis</i>	SE
	Silver Chub	<i>Macrhybopsis storeriana</i>	SE
	Spotted Sucker	<i>Minytrema meleanops</i>	ST
	Mountain Madtom	<i>Noturus eleutherus</i>	SE
	Tadpole Madtom	<i>Noturus gyrinus</i>	SE
	Brindled Madtom	<i>Noturus miurus</i>	ST
	Northern Madtom	<i>Noturus stigmosus</i>	SE
	Bridle Shiner	<i>Notropis bifrenatus</i>	SE
	River Shiner	<i>Notropis blennius</i>	SE
	Ghost Shiner	<i>Notropis buchanani</i>	SE
	Ironclolor Shiner	<i>Notropis chalybaeus</i>	SE
	Bigmouth Shiner	<i>Notropis dorsalis</i>	ST
	Blackchin Shiner	<i>Notropis heterodon</i>	SE
	Channel Darter	<i>Percina copelandi</i>	ST
	Gilted Darter	<i>Percina evides</i>	ST
	Longheaded Darter	<i>Percina macrocephala</i>	ST
	Southern Redbelly Dace	<i>Phoxinus erythrogaster</i>	ST
Invertebrates	Northern riffleshell mussel	<i>Epioblasma torulosa rangiana</i>	FE/SE
	Clubshell mussel	<i>Pleurobema clava</i>	FE/SE
	Dwarf wedgemussel	<i>Alasmidonta heterodon</i>	FE/SE

**BIRDS OF
CONSERVATION CONCERN
2002**

**U.S. Fish and Wildlife Service
Division of Migratory Bird Management
Arlington, Virginia**

December 2002

BIRDS OF CONSERVATION CONCERN 2002

Prepared by

U.S. Fish and Wildlife Service
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Arlington, Virginia

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EXECUTIVE SUMMARY

The 1988 amendment to the Fish and Wildlife Conservation Act mandates the U.S. Fish and Wildlife Service (USFWS) to “identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act of 1973.” *Birds of Conservation Concern 2002 (BCC 2002)* is the most recent effort to carry out this mandate. The overall goal of this report is to accurately identify the migratory and non-migratory bird species (beyond those already designated as Federally threatened or endangered) that represent our highest conservation priorities and draw attention to species in need of conservation action. The geographic scope of this endeavor is the United States in its entirety, including island "territories" in the Pacific and Caribbean. It is more comprehensive than previous versions. *BCC 2002* encompasses three distinct geographic scales—North American Bird Conservation Initiative (NABCI) Bird Conservation Regions (BCRs), USFWS Regions, and National—and is primarily derived from assessment scores from three major bird conservation plans: Partners in Flight, the United States Shorebird Conservation Plan, and the North American Waterbird Conservation Plan.

Bird species considered for inclusion on lists in this report include nongame birds, gamebirds without hunting seasons, subsistence-hunted nongame birds in Alaska; and Endangered Species Act candidate, proposed endangered or threatened, and recently delisted species. Assessment scores from all three bird conservation plans are based on several factors, including population trends, threats, distribution, abundance, and area importance. These assessment scores serve as the foundation on which we built the *BCC 2002* lists. Although the different bird conservation plans use somewhat different methods for determining the highest priority species, the scores from each represent true conservation priorities for each of the three species groups (landbirds, shorebirds, and waterbirds). We therefore view the conservation priorities within each plan as approximately equivalent. After creating BCR lists, we developed specific criteria for including species on USFWS Region and National lists. BCR lists include 8 to 48 species, USFWS Region lists include 28 to 88 species, and the National list contains 131 species. In virtually all cases, priority species make up 9 to 12 percent of all bird species in any given geographic unit.

While all of the bird species included in *BCC 2002* are priorities for conservation action, this list makes no finding with regard to whether they warrant consideration for ESA listing. Our goal is to prevent or remove the need for additional ESA bird listings by implementing proactive management and conservation actions. We recommend that these lists be consulted in accordance with Executive Order 13186, “Responsibilities of Federal Agencies To Protect Migratory Birds.” This report should also be used to develop research, monitoring, and management initiatives. *BCC 2002* is intended to stimulate coordinated and collaborative proactive conservation actions among Federal, State, and private partners. We hope that, by focusing attention on these highest priority species, this report will promote greater study and protection of the habitats and ecological communities upon which these species depend, thereby ensuring the future of healthy avian populations and communities.

ACKNOWLEDGMENTS

Primary responsibility for coordinating the completion of this project was shared by Steven R. Sheffield and John L. Trapp, including compilation and analysis of assessment scores, development of selection criteria, drafting and editing innumerable versions of the report, and preparing the tables and appendices.

We are especially indebted to our USFWS Region collaborators—Tara Zimmerman (Region 1), Bill Howe (Region 2), Tom Will (Region 3), William Hunter (Region 4), Randy Dettmers (Region 5), Stephanie L. Jones (Region 6), and Kenton D. Wohl (Region 7)—for providing invaluable assistance in helping to develop selection criteria, finalizing BCR and USFWS Region lists, and reviewing and commenting on several drafts of the report. This report could not have been completed without the active participation of these individuals.

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Finally, we must offer special thanks to four individuals who played key roles in providing access to the baseline data that were essential for preparing this report: Mike Carter and Arvind Panjabi (formerly and currently with the Rocky Mountain Bird Observatory, respectively) made available information from the PIF database and responded to our many questions, and Stephen Brown and Katherine Parsons (both with the Manomet Center for Conservation Sciences) supplied priority scores from the United States Shorebird Conservation Plan and the North American Waterbird Conservation Plan, respectively.

INTRODUCTION

The purpose of this document is to identify migratory and non-migratory birds of the United States and its territories that are of conservation concern so as to stimulate coordinated and proactive conservation actions among Federal, State, and private partners. The concerns may be the result of population declines, naturally small ranges or population sizes, threats to habitat, or other factors. The primary legal authority for *Birds of Conservation Concern 2002 (BCC 2002)* is the Fish and Wildlife Conservation Act of 1980 (FWCA), as amended; other authorities include the Endangered Species Act, the Fish and Wildlife Act of 1956, and 16 U.S.C. § 701. The 1988 amendment (Public Law 100-653, Title VIII) to the FWCA requires the Secretary of the Interior, through the USFWS, to “identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act of 1973.” *BCC 2002* is the most recent effort by the USFWS to carry out this proactive conservation mandate. The overall goal of this report is to accurately identify those species (beyond those already Federally listed as threatened or endangered) in greatest need of conservation action at different geographic scales.

A primary goal of the USFWS is to conserve avian diversity in North America (USFWS 1990). This goal includes reducing or removing threats that may necessitate consideration for listing under the ESA. The underlying philosophy behind this report is that proactive bird conservation is necessary at a time when human impacts are at an all-time high. We strongly believe that a well-designed program that addresses resource management issues up front will prevent or remove the need to consider listing species as threatened or endangered, and will promote and conserve long-term avian diversity in the United States. In addition, proactive conservation clearly is more cost-effective than the extensive recovery efforts required once a species is Federally listed under the ESA. Our intent is for *BCC 2002* to stimulate coordinated efforts by Federal and State agencies, in collaboration with private organizations, to develop and implement comprehensive and integrated approaches for the study, management, and protection of non-ESA listed bird species deemed to be in the most need of additional conservation actions.

While the inclusion of non-MBTA species is beyond the scope of the FWCA, the Service has an incentive to encourage proactive management of these species by State agencies and other partners to ensure that they never have to be listed as endangered or threatened.

Bird species assemblages, guilds, or communities have recently been promoted as indicators of ecological integrity in a variety of habitats (Bradford et al. 1998, O’Connell et al. 1998, Canterbury et al. 2000, O’Connell et al. 2000), and at-risk bird species are good measures of ecosystem threats (Beissinger et al. 1996). Setting priorities in conservation is crucial because funding is limited. Many systems for setting wildlife conservation priorities have been proposed. Some have focused heavily on identifying and quantifying threats to endangered or rare species (Master 1991, Wilcove et al. 1998). Others have focused on highlighting species that deserve attention due to threats to their populations, widespread or long-term declines, or

low potential for population recovery (Millsap et al. 1990). The Canadian Wildlife Service developed a priority ranking system that focuses on conservation concerns and agency responsibilities to assist in setting conservation priorities for landbird species (Dunn 1997, Dunn et al. 1999). The mandate of the 1988 FWCA amendment requires a more proactive approach; namely, to identify species that, without additional conservation actions, may become listed as endangered or threatened under the ESA. *BCC 2002* uses current conservation assessment scores from three bird conservation plans: Partners in Flight (PIF; Pashley et al. 2000), the United States Shorebird Conservation Plan (USSCP; Brown et al. 2000), and the North American Waterbird Conservation Plan (NAWCP; North American Waterbird Conservation Plan Steering Committee 2001). Species in need of additional conservation attention are identified at three distinct geographic scales: North American Bird Conservation Initiative (NABCI) Bird Conservation Regions (BCRs; U.S. NABCI Committee 2000a, 2000b, 2000c), USFWS Regions, and National.

Assessment scores are based on several parameters including population trends, threats, distribution, abundance, and area importance. PIF, a coalition of Federal and State government agencies, non-governmental organizations, and private interests, developed species assessment scores out of concern for the sharp declines in many North American neotropical migrant songbirds (Pashley et al. 2000). The PIF approach has been peer-reviewed by an independent body of avian biologists (Beissinger et al. 2000, Carter et al. 2000, Partners in Flight 2001). Similar coalitions have prepared and reviewed conservation assessment scores for shorebirds (USSCP) at the National scale and in step-down regional shorebird conservation plans (Brown et al. 2000), and for waterbirds (NAWCP) at the continental scale (North American Waterbird Conservation Plan Steering Committee 2001). Additionally, we found it necessary to develop conservation assessment scores for a few species not yet evaluated by any of the bird conservation plans, such as Pacific Island landbirds. Taken together, these assessment scores can be used to develop a comprehensive set of integrated bird conservation priorities; this represents a unique conservation effort unmatched for any other major group of organisms in North America.

BACKGROUND

Why Did We Create Lists at Different Geographic Scales?

Listing birds of conservation concern at three geographic scales maximizes the utility of the lists for a variety of partner agencies and organizations. The different geographic scales, from smallest to largest, are as follows:

NABCI Bird Conservation Regions (BCRs). We have adopted BCRs as the smallest and ecologically most relevant of our geographic scales. BCRs have been endorsed by NABCI (U.S. NABCI Committee 2000a, 2000b, 2000c) as the basic ecological units within which all-bird conservation efforts will be planned and evaluated (Fig. 1). NABCI is an endeavor to increase the effectiveness of bird conservation at the continental level and currently includes the United States, Canada, and Mexico. Its goal is to deliver “the full spectrum of bird conservation through regionally based, biologically driven, landscape-oriented partnerships” (U.S. NABCI Committee 2000a). A published map of BCRs and accompanying written descriptions of each are available (U.S. NABCI Committee 2000b, 2000c, 2002). The BCR lists will be most useful to Federal land-managing agencies and their partners in their efforts to abide by the bird conservation principles embodied in the four bilateral conventions implemented by the Migratory Bird Treaty Act (MBTA); see Executive Order 13186 of January 10, 2001 (Clinton 2001). NABCI has recognized 35 BCRs that cover the contiguous 48 States, Alaska, and Hawaii (<http://www.nabci-us.org/bcrs.html>). These BCRs are numbered 1 to 5, 9 to 37, and 67 (U.S. NABCI Committee 2000a, 2000b, 2000c, 2002). For purposes of this report, we created two additional BCRs to encompass island “territories” of the United States¹, BCR 68 for the

¹ Island "territories" and other affiliations of the United States considered in this document include (a) *American Samoa* - an unincorporated and unorganized territory; (b) *Baker Island* - an unincorporated territory administered by the USFWS as a National Wildlife Refuge (NWR); (c) *Commonwealth of the Northern Marianas Islands* - aligned through a covenant of "political union"; (d) *Guam* - an unincorporated organized territory; (e) *Howland Island* - an unincorporated territory administered by the USFWS as a NWR; (f) *Jarvis Island* - an unincorporated territory administered by the USFWS as a NWR; (g) *Johnston Atoll* - an unincorporated and unorganized territory under joint operational control of the Department of Defense and USFWS (and administered as a NWR); (h) *Kingman Reef* - an unincorporated territory administered by the USFWS as a NWR; (i) *Midway Islands* - an unincorporated territory administered by the USFWS as a NWR; (j) *Navassa Island* - administered by the USFWS as a NWR; (k) *Palmyra Atoll* - a privately-owned incorporated territory; (l) *Commonwealth of Puerto Rico* - a commonwealth; (m) *U.S. Virgin Islands* - an unincorporated organized territory; and (n) *Wake Island* - an unincorporated territory administered by the Department of the Interior (Central Intelligence Agency 2001).

Pacific Ocean and BCR 69 for the Caribbean. There are 37 BCR lists of priority species.

USFWS Regions. There are seven USFWS Regions (<http://offices.fws.gov/directory/listofficeregion.cfm>), each encompassing multiple States in the same geographic area (except Alaska, which is its own region). The USFWS Region lists will be useful to USFWS administrators and biologists, other Federal and State agencies within a Region, and their partners and cooperators.

National. The National list encompasses the United States in its entirety, including island "territories" in the Caribbean and Pacific². The National list should be viewed as a barometer of the status of continental bird populations, providing an "early warning" of birds that may decline to levels requiring ESA protection unless additional conservation measures are taken. The National list will be most useful as an outreach tool for educating the public about the precarious status of bird species in the United States. It will also be useful for National bird conservation planning. The National list should not be used to foster bird conservation at smaller geographic scales; that is the purpose of the BCR and USFWS Region lists. Although there are other lists of this nature, such as the recent National Audubon Society (2001) and PIF (Carter et al. 1996, Pashley et al. 2000:12-14) Watch Lists, and the discontinued Blue List published by the National Audubon Society (Tate 1986), none of them is as comprehensive as *BCC 2002*.

What Bird Species Did We Consider?

The various species groups considered for inclusion on *BCC 2002* lists are described in Table 1. Our only deviation from the 1995 report in this regard was the consideration of non-MBTA species. The major groups of species not considered in this assessment are (1) migratory gamebirds for which hunting regulations are established (i.e., cooperatively managed by Federal-State flyway councils); (2) species that are peripheral to the United States (i.e., <1 percent of the rangewide population occurs in the United States); (3) species, subspecies, and populations endangered or threatened (i.e., subject to the provisions of the ESA); (4) resident gamebirds (i.e., managed by State wildlife agencies); and (5) non-native species.

Because the three bird conservation plans that we use here are all species-based, assessment scores were available only for full species. However, where appropriate, subspecies and populations are included in this assessment based on geographic range, Federal candidate status, or available local data. Subspecies and populations are represented on lists at all three geographic scales.

In the spirit of all-bird conservation, we include species not specifically covered by the MBTA when they are deemed to be conservation priorities. To avoid confusion, we clearly differentiate between MBTA and non-MBTA bird species (see Table 3). A list of species protected by the MBTA is found in Title 50, Part 10, of the *Code of Federal Regulations*.

How Does *BCC 2002* Compare to Previous Versions?

BCC 2002 is the latest product in a continuing effort to assess and prioritize bird species for conservation purposes (USFWS 1982, 1987, 1995; and U.S. Department of the Interior 1990). It is difficult to make meaningful comparisons among or between lists because of differences in the way each succeeding report was prepared. In chronological order, these efforts produced lists containing 28, 30, 77, and 124 species of conservation concern at a National scale in 1982, 1987, 1990, and 1995, respectively; by comparison, *BCC 2002* includes 131 species at the National scale. Do these figures reflect an actual decline in the conservation status of the Nation's birdlife, or do they merely reflect improvements in our ability to accurately identify and characterize species in real need of conservation attention? The truth probably lies somewhere in the middle. The preparation of prioritized species lists should be viewed as an evolving process, improving as our knowledge base increases, with each list reflecting the best available information at the time of its publication.

BCC 2002 is fundamentally different from previous lists that attempted to identify birds of concern. It derives primarily from conservation assessment scores from three different bird conservation initiatives, whereas previous editions used a variety of different sources to determine priorities (Table 2). Conservation assessment scores from the three initiatives were not available in 1987 or 1995. Species on the 1995 list that do not appear in *BCC 2002* did not score high enough as a conservation priority for a particular geographic area. *BCC 2002* includes three distinct geographic scales, whereas the 1987 list included one (National) and the 1995 list included two (National and USFWS Region). Birds of the Pacific Island "territories" such as American Samoa, Guam, and the Commonwealth of the Northern Marianas Islands (see footnote 2 for a complete list of Pacific Island "territories") are included in the assessment for the first time. Also unlike earlier versions, *BCC 2002* includes ESA proposed endangered or threatened and recently delisted species, Hawaiian and Pacific island endemics, and other species not specifically covered by the MBTA.

Overall, we believe that the data supporting the priority lists in *BCC 2002* are more quantitative and comprehensive than those of previous lists. The data from the three bird conservation initiatives are more standardized, include more geographic scales (including scales that are important for local conservation efforts), incorporate a great deal of input from many bird experts, and have wide acceptance among members of avian conservation and scientific communities. We are confident that the methods used in *BCC 2002* are the best available for identifying avian conservation priorities as directed by the FWCA amendment of 1988.

What Sources of Information Did We Use?

PIF Assessment Scores. We used assessment scores from the PIF Species Assessment Database (version 8.0, November 2000) housed at the Rocky Mountain (formerly Colorado) Bird Observatory, which we believe were the best available data at the time this report was prepared. In this database, a panel of bird species experts has assigned each landbird species in the continental United States scores ranging from 1 (lowest priority or degree of concern) to 5 (highest priority or degree of concern) for each of 7 factors: breeding distribution, non-breeding distribution, relative abundance, threats in breeding season, threats in non-breeding season, population trend, and area importance (AI). AI is the relative importance of a given area to a species and its conservation, based on the abundance of the species in that area relative to all other areas in which it occurs. The first six scores (excluding AI) can be assessed on the basis of range-wide information, and their sum is referred to as the "global" assessment score for a species; this score was used to develop the National list. All of these factors are defined and discussed in detail in Panjabi et al. (2001). Factor scores for each species are summed to provide an overall assessment of the relative need for conservation attention, with higher scores reflecting higher degrees of concern. Both PIF breeding and wintering scores for landbirds were used in assessing species for inclusion in the *BCC 2002* report. We considered all landbird species with summary scores ≥ 22 . In consultation with experts, the USFWS prepared scores for landbirds of Hawaii and Pacific island "territories" using the PIF scheme (see <http://migratorybirds.pacific.fws.gov/reports.htm>).

USSCP Assessment Scores. For shorebird species, we considered assessment scores from the USSCP (Brown et al. 2000, Brown et al. 2001) to represent the best available data. The USSCP assessment process uses the same seven factor scores (with slightly different criteria) as PIF, but priorities are derived using a categorical (rather than a summation) approach (Brown et al. 2001). We considered all shorebird species in the USSCP "High Concern" and "Highly Imperiled" categories potentially eligible for inclusion in *BCC 2002* lists. A prioritization protocol for shorebirds (*in* Brown et al. 2001) describes prioritization categories and their relationship to factor scores.

NAWCP Assessment Scores. The NAWCP assessment process uses the same seven factors as the PIF and USSCP plans, but with slightly different criteria. We used draft continental assessment scores from the NAWCP plan (K. Parsons unpubl. data, North American Waterbird Conservation Plan Steering Committee 2001), which we considered to be the best available data for colonial waterbirds and seabirds. However, assessment scores were not available at the BCR or USFWS Region scales at the time this report was prepared. Some waterbirds are included in the PIF database, and these scores were reviewed and considered at the BCR scale. For other waterbirds, draft NAWCP scores were reviewed and revised to develop BCR and USFWS Region categorical rankings using a variety of information sources including Service expertise, available data, and consultations with local experts. We considered all colonial waterbird species in the NAWCP "High Concern" and "Highly Imperiled" categories potentially eligible

for inclusion in *BCC 2002* lists. A prioritization protocol for colonial waterbirds is available as an appendix to the NAWCP plan (North American Waterbird Conservation Plan Steering Committee 2001).

How Do Prioritization Methodologies Used By the Bird Conservation Initiatives Compare?

The methods used by PIF to prioritize species differ from those used by the USSCP and the NAWCP. In PIF, the sum total of the seven factor scores establishes a threshold value that defines priority species. PIF uses a four-tiered system in which Tier I species, those with summary scores ≥ 22 , are considered highest priority.

Although USSCP and NAWCP use the same factors as PIF and score them in the same manner, derivation of the scores is slightly different and priority species are not determined by a simple summation of scores. Rather, priority species are identified by particular combinations of factor scores which create prioritization categories ranging from "Highly Imperiled" to "Species Not at Risk". Prioritization categories are specifically described in the USSCP and NAWCP conservation plans and associated World Wide Web sites (Brown et al. 2000, 2001; North American Waterbird Conservation Plan Steering Committee 2001).

Although the methods for determining the highest priority species are somewhat different among the different initiatives, scoring reflects state-of-the-art conservation assessments for each of the three species groups (landbirds, shorebirds, waterbirds); we therefore view the conservation priorities within the three conservation plans as approximately equivalent.

What Selection Criteria Did We Use For Birds of Conservation Concern 2002 Lists?

We here describe the criteria used to select species for consideration and inclusion on BCR, USFWS Region, and National lists. At each scale, Service expertise and discretion refined the pool of species under consideration from the three bird conservation initiatives—as well as those selected for priority lists—to comply with the FWCA amendment of 1988. The term "species" means species, subspecies, or populations unless otherwise indicated.

BCR Criteria. Landbirds, shorebirds, and waterbirds were evaluated for inclusion at the BCR scale if they met at least one of the following criteria:

- (1) a PIF score of 22 or greater, with an AI score of 2 or greater [= Tier I]; or
- (2) a USSCP conservation category of "High Concern" or "Highly Imperiled" [= Tier I]; or
- (3) a draft NAWCP conservation category of "High Concern" or "Highly Imperiled" [= Tier I];
or

- (4) proposed for listing as Federal ESA endangered or threatened; or
- (5) current designation as a Federal ESA candidate species; or
- (6) recent delisting from the ESA (and subject to post-delisting monitoring).

An AI score of 2 or greater was used as a threshold below which a species was considered too peripheral to a given BCR to rank as a priority. We considered landbird species with PIF scores of 22 or 23, high scores (4 or 5) for AI, and low or moderate scores (≤ 3) for population trends or threats to be species of "high agency responsibility" (i.e., meriting continued monitoring rather than direct conservation or management action). These species were generally not included in the BCR lists unless additional information was available to indicate a need for conservation action (e.g., local information or USFWS expert opinion). Corresponding discretion was used for shorebirds and waterbirds. In a few cases, we added species to the BCR or USFWS Region lists when Service expertise, supplemental information, or local data indicated a greater degree of concern than that reflected by bird conservation initiative scoring. We automatically included Federal ESA candidate, proposed endangered or threatened, and recently delisted species on priority lists for all BCRs in which they occurred. We also considered subspecies and populations where appropriate and where information on their status was available.

USFWS Region Criteria. Species were evaluated for inclusion in a given USFWS Region if they met at least one of the following criteria:

- (1) Tier I status in 50 percent or more of the BCRs in which it occurs in the Region; or
- (2) proposed for listing as Federal ESA endangered or threatened; or
- (3) current designation as a Federal ESA candidate species; or
- (4) recent delisting from the ESA (and subject to post-delisting monitoring).

A species was dropped from consideration if ≤ 1 percent of its overall range was within the United States portion of a given USFWS Region. Subspecies and populations were also considered where appropriate.

National Criteria. Species were evaluated for inclusion at the National level if they met at least one of the following criteria:

- (1) a PIF global score of 21 or greater (but with the exclusion of all peripheral species and modification of scores for shorebirds and waterbirds, where appropriate); or
- (2) priority status in 3 or more USFWS Regions; or
- (3) priority status in (a) all USFWS Regions in which it occurs, or (b) over a majority of its geographic range in the United States; or
- (4) proposed for listing as Federal ESA endangered or threatened; or
- (5) current designation as a Federal ESA candidate species; or
- (6) recent delisting from the ESA.

There are likely to be additions to the lists over the next several years. Newly designated Federal candidate species, species proposed for listing, and species removed from the list of endangered and threatened species will automatically be added at the appropriate geographic scales effective the day of their designation or delisting, as published in the *Federal Register*.

THE BIRDS OF CONSERVATION CONCERN 2002 LISTS

To maximize the usefulness of this report to multiple partners, the *BCC 2002* lists are presented in 45 separate and distinct tables, comprising 37 BCR lists (Tables 4 to 40), 7 USFWS Region lists (Tables 41 to 47) and 1 National list (Table 48). Before perusing the BCC tables, users should familiarize themselves with the stylized conventions used to denote Federal protective status of the species that appear on the lists (Table 3). Summaries of the status of each species at each of the three distinct geographic scales are provided in Appendices B and C, and a list of scientific names of all species mentioned is found in Appendix D.

BCR Lists

The number of species on individual BCR lists (Tables 4 to 40) ranges from 8 to 48, averaging about 29. Lists are generally larger for BCRs in the southern United States, reflecting greater species diversity at lower latitudes and the importance of these regions for wintering migrants. Island birds are at increased risk of becoming endangered. Thus, it is not surprising that two of the island BCRs—Pacific (BCR 68) and Caribbean (BCR 69)—have relatively high proportions of their native species represented as birds of concern (15 and 17 percent, respectively; Table 49). Nine percent of the bird species native to Hawaii (BCR 67) are identified as birds of concern, but that region also has a disproportionately large number of bird species listed as either endangered or threatened under the ESA; combining birds of concern with endangered or threatened species, one finds that fully 23 percent of the native Hawaiian avifauna is at risk.

USFWS Region Lists

The number of species on individual USFWS Region lists (Tables 41 to 47) ranges from 28 to 87, averaging about 45. Following the trend seen in BCRs, USFWS Region lists of priority species are larger in the southern United States. The birds on the USFWS Region lists represent about 9 (range 6 to 14) percent of the species native to the respective Regions (Table 49); they also represent about 11 (range 7 to 16) percent of the MBTA nongame species in those Regions.

National List

The total number of species on the National list (Table 48) is 131, which represents approximately 12 percent of all native species and 16 percent of all MBTA nongame species (Table 49). The National list includes disproportionately large numbers of species from the orders Falconiformes (diurnal raptors), Charadriiformes (shorebirds, etc.), and Piciformes (woodpeckers). Within the Charadriiformes—a large and diverse order that includes shorebirds, gulls, terns, auks, and their allies—the families Charadriidae (plovers), Haematopodidae

(oystercatchers), Scolopacidae (sandpipers), and Alcidae (murrelets, murrelets, and auklets) are represented on the list by greater numbers of species than expected. Among the Passeriformes—a large and diverse order of perching birds—the families Parulidae (wood-warblers) and Emberizidae (sparrows) and the subfamily Drepanidinae (Hawaiian honeycreepers) dominate the list in terms of both actual and relative numbers.

DISCUSSION

Of 122 species on the 1995 list, 94 are retained (including 60 at the National level, 26 at the FWS Region level, and 8 at the BCR level) and 28 are deleted due to a lack of convincing evidence that continued concern is warranted). Seventy species are added to the National list, resulting in a net gain of 8 species and a current (2002) list of 131 species.

Of the 151 species on the *Audubon WatchList* (National Audubon Society 2002) that are not also (1) endangered or threatened or (2) hunted, 86 are on the *BCC 2002* National list and 27 are on FWS Region or BCR lists.

The selection criteria that we used identified 9 to 12 percent of all species at each geographic scale to be in need of additional conservation attention. For example, the various *BCC 2002* lists represent, on average, 9 percent (range 6 to 17 percent) of all native bird species and 12 percent (range 7 to 20 percent) of MBTA nongame species (Table 49).

Nongame migratory birds protected by the MBTA, the primary focus of this effort, make up an overwhelming proportion (88 to 96 percent) of the species on the *BCC 2002* lists (Table 50), but the proportional representation of non-MBTA species increases progressively at larger scales. The proportional representation of ESA candidate species also increases progressively at larger scales. ESA-delisted and ESA-proposed species make up a progressively smaller proportion of the species at larger scales. An overwhelming proportion (96 to 99 percent) of the taxa listed at all scales are full species (Table 50). Subspecies and populations do not represent more than about 4 percent of the taxa on any of the lists.

In the process of compiling prioritized lists of species for this report, we reviewed Breeding Bird Survey (BBS) data for population trends of more than 200 species. In doing so, we noted a few species that exhibited exceptionally sharp population declines (defined as $\geq 2.5\%$ annually), but that otherwise failed to meet prescribed thresholds for *BCC 2002* designation using the criteria established for the BCR, USFWS Region, or National lists.

An analysis of BBS data (Sauer et al. 2001) revealed 21 species with statistically significant ($P \leq 0.1$, $N \geq 100$) long-term (1966 - 2000) population declines of ≥ 2.5 percent annually, both in the United States and survey-wide. Of these 21 species, 13 qualified for the *BCC 2002* National list based on one or more criteria, and these species are denoted in Table 48. However, the remaining eight species did not qualify for the National list: White-throated Swift (decline of 2.6 percent/year), Pinyon Jay (3.1), Verdin (3.7), Curve-billed Thrasher (2.7), Field Sparrow (3.1), Lark Sparrow (3.5), Black-throated Sparrow (4.1), and Eastern Meadowlark (2.9). Most of these species are widely distributed and relatively abundant, factors that probably account for their failure to meet thresholds for inclusion on any of the *BCC 2002* lists. Still, their population declines are sharp, consistent, and long-term (amounting to a cumulative loss in excess of 50

percent since 1966), with little indication that populations are stabilizing. For this reason alone, we believe that these species deserve close scrutiny. By way of comparison, we note that species exhibiting similar characteristics (e.g., sharp population declines but still moderately abundant and widespread) are treated as "birds of conservation importance" in Great Britain (Joint Nature Conservation Committee 2002).

In examining assessment scores, we noticed that many species had scores of 3 for multiple factors, an indication that accurate assessments of status were not possible because of a paucity of data. These species tended to score just below the Tier I threshold for PIF, therefore not qualifying as priority species. Most of these species belong to groups that generally are difficult to survey or monitor due to their secretive nature or nocturnal activity patterns (e.g., marshbirds, nighthawks and nightjars, and owls). These groups deserve greater attention, in most cases requiring additional monitoring or life-history investigations to help determine their true conservation status.

BCC 2002 can be used as a barometer of the condition of our country's avifauna. Although there are general patterns that can be inferred from this report, there is no single reason why any species was found on any one of these lists; some are relatively common but are undergoing sharp declines in population numbers, others are rare but may actually be increasing in numbers in certain locations, and others may be both rare and declining. However, habitat loss due to alteration or destruction continues to be the major reason for the declines of many species (Askins et al. 1990, USFWS 1995, Samson et al. 1998, Askins 2000).

Birds included in the *BCC 2002* lists are deemed priorities for conservation actions and the list will be consulted for actions taken on Federal and State lands, and for research, monitoring, and management funding in accordance with Executive Order 13186 ("Responsibilities of Federal Agencies To Protect Migratory Birds"). Our hope is that *BCC 2002* will stimulate coordinated, collaborative proactive conservation actions among Federal, State, and private partners.

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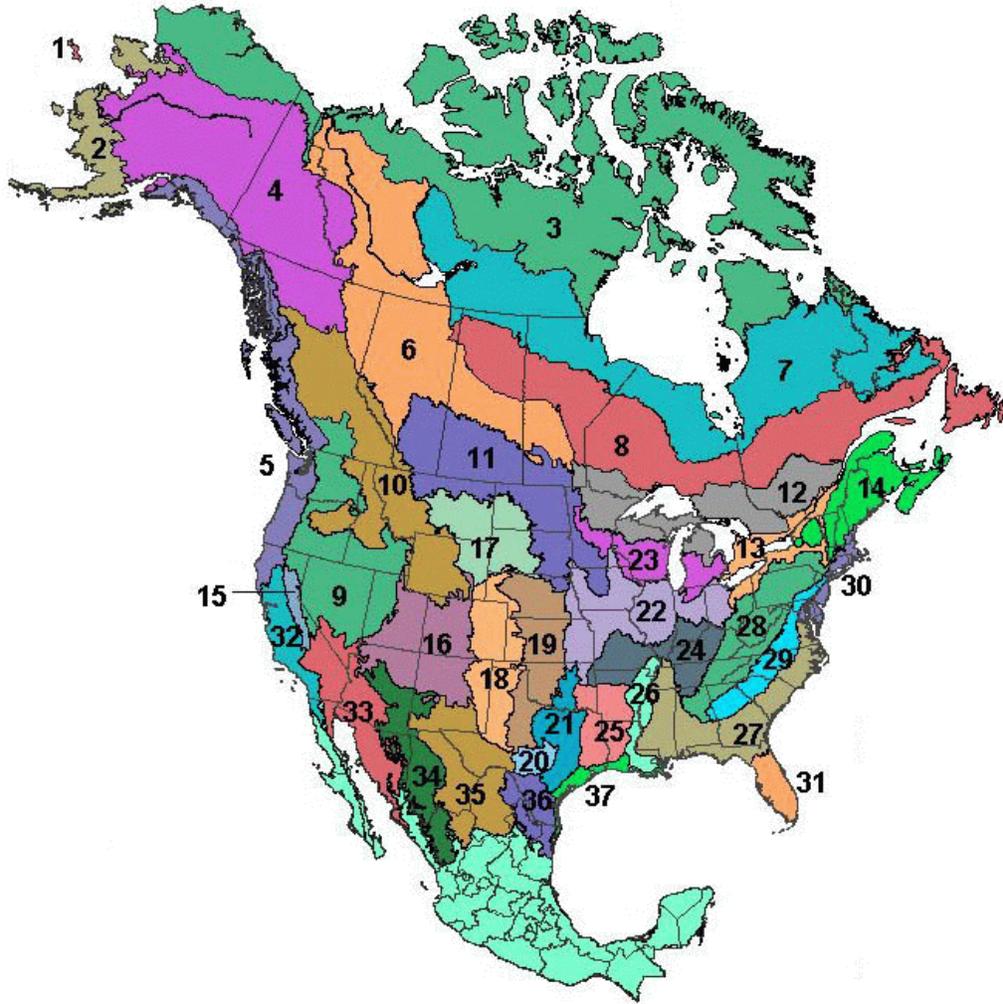


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- 41 USFWS Region 1 (Pacific Region) BCC 2002 List.
- 42 USFWS Region 2 (Southwest Region) BCC 2002 List.
- 43 USFWS Region 3 (Great Lakes-Big Rivers Region) BCC 2002 List.
- 44 USFWS Region 4 (Southeast Region) BCC 2002 List.
- 45 USFWS Region 5 (Northeast Region) BCC 2002 List.
- 46 USFWS Region 6 (Mountain-Prairie Region) BCC 2002 List.
- 47 USFWS Region 7 (Alaska Region) BCC 2002 List..

National BCC 2002 List:

- 48 National (including Caribbean and Pacific Island "territories") BCC 2002 List.

Summary Tables:

- 49 BCC 2002 Species as a Proportion of the Total Avifauna in Various Regions.
- 50 Proportional Representation of Various Regulatory and Taxonomic Groups at Different Geographic Scales.

Table 3. Stylized Conventions Used to Illustrate Federal Protective Status of Species in the BCR, USFWS Regional, and National Lists in BCC 2002.

Federal Protective Status	Description of Convention	Example
ESA Proposed Threatened or Endangered	Common name is underlined with a single line	<u>Mountain Plover</u>
ESA Candidate	Common name is underlined with a wavy line	<u>Elfin-woods Warbler</u>
ESA Delisted	Common name is italicized	<i>Peregrine Falcon</i>
Protected by the MBTA	Common name is depicted in a normal font	Red-faced Cormorant
MBTA protection uncertain	Common name is enclosed in wavy brackets	{Polynesian Storm-Petrel}
Not protected by the MBTA	Common name is enclosed in straight brackets	[Elepaio]
MBTA protection uncertain and ESA Candidate	Common name is underlined with a wavy line and enclosed in wavy brackets	{ <u>Spotless Crake</u> }
Non-MBTA and ESA Candidate	Common name is underlined with a wavy line and enclosed in straight brackets	[<u>Greater Sage-Grouse</u>]

Table 13. BCR 13 (Lower Great Lakes/St. Lawrence Plain–U.S. portion only) BCC 2002 List.

Peregrine Falcon
Upland Sandpiper
Whimbrel
Hudsonian Godwit
Marbled Godwit
Buff-breasted Sandpiper
Common Tern
Black-billed Cuckoo
Whip-poor-will
Red-headed Woodpecker
Sedge Wren
Golden-winged Warbler
Cerulean Warbler
Canada Warbler
Henslow's Sparrow
Bobolink

NOTE: Please refer to Table 3 for descriptions of the stylized conventions used to indicate the Federal protective status of species on this list.

Table 14. BCR 14 (Atlantic Northern Forests–U.S. portion only) BCC 2002 List.

Peregrine Falcon
Yellow Rail
Whimbrel
Hudsonian Godwit
Purple Sandpiper
Common Tern
Razorbill
Olive-sided Flycatcher
Bicknell's Thrush
Wood Thrush
Chestnut-sided Warbler
Cape May Warbler
Bay-breasted Warbler
Blackpoll Warbler
Canada Warbler
Nelson's Sharp-tailed Sparrow

NOTE: Please refer to Table 3 for descriptions of the stylized conventions used to indicate the Federal protective status of species on this list.

Table 28. BCR 28 (Appalachian Mountains) BCC 2002 List.

Peregrine Falcon
Upland Sandpiper
Buff-breasted Sandpiper
Black-billed Cuckoo
Short-eared Owl
Northern Saw-whet Owl (breeding populations only)
Chuck-will's-widow
Whip-poor-will
Red-headed Woodpecker
Yellow-bellied Sapsucker (breeding populations only)
Olive-sided Flycatcher
Acadian Flycatcher
Black-capped Chickadee (southern Blue Ridge populations only)
Bewick's Wren
Sedge Wren
Wood Thrush
Golden-winged Warbler
Prairie Warbler
Cerulean Warbler
Prothonotary Warbler
Worm-eating Warbler
Swainson's Warbler
Louisiana Waterthrush
Kentucky Warbler
Bachman's Sparrow
Henslow's Sparrow
Red Crossbill (southern Appalachian populations only)

NOTE: Please refer to Table 3 for descriptions of the stylized conventions used to indicate the Federal protective status of species on this list.

Table 29. BCR 29 (Piedmont) BCC 2002 List.

Peregrine Falcon
Black Rail
Upland Sandpiper
Chuck-will's-widow
Whip-poor-will
Bewick's Wren
Wood Thrush
Prairie Warbler
Cerulean Warbler
Prothonotary Warbler
Swainson's Warbler
Kentucky Warbler
Bachman's Sparrow
Henslow's Sparrow
Rusty Blackbird

NOTE: Please refer to Table 3 for descriptions of the stylized conventions used to indicate the Federal protective status of species on this list.

Table 30. BCR 30 (New England/Mid-Atlantic Coast) BCC 2002 List.

Peregrine Falcon
Black Rail
Wilson's Plover
American Oystercatcher
Upland Sandpiper
Whimbrel
Hudsonian Godwit
Marbled Godwit
Red Knot
Purple Sandpiper
Buff-breasted Sandpiper
Common Tern
Least Tern
Black Skimmer
Razorbill
Short-eared Owl
Whip-poor-will
Red-headed Woodpecker
Sedge Wren
Marsh Wren
Wood Thrush
Blue-winged Warbler
Golden-winged Warbler
Prairie Warbler
Cerulean Warbler
Worm-eating Warbler
Kentucky Warbler
Canada Warbler
Henslow's Sparrow
Saltmarsh Sharp-tailed Sparrow
Seaside Sparrow
Baltimore Oriole

NOTE: Please refer to Table 3 for descriptions of the stylized conventions used to indicate the Federal protective status of species on this list.

Table 45. USFWS Region 5 (Northeast Region) BCC 2002 List.

Peregrine Falcon
Yellow Rail
Black Rail
American Oystercatcher
Upland Sandpiper
Whimbrel
Hudsonian Godwit
Marbled Godwit
Red Knot
Purple Sandpiper
Buff-breasted Sandpiper
Common Tern
Least Tern
Black Skimmer
Razorbill
Short-eared Owl
Whip-poor-will
Red-headed Woodpecker
Olive-sided Flycatcher
Loggerhead Shrike
Bewick's Wren
Sedge Wren
Bicknell's Thrush
Wood Thrush
Golden-winged Warbler
Prairie Warbler
Bay-breasted Warbler
Cerulean Warbler
Worm-eating Warbler
Swainson's Warbler
Kentucky Warbler
Canada Warbler
Henslow's Sparrow
Nelson's Sharp-tailed Sparrow
Saltmarsh Sharp-tailed Sparrow
Seaside Sparrow

NOTE: Please refer to Table 3 for descriptions of the stylized conventions used to indicate the Federal protective status of species on this list.

Table 48. National (including Caribbean and Pacific Island "Territories") BCC 2002 List.

Yellow-billed Loon	Rock Sandpiper	[Elepaio‡]
Black-footed Albatross	Stilt Sandpiper	<u>Horned Lark</u> (<i>strigata</i> ssp. only)
Black-capped Petrel	Buff-breasted Sandpiper	Brown-headed Nuthatch
{Phoenix Petrel}	Short-billed Dowitcher	Bewick's Wren (<i>altus</i> and
Ashy Storm-Petrel	Wilson's Phalarope	<i>bewickii</i> ssp. only)
<u>Band-rumped Storm-Petrel</u>	Red-legged Kittiwake	Sedge Wren
Little Blue Heron*	Gull-billed Tern	Omao
Reddish Egret	Common Tern	Bicknell's Thrush
Swallow-tailed Kite	Least Tern‡	Wood Thrush
Northern Harrier	Aleutian Tern	[<u>Bridled White-eye</u> (<i>rotensis</i> ssp.
Swainson's Hawk	Black Skimmer	only)]
Ferruginous Hawk	Razorbill	Bendire's Thrasher
<i>Peregrine Falcon</i>	Marbled Murrelet (Alaska	Crissal Thrasher
Prairie Falcon	populations only)	Le Conte's Thrasher
[<u>Greater Sage-Grouse</u> (Columbia	Kittlitz's Murrelet	Sprague's Pipit
Basin population only)]	Xantus's Murrelet	Golden-winged Warbler*
[<u>Gunnison Sage-Grouse</u>]	Whiskered Auklet	Grace's Warbler
[<u>Lesser Prairie-Chicken</u>]	{ <u>Friendly Ground-Dove</u> }	Prairie Warbler
Yellow Rail	{ <u>Many-colored Fruit-Dove</u> }	Cerulean Warbler*
Black Rail	Black-billed Cuckoo	<u>Elfin-woods Warbler</u>
{ <u>Spotless Crake</u> }	<u>Yellow-billed Cuckoo</u> (western	Prothonotary Warbler
Limpkin	populations only)	Worm-eating Warbler
American Golden-Plover	Flammulated Owl	Swainson's Warbler
Pacific Golden-Plover	Burrowing Owl	Louisiana Waterthrush
Snowy Plover†	Short-eared Owl	Kentucky Warbler
Wilson's Plover	Chuck-will's Widow	Canada Warbler
<u>Mountain Plover</u>	Whip-poor-will	Rufous-winged Sparrow
American Oystercatcher	Black Swift	Cassin's Sparrow
Black Oystercatcher	Rufous Hummingbird*	Bachman's Sparrow*
Solitary Sandpiper	Lewis's Woodpecker	Brewer's Sparrow*
Upland Sandpiper	Red-headed Woodpecker*	Black-chinned Sparrow
Whimbrel	Williamson's Sapsucker	Grasshopper Sparrow‡*
Bristle-thighed Curlew	Red-naped Sapsucker	Baird's Sparrow
Long-billed Curlew	White-headed Woodpecker	Henslow's Sparrow*
Hudsonian Godwit	Olive-sided Flycatcher*	Le Conte's Sparrow
Bar-tailed Godwit	Scissor-tailed Flycatcher	Nelson's Sharp-tailed Sparrow
Marbled Godwit	Loggerhead Shrike‡*	Saltmarsh Sharp-tailed Sparrow
Black Turnstone	Bell's Vireo‡*	Seaside Sparrow
Surfbird	Gray Vireo	
Red Knot	Island Scrub-Jay	(continued)

NOTE: Please refer to Table 3 for descriptions of the stylized conventions used to indicate the Federal protective status of species on this list.

Table 48 (continued)

Harris's Sparrow
McCown's Longspur
Smith's Longspur
Chestnut-collared Longspur
McKay's Bunting
Painted Bunting*
Dickcissel
Tricolored Blackbird
Lawrence's Goldfinch
[Hawaii Amakihi]
[Oahu Amakihi]
[Kauai Amakihi]
[Anianiau (=Lesser Amakihi)]
[Akikiki (=Kauai Creeper)]
[Maui Alauahio (=Maui Creeper)]
[Akekee (=Kauai Akepa)]
[Iiwi]
[Apapane]

† except where Threatened.

‡ except where Endangered

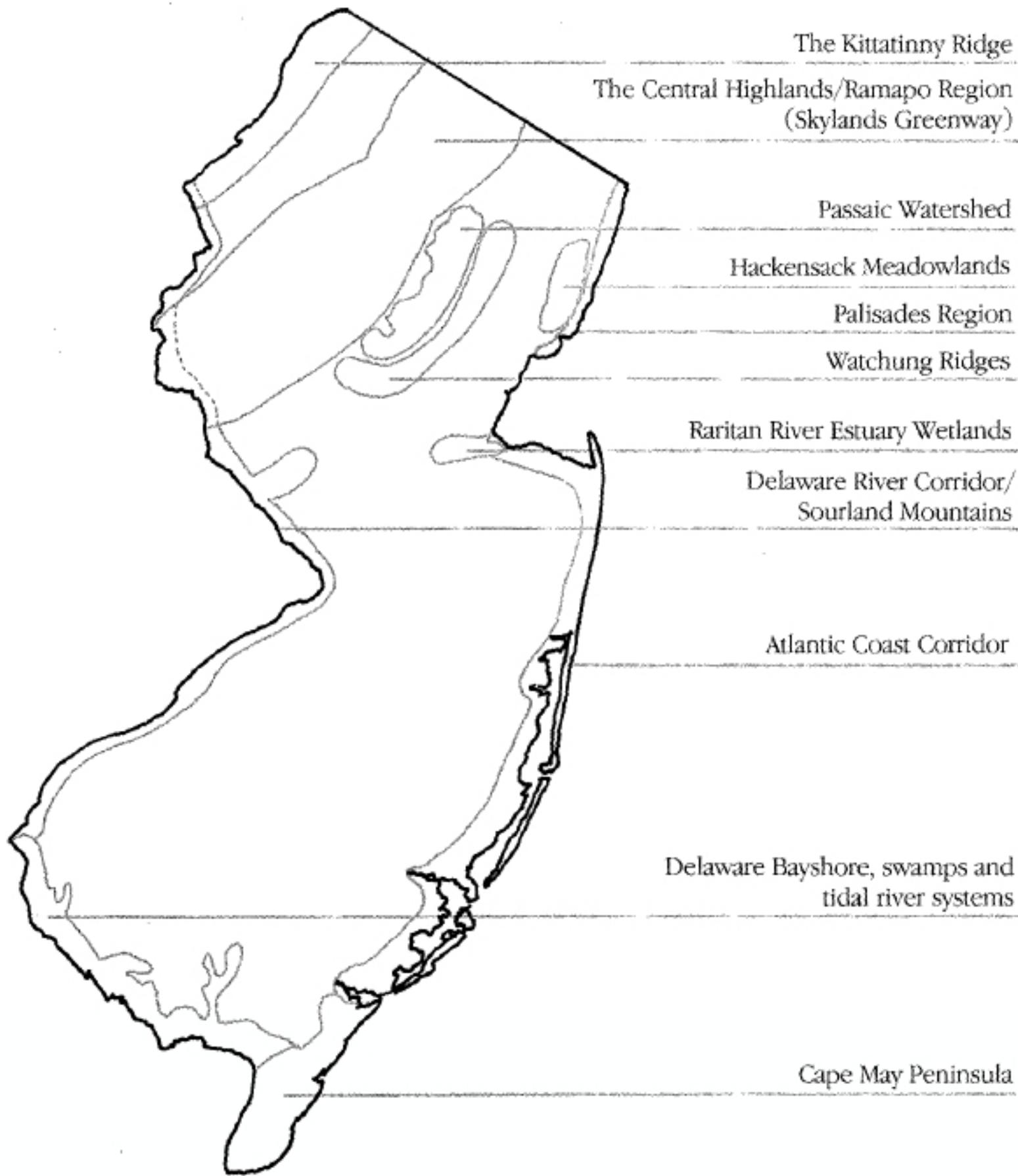
* denotes species that met the rigorous criteria mentioned on p. 10 for statistically significant ($P \leq 0.1$, $N \geq 100$), long-term (1966-2000) populations declines of ≥ 2.5 percent annually, both in the United States and survey-wide, using BBS data.

NOTE: Please refer to Table 3 for descriptions of the stylized conventions used to indicate the Federal protective status of species on this list.

Atlantic Flyway



Key Bird Migration Routes in New Jersey (Dunne, 1989)



Response to Comment 5750: Michael T. Chezik of the US Department of the Interior

Comment Number	Comment response
1	Comment noted.
2	In response to comments received on the DEIS additional 4(f) analysis has been completed. The FEIS includes additional analysis of potential environmental impacts on the National Parks, National Wildlife Refuges and selected state parks. All management plans supplied by the NPS/FWS were reviewed while conducting the additional analysis. It should be noted that management plans were not available for all national parks/wildlife refuges within the Study Area. General management plans were not provided for the Delaware and Lehigh National Heritage Corridor, Gateway National Recreation Area, Governor Island National Monument (only Purpose and Significance statement provided) and the New Jersey Pinelands National Reserve. Comprehensive Conservation Plans were not provided for the Stewart B. McKinney National Wildlife Refuge, Great Swamp National Wildlife Refuge, Supawna Meadows National Wildlife Refuge, and the Walkill River National Wildlife Refuge.
3	Additional analysis regarding potential impacts to federally listed species was completed and included in the FEIS.
4	Additional analysis regarding the potential for noise and visual impacts as well as impacts to federally listed species and migratory birds is included in the FEIS. Resolutions to the specific revisions requested by the DOI are provided in the responses that follow.
5	The FAA coordinated resolution of these issues with the NPS and FWS as requested.
6	In response to comments received on the DEIS additional 4(f) analysis has been completed. The FEIS includes additional analysis of potential noise impacts on the National Parks, National Wildlife Refuges and selected state parks. In addition noise exposure levels resulting from all the airspace redesign alternatives are provided for the historic sites and parks in the Study Area in Appendices F and J.
7	Significant noise impacts are defined in Table 4.1 and Section 4.1.1 of the DEIS. Census blocks that received an increase of 1.5 DNL resulting in noise exposure levels of 65 DNL or greater were considered significantly impacted census blocks.
8	See response to comment 5750 #6.
9	In response to comments received on the DEIS FAA coordinated further with the NPS and FWS and additional 4(f) analysis has been completed. The FEIS includes additional analysis of potential noise impacts on the National Parks, National Wildlife Refuges and selected state parks. In regard to the evaluation of potential impacts to historic sites, none of the SHPO DEIS comments included objections to the overall methodology used to identify potentially impacted historic sites.
10	Comment noted. The FEIS includes supplemental information regarding the anticipated changes in air traffic over selected National Parks, National Wildlife Refuges, and state parks.
11	Comment noted. During the development of the DEIS the FAA concluded that air traffic operations would not significantly impact 4(f) resources that included a quiet setting that is a recognized feature or attribute of the property and thus FAA guidance was used correctly in the DEIS. After additional coordination with the NPS, the FEIS includes supplemental information regarding the anticipated changes in air traffic over selected National Parks, National Wildlife Refuges, and state parks. Additional information was provided only for subject parks where the level of noise increased as a result of the Preferred Alternative or the Mitigated Preferred Alternative.

Response to Comment 5750: Michael T. Chezik of the US Department of the Interior

Comment Number	Comment response
12	Table 3.18 has been corrected in the FEIS. Figure 3.20 includes the Great Swamp National Wildlife Refuge and Lower Delaware Scenic and Recreational River in the FEIS. The text has been revised to indicate that all historic resources available electronically on the National Register of Historic Places (by a specific date) are shown on Figure 3.21. To clarify, the historic sites shown on the figure were limited to sites where locational data (i.e. latitudes and longitudes) was available. It is noted that noise levels were calculated at all of these locations and are provided in Appendix F. Through coordination with individual SHPOs the area of potential effect for cultural resources was further refined to include areas where the alternative would create a potentially significant noise impact (with the exception of the DE SHPO) and these areas were surveyed for cultural resources. The results of these surveys are included in section 4.5 of the FEIS. Figure 3.21 is meant to show a generalized overview of cultural resources within the entire Study Area.
13	Additional analysis for 4(f) properties is included in the FEIS however it should be noted that use of Part 150 land use guidelines is applicable to some 4(f) properties depending on location and function. The FAA considers residential land use as a sensitive land use in areas that experience DNL levels above 65 DNL and have thus disclosed them as such.
14	In response to comments received on the DEIS additional 4(f) analysis has been completed. The FEIS includes additional analysis of potential noise impacts on the National Parks, National Wildlife Refuges and selected state parks.
15	In response to comments received on the DEIS additional 4(f) analysis was completed for selected state parks. The FEIS includes additional analysis of potential noise impacts on these selected state parks.
16	Appendix J provides a listing of Section 6(f) properties as taken from the NPS Land & Water Conservation Fund website. These lists were sent to state liaison officers for confirmation of the NPS website data.
17	The text of the EIS has been revised to address this comment.
18	None of the parties involved in low-altitude aviation, neither FAA, aircraft operators, nor birds, want aircraft to fly near birds airborne or nesting. However, the phases of flight within 2000 ft of the ground are the most safety-critical for aircraft. Safe operations with transport aircraft require straight-in approaches for at least the last 2,000 feet of their descent, and departure procedures with at most a single turn between 400 feet and 2,000 feet. (There are exceptions where hazardous terrain or obstacles are present.) FAA's mission is the safety of air navigation, so no changes will be made to the airspace design on this account. However, it should be noted that the airspace design is not a static construction. Countless temporary conditions that require temporary changes to operations are accommodated every day in the national airspace system through the use of Notices to Airmen. Significant bird activity is one of the conditions that lead to modified temporary procedures.
19	The FAA coordinated with the FWS regarding the federally listed species. Additional analysis was completed and is included in the FEIS.
20	The tables in Appendix G have been edited to reflect this comment.
21	The text of the EIS has been revised to address this comment.
22	The text of the EIS has been revised to address this comment.
23	A discussion of the Executive Order is included in the FEIS.

Response to Comment 5750: Michael T. Chezik of the US Department of the Interior

Comment Number	Comment response
24	The text of the EIS has been revised to address this comment.
25	The text of the EIS has been revised to address this comment.
26	The text of the EIS has been revised to reflect that migration routes vary among avian guilds.
27	The text and Figure 3.25 of the EIS has been revised to address this comment.
28	The text of the EIS has been revised to address this comment.
29	The text, Figure 3.1, and Figure 3.25 of the EIS has been revised to address this comment.
30	Figure 3.25 has been revised in accordance with this comment.
31	The text of the EIS has been revised to address this comment.
32	Table 4.19 has been revised and new tables have been added to address these comments.
33	Additional text and tables have been incorporated to address these comments.
34	The impact analysis has been revised to further this conclusion.
35	<p>Mapping of existing bird habitats near selected Study Area airports was completed and is included in the FEIS. Mapping was completed for areas near airports that would be subject to airspace changes close to that airport as a result of the Preferred Alternative. Based on the bird strike statistics and FAA guidance, refined Bird Study Areas were developed. The potential impacts to avian species within these Bird Study Areas were considered. The footprints of the Bird Study Areas were determined in accordance with FAA AC 150/5200-33A, Hazardous Wildlife Attractants on or near Airports. According to this AC the area of concern in regard to wildlife and approach and departure airspace is five statute miles from the airport's air operations area. This criterion was based on the following factors: flight patterns of aircraft, altitude at which most wildlife strikes occur (78 percent occur under 1,000 feet and 90 percent occur under 3,000 AGL), and National Transportation Safety Board (NTSB) recommendations. The Proposed Action Airspace Alternatives would include redesign of arrivals/departures within the bounds of the Bird Study Areas at the following airports: HPN, ISP, JFK, LGA, EWR and PHL.</p> <p>The Bird Study Area figures show wetlands, watershed boundaries and the BCRs. The locations of the threatened and endangered species (piping plover, roseate tern and bald eagle) nesting sites were also mapped. These nesting sites are not shown on the Bird Study Area figures because their locations were considered confidential by the US Fish and Wildlife Service. To consider the potential impacts to avian species within the Bird Study Areas a qualitative analysis was conducted. For each of the subject airports, HPN, ISP, JFK, LGA, EWR, and PHL, the Proposed Action Airspace Alternatives flight tracks were overlaid on the Bird Study Area figures. The resulting graphics were developed for two purposes: to show the location of the changed tracks relative to the avian resources within the Bird Study Areas and to consider the changed flight tracks in relationship to the Future No Action Airspace tracks.</p>
36	<p>The FAA reviewed the approved Wildlife Hazard Management Plans for the airports where there were changes to aircraft routes within the associated Bird Study Area. Bird Study Areas were delineated in accordance with FAA AC 150/5200-33A. This AC states, "For all airports, the FAA recommends a distance of 5 statute miles between the farthest edge of the airport's airport operating area (AOA) and the hazardous wildlife attractant. Results of this review are included in the FEIS.</p>

Response to Comment 5750: Michael T. Chezik of the US Department of the Interior

Comment Number	Comment response
37	The Preferred Alternative has been mitigated, where possible, to reduce environmental impacts. Aircraft flying under 3,500 feet are typically close-in to the facility that they are arriving to or departing from and minimal modifications can be made to flight procedures.
38	Temporary rerouting of flights is sometimes a viable solution if the airspace is flexible and has capacity to accommodate flights on other routes; this is not the case for this Proposed Project. In this airspace, use of a temporary rerouting system would increase controller work load and potentially delay and therefore would be counter to the purpose and need for the project.
39	Bird strikes are a major hazard to air navigation, so bird activity is constantly monitored by air traffic controllers. FAA Order 7110.65 requires controllers to "Issue advisory information on pilot-reported, tower-observed, or radar-observed and pilot-verified bird activity. Include position, species or size of birds, if known, course of flight, and altitude. Do this for at least 15 minutes after receipt of such information from pilots or from adjacent facilities unless visual observation or subsequent reports reveal the activity is no longer a factor." This information is also required to be included in broadcasts of the Automatic Terminal Information System. Rerouting of flights (that is, issuing a new route of flight) is almost never the correct response to flocks of birds in the flight paths. The job of ensuring safety of the aircraft, which necessarily improves the safety of the birds, is most effectively accomplished by the pilots and controllers on a tactical basis.
40	This technology provides automated assistance for a task that controllers and pilots already do. Military aircraft, which fly much faster than civil aircraft need much more advance warning of bird activity, so this technology is not generally needed at the airports under study in this EIS. In cases where it would be useful, it would be useful in any case, so its application is operationally independent of the airspace redesign.
41	Park Management Plans were reviewed for locations of exceptional views. Changes in flight routes in these locations were considered and qualitatively described in the FEIS.
42	ES.6 does not state that visual impacts were evaluated; it indicates that some resources (such as light emissions and visual impacts) would not be affected by the Proposed Project. The quote provided is not taken directly from the DEIS. The DEIS indicates that light emissions are not considered to significantly change as low altitude changes are made close-in to the primary airport which are in an urban setting as evidenced by radar data. Visual impacts were analyzed for tribal lands due the unique cultural qualities of these lands.
43	As evidenced by Figure 3.16 in the DEIS the entire study area receives some level of overflights. Visual impacts were considered for tribal lands due to potential for unique uses of the lands. Additional analysis was completed for NPS lands and is included in the FEIS.
44	A letter of concurrence from the Administrator of the Delaware Coastal Management Program dated October 16, 2006, has been included in the FEIS. The Proposed Project does not result in the construction of facilities or a physical disturbance to the ground. Therefore, no impacts to coastal zones are anticipated, as stated in the consistency determinations in Appendix K of the EIS.
45	The FAA requested and received Land Use Management Plans from the NPS. These plans were reviewed as part of the additional analysis conducted prior to completion of the FEIS.

Response to Comment 5750: Michael T. Chezik of the US Department of the Interior

Comment Number	Comment response
46	In response to comments received on the DEIS additional 4(f) analysis has been completed. The FEIS includes additional analysis of potential environmental impacts to both the Delaware Water Gap National Recreation Area and the Upper Delaware Scenic and Recreational River.
47	The FAA disagrees that Floyd Bennett Field is a quiet setting. The Field is located in an urban setting and is used for various activities that are in no way associated with quiet (i.e. flying model planes).
48	In response to comments received on the DEIS additional 4(f) analysis has been completed. The FEIS includes additional analysis of potential environmental impacts to the Fire Island National Seashore.
49	The noise measurements reported for points within the Study Area are intended to provide a general context for reference for those that are interested when considering the noise modeling results. These measurements do indeed only represent a finite time frame and are not inclusive of all conditions at all areas near the measurement sites. The DEIS did not indicate that the measurement results for Robert Moses State Park were a representation of the FINS properties. Also, it is important to note that the changes in noise levels associated with each of the alternatives are solely based on the computations from the NIRS noise modeling. In accordance with FAA Order 1050.1E the field noise measurements were not used to calibrate the noise model.
50	We have further consulted with the NPS regarding the proposed changes in ISP air traffic patterns for the Integrated Airspace Alternative as related to potential impacts to the Fire Island National Seashore, in particular the designated wilderness. We have followed the correct FAA guidelines and used appropriate metrics, and have further coordinated those guidelines/metrics with NPS. The analysis has taken into account both noise and visual impacts that may adversely impact the visitors experience of the FINS and the Wilderness. In addition the FAA considered mitigation to the extent possible. Additional analysis and proposed mitigation are included in the FEIS.
51	Additional analysis regarding the potential for noise and visual impacts as well as impacts to federally listed species and migratory birds is included in the FEIS. The FAA coordinated resolution of these issues with the NPS and FWS as requested.

State Officials

1. Governor Ruth Ann Minner, Delaware
 - a. Secretary John A. Hughes, Delaware Department of Natural Resources
 - b. Secretary Carol Ann Wicks, Delaware Department of Transportation
 - c. Chris Coons, Executive New Castle County
 - d. Senator Harris McDowell, III (NJ)
 - e. Senator Catherine L. Cloutier (R-DE)
 - f. Senator Joseph R. Biden, Jr. (NJ)
 - g. Senator Thomas R. Carper (NJ)
 - h. Congressman Speaker Terry R. Spence (R-DE)
 - i. Congressman Michael N. Castle
 - j. Congressman Robert Valihura (R-DE)
2. Assemblyman Eric Munoz (NJ)
3. Assemblyman John F. McKeon (NJ)
4. Assemblyman Connors (NJ)
5. Assemblyman Joseph Cryan (NJ)
6. Assemblywoman Marcia A. Karrow (NJ)
7. Assemblyman John W. Lavelle (NY)
8. Assemblyman Sandy Galef (NY)
9. Assemblywoman Suzi Oppenheimer (NJ)
10. Assemblyman, James Roebuck (PA)
11. Assemblywoman, Charlotte Vandervalk



Via email and USPS

April 21, 2006

Steve Kelley, Manager
Airspace Redesign
Federal Aviation Administration
1 Aviation Plaza
Jamaica, New York 11434

Subject: New York/New Jersey/Pennsylvania Airspace Redesign Plan

Dear Mr. Kelley:

The Philadelphia Airport Air Traffic and Quality of Life Issues Action Group of Delaware (hereinafter 'Action Group') is a collaborative effort among federal, state, and local representatives to address concerns involving noise, air and light pollution resulting from flights approaching and departing over Delaware's northernmost city and suburban residential neighborhoods. The Action Group submits the following written comments as part of the record for the public hearing on the Federal Aviation Administration's Airspace Redesign Plan for the New York/New Jersey/Pennsylvania region.

As expressed on several occasions, the quality of life enjoyed by the residents of Delaware's communities and neighborhoods has been adversely impacted by increased air traffic at the Philadelphia Airport. The Action Group encourages the FAA and PHL to use the Airspace Redesign Plan as an opportunity to implement strategies and take the necessary actionable steps toward alleviating existing conditions. The Action Group has offered, for the record, a set of proposed recommendations for your consideration. We believe that the following recommendations, if implemented collectively, will help mitigate current conditions related to increased air traffic and the resulting concerns.

- **Implement the use of RNAV technology.** The application of RNAV has been shown to provide a number of advantages over conventional forms of navigation, including the establishment of more direct routes, dual or parallel routes, bypass routes for aircraft overlying high-density terminal areas, alternative or contingency routes, either planned or unplanned (e.g., severe weather avoidance) and the ability to locate holding patterns where needed versus where dictated by NAVAID location and coverage (NATCA). This technology would enable controllers to laterally disperse, or feather, the approach paths of

inbound aircraft and, thereby, reduce the concentration of noise and pollution that now effects small highly impacted areas in northern Brandywine Hundred.

2

- **Install Precision Approach Path Indicator (PAPI) lights on Runway 9R.** Currently, runway 9R does not have PAPI lights. Such lights would be particularly useful during night visual approaches by assuring safe vertical clearance from obstacles near the approach end of the runway, the Commodore Barry Bridge being the most prominent. The River Approach to Runway 9R would then become a safe alternative to ILS approaches during low volume operations under VMC, particularly at night.

3

- **Enforce the 3,000 ft. approach elevation.** In 2002, the FAA raised the approach elevation from 1,800 ft. to 3,000 ft. over Delaware. However, recent information provided by the PHL Airport to the PHL Action Group (DE) indicated that between October 1, 2004, and September 30, 2005, the percentage of aircraft arriving [through the NOMS penetration gate over Northern Delaware] and operating below 3,000 feet ranged from nine percent to 23 percent.

4

This presents specific concerns related to Delaware's ability to attain ozone standards, given that our 2002 base year air emissions inventory does not include emissions associated with this air traffic. This inventory was predicated upon the understanding that flight over Delaware would be above 3,000 ft. If the current pattern continues and if the approach elevation is not enforced, aircraft emissions associated with those flights below 3,000 ft. over Delaware will have to be included in our air emissions inventory and subsequently, reflected in our State Implementation Plan.

5

- **Reduce the number of flights during late night and early morning hours.** We strongly support reducing the number of commercial and cargo flights arriving and departing over Northern Delaware for the PHL airport after 10:00 p.m. and before 7:00 a.m..

6

- **Lift the altitude cap for Dual Modena departures.** – Restructure airspace over the tri-state area, and remove the 6 - 10,000 ft. maximum departure altitude restriction for Dual Modena departures. The increased aircraft altitude would reduce ground level noise for residents of northern Brandywine Hundred, and is well within the operating limits of current commercial jet aircraft.

7

- **Implement Continuous Descent Approaches (CDA) at PHL.** As we understand it, this approach would keep aircraft at cruise altitude until they are relatively close to the airport, when the aircraft can make an even, continuous descent to the runway. We believe that this alternative will help eliminate stacking, reduce aircraft engine emissions and fuel consumption, and provide significant noise reductions. In response to CDA trials and research, Carl Burleson, the director of environment and energy for the FAA, was cited in several sources saying that "the research team proved the benefits of continuous descent approaches, that the basic principles are correct, and that robust air traffic procedures can be developed and implemented to simultaneously achieve low noise, lower emissions and reduced cost."

8

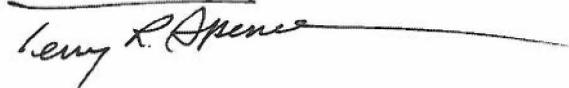
- **Increase the glide slope to PHL ILS Runway 9R.** We understand and appreciate that there are safety considerations and studies that accompany modifying the glide slope; however, a modest increase (to 3.25 or 3.5 degrees), when coupled with some of the other recommendations, would produce beneficial noise reduction over Brandywine Hundred.

We hope that you will thoughtfully consider and take action upon those recommendations in this letter that may mitigate existing concerns. We look forward to your feedback and welcome the opportunity to maintain our ongoing and open dialogue with your office. If appropriate and necessary, we would be happy to meet with you to discuss these recommendations and our intent in more detail. Please feel free to contact Cheryl Semmel, in Governor Minner's office, at (202) 624-5941 if you have any additional questions.

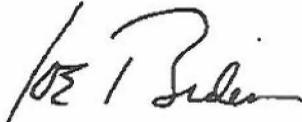
Sincerely,



Ruth Ann Minner
Governor



Terry R. Spence, Speaker of the House
Delaware General Assembly



Joseph R. Biden, Jr.
United States Senator



Robert Valihura, Representative
Delaware General Assembly



Thomas R. Carper
United States Senator



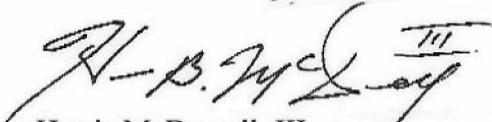
John A. Hughes, Secretary
Delaware Department of Natural Resources
and Environmental Control



Michael N. Castle
United States Congressman



Carol Ann Wicks, Secretary
Delaware Department of Transportation



Harris McDowell, III,
Senate Majority Leader
Delaware General Assembly



Chris Coons, Executive
New Castle County



Catherine L. Cloutier, Senator
Delaware General Assembly

Nagendran, Ram

From: Steve.Kelley@faa.gov
Sent: Tuesday, April 25, 2006 11:28 AM
To: FAA DEIS
Subject: Fw: NY/NY/PA Airspace Redesign Letter from PHL Action Group

Attachments: PHL Airspace Redesign Comments.pdf



PHL Airspace
Redesign Comments.

Steve Kelley
Manager, Airspace and Procedures
Eastern Terminal Services
1 Aviation Plaza
Jamaica, NY 11434
Tel: 718-553-4530
Fax: 718-995-5687

----- Forwarded by Steve Kelley/AEA/FAA on 04/25/2006 11:28 AM -----

"Semmel Cheryl
\(Governor\)"
<Cheryl.Semmel@state.de.us>

Steve Kelley/AEA/FAA@FAA

To

cc

04/25/2006 11:03
AM

"Antoine Oakley"
<aoakley@co.new-castle.de.us>,
"Bill McGlinchey"
<william.v.mcglinchey@us.hsbc.com>,
"Brittingham Rodney \(\LegHall\)"
<Rodney.Brittingham@state.de.us>,
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, "Finnerty Kate R \(\Governor\)"
<kate.finnerty@state.de.us>,
"Finnigan Sean \(\LegHall\)"
<Sean.Finnigan@state.de.us>,
<jeff.dayton@mail.house.gov>,
"Larry Windley"
<Larry_Windley@carper.senate.gov>,
"Matt Fink \(\Castle\)"
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"McDowell Harris \(\2\)"
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\(LegHall\)"
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"Murphy Allison \((LegHall\)"
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"Petrucci Karen \((DelDOT\)"
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Ralph \((DelDOT\)"
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"Valihura Robert \((2\)"
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Robert \((LegHall\)"
<Robert.Valihura@state.de.us>,
"Walling Lee Ann \((Governor\)"
<leeann.walling@state.de.us>
Subject
NY/NY/PA Airspace Redesign Letter
from PHL Action Group

Steve,

I would like to formally submit the attached letter on behalf of the State of Delaware that expands upon the recommendations/comments shared at the March 28th public hearing regarding the NY/NJ/PA Airspace Redesign Draft Environmental Impact Statement.

The Action Group is offering, for the record, a set of proposed recommendations for your consideration. We believe that the following recommendations, if implemented collectively, will help mitigate current conditions related to increased air traffic and the resulting concerns. We understand that the FAA is currently considering or taking action on some of these recommendations.

Steve, if possible, I would like to touch base with you sometime this week. Please feel free to give me call either in the office (202-624-5941) or on my cell (954-557-2987) - day or evening.

Thanks,

Cheryl

Cheryl Semmel
Washington D.C. Office
Governor Ruth Ann Minner
State of Delaware
444 N. Capitol Street, N.W., Suite 230
Washington, D.C. 20001
Phone: (202) 624-5941
Fax: (202) 624-5495
(See attached file: PHL Airspace Redesign Comments.pdf)

Response to Comment 3145: Delaware Elected Officials Governor Minner; Delaware General Assembly Members Spence, Valihura, McDowell, and Cloutier; Senator Biden; Senator Carper; John A. Hughes of the DE Department of Natural Resources and Environmental Control; Congressman Castle; Carol Ann Wicks of the Delaware Department of Transportation; and Chris Coons, Executive of New Castle County

Comment Number	Comment Response
1	Comment noted. The FAA acknowledges the quality of life issues impacted by aviation activities. We value the cooperative relationship we share with elected officials, community organizations and individual residents in addressing the difficult issue of aircraft noise and will continue to work diligently on this issue with you as we oversee the safest aviation system in the world. Each of your specific recommendations is discussed in the following responses.
2	RNAV is at the heart of this airspace redesign. It is first among the technologies that made possible the expanded flexibility and increased efficiency in the preferred alternative. Most important in the context of this comment is the dispersal of departures. The fan of departure headings made possible by RNAV reduces the number of aircraft on any single heading and disperses a fixed amount of noise over a larger area.
3	Comment noted. Although this suggestion is not technically within the bounds of FAA's Air Traffic Organization, we will forward this suggestion to Philadelphia Airport management and encourage them to work with the appropriate FAA line of business (Airports Division or Airway Facilities) to examine whether this can be implemented and what funding may be necessary.
4	It is not feasible to "enforce" a 3,000 foot threshold because there may be safety-related reasons why aircraft are at less than 3,000 feet. Air Traffic Control needs the flexibility to assign aircraft at less than 3,000 feet when needed for separation, weather, volume, or other operational reasons. Also, when aircraft are operating visually pilots may be at less than 3,000 feet at their discretion. Pilots flying under VFR are responsible for maintaining separation from other aircraft and obstacles.
5	Comment noted. The FAA's Proposed Action does not increase operations when compared to the No Action Alternative and specifically any inventory completed for analysis of 2002 emissions would be based on airport generated forecasts. Ultimately, State Implementation Plan (SIP) inventories are based on landing take-off cycles for state airports that occur within a non-attainment area. The FAA is not aware of any SIP inventories that include air traffic from airports outside of the state.
6	While the airspace above the NY/NJ/PHL metropolitan airports is under radar surveillance, the FAA has no statutory control over the scheduling of aircraft and helicopter flights, nor do we determine the times or frequency of flights—commercial, cargo, or otherwise. Reducing the number of flights during late night and early morning hours would be the responsibility of the airport proprietor, and this recommendation would fall under the requirements of 14 CFR Part 161, Airport Noise and Access Restrictions, requiring extensive study under those regulations and consensus of airline operators to implement.
7	Comment noted. This is included in the preferred alternative. One of the most important techniques for achieving the Purpose of this redesign is avoiding interruptions to aircraft climbs wherever possible. Westbound aircraft out of PHL in the preferred alternative are restricted to 12,000 ft until they contact New York Center instead of 10,000 ft.

Response to Comment 3145: Delaware Elected Officials Governor Minner; Delaware General Assembly Members Spence, Valihura, McDowell, and Cloutier; Senator Biden; Senator Carper; John A. Hughes of the DE Department of Natural Resources and Environmental Control; Congressman Castle; Carol Ann Wicks of the Delaware Department of Transportation; and Chris Coons, Executive of New Castle County

Comment Number	Comment Response
8	<p>Continuous-descent approaches work best where airspace can be reserved for the arrival traffic from a fix, cleared of crossing flows. Since PHL is in the middle of the busiest air traffic corridor in the world, cleared airspace during the day is hard to find. At night, when many of the large airports in New York and Washington have very little traffic, cleared airspace is more available. Therefore night-time CDA to PHL are included as an option in the noise-mitigated version of the Preferred Alternative. Appendix P, Noise Mitigation Report, and Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, in the FEIS evaluate CDA for the Preferred Alternative as part of noise mitigation.</p>
9	<p>A glide slope angle of more than 3.1 degrees is not recommended for anything larger than a business jet. Even if the pilot of a large jet is willing to accept it an increased glide slope of 3.25 or 3.5 degrees would only result in a difference of 250-500 feet over Brandywine. For example, aircraft traversing the area now at 3,000 feet with a 3.25 degree glide slope would be at 3,250 feet and with a 3.5 degree glide slope would be at 3,500 feet. At best this would translate into about a 0.5 dB reduction in noise levels which would not be a noticeable or perceivable noise difference. At worst, descending at a steeper angle means the aircraft goes faster. The pilot must reduce speed before the aircraft touches the runway which may mean that the pilot has to use flap settings that increase noise.</p>

Merrill, Michael

From: Sen. Kean, Asm. Munoz, Asm. Bramnick NJ Legislative District 21 [SenKean@NJLEG.ORG]
Sent: Friday, June 30, 2006 11:41 AM
To: FAA DEIS
Subject: Written comments
Attachments: FAAcomments.doc

Please find attached a document from New Jersey state legislators Senator Thomas H. Kean, Jr.; Assemblyman Eric Munoz and Assemblyman Jon M. Bramnick. Please include this document as part of your public comments. Thank you.
908-232-3673.

005256

1 of 9

June 30, 2006

Mr. Steve Kelley, FAA-NAR
C/o Michael Merrill
12005 Sunrise Valley Road
Reston, VA 20191

Dear Mr. Kelley,

We would like to submit our comments as New Jersey legislators regarding the FAA airspace redesign proposal. We have attached copies of two legislative resolutions that we introduced in the New Jersey Legislature that formally states our continued opposition to the most recent redesign proposal. Our concerns are echoed by others in the Legislature as evidenced by the bipartisan sponsorship of these initiatives and the March 2006 approval of Assembly Joint Resolution 88 by the New Jersey Assembly.

The issue of airspace redesign has not been adequately addressed in this region in more than 40 years. Current decisions made regarding this most recent redesign will not only negatively impact 332,000 people with increased noise pollution immediately, but does not look forward toward addressing future problems.

We understand the need to revisit the issue of the airspace in this region, and appreciate the time that the FAA has put into researching possible alternatives. However, the alternative which has been touted as the best redesign, minimally changes the terminal airspace that has been in place since the 1960's, and consequently creates many negative outcomes such as increased noise and air pollution.

We encourage the FAA to continue to research alternative possibilities for this current redesign, ones that take into account noise pollution as well the impact on air quality. While reductions in delays at the airports are important, so is the quality of life for thousands of New York, New Jersey, and Pennsylvania residents who would be negatively affected by the current proposal.

Sincerely,
Senator Thomas H. Kean, Jr.
Assemblyman Eric Munoz, M.D.
Assemblyman Jon M. Bramnick
New Jersey Legislature District 21

[First Reprint]

ASSEMBLY JOINT RESOLUTION

No. 88

STATE OF NEW JERSEY

212th LEGISLATURE

INTRODUCED FEBRUARY 6, 2006

Sponsored by:

Assemblyman ERIC MUNOZ

District 21 (Essex, Morris, Somerset and Union)

Assemblyman JOHN F. MCKEON

District 27 (Essex)

Co-Sponsored by:

Assemblyman Connors

SYNOPSIS

Opposes NY/NJ/Philadelphia Metropolitan Airspace Redesign proposals of Federal Aviation Administration.

CURRENT VERSION OF TEXT

As reported by the Assembly Environment and Solid Waste Committee on February 27, 2006, with amendments.

A JOINT RESOLUTION opposing the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals.

WHEREAS, The basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960s and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, The EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the EECP and mitigate the noise; and

WHEREAS, In the 1995 final Environmental Impact Study, the FAA committed to mitigate noise in a “follow-up regional study”; and

WHEREAS, In 2001, the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public; however, the FAA failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, On December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, The airspace redesign involves a 31,000 square mile, five-state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, Two of the FAA proposed plans would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, The proposed plans would raise environmental concerns for the State and would cost an estimated \$2.5 billion; and

WHEREAS, The FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, The New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, It is in the best interest of the State to oppose the FAA's proposal to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. ¹**[This Joint Resolution]** The State of New Jersey¹ opposes the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals set forth in the Draft Environmental Impact Statement issued on December 20, 2005 by the Federal Aviation Administration.

2. Duly authenticated copies of this joint resolution shall be transmitted to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of Congress elected from this State, and the Administrator of the Federal Aviation Administration.

3. This joint resolution shall take effect immediately.

SENATE JOINT RESOLUTION
No. 34
STATE OF NEW JERSEY
212th LEGISLATURE

INTRODUCED MARCH 6, 2006

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Essex, Morris, Somerset and Union)

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Co-Sponsored by:

Senators Coniglio and Bucco

SYNOPSIS

Opposes NY/NJ/Philadelphia Metropolitan Airspace Redesign proposals of Federal Aviation Administration.

CURRENT VERSION OF TEXT

As introduced.

A JOINT RESOLUTION opposing the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals.

WHEREAS, The basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960s and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, The EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the ECCP and mitigate the noise; and

WHEREAS, In the 1995 final Environmental Impact Study, the FAA committed to mitigate noise in a “follow-up regional study”; and

WHEREAS, In 2001, the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public; however, the FAA failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, On December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, The airspace redesign involves a 31,000 square mile, five-state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, Two of the FAA proposed plans would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, The proposed plans would raise environmental concerns for the State and would cost an estimated \$2.5 billion; and

WHEREAS, The FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, The New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, It is in the best interest of the State to oppose the FAA's proposal to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The State of New Jersey opposes the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals set forth in the Draft Environmental Impact Statement issued on December 20, 2005 by the Federal Aviation Administration.

2. Duly authenticated copies of this joint resolution shall be transmitted to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of Congress elected from this State, and the Administrator of the Federal Aviation Administration.

3. This joint resolution shall take effect immediately.

STATEMENT

This resolution would oppose the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals. The plans, proposed by the Federal Aviation Administration (FAA), would likely cause dramatic aircraft noise increases in New Jersey, adversely affecting more than 300,000 residents while benefiting relatively few.

The basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960s. Despite changes in the volume of air traffic and the type of aircraft used by the National Airspace System over the last 40 years, the structure of the airspace has not been adequately modified to address these changes. The FAA recently issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/ New Jersey/ Philadelphia Metropolitan Airspace.

**Response to Comment 5256: New Jersey State Legislators Senator Thomas H. Kean, Jr.,
Assemblyman Eric Munoz, and Assemblyman Jon M. Bramnick**

Comment Number	Comment response
1	<p>Comment noted. Noise abatement measures were considered as mitigation for the FAA's Preferred Alternative. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS. The Preferred Alternative permits adaptation to new technologies and there does consider the future beyond the years analyzed.</p>
2	<p>Terminal airspace is tightly constrained by the runways it feeds, so in many ways even a major terminal redesign will look on a map like the design it is intended to replace. The most important part of the Preferred Alternative is the change in allocation of responsibility for separating aircraft and the consequent improvements in delays and altitude assignments, neither of which is visible on a map. From the pilot's seat or the air traffic controller's scope, however, the terminal will change fundamentally. The Integrated Airspace Alternative Variation with ICC removes an invisible ceiling that restricts the freedom of departures to climb and complicates the task of creating a sequence of arrivals. When the airspace is integrated, even small changes in aircraft tracks can yield large benefits.</p>
3	<p>Comment noted. Noise abatement measures were considered as mitigation for the FAA's Preferred Alternative. While noise abatement was not possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p>
4	<p>The FAA recognizes the quality of life issues of residents in the Study Area and has always intended to consider mitigation once it selected its preferred alternative. The FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level prior to designing any mitigation. All mitigation measures to avoid or minimize significant noise impacts are included in the Final EIS. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided.</p>
5	<p>Comment noted. It is true that noise was not part of the purpose and need (or goals) of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>However, noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential</p>

**Response to Comment 5256: New Jersey State Legislators Senator Thomas H. Kean, Jr.,
Assemblyman Eric Munoz, and Assemblyman Jon M. Bramnick**

Comment Number	Comment response
	<p>environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided.</p> <p>Neither estimated nor actual costs have yet been developed for any of the Alternatives.</p> <p>It is not true that the FAA admits that none of the proposed plans would result in major improvements in delay. The delay reductions discussed in the DEIS are considerable. See the section "Interpreting Average Delay" in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.</p>
6	Comment noted.



**NEW JERSEY STATE LEGISLATURE
DISTRICT 38**

From

Senator Joseph Coniglio
205 Robin Road
Suite 216
Paramus, NJ 07652
201-576-9199
June 28, 2006

Assemblyman Robert M. Gordon
14-25 Plaza Road
P.O. Box 398
Fair Lawn, NJ 07410
201-703-9779

Assemblywoman Joan M. Voss
520 Main Street
Suite 300
Fort Lee, NJ 07024
201-346-6400

Mr. Steve Kelley
c/o Nessa Memberg
FAA-Airspace Redesign
12005 Sunrise Valley Road
Reston, VA 20191

Dear Mr. Kelley,

We are writing to express our strong concerns about the Draft Environmental Impact Statement (DEIS) for the New York/New Jersey/ Philadelphia Metropolitan Area Airspace Redesign (Redesign). While we appreciate the incredible challenges involved in trying to manage an airspace containing four major passenger airports in one of the most densely populated regions of the country, and agree that improvements need to be made in order to more efficiently handle the increasing levels of traffic in that airspace, we vehemently believe that the quality of life of the people who live in the region is of paramount importance. Reduced delays and additional flights for air travelers should not come at the expense of New Jersey's families.

Unfortunately, the Federal Aviation Administration (FAA) did not take noise mitigation into account when developing the alternatives in the DEIS. The stated "Purpose and Need" of the Redesign project was focused on airspace efficiency and capacity improvements only, despite FAA indications in the 1990's that one of the benefits to the aviation community without any consideration of the noise impacts on New Jersey residents. The result was not surprising. MITRE Corporation, an aviation consulting firm, concluded that the only alternative "worth the effort and expense of implementing an airspace redesign of this magnitude" is the Integrated Airspace Alternative with Integrated Control Complex (Integrated with ICC), which subjects hundreds of thousands citizens to a dramatic increase in aircraft noise.

In addition to our general concerns outlined above, we have the following additional comments regarding the DEIS:

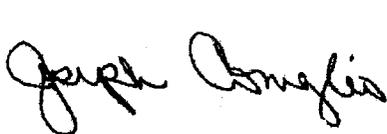
- We believe the FAA should develop new alternatives, where the minimization of aircraft noise should be one of the stated purposes. The way these alternatives have been developed pits operational efficiency versus the well-being of residents. Noise reduction should have been in the original purpose and need, the FAA could have developed alternatives that found the maximum efficiency for the minimum noise impact. Mitigation strategies pasted onto the preferred alternatives will not be enough.

00 5229
192

- We are concerned that the DEIS has not proposed an alternative to the current Instrument Landing System (ILS) on Runway 19 at Teterboro Airport in Teterboro, New Jersey. When ILS-19 was proposed, an Environmental Assessment (EA) was submitted which concluded there would be “no impact” from implementation of this new flight route. However, this conclusion was based in a projection of 170,000 annual operations at Teterboro Airport. Unfortunately, flights at Teterboro Airport have already exceeded 200,000 aircraft movements this year. Though intended to make flying into Teterboro Airport safer for planes in foul weather, the ILS-19 flight path has brought air traffic extremely close to many high-rise buildings in the area, causing safety concerns by residents of and visitors to these buildings. Over the past several years, pilots have become more reliant on this runway, using it not only in inclement weather but on a regular basis. We recommend that the final DEIS address this issue and offer an alternative approach for an ILS at Teterboro Airport.
- An independent consultant, Williams Aviation, found that FAA’s analysis reclassified some larger jets as quieter regional jets in its modeling, which lowers the perceived impact of the alternatives. We would like the FAA to explain why this was done, to explain why they feel it is a realistic assumption, and to show how the noise impacts would change if the larger jets were not reclassified.
- The FAA understates the real noise impact on residents of the affected areas. Although Table ES.3 shows that 281,884 people would experience an increase of 5dB from the Integrated with ICC alternative, a closer inspection of the data shows that thousands of people would see a 10 dB or greater increase in air noise in 2011 versus no action alternative including over 15,000 people in Bergen County alone. However, this information was not adequately disseminated to Bergen County elected officials and the public, and only one public hearing was held in that region – none in the heavily –affected northern parts of the county.

Thank you very much for your attention to these comments.

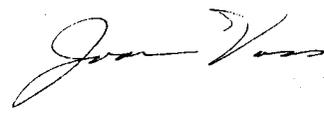
Sincerely,



Joseph Coniglio
Senator



Robert M. Gordon
Assemblyman



Joan M. Voss
Assemblywoman

==

Response to Comment 5229: New Jersey State Legislature District 38 – Senator Coniglio, Assemblyman Gordon, and Assemblywoman Voss

Comment Number	Comment response
1	Comment noted.
2	<p>Noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five "Preferred Alternative and Mitigation" of the Final EIS.</p>
3	Comment noted.
4	The ILS procedure for TEB Runway 19 meets current FAA safety standards.
5	The fleet mix used as input for the noise modeling presented in the DEIS was very detailed and incorporated the best information possible regarding current and forecast future conditions. The detailed fleet mix information is contained in Attachment B to Appendix B and Attachment A to the Noise Modeling Technical Report (Appendix E.2) of the EIS.
6	<p>The DEIS accurately presents the results of the noise modeling for the alternatives and identifies all of the areas which could experience noise impacts in excess of FAA's threshold of significance. Data provided online in supplemental tables present further detailed information regarding the level of noise change associated with each alternative. The noise analysis provided in the DEIS is the information upon which the FAA based its selection of alternatives and mitigation measures. Changes in noise levels resulting from implementation of the Preferred Alternative were the focus of the noise mitigation analysis. The mitigation analysis evaluated raising altitudes over Bergen County of arrival routes to Newark to reduce the noise impacts disclosed in the DEIS. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, in the FEIS.</p> <p>A newsletter announcing the release of the Draft EIS and where to acquire a copy was mailed directly to over 1800 individuals in NJ. Another postcard was mailed out to these same individuals in February, 2006 listing the public meeting locations. Twenty-five public officials in Bergen County, including the Mayor of Hillsdale, NJ, were sent both notifications prior to any public meetings.</p>

**Response to Comment 5229: New Jersey State Legislature District 38 – Senator Coniglio,
Assemblyman Gordon, and Assemblywoman Voss**

Comment Number	Comment response
	<p>Newspaper advertisements with circulation in Bergen county were run prior to the meetings in the following papers: El Diario, The North Jersey Herald News, and the Bergen Record. Public service announcements listing the meeting locations and times were run on the following radio stations also with coverage over Bergen County: WAXQ, WBGO, SDHA, WHTZ, WJUX, WNEW, and WRKS.</p> <p>In addition to the meeting held in Hasbrouck Heights, NJ (Bergen County), the FAA also held meetings in Clifton, NJ (approximately 10 miles from the center of the county) and White Plains, NY (approximately 15 miles from the center of the county).</p>
7	<p>Both pre-scoping and scoping phases of the project showed a high level of interest in the Hasbrouck Heights area of Bergen County, so it was decided to return to this area for the DEIS public meeting phase of the project. Additionally, this meeting location is within a short commute from most of the areas in the northern areas of the county.</p>



NEW JERSEY GENERAL ASSEMBLY

MARCIA A. KARROW
ASSEMBLYWOMAN, 23RD DISTRICT
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FLEMINGTON, NJ 08822
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(908) 835-1202
(609) 466-7474
FAX (908) 788-2625

COMMITTEES
ASSEMBLY APPROPRIATIONS
ASSEMBLY AGRICULTURE
AND NATURAL RESOURCES
THE STATE HOUSE COMMISSION
JOINT COMMISSION ON MENTORING
NJ STATE MUSEUM BOARD OF TRUSTEE

June 30, 2006

Mr. Steve Kelley, FAA-NAR
C/O Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Dear Mr. Kelley:

Please accept this letter for your record that I support for the current NY/NJ/PHL Metropolitan Airspace Redesign Draft Environmental Impact Statement.

As a new Member of the New Jersey Assembly who was sworn into office on January 10, I was not provided with adequate information regarding the Federal Aviation Administration's (FAA) plan. I understand that my predecessor received a package of information from the FAA in the year 2005. On March 2, 2006, I joined my fellow Assembly colleagues and voted in favor of Assembly Joint Resolution 88 opposing the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposal of the FAA.

However, since that time, I have learned much more about the FAA's Environmental Impact Statement and realize that this plan actually benefits my constituents in the 23rd Legislative District and will reduce air noise in Warren County. Therefore, I would like to notify the FAA of my support for the Impact Statement and for the changes that have been made which are expected to lessen the impact of air noise on the residents of Warren County.

Thank you, in advance, for the opportunity to comment on this important issue. Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,


Marcia A. Karrow

005230

**Response to Comment 5230: Assemblywoman Marcia A. Karrow, 23rd District, New Jersey
General Assembly**

Comment Number	Comment response
1	Comment noted.



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

Office of the
Comptroller
of the State

Office of the
Attorney General
Office of the
Statewide
Planning Council
Office of
General Services
Office of
Temporary
Employment
Services

Office of the
Statewide
Planning Council
Office of
General Services
Office of
Temporary
Employment
Services

June 16, 2006

Ms. Marion Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, D.C. 20591

Dear Ms. Blakey,

It has come to my attention that the FAA plans to adopt a new flight route for departing planes from Newark Airport in New Jersey. The "Ocean Routing Plan", as I understand it, will route planes directly over Staten Island and I must voice my strong objection to this.

As a state representative and a resident of Staten Island, I have heard the complaints by residents who have been plagued by decades of noise pollution caused by arriving and departing flights from Newark Airport. I witnessed the noise firsthand and the problem remains a constant complaint to me as well as a serious quality of life issue for all Islanders. The never ending and unrelenting disturbances that we must endure at all hours of the day, everyday has become torturous.

In addition, this plan takes planes into the paths of those from JFK and LaGuardia Airports. This exponentially increases the possibility of a serious or disastrous incident over the largest city in the United States. It will bring even more flight traffic over Staten Island as well as to New York City, and personally, we find this insulting. The FAA should be exploring ways to decrease traffic rather than adopting plans which will be the cause of an increase.

Therefore, it would be unwise for this plan to come to fruition. I strongly urge you to immediately end any plans to implement the "Ocean Routing Plan". I appreciate your attention to this serious issue and I look forward to your response.

Sincerely,

John W. Lavelle
Member of Assembly

cc: Community Boards 1, 2 and 3

005741

Response to Comment 5741: John W. Lavelle, Member of Assembly, State of New York

Comment Number	Comment response
1	The FAA acknowledges your concerns about quality of life. The DEIS clearly indicated that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. It should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered for all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
2	The air traffic control system in the United States is the safest in the world and FAA works with airlines to make sure that safety is priority one. The proposed procedures do not compromise safety and are at least as safe as current procedures.

Response to Comment 5742: Sandy Galef, Assembly, State of New York

Comment Number	Comment response
1	The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.

Merrill, Michael

From: SuziOppen@aol.com
Sent: Friday, June 30, 2006 4:02 PM
To: FAA DEIS
Subject: airspace comment
Attachments: Senator Oppenheimer - FAA comment

State Senator Suzi Oppenheimer
Legislative Office Building 515
Albany, NY 12247

June 30, 2006

Mr. Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Dear Mr. Kelley:

As State Senator representing Westchester communities across the County I am writing to express my concern about the Draft Environmental Impact Statement (DEIS) regarding the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign.

The major issue for Westchester residents is whether new airspace flight path design plans minimize residential flyover and noise impacts. The FAA should do everything it can to minimize these impacts on residential areas. Flight paths should utilize routes over water as an alternative to residential areas whenever possible.

1

Westchester residents already experience significant air traffic impacts from both Laguardia and Westchester County Airports. In addition Westchester neighborhoods experience helicopter flyover noise. This less regulated type of air traffic is the cause of sometimes abusive noise levels caused by low flying helicopters in residential areas. My request to the FAA is that all these impacts be carefully considered before final judgments are made.

2

I am also concerned about the plan for including the area over the Indian Point Nuclear Facility as a flight path. This route requires broader safety and national security review on an inter-agency and federal, state, and local basis.

3

Accordingly I urge that the FAA require a supplemental EIS for this process in order to fully review these issues, adequately study alternatives and compare impacts on residents.

4

For these reasons I strongly oppose the adoption of the current Airspace proposal. Thank you for your consideration.

5

005259
1 of 2

Sincerely,

Suzi Oppenheimer
State Senator

7/7/2006

Response to Comment 5259: New York State Senator Suzi Oppenheimer

Comment Number	Comment Response
1	Comment noted.
2	Comment noted.
3	The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.
4	A supplemental EIS is only prepared if the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts. Significant information is information that paints a dramatically different picture of impacts compared to the description of impacts in the EIS. This has not been the case for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Project. Additional information provided has only furthered the findings in the DEIS.
5	Comment noted.

FAA-060613-003 SB

Democratic Chairman Education Committee

Caucuses

PA Higher Education Assistance Agency, Member Board of Directors

PA Historical And Museum Commission Black History Advisory Committee, Member

PA Legislative Black Caucus, Member



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

JAMES R. ROEBUCK, MEMBER
208 IRVIS OFFICE BUILDING
HOUSE BOX 202020
HARRISBURG, PENNSYLVANIA 17120-2020
PHONE: (717) 783-1000
FAX: (717) 783-1885

4800 BALTIMORE AVENUE
PHILADELPHIA, PENNSYLVANIA 19143
PHONE: (215) 724-2227
FAX: (215) 724-2230

June 7, 2006

Ms. Marion C. Blakey
Federal Aviation Administrator
U. S. Department of Transportation
800 Independence Avenue, SW
Washington, DC 20591

Dear Ms. Blakey:

I am contacting you as a State Representative in the General Assembly of the Pennsylvania House of Representatives, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity- the redesign of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving this metropolitan area, which is composed of over 8 million people. Under the auspices of a Presidential Executive Order (E. O.) and with the support of the Federal Aviation Administration (FAA), the Airport has advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvements has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Improvements to PHL's airfield will not yield optimum benefits, however, unless the airspace serving Philadelphia is re-engineered in coordination with these runway projects. Last year, PHL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control Tower at PHL is the busiest in the FAA's Eastern Region.

005735
182

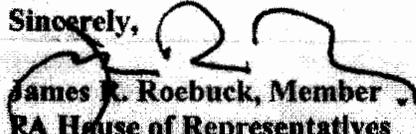
Marion C. Blakey, Federal Aviation Administration
Page 2

As improvements to the management of Philadelphia's airspace are evaluated along with that of the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that you give strong consideration to whichever alternative will offer the most relief of congestion at PHL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHL. Furthermore, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of this decade, ultimately causing enormous economic harm to the entire metropolitan area.

Please be assured that the Greater Philadelphia business community will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Sincerely,



James K. Roebuck, Member
PA House of Representatives
188th Legislative District

CC: The Honorable Arlen Specter
The Honorable Rick Santorum
The Honorable Robert A. Brady
The Honorable Chaka Fattah
The Honorable Allyson Y. Schwartz
The Honorable Curt Weldon

JRR: sit

Response to Comment 5735: James R. Roebuck, Member, Pennsylvania House of Representatives, 188th Legislative District

Comment Number	Comment response
1	We understand that in order for the airport to yield optimum benefits, the airspace serving Philadelphia needs to be "re-engineered." Redesign of Philadelphia Airspace was an important component of the NYNJPHL project, and two of the alternatives, Modifications to Existing Airspace, and Integrated Airspace included changes as compared to the Future No Action. Optimum benefits for Philadelphia Airport would be reached with the Integrated Airspace Alternative Variation with ICC. A summary of the changes from the Future No Action for the Integrated Airspace Alternative Variation with ICC include: West departure gate expanded to the northwest; new procedures for aircraft heading to the West departure gate, East departure gate is shifted to the east; new procedures for aircraft heading to the East departure gate; west arrival post shifts to the northeast; new distant procedures for aircraft arriving from the West arrival post; new departure headings for aircraft heading to the North, East, West, Southwest, and South departure gates; and an additional route added to the North arrival post.
2	The FAA has no intention of short-changing Philadelphia's airspace in the allocation of routings. As mentioned above, optimizing Philadelphia's airspace was an important component of the NY/NJ/PHL Airspace Redesign Project. In the designs, emphasis was placed on the ability to integrate Philadelphia's traffic into the overhead traffic traversing the New York and Washington Centers' airspace. The FAA has selected the Integrated Airspace Alternative Variation with ICC.
3	Comment noted.



NEW JERSEY GENERAL ASSEMBLY

CHARLOTTE VANDERVALK
ASSEMBLYWOMAN, 39TH DISTRICT
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FAX (201) 666-5255
E-Mail: aswvandervalk@njleg.org

MEMBER
ASSEMBLY FINANCIAL INSTITUTIONS
AND INSURANCE COMMITTEE
MEMBER
HOUSING AND LOCAL
GOVERNMENT COMMITTEE
WWW.CHARLOTTEVANDERVALK.ORG

June 5, 2006

Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Dear Mr. Kelley:

It is my understanding that the Federal Aviation Administration has extended the comment period for the NY/NJ/PHL Metropolitan Airspace Redesign Draft Environmental Impact Statement and that the plan currently under consideration would reroute air traffic over the Pascack Valley.

I protested airplane noise in the 80's and offered testimony many times protesting the Expanded East Coast Plan and the number of daily flights over District 39 and Bergen County. For many years, we have been frustrated by the increase in airplane noise over our homes. The frequency of flights and the low altitude of the approaches to our area airports (Newark, La Guardia, Kennedy, and Teterboro) have had a serious effect on the quality of life in Northern New Jersey.

Unfortunately, the FAA focus has traditionally been on increasing the number of flights and reducing flight delays without efforts to reduce noise. Low flying jets departing from LaGuardia Airport and arriving at Newark Airport are seriously disrupting the quality of life in our area, disturbing both sleep and work. Ocean routing, the use of higher altitudes, and other noise reduction measures are critical components of any flight design plan and should not be slighted.

With careful planning, we can effectively balance noise reduction and maximize flight potential and safety without impacting the quality of life of our residents. Therefore, I respectfully request that the FAA seriously consider routing air traffic away from residential areas in the Pascack Valley and instead route it over industrial areas and the ocean approaches. I join the Pascack Valley Mayors Association in making this request and in protesting the proposed changes.

Very truly yours,

Charlotte Vandervalk

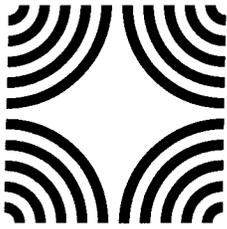
004579

Response to Comment 4579: Charlotte Vandervalk, New Jersey General Assemblywoman, 39th District

Comment Number	Comment response
1	<p>FAA’s purpose and need for the airspace redesign, presented in the DEIS in accordance with NEPA regulations, reflects the agency’s statutory mandate to control the use of navigable airspace and regulate operations in that airspace in the interest of maintaining the safety and efficiency of those operations. The purpose of the project is to increase the safety and efficiency of the air traffic system through the adjustment of traffic flows in the area, while accommodating new technologies and reducing delays. FAA has considered impacts on the human environment through the NEPA process, which is intended to ensure that environmental considerations are taken into account along with other factors when a Federal action is considered.</p> <p>Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA’s scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p>

State Agencies

1. Connecticut Commission on Culture and Tourism, Historic Preservation and Museum Division
2. Connecticut Department of Transportation, Bureau of Aviation and Ports
3. New Jersey Department of Environmental Protection, Natural and Historic Resources, Historic Preservation Office
4. New Jersey Department of Environmental Protection, Environmental Regulation, Office of Permit Coordination and Environmental Review
5. New Jersey Department of Environmental Protection, Noise Control Council
6. Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation, Division of Archeology and Protection
7. New Jersey Attorney At Law, A Professional Corporation
8. Delaware Historic and Cultural Affairs, Division of Historic and Cultural Affairs
9. Delaware Department of Natural Resources and Environmental Control, Division of Soil and Water Conservation



Connecticut Commission on Culture & Tourism

December 29, 2005

Historic Preservation
& Museum Division

Mr. Steve Kelley, FAA-NAR
c/o Nessa Memberg
12005 Sunrise Valley Road, MS C302
Reston, VA 20191

59 South Prospect Street
Hartford, Connecticut
06106

(v) 860.566.3005
(f) 860.566.5078

Subject: New York/New Jersey/ Philadelphia
Metropolitan Area Airspace Redesign

Dear Mr. Kelley:

The State Historic Preservation Office has reviewed the *Draft Environmental Impact Statement* prepared by the United States Department of Transportation Federal Aviation Administration regarding the above-named project. In particular, this office has focused upon the identification, evaluation and professional consideration of project-related impact upon historic, architectural and archaeological resources located within the State of Connecticut as detailed with Appendix F of the *Draft Environmental Impact Statement*.

In the opinion of the State Historic Preservation Office, the proposed airspace redesign project will have no effect on Connecticut's historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places.

This office appreciates the opportunity to have reviewed and commented upon the proposed undertaking.

This comment is provided in accordance with the National Historic Preservation Act and the National Environmental Policy Act.

For further information please contact Dr. David A. Poirier, Staff Archaeologist.

Sincerely,

J. Paul Loether
Division Director and Deputy
State Historic Preservation Officer

Response to Comment 2673: Connecticut State Historic Preservation Officer J. Paul Loether

Comment Number	Comment Response
1	Comment noted.



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Phone: (860) 594-2575

May 10, 2006

Mr. Michael Merrill
NY/NJ/PHL EIS Project Manager
Northrop Grumman IT
12005 Sunrise Valley Drive, MS C302
Reston, VA 20191

Dear Mr. Merrill:

Subject: NY/NJ/PHIL Metropolitan Area
Airspace Redesign Program

The Connecticut Department of Transportation, Bureau of Aviation and Ports, has reviewed the documentation regarding the subject program and has no comments as written, however, feels strongly that Bradley International Airport should have been included in the study area.

If any additional information is required, please feel free to contact me.

Very truly yours,

Richard J. Jaworski
Bureau Chief
Bureau of Aviation and Ports

Response to Comment 4126: Richard J. Jaworski of the Connecticut Department of Transportation, Bureau of Aviation and Ports

Comment Number	Comment Response
1	<p>This issue was raised by representatives of the Connecticut Department of Transportation (Conn DOT) at a briefing held at Conn DOT Headquarters on December 5, 2003. In order to address Conn DOT concerns over this issue, a meeting was held between NY/NJ/PHL Airspace Redesign Project (ARDP) and Conn DOT staff at BDL on February 10, 2004. Specific issues addressing BDL were identified (including the ongoing Part 150 Study) and it was determined that a detailed examination of the interrelation of the NY/NJ/PHL ARDP and BDL was required.</p> <p>A two-day meeting was held at the Project Office of NY/NJ/PHL ARD in Melville, New York, on February 24-25, 2004, to examine the interrelation of all proposed activities. The NY/NJ/PHL ARDP design team staff and controllers from the BDL Tower conducted a detailed examination of proposed NY/NJ/PHL ARD changes in BDL's airspace and the two proposed procedure changes, contained in the Part 150 Study. The detailed examination showed that the proposed changes contained within the NY/NJ/PHL ARDP, would not change any activity at BDL, nor would the proposed procedure changes contained in BDL's Part 150 Study impact any changes contained within the NY/NJ/PHL ARDP. Representatives from FAA Eastern Region and BDL signed a memorandum of agreement on how the proposed routes and flows would look, should the proposed changes be included in the Record of Decision the NY/NJ/PHL ARDP.</p>



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE
Governor

Natural and Historic Resources, Historic Preservation Office
PO Box 404, Trenton, NJ 08625
TEL: (609) 292-2023 FAX: (609) 984-0578
www.state.nj.us/dep/hpo

LISA P. JACKSON
Commissioner

April 28, 2006
HPO D 2006 - 211
06-0739-1
06-0739-2

Michael Merrill
NY/NJ/ PHL EIS Project Manager
Northrop Grumman IT
12005 Sunrise Valley Drive, MS C302
Reston, VA 20191

RE: Draft Environmental Impact Statement
New York / New Jersey / Philadelphia Metropolitan Airport
Airspace Redesign
Federal Aviation Administration

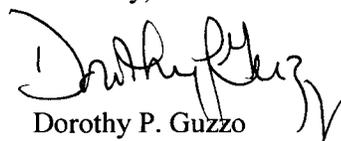
Dear Mr. Merrill:

Thank you for the opportunity to comment on the above referenced document. I concur with the findings made by the FAA that the proposed airspace redesign will not introduce significant increases in noise or visual intrusions and therefore will have no adverse effect on historic properties in New Jersey.

To date, we have not received any public comment regarding this project. Pursuant to 36 CFR §800.2 (c) please send us copies of comments as they relate to New Jersey's historic properties. We look forward to continuing consultation with you on this project and completing the Section 106 review process.

If you have any questions regarding this review, please contact Meghan MacWilliams Baratta, of my staff, at (609) 292-1253.

Sincerely,


Dorothy P. Guzzo
Deputy State Historic
Preservation Officer

C: Ken Koshek, NJDEP, Office of Permit Coordination and Environmental Review

003226

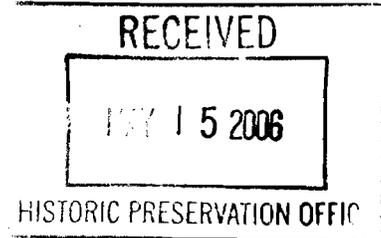
Response to Comment 3226: Dorothy P. Guzzo, New Jersey Deputy State Historic Preservation Officer

Comment Number	Comment Response
1	Comment noted.
2	Comment noted.

Michael Merrill
Northrop Grumman Corporation
12005 Sunrise Valley Drive
Reston, VA 20191

May 11, 2006

Dorothy P. Guzzo
c/o Meghan MacWilliams Baratta
Deputy State Historic Preservation Officer
Department of Environmental Protection
PO Box 404
Trenton, NJ 08625



06-0739-3 MB
HPO-4-2006-21

Dear Ms. Guzzo:

Please find enclosed the previously discussed Summary of Historic and Archeological Resources for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Draft Environmental Impact Statement. This package contains copies of the two Section 106 APE reviews conducted in the area surrounding Tinicum Township, Essington PA and in the area surrounding Elizabeth and Newark NJ.

We are providing this analysis to you as supplemental documentation to the Draft Environmental Impact Statement.

Feel free to contact me if you have further questions, at (703) 620-8675.

Sincerely,

Michael Merrill
NY/NJ/PHL EIS Project Manager

State of New Jersey
Department of Environmental Protection
Natural and Historic Resources
Historic Preservation Office
PO Box 404
Trenton, NJ 08625 - 0404

As proposed, the project will not adversely affect historic properties. Pursuant to 800.5(c), if no consulting parties object to this finding within the 30 day review period, the project may proceed, as proposed, unless resources are discovered during project implementation, pursuant to 800.13.

Dorothy F. Guzzo
Deputy State Historic Preservation Officer

8/9/06
Date

005761

Response to Comment 5761: Dorothy P. Guzzo, New Jersey Deputy State Historic Preservation Officer

Comment Number	Comment Response
1	Comment noted.

Nagendran, Ram

From: Joseph Lepis [jlepis@hudsonregionalhealth.org]
Sent: Thursday, June 01, 2006 12:32 PM
To: FAA DEIS
Subject: FW: FAA DEIS Resolution Comment

Attachments: FAA Resolution.doc



FAA Resolution.doc
(2 MB)

-----Original Message-----

Subject: FW: FAA Resolution

Steve Kelley, FAA NAR

Attached is the final draft of the FAA Resolution which the New Jersey Noise Control Council approved at it's last meeting.

(See attached file: FAA Resolution.doc)

Joseph M. Lepis, Jr: Chair
New Jersey Noise Control Council
(201) 223-1133

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004217
1 of 3



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOISE CONTROL COUNCIL
PO BOX 402
TRENTON, NEW JERSEY 08625-0402
(201) 223-1133 (Chairman)

JOSEPH M. LEPIS,
CHAIR

WHEREAS, pursuant to the Federal Aviation Administration's (FAA) Order 1050.1E, *Environmental Impacts: Policies and Procedures*, the Administration issued a Draft Environmental Impact Statement (DEIS) in December 2005 regarding New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign. This document contains "Modified" and "Integrated Airspace" proposals which would redesign the airspace in the NY/NJ/PHL Metropolitan Area; and

WHEREAS, although the stated purpose of the project was "to increase the efficiency and reliability of the airspace structure and air traffic control system," the alternatives proposed therein would detrimentally alter and/or abolish the existing control of aircraft and airport-related noise at some New Jersey airports thus increasing noise exposure to the populations residing in the vicinities of the airports; and

WHEREAS, the responsibility for the control of aircraft and airport-related noise is acknowledged by the FAA to be vested with the individual airport authority which in this case is The Port Authority of New York and New Jersey (PANYNJ); and

WHEREAS, it is the legal responsibility of the neighboring airport towns and cities to protect the health, welfare, safety, environment, property values, and quality of life of their residents from adverse/increasing noise level impacts resulting from significantly higher numbers of aircraft operations; and

WHEREAS, the control of aircraft and airport-related noise, particularly for large airports such as Newark Liberty International (EWR) and Teterboro (TEB), has historically been developed by local airport authorities. The existing control measures have been developed through an open process, careful environmental review, considerations of public suggestions of alternatives, and the use of computer modeling studies to evaluate and minimize the impacted population's noise exposure; and

WHEREAS, the detrimental effects of cumulative aircraft/airport noise on humans, flora and fauna, and buildings, result in unhealthy annoyance, speech and sleep interference, lack of enjoyment of personal property, diminished education and health opportunities, and destruction of residential and commercial land uses from airport buy-outs, clear zones and incompatibilities; and

WHEREAS, the residents who currently live in the less affected areas moved there with the reasonable expectation of a peaceful enjoyment of their property which will be

severely impaired and degraded by changing airline flight paths in accordance with the proposals set forth in the DEIS;

NOW, THEREFORE, BE IT RESOLVED that the Noise Control Council of the New Jersey Department of Environmental Protection opposes the FFA's efforts to change or discard longstanding and time-tested aircraft and airport-related noise controls which have been instituted at the New Jersey area airports by the PANYNJ without the Authority's full consent and support.

BE IT FURTHER RESOLVED that several areas including the City of Elizabeth and the City of Newark, in which both municipalities Newark Liberty International Airport is located, as well as several environmental justice areas are deserving of special noise control and mitigation considerations. Reasonable and equitable changes to aircraft and airport-related noise abatement procedures should be instituted only after a thorough and careful environmental review, a thorough and careful review of all noise control alternatives, a thorough and careful evaluation of all impacted populations, and a thorough and careful evaluation of the criteria set forth in the scoping document.

BE IT FURTHER RESOLVED that copies of this resolution are forwarded as an official written comment regarding the aforementioned DEIS to the Commissioner of the Department of Environmental Protection (DEP) and to the FAA.

Adopted: May 9, 2006


Joseph M. Lepis, Chair
Noise Control Council

Voting to Approve the Resolution:

Arnold Schmidt
Joseph J. Soporowski, Jr., Ed.D.
Joseph M. Lepis
John Surmay
John Kapferer, Ph.D.
Renu Agrawal
Thomas Pitcherello
Iris Udasin, MD
Michael F. Lakat

Voting Against the Resolution

None

Abstaining

Norman Dotti

Certified by David Triggs, DEP, Office of Local Environmental Management

Response to Comment 4217: Joseph M. Lepis of the NJDEP Noise Control Council

Comment Number	Comment Response
1	<p>The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet its responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. In the EIS process, the agency first develops a purpose/need for a project, second, develops alternatives, third evaluates the environmental impacts (such as noise) of the project alternatives, and finally, develops mitigation (to reduce or minimize effects of the proposed project). The purpose of the FAA's Proposed Action is to increase efficiency and reliability of the airspace structure and ATC system. Noise reduction was not part of the purpose and need for the Proposed Action. Once the purpose and need for the Proposed Action was defined, the FAA examined and developed alternatives to meet this purpose and need. Next, the FAA evaluated the potential environmental impacts that would result from the various alternatives. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated potential environmental impacts. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p>
2	<p>Comment noted.</p>
3	<p>The FAA, as of publication of the DEIS, had not selected a preferred alternative. As part of the NEPA process, the FAA encouraged the public and the PANYNJ to submit comments on the content of the DEIS including the alternatives. The FAA fully intends to coordinate its noise mitigation efforts with PANYNJ and garner the support of PANYNJ for its Preferred Alternative and any proposed mitigation associated with that alternative.</p>
4	<p>The FAA is aware that certain portions of the population would be disproportionately affected by noise (i.e., experience Environmental Justice impacts), and that was indicated in the DEIS. Also in the DEIS, the FAA described to the public the general mitigation strategies that it would attempt to apply to whichever alternative it ultimately selected as the preferred. Those general mitigation strategies included: (1) use of continuous descent approach (keeping aircraft on a higher altitude flight path at lower engine power levels for a continuous steady descent to landing, which lowers noise levels on the ground at certain distances from the airport); (2) nighttime noise abatement procedures; (3) additional use of water/industrial areas and proposed flight track refinements; (4) sound insulation of impacted buildings with educational or medical uses (this would require airport sponsorship and would be outside the control of FAA). The FAA also acknowledged and recognized that while the general principals were described in the DEIS, the specifics would be forthcoming in the FEIS. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093
www.phmc.state.pa.us

January 5, 2006

Steve Kelley, FAA-NAR
c/o Nessa Memberg
12005 Sunrise Valley Rd., MS C302
Reston, VA 20191

**TO EXPEDITE REVIEW USE
BHP REFERENCE NUMBER**

Re: ER 06-0727-042-A
FAA: New York/New Jersey/Philadelphia Metropolitan Area Airspace
Redesign Project: Draft Environmental Impact Statement

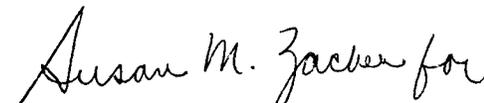
Dear Mr. Kelly:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation as revised in 1999. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

The draft EIS addresses discussion with our office concerning the above listed project. Please continue to consult on the potential effect of this project on historic and archaeological resources.

If you need further information in this matter please consult Susan Zacher at (717) 783-9920.

Sincerely,


Douglas C. McLearn, Chief
Division of Archaeology &
Protection

DCM/smz

2674

Response to Comment 2674: Douglas C. McLearn of the Pennsylvania Bureau for Historic Preservation

Comment Number	Comment Response
1	Comment noted.



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093

May 19, 2006

Michael Merrill
Northrop Grumman Corporation
12005 Sunrise Valley Drive
Reston, VA 20191

**TO EXPEDITE REVIEW USE
BHP REFERENCE NUMBER**

Re: ER 06-0727-042-B
New York/New Jersey/Philadelphia Metropolitan Area Airspace
Redesign, Draft Environmental Impact Statement: Summary of
Historical and Archaeological Resource Impact Analysis

Dear Mr. Merrill:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation as revised in 1999. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

We disagree with the findings of the above listed report in the assessment of potential noise impacts on two significant historic sites in Pennsylvania. The Printzhof (Governor Printz Park) is a National Historic Landmark, likewise the National Register listed Lazaretto property is currently under study as a potential Landmark. The FAA made the same finding in conjunction with Philadelphia International Airport Capacity Enhancement project. It was the FAA's opinion that if National Register nominations did not specify that solitude or quiet were an important part of the site then an increase in noise did not matter. The Advisory Council and our office disagreed with this finding. Increased noise to a historic property affects its integrity of setting, feeling and association.

If you need further information in this matter please consult Susan Zacher at (717) 783-9920.

Sincerely,

Douglas C. McLearn, Chief
Division of Archaeology &
Protection

cc: Advisory Council on Historic Preservation
DCm/smz

004124

Response to Comment 4124: Douglas C. McLearn of the Pennsylvania Bureau for Historic Preservation

Comment Number	Comment Response
1	Comment noted. The FAA considered the use of the properties and found that increased noise levels would not adversely affect the integrity of either of the properties' settings. As noted in the DEIS part of the Lazaretto property has been purchased by the community in part to construct a fire house and the Printzhof is located in a recreational area.

William G. Mennen, PC
A Professional Corporation
Attorney At Law
74 Main Street
P.O. Box 231
Lebanon, New Jersey 08833-0231
Phone: 908-437-0110
Fax: 908-437-0161

May 30, 2006

VIA FACSIMILE & FEDERAL EXPRESS

Mr. Steve Kelley
Federal Aviation Administration
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Re: New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign

Dear Mr. Kelly:

My firm has been retained by the Pascack Valley Mayors Association (the "Mayors Association") to represent their interests in the above referenced redesign project. The Mayors Association is a coalition of mayors representing nine (9) municipalities in the Pascack Valley section of Bergen County, New Jersey. Those 9 municipalities can reasonably anticipate disproportionately negative impacts from several of the proposed alternatives contained in the Airspace Redesign's Draft Environmental Impact Statement ("DEIS"). Yet, while notice of the proposed airspace redesign and/or the contemplated public meeting schedule was sent to a multitude of groups and individuals in the areas of Philadelphia, New York and New Jersey, none of the municipalities in the Pascack Valley section of Bergen County received any such notice. What's more, despite repeated requests, there have been no public meetings held in any of the 9 municipalities represented by the Mayors Association.

The purpose of this correspondence is to formally request (a) a reasonable (90 days) extension of the DEIS comment period beyond June 1, 2006, and (b) a public hearing on the DEIS in one of the 9 municipalities represented by the Mayors Association.

As you know, the entire redesign process is subject to NEPA regulations. Furthermore, per FAA Order 1050.1E, the public involvement requirements contemplated by NEPA are specifically incorporated in the DEIS process by the FAA. Section 208a of FAA Order 1050.1E states in pertinent part that "NEPA and CEQ (Council on Environmental Quality) regulations, in describing the public involvement process, **require** Federal

004258
1/3

agencies to: consider environmental information in their decision making process; **obtain information from the public regarding environmental concerns** surrounding an agency's proposed action; fully assess and disclose potential environmental impacts resulting from the proposed action and alternatives; and **provide the public with this information** and allow it to comment on these findings." That same order goes on to require that the FAA: "at the earliest appropriate stage of the action and early in the process of preparing NEPA documentation...must provide pertinent information to the **affected community** and agencies and **consider the affected communities' opinions.**" *Environmental Impacts: Policies and Procedures*, FAA Order 1050.1E, section 208b (quoting 40 C.F.R. 1501.2) (emphasis added). "Public involvement is required whenever the FAA prepares an EIS (40 C.F.R. 1501.4(d))". See: FAA Order 1050.1E at Section 208c.

It is clear that the rules require the FAA to expand public involvement when the issues presented are complex. See: FAA Order 1050.1E at Sections 208c and 209a(3). The subject redesign plan proposal, resulting from decades of study and research by the FAA, is in fact "complex" and does therefore mandate expanded public involvement.

Bottom line, "FAA must provide the public with an opportunity to review and comment on draft EIS's and must formally respond to those public comments in final EIS's." FAA Order 1050.1E, section 208d (quoting 40 C.F.R. 1506.6 and 1503.4). Criteria used to ascertain whether a public meeting is required are enumerated in Section 209a of FAA Order 1050.1E and include:

- (1) the proposed action's magnitude in terms of environmental impact, environmental controversy, cost and/or extent of the affected geographical area;
- (2) the degree of interest that Federal, State, Tribal or local authorities or the public exhibit;
- (3) the complexity of issues

Clearly in the instant matter, all three criteria are met for the towns forming the Mayors Association. As a result, expanded public hearing(s) on the EIS are required.

It is also clear from all of the Federal Regulations and FAA Orders that all relevant materials must be available for review for the entire comment period and for 30 days prior to any public meeting. See: FAA Order 1050.1E Section 209c and FAA Order 5050.4b Section 404a(4). In the instant matter, certain noise impact spreadsheets were not released until the middle of March 2006, and when they were released there was no additional notice. Unfortunately, therefore, even though other communities were afforded an opportunity for public meetings, the delayed release of the noise impact data rendered virtually every one of those meetings noncompliant with the mandated 30-day review provisions under applicable law.

In accordance with FAA Order 1050.1E, "According to CEQ regulations, comments on the DEIS **shall be obtained from** or requested of appropriate Federal, State, and **local agencies...**" FAA Order 1050.1E section 508d(1) (referencing 40 C.F.R. 1501.2(d)(2) and 1501.7(a)(1)) (emphasis added). Furthermore, section 508d(2) of that same FAA Order mandates that: "Copies of the DEIS will be sent to Federal, State, and **local agencies,** and

3

4

5

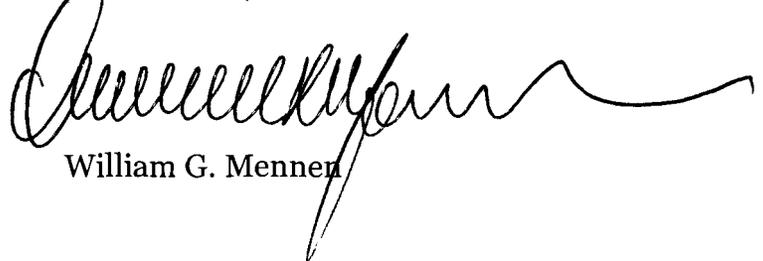
Tribes when the effects may be on a reservation.” In the instant matter no copies of the DEIS were sent to the municipalities in the Pascack Valley section of Bergen County and no comments were obtained from those municipalities – despite repeated requests for time to submit such comments even in the face of defective notice, the release of an incomplete EIS document, and without an appropriate public forum.

The residents of the Pascack Valley municipalities represented by the Mayors Association have been disenfranchised as they (i) were not afforded adequate public notice of the FAA’s proposed actions, and (ii) were not afforded a public hearing to provide comments and reactions to the DEIS (in either its incomplete or complete form). The actions of the FAA in denying these residents an additional public hearing on the DEIS are arbitrary, capricious, unreasonable, and contrary to the requirements of the law. Likewise, the actions of the FAA in concluding the comment period for the DEIS on June 1, 2006 given its failure to give notice to the residents and governments of the municipalities in the Pascack Valley section of Bergen County and despite repeated requests to extend the comment period are arbitrary, capricious, and unreasonable. Of course, even for those public hearings actually held, the FAA failed to provide a full DEIS for comment in the time period required by its own directives and orders.

It is my sincere hope that the FAA will recognize that the benefits of granting the Mayors Association’s requests far outweigh the costs as the contemplated redesign plan represents the possibility of drastic changes with far reaching impacts. If, however, the FAA chooses to ignore the due process requests of the Mayors Association, we have been directed to take more formal legal action to preserve the rights of the citizens of these nine municipalities.

Please feel free to contact me at your earliest convenience to discuss a resolution of this issue.

For the Firm,

A handwritten signature in black ink, appearing to read 'William G. Mennen', with a long, sweeping horizontal stroke extending to the right.

William G. Mennen

Response to Comment 4258: William G. Mennen, PC, for the Pascack Valley Mayors Association

Comment Number	Comment Response
1	Notices of the public meetings were widely publicized. Advertisements were placed in several newspapers serving Bergen County including the Newark Star Ledger, the El Diario, The Bergen Record, and The North Jersey Herald News. In addition public service ads ran on the following radio stations serving Bergen County: WAXQ 104.3 FM, WGBO 88.3 FM, WBLS 107.5 FM, WCAA 105.9 FM, WDHA 105.5 FM, WDHA 105.5 FM, WHTZ 100.3 FM, WJUX 103.1 FM, WKTU 103.5 FM, WNEW 102.7, and WRKS 98.7 FM.
2	A meeting was held in Pascack Valley with elected officials in May 22, 2006. Subsequent to that meeting the comment period was extended 30 days.
3	A meeting was held in Pascack Valley with elected officials on May 22, 2006. The FAA has complied with its Orders, including 1050.1E and CEQ regulations.
4	The DEIS, published in December 2005, was complete and adequate. The noise impact spreadsheets were released as an interpretive supplement to noise information already modeled and published in the document. These grid points allowed any resident in the five-state study area to log on to a website and find noise grid point information for his/her census tract/block. This information was for public disclosure and individual interpretation purposes only; it went well above and beyond any noise data required for a NEPA analysis in an EIS. The noise analysis provided in the EIS is the information upon which the FAA will make its decisions related to alternatives and for comparison with any noise mitigation strategies proposed in the FEIS. In accordance with FAA Order 1050.1E, all of the public meetings were conducted at least 30 days after the DEIS was available for public review.
5	The Borough of Hillsdale did receive a hard copy of the DEIS Executive Summary and an electronic copy of the entire DEIS. The DEIS was available on the project website and a hard copy was available at the Charles E. Reid Branch Library in Paramus, NJ. The FAA received and responded to comments, including the comments in this letter, regarding the Pascack Valley. The FAA has made every effort to include all interested sectors of the public, including holding numerous public meetings and extended comment periods. We value all public input and hope that at this, the residents represented by the Mayors Association do not feel that they have been disenfranchised.
6	A meeting was held in Pascack Valley with elected officials on May 22, 2006. Subsequent to that meeting the comment period was extended 30 days to July 1, 2006.
7	We strongly believe that this process was conducted in full compliance with the requirements set out in NEPA and CEQ regulations.

State of Delaware
Historical and Cultural Affairs

21 The Green
Dover, DE 19901-3611

Phone: (302) 736.7400

Fax: (302) 739.5660

May 30, 2006

Mr. Michael Merrill
NY/NJ/PHL EIS Project Manager
Northrop Grumman Corporation
12005 Sunrise Valley Drive
Reston, VA 20191

Re: Area of Potential for the New York/New Jersey/Philadelphia Metropolitan Area Redesign Project

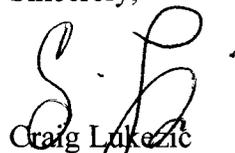
Dear Mr. Merrill,

This Office has received a copy of the *Summary of Historical and Archaeological Resource Impact Analysis* for the New York/New Jersey/Philadelphia Metropolitan Area Redesign Project. In the above report, the Secondary APE is based on the DNL 65 dB noise level contour, which was established by FAA Order 1050. As it appears in Figure 5, the DNL 65 dB does not extend to the State of Delaware as presented in the current estimate. All of the options of this undertaking will not affect historic properties within the State of Delaware.

Please keep us informed if any future modifications will increase the noise levels in the State of Delaware.

If you have any questions, please contact me at craig.lukezic@state.de.us.

Sincerely,



Craig Lukezic
Archaeologist
Division of Historical and Cultural Affairs

Cc Stephen Marz, DHCA

004263



Response to Comment 4263: Craig Lukezic of the State of Delaware Division of Historical and Cultural Affairs

Comment Number	Comment Response
1	Comment noted.

Merrill, Michael

From: Cooksey Sarah W. (DNREC) [Sarah.Cooksey@state.de.us]
Sent: Friday, June 30, 2006 11:57 AM
To: FAA DEIS
Cc: Arndt Tricia K. (DNREC)
Attachments: Airspace Redesign DEIS e_version.doc

Attached please find Delaware's Coastal Programs comments on the New York, New Jersey, Philadelphia Metropolitan Airspace Redesign Project.

Sarah W. Cooksey
Administrator, Delaware Coastal Programs
89 Kings Highway
Dover, DE 19901
voice 302-739-WAVE (9283)
fax 302-739-2048
cell 302-242-2501
e-mail Sarah.Cooksey@state.de.us

005257
1 of 3



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF SOIL & WATER CONSERVATION
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

Delaware Coastal
Management Program

Phone: (302) 739- 9283
Fax: (302) 739-2048

June 30, 2006

Steve Kelly, FAA-NAR
C/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

**RE: *Delaware Coastal Management Program review of
New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Project***

Dear Mr. Kelly,

A letter dated April 21, 2006 from the Philadelphia Airport Quality of Life Issues Action Group (hereinafter "Action Group") detailed recommendations to mitigate current conditions related to air traffic noise impacts to the residents of northern Delaware from the Philadelphia International Airport. The Delaware Coastal Management Program (DCMP) is in full support of the recommendations detailed in that letter which included the implementation of RNAV technology, installation of Precision Approach Path Indicator (PAPI) lights on Runway 9R, enforcement of the 3,000 ft. approach elevation, reduction in the number of flights during the late night and early morning hours, lifting of the altitude cap for Dual Modena departures, implementation of the Continuous Descent Approaches (CDA) at PHL, and finally, increasing the glide slope to PHL ILS Runway 9R. We hope that you will consider and take action on these recommendations.

The DCMP has reviewed the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Project Draft Environmental Impact Statement. This action constitutes a direct federal action and Pursuant to 15 CFR 930 is thereby subject to the Federal Consistency requirements of the federally approved Coastal Zone Management policies of the DCMP. As the Draft Environmental Impact Statement did not contain the required statement of consistency, further submittal to this office is required. Please submit a statement that the proposed Airspace Redesign project complies with Delaware's approved coastal management program and will be conducted in a manner consistent with such program. The complete policy document can be found on the web at www.dnrec.state.de.us/dnrec2000/Divisions/Soil/dcmp/fedcon.htm.

Delaware's good nature depends on you!

The DCMP anticipates your submission for Federal Consistency. Once received, the project will be placed on public notice for a period of 20 days as required by 15 CFR 930.2. We will determine if this project is consistent with our federally approved coastal management program upon receipt and review of your documentation. Our review will not exceed 60 days.

If you have any questions regarding these comments please do not hesitate to contact me or Tricia Arndt of my staff at (302) 739-9283.

Sincerely,

A handwritten signature in cursive script that reads "Sarah W. Cooksey". The signature is written in black ink and is positioned above the typed name.

Sarah W. Cooksey, Administrator
Delaware Coastal Programs

Response to Comment 5257: Sarah W. Cooksey, Administrator, Delaware Coastal Programs

Comment Number	Comment Response
1	FAA considered the mitigation recommended by the Philadelphia Quality of Life Issues Action Group as provide in comment letter 3145. Use of RNAV procedures are heavily used in the Preferred Alternative and the use of continuous decent approach is applied where feasible during nighttime conditions. The process to design mitigation is discussed in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. Detailed analysis of potential mitigation measures is discussed in two appendices: Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, and Appendix P, Noise Mitigation Report.
2	Based on previous coordination with the Department of Natural Resources and Environmental Control, Delaware Coastal Management Program, a consistency certification was prepared and included in the DEIS. On page 4-60 of the DEIS, the reader was directed to Appendix K, Coastal Resources, to find the consistency determination.
3	See response to comment 5257 #3. In addition, in an effort to facilitate the consistency determination process, the FAA forwarded a copy of the Delaware Consistency Certification for the Airspace Redesign to the Administrator of Delaware Coastal Management Program on September 7, 2006. On October 16th the FAA received a response indicating that the DCMP concurred with the FAA's consistency determination for the NY/NJ/PHL Metropolitan Area Airspace Redesign Project.

1. Public Officials

2. Cheryl Winter Lewy, Mayor of the Village Larchmont, NY Elwood L.
3. Malick, Mayor of Spring Lake Heights, NJ
4. Mr. Grova, Councilman for Elizabeth, NJ
5. Mr. Frank Cuesta Councilman for Elizabeth, NJ
6. Joan Kapitan, Councilmember of Edison Township, NJ
7. Executive Director Marianne Grace, Delaware County Government, PA
8. Christopher A. Coons, County Executive of Wilmington, DE
9. Rangantha R. Rao, Aviation and Advisory Council member, Flushing, NY
10. Joseph Cryan, Representative of Elizabeth, NJ
11. Brenda Restivo, Deputy Mayor, Township of Union, NJ
12. Alexander Mirabella, Freeholder of Union County Board, NJ
13. Nancy Ward, Freeholder of Union County, NJ
14. Clara Harelik, Springfield Mayor, NJ
15. George Jorn, Member of Cranford Township, Cranford, NJ
16. Dolores J. Sweeney, Township Clerk of Pequannock, NJ
17. Assemblyman Robert M. Gordon, NJ
18. Assemblyman Eric Munoz, NJ
19. Rosaline Hellenbrecht, RMC, Clerk of Cranford Township, NJ
20. Mary Cilurso, RMC/CMC, Clerk of Rockway Township, NJ
21. Hedy Lipke, Clerk of Kenilworth Borough, NJ
22. Marianne Grace, Executive Directory, Media, Pennsylvania
23. Frederick T. LaMonica, Mayor of Oradell Borough, NJ
24. Elizabeth Braton, Chairperson of Community Board, Queens Borough, NY
25. Kathleen C. Mihm, Clerk of Ulster County Legislature, NY
26. James A. Lash, First Selectman of Greenwich Town, CT
27. Lori Siacara, Clerk of Woodcliff Lake Borough, NJ
28. Wanda A. Worner, Clerk of River Vale Township, NJ
29. William R. Wasch, President of Tinicum Township, PA
30. Joanne M. Monarque, RMC, Clerk of Millburn Township, NJ
31. Jeremy Wilber, Supervisor of Woodstock Town, NY
32. Director Russell K. Barnett, Smithtown Department of Environment and Waterways, NY
33. Maureen Iarossi-Alwan, Clerk of Montvale Borough, NJ
34. Dennis S. Deutch, Mayor of Hillsdale Borough, NJ
35. Maureen Massey, Clerk of Mendham Borough, NJ
36. Michael J. Amorosa, Secretary of Somerset, NJ
37. Janet Sobkowicz, Council President of Washington Township, NJ
38. Anne E. Howanski, Manager of Ridley Township, PA
39. Helen M. Marshall, President of Queens Borough, NY
40. Ellen E. Hunt, Cranford, NJ
41. Charles Capro, Cranford, NJ
42. Jacqueline Capro, Cranford, NJ

43. George Skinner, Chairman of Westchester County Airpoirt Advisory Board, NY
44. Andrew J. Spano, County Executve of Westchester County, NY
45. Denise Szabo, Clerk of Bernards Township, NJ
46. Jeremiah Quilan, Trustee of Hastings-on-Hudson, NY
47. Bernard S. Gordon, Mayor of Pleasantville Village, Westchester County, NY
48. Norman R. Dotti, Russell Acoustics, LLC, Elizabeth, NJ
49. Leonard G. Remo, President of Long Beach City Council, NY
50. John J. Laffey, Manager of Long Beach City, NY
51. Robert J. Willert, Manager of Concord Township, PA
52. Kenneth F. Florek, Mayor of Colts Neck, NJ
53. Mark Hurwitz, Committeemember of Springfield, NJ
54. Donald J. Bowen, Councilman of Madison, NJ
55. Ailish C. Hambel, Councilman of Sparta, NJ
56. Joanne Cocchiola, Mayor of Nutley, NJ
57. Justin Dipisa, Councilman of Hasbrouck Heights, NJ
58. Dennis McNerney, County Executive of Bergen, NJ
59. Daniel J. Hennessy, Clerk of Freeholders Board, Ocean, NJ
60. Joseph P. Addabbo, Jr., Councilmember of New York, NY
61. George W. Shivery, Jr., Mayor of Greenwich, NJ
62. Damiano Sciano, Chairman of NY Planning Advisory Board, NY
63. Marilyn Bitterman, District Manager of Queens, NY
64. Jerome Feder, Chairman of Air Traffic and Noise Advisory Board, Union, NJ
65. John Antonello, Chairman of the Board, Staten Island, NY
66. Marie Bodnar, District Manager, Staten Island, NY
67. Assemblywoman Charlotte Vandervalk, NJ
68. Andrew J. Reilly, Chairman of Delaware County Council, PA
69. Linda A. Castisano, Vice Chairman of Delaware County Council, PA
70. Mary Alice Brennan, Councilmember of Delaware County , PA
71. Michael V. Puppio, Jr., Councilmember of Delaware County, PA
72. John J. Whelan, Councilmember of Delaware County, PA
73. Robert F. Meehan, Supervisor of Mt. Pleasant Town, NY
74. Sean Sweeny, Chairman of Community Board
75. O. Paul Shew, Manager of Rye City, NY
76. Monroe Yale Mann, Town Attorney of Rye, NY
77. John V. Chervokas, Supervisor of Ossining Town, NY
78. Gennaro J. Faiella, Town Administrator of New Castle, NY
79. William J. Vescio, Mayor of Briarcliff Manor Village, NY
80. John Purcell, Council Vice President of Ridley Park, PA
81. Thomas Orio, Council President of Eddystone, PA
82. Brian Lauer, Secretary of Treasurer, PA
83. Thomas V. Mahoney, Board President of Commissioners, Springfield, PA
84. Robert O'Neill, Mayor of Sharon Hill, PA
85. Joseph Botta, Council President of Shaorn Hill, PA

86. Thomas Danzi, Council President of Glenolden, PA
87. Gerard P. Lundquist, Mayor of Garden City, NY
88. Cartes h. Stickland, Jr., Attorney for NJCAAN, Media, PA
89. Jerome Feder, Chairman of Air Traffic and Noise Advisory Board, Union, NJ
90. Nelson Dittmar, Chairman of Cranford Environmental Commission, NJ
91. Marylin Georgia, Deputy Borough Clerk of New Providence, NJ
92. Christina M. Ariemma, Clerk of Garwood, NJ
93. Deborah Love D'Elia, Chairman of Supervisors Board, Chadds Ford, PA
94. Susan DeRobertis, Chairman of Millwood Task Force, NY
95. Sheldon J. Fine, Chairman of Community Board, Manhattan, NY
96. Michael P. Sweeton, Supervisor of Warwick, NY
97. Vivian B. Ford, Council President of Yeadon, PA
98. Thomas J. Giancristoforo, Jr., President of Tinicum Commissioners, PA
99. Charles P. Vivial, Mayor of Folcroft, PA
100. Joanne Cocchiola, Mayor of Nutley, NJ
101. James P. Molinaro, President of Staten Island, NY
102. Thomas V. Mahoney, President of Board Commissioners, Springfield ,PA
103. David A. Bashore, Township Manager of Radnor, PA
104. F. Raymond Shay, Mayor of Upper Darby, PA
105. Thomas Orio, Borough Council President, Eddystone, PA
106. Ralph Orr, Mayor of Eddystone Borough, PA
107. Donald A. Cook, Mayor of Prospect Park Borough, NJ
108. Deborah Love D'Elia, Chairman of Supervisors Board, Chadds Ford, PA
109. Judith S. Howard, R.M.C., Clerk of Beach Haven Township, NJ

LARCHMONT, NY

Cheryl Winter Lewy
1057 Constable Drive South
Mamaroneck, New York 10543

To: Federal Aviation Administration

From: Cheryl Winter Lewy

Date: February 9, 2006

I am unable to attend the FAA Airspace Redesign Presentation tonight at Murray Avenue School, Larchmont, New York on February 9, 2006, concerning redesigning the airspace over New York, New Jersey and Pennsylvania, however, I want to make sure that I have registered my concerns and I have asked another member of the community to read them into the record.

I served as the Mayor of the Village of Larchmont from 1992 to 2002 and as a Trustee of the Village of Larchmont from 1988 to 1992. Over the fourteen years that I served as an elected official of that community I received an increasing number of complaints about the noise, debris and environmental pollution which came from the increasing number of airplanes flying over the Village of Larchmont. I currently serve as Chair of the Westchester County Planning Board and we look at all land use issues in Westchester County.

2764

In the 1990's and early 2000/2001, working with Congresswoman Nita Lowey we were able to obtain several meetings with the FAA and a visit for Mayors and Supervisors to the air control tower which services the region. From those meetings we were able to understand through the charts showing the flights over this airspace, the explanations of what, where and when they fly over Larchmont that there has been a dramatic increase in the number of planes flying into La Guardia and that they fly over Larchmont on a regular basis.

There were two specific problems I would like to highlight. One, the planes are supposed to fly over Long Island Sound putting the noise and pollution above the water, not over residents heads, as much as possible. This is often not the case, despite procedures which are supposed to favor that route, because of equipment necessary to bring planes in over the water using automatic pilot and because newer pilots don't have the experience to use that route during more difficult weather. Larchmont is approximately nine miles from La Guardia and that causes the residents of Larchmont to reside just about the spot where planes make their turn to approach one of the two runways on the automatic pilot beam at the shortest distance. One needs only to watch the sky on a clear night to see planes turning every 30 seconds over the exact same spot and the exact same group of houses !

I would contend that it was unfair in 2000 and 2001 to bring a disproportionate amount of the air traffic over Larchmont and it is

completely unfair to create any new airspace patterns and procedures that would bring those planes over Larchmont /Mamaroneck, New York in disproportionate numbers for the foreseeable future.

I would urge you in the FEIS to study:

Which communities have more planes actually turning over the them?

How often the same specific houses have planes turning over them?

How much debris, soot, and fuel is dumped over the same area?

Conduct noise studies over Larchmont/Mamaroneck, particularly along the flight and turning routes.

Although the airspace is limited, we urge the FAA to create procedures, purchase the necessary equipment and provide the training that will allow planes to fly over water and spread the discomfort that comes from having planes turn overhead over as broad a geographic area as possible so that the burden is shared by multiple neighborhoods.

Thank you.

Sincerely yours,

Cheryl Winter Lewy

Former Mayor of Village of Larchmont, New York

Chair, Westchester County Planning Board

Memberg, Nessa

From: Cheryl Winter Lewy [clewy@ix.netcom.com]
Sent: Tuesday, February 21, 2006 10:51 PM
To: FAA DEIS
Subject: Airplane noise/ Larchmont/Mamaroneck - Comments
Follow Up Flag: Follow up
Flag Status: Red
Attachments: FAA Letter.doc

Cheryl Winter Lewy
1057 Constable Drive South
Mamaroneck, New York 10543

To: Federal Aviation Administration
From: Cheryl Winter Lewy
Date: February 9, 2006

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Sincerely yours,

Cheryl Winter Lewy
Former Mayor of Village of Larchmont, New York
Chair, Westchester County Planning Board

Cheryl Winter Lewy
1057 Constable Drive South
Mamaroneck, New York 10543
914-777-1492
914-777-2754 fax
914-260-8348 cell
clewy@ix.netcom.com

Response to Comment 2764: Chairperson Cheryl W. Lewy, Westchester County Planning Board

Comment Number	Comment response
1	As a noise mitigation strategy, the FAA is looking at new technologies that will allow aircraft to fly a more precise approach, offset from the centerline of the runway.
2	Comment noted. The Integrated Airspace Alternative was designed with RNAV procedures as the fundamental structure of the airspace. The mitigated Preferred Alternative calls for increased use of the LDA-A approach which reduces the noise exposure of Larchmont.
3	During the development of the DEIS, consideration was given to the development of supplemental metrics for informational purposes. The metrics the commenter suggests, like the number of overflights, were indeed considered. While this type of data is inherently part of the detailed noise modeling process, it is not readily available as an output from the NIRS model. Furthermore, it was found that the task of presenting such data in an efficient, meaningful, and understandable way for all persons within the 30,000+ square mile study area was not possible. With more than 7,000 flights at 21 airports, distributed over some 22,000 modeled flight tracks for two different years and four alternatives, the sheer magnitude of the data was considered to be overwhelming. There are also subjective issues such as how do you define an overflight of one of the 325,000+ population centroids. Is it any flight that crosses within 1-mile of the point, 2-miles, 500-feet? Given these complexities, the FAA decided to rely on the DNL metric for this study since it accounts for both the number of events and the noise levels of those individual events, as well as the fact that it is the sole metric that will be considered in the decision making process.
4	The EIS does not quantitatively address air quality as the proposed action does not induce operations and is procedural in nature. Studies completed for large airports such as Chicago O'Hare have concluded that aviation is not a large contributor to soot, percentage wise the majority of soot is attributed to industrial facilities and vehicular traffic. Fuel dumping occurs rarely and only in cases of emergencies. When fuel dumping must occur, aircraft follow set procedures prescribed by air traffic control, and aircraft are directed to altitudes at which fuel will evaporate before reaching the ground. Some aircraft are not even capable of "fuel dumping" and must circle to burn fuel before landing in an emergency situation.
5	The noise modeling conducted for the DEIS included extensive evaluations in all areas within the Study Area including Larchmont and Mamaroneck. Extensive efforts were undertaken to ensure that all flight routes to all of the 21 modeled airports were incorporated into the modeling with extensive detail. These included all of the flight routes to and from LGA over the Larchmont and Mamaroneck areas.
6	There currently exists an approach to LGA Runway 22 called "LDA-A" which goes over the water. This approach is anticipated to be used as often as weather and aircraft equipment permit. Precision navigation approach and departure procedures may be able to increase usage of the LDA-A approach to LGA Runway 22, but because of the proximity of the JFK instrument landing system approach to Runway 22L, airspace design alone can not.



BOROUGH OF SPRING LAKE HEIGHTS

555 BRIGHTON AVENUE
SPRING LAKE HEIGHTS, NEW JERSEY 07762
www.springlakehts.com

AEA ACTION
AEA-500

Elise McCann
Municipal Clerk
732-449-3503

Elwood L. Malick
Mayor
Fax 732-449-8264

January 23, 2006

Federal Aviation Administration
Eastern Region
1 Aviation Plaza
5th Floor, Room 541
Jamaica, N.Y. 11434-4808

Att: Manny Weiss

Dear Mr. Weiss:

Enclosed please find a copy of Resolution #187 adopted by the Mayor and Council of the Borough of Spring Lake Heights on December 2, 2005, requesting copies of proposed take-off patterns which are being considered for aircraft departing from Newark Liberty International Airport. It is our understanding that four possible routes are being considered, and we are respectfully requesting that copies of those four options be forwarded as soon as those maps have been completed.

Our concern for planes taking off from Newark and proceeding south is where aircraft heading west would re-enter the state before heading further. We would also like to request that you send us a copy of the names of the airlines that would be involved.

Thank you for your cooperation in providing this information.

Very truly yours,

Elwood L. Malick
Mayor

002774

**RESOLUTION OPPOSING OCEAN AIRCRAFT
ROUTING PROPOSAL**

Whereas, the Federal Aviation Administration (FAA) has recently released a comprehensive set of proposals to address airspace efficiency and reliability for airports in the northeast United States; and
Newark Liberty International Airport and Teterboro Airport in New Jersey, Philadelphia International Airport, John F. Kennedy International Airport and LaGuardia Airport; and

Whereas, the FAA predicts that by the year 2020, airport passenger rates at Newark Liberty International Airport will increase by 56 percent to 45 million passengers per year; and

Whereas, the FAA predicts that the number of airplanes passing through the airport is predicted to rise to 2 million airplanes by 2020 from 476,952 in 2004; and

Whereas, the FAA has submitted four proposals to address increased air traffic with a focus on improving efficiency and reliability of airspace; and

Whereas, the New Jersey Coalition Against Aircraft Noise (NCAAN) has proposed the Ocean Routing Airspace Alternative, known as the "ocean routing" alternative, which calls for routing all departing flights from Newark Liberty International Airport over the Raritan Bay to the Atlantic Ocean before turning back toward land in the direction of the departing gate; and

Whereas, the ocean routing alternative is one of the four alternatives contained within the FAA proposal; and

Whereas, the ocean routing alternative would shift noise from the northern metropolitan area in the vicinity of Newark Liberty International Airport to areas over the New Jersey shore, including the Borough of Spring Lake Heights; and

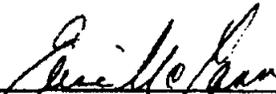
Whereas, the proposed ocean routing alternative would be a detriment to the tourism of the Jersey Shore; and

Whereas, the FAA has previously indicated that the ocean routing alternative presents "serious safety and operational concerns;" and

Whereas, a December 20, 2005 press release of the FAA indicates that the ocean routing alternative concept "does not meet the purpose and need for the proposed action, it would have been normally eliminated from further consideration. However, because of NJCAAN's concerns, the FAA elected to retain the Ocean Routing Alternative for detailed analysis;" and

Whereas, the ocean routing alternative is unacceptable to the residents and governing body of the Borough of Spring Lake Heights and should be unacceptable to the FAA; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake Heights, County of Monmouth, State of New Jersey that the Borough of Spring Lake Heights calls upon the Federal Aviation Administration to remove the ocean routing alternative from the proposals to be considered in seeking to improve the efficiency and reliability of airspace over the State of New Jersey. .



ELISE MCCANN
ACTING BOROUGH CLERK

I certify this to be a true copy of
Resolution #187-2005

adopted by Mayor and Council on
December 27, 2005



Borough Clerk

RESOLUTION: #187-2005
DATE: December 27, 2005

Response to Comment 2774: Mayor Elwood L. Malick, Borough of Spring Lake Heights

Comment Number	Comment response
1	<p>These proposals were provided in the Draft EIS, which was made available on the internet and at various libraries throughout the Study Area, including the Eastern Branch of the Monmouth County Library on Rt. 35. In addition, more information regarding the proposals was provided at public meetings held throughout the Study Area, including one held approximately 8.4 miles from Spring Lake Heights in Tinton Falls, NJ on March 1, 2006.</p>
2	<p>There are two points for crossing over the shore. One is near Spring Lake in Monmouth County, the other is over the Seaside Heights near route 37. The northern crossing is at about 21,000 feet and the southern crossing is from 25,000 to 30,000 feet.</p>
3	<p>The commenter appears to be referencing the traffic that would follow the routes defined in the Ocean Routing Alternative. These routes primarily affect traffic out of Newark and to a lesser degree JFK. Newark Liberty is a major airport, potentially served by all airlines operating in the region. Anyone wishing to fly to the west would be involved, so it is not possible to definitively exclude any airline or even business aviation company. Consequently, there is no specific list of airlines that would use these routes. The noise modeling is primarily based on aircraft types and their destination. Thus, the routes would affect all airlines that had traffic destined to the west from JFK and EWR.</p>
4	<p>Comment noted. After careful consideration of the alternatives and the DEIS comments, the FAA identified the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative.</p> <p>With regard to tourism; increased efficiency and reduced delays for flights, many of which provide transportation for tourists visiting the Jersey Shore, would not negatively impact tourism in the Study Area and could potentially benefit the tourism industry. Both the Modifications to Existing Airspace and Integrated Airspace Alternatives would increase efficiency and reduce delays while the Future No Action and the Ocean Routing Airspace Alternatives would not.</p>

STATE OF NEW JERSEY

COUNTY OF UNION

CITY OF ELIZABETH

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In the Matter of the Public *
Information Meeting of:

* TRANSCRIPT

* OF

THE AIRSPACE REDESIGN PROJECT IN PROCEEDINGS
THE NEW YORK/NEW JERSEY/ *
PHILADELPHIA METROPOLITAN AREA.

-----*

GEORGE WASHINGTON ELEMENTARY SCHOOL

250 Broadway

Elizabeth, New Jersey 07206

Thursday, February 23, 2006

Commencing at 6:30 p.m.

SCHULMAN, WIEGMANN & ASSOCIATES

CERTIFIED SHORTHAND REPORTERS

216 STELTON ROAD

SUITE C-1

PISCATAWAY, NEW JERSEY 08854

(732) 752 - 7800

MR. GROVA: I'm a councilman for the City of Elizabeth. I represent this area on the Town Council and I've reviewed most of the Draft Environmental Impact Statement, and I have a concern because I think the statement is defective. Very few investigations or parts of that statement actually include noise testing, pollution monitoring, anything to do with impact on our environment; meaning, the residents in this area. It seems that the report and the studies that were done geared solely for reduction in airspace traffic, and if you call it an impact statement, an environmental impact statement, you should also bring in to that statement how it affects the ground people, people that live here, people that have to bear with the poor quality of life of air traffic, pollution and everything else, noise, that we have to deal with.

My family and I and a lot of the families in this area are going through a tough time because a lot of the children are developing breathing defects. Asthma is at an all-time high in this area and it all comes from being under the

direct paths of this airspace where we have all the airplanes coming in and out of Liberty International Airport, J.F.K. and LaGuardia.

I also believe that tonight's public hearing is defective because it originally was advertised to take place at Public School Number 51 in Elizabeth and had the wrong address for Public School Number 51, and then at some point it switched from that location to this location and that only became public within the last couple weeks. So I think that if they're going to look for the public for comment, then it's got to be done properly so that the result of the attendance is more accurate. It just seems that this whole exercise becomes defective, becomes skewed because it's not done properly.

The impact statement seems to be more concerned with the passengers of airplanes and the airlines and how the traffic and skies affects on-time performance than it does with the public on the ground. It seems like they're more concerned that passengers have to possibly wait a minute or two in a day than people on the ground having to

deal with the noise every minute of every day.

So that's my statement and I would like to see that they revisit this impact statement and put some real meat to it by putting some monitors on the ground under the flight pattern and take advantage of the area that we live in where they can monitor pollution, they can take statements from people that live here so that that could also be part of this statement. Thank you.

(Whereupon, Mr. Grova leaves the comments area.)

MR. GROVA: I just want to make sure that this goes to somebody in charge of the FAA. I've sat through the whole video. They talk about the environmental impact, they talk about the old houses and old labs and old parks, but they fail to tell us how the noise actually impacts our community because they didn't show it on the video. They also talk about how pollution is one of the criterias they study. There's not one pollution study out here on these boards and how that's going to be effected. So those two things, which are the most important things in my mind for this community, are

not being looked at all and I go back to my original statement which was this whole study that was done is defective and it's a sham.

What I would like to see happen is if they can't find an alternative way to address the pollution and the noise that the folks in this community have to sustain every day, then you know what, spend some millions of dollars in this community with something to help us, whether it's money to insulate our windows, money to insulate the school windows in our town, whether it's paying for an asthma center, asthma clinic in this community, something to offset the garbage that we have to sustain.

C E R T I F I C A T E

I, KAREN HENRY, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the stenographic notes as taken by and before me on the date and place hereinbefore set forth.

KAREN HENRY, C.S.R.

LICENSE NO. XIO1852

Response to Comment 2815: Councilman Grova, City of Elizabeth

Comment Number	Comment response
1	<p>Comment noted. Environmental documentation to meet Council on Environmental Quality (CEQ) regulations do not require testing to establish existing conditions and impacts are determined by comparing the Future No Action Alternative to the Future Proposed Action Alternatives. The Purpose and Need for the study does not include noise reduction. However, noise impacts have been considered extensively for this project, and the FAA takes these impacts very seriously. The FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level in the DEIS. The noise impacts were certainly given credence, and mitigation measures to address noise impacts are presented in the FEIS. In regard to air quality impacts; the Preferred Alternative would reduce delay thereby reducing fuel burn and emissions. Appendix R of the FEIS provides a fuel burn analysis that discloses the potential for fuel burn reduction with the Preferred Alternative.</p>
2	<p>The FAA acknowledges your concern over air quality issues. Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions.</p> <p>The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.. No studies tie aircraft emissions to asthma.</p>

Response to Comment 2815: Councilman Grova, City of Elizabeth

Comment Number	Comment response
3	<p>The location of the public meeting in Elizabeth was moved to a new location approximately two miles away to better accommodate the expected number of attendees. The FAA provided additional signage at the previously advertised location in case people did not see the new location of the meeting advertised.</p>
4	<p>It is true that noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the CEQ regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>However, noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p> <p>The delay reductions discussed in the DEIS are considerable. For the importance of "a minute or two", see the section "Interpreting Average Delay" in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.</p>
5	<p>The purpose of an environmental document is to disclose future impact of a proposed action. The existing conditions are provided to facilitate an understanding of the current setting. Mitigation is provided, as feasible, for potential impacts associated with a forecasted future. Monitoring can be used to describe the existing conditions but ultimately decisions are based on future operational levels.</p>
6	<p>The video that was run at the beginning of each public workshop was only meant to give the public a brief overview of the project status and the NEPA process. The detailed analysis of the noise impacts were displayed in the workshop area on large displays, and environmental experts were made available to discuss specifics of these impacts to the public. The DEIS did not include a detailed air quality study because the project is not expected to negatively impact air quality. The total number of aircraft operations would not differ between the Future No Action Airspace Alternative and the other Airspace Redesign Alternatives. In addition, the purpose and need for the Proposed Action includes increasing efficiency and reducing delay in the airspace system. Reduction of delay and more efficient flight routings would serve to reduce fuel burn and thereby reduce air pollutant emissions. Lastly, Appendix R of the FEIS provides an analysis of fuel burn which verifies the FAA conclusion that the project would not increase air pollution emissions.</p>

Response to Comment 2815: Councilman Grova, City of Elizabeth

Comment Number	Comment response
7	<p>The Port Authority of New York and New Jersey can use federal funding in the form of an Airport Improvement Program (AIP) grant to provide noise insulation for public buildings which are used primarily for educational or medical purposes and that are adversely affected by airport noise. In order to be eligible to receive an AIP grant to provide noise mitigation for private residences, the Port Authority of New York and New Jersey must have an FAA approved Noise Compatibility Program. To date the Port Authority of New York and New Jersey has not prepared a Noise Compatibility Program for the EWR.</p> <p>Legal limitations on how aviation trust funds are spent prevent the FAA from funding asthma clinics or other non-aviation offsets.</p>

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1 THE FEDERAL AVIATION ADMINISTRATION

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5 In the Matter of the Public *

6 Information Meeting of: * PUBLIC MEETING

7 THE AIRSPACE REDESIGN PROJECT IN * ORAL COMMENTS

8 THE NEW YORK/NEW JERSEY/ *

9 PHILADELPHIA METROPOLITAN AREA *

10 -----*

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14 GEORGE WASHINGTON ELEMENTARY SCHOOL #1

250 Broadway

15 Elizabeth, New Jersey 07206

Thursday, February 23, 2006

16 Commencing at 6:30 p.m.

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21

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23 SCHULMAN, WIEGMANN & ASSOCIATES

CERTIFIED SHORTHAND REPORTERS

24 216 STELTON ROAD - SUITE C-1

PISCATAWAY, NEW JERSEY 08854

25 (732) 752-7800

0002

3 FRANK CUESTA

Page 3

Councilman, City of Elizabeth

0003

1 **MR. CUESTA:** My name is Frank Cuesta,
2 and I am a Councilman in the City of Elizabeth,
3 Principal of Nicholas Murray Butler School Number
4 23, and a resident of the great City of Elizabeth.

5 Tonight, I will deliver the statement
6 of Mayor J. Christian Bollwage in opposition to the
7 Draft Environmental Impact Statement proposed by the
8 Federal Aviation Administration.

9 The City of Elizabeth is the fourth
10 largest municipality in the State of New Jersey,
11 with a population of 124,724, according to the 2004
12 Census estimate. The City of Elizabeth is the Union
13 County Seat, home to more than 30 educational
14 institutions, the Jersey Gardens Mall, Trinitas
15 Hospital, Union County College, several senior
16 citizen centers, libraries, and numerous day care
17 and social services facilities. Located in close
18 proximity to the entire tri-state area, Elizabeth
19 maintains thriving business districts, and an
20 award-winning Urban Enterprise Zone.

21 In addition to its designation as an
22 economic development destination, Elizabeth is also
23 a transportation hub; home to two Rail Stations,
24 which transport riders on the North Jersey Coast
25 Line and the Northeast Corridor Line, Port

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1 Newark/Elizabeth, as well as substantial portions of
2 the Newark Liberty International Airport property,
3 including the entire Terminal A and a hub of
4 Terminal B.

5 A segment of runways 22 L and R,
6 including the takeoff and landing routes for these
7 runways are also located within the City of
8 Elizabeth.

9 The City of Elizabeth is at the heart
10 of the most significantly impacted area of airplane
11 noise in the State of New Jersey, and most likely in
12 the entire tri-state area. Because of its proximity
13 to Newark Airport, many portions of the City of
14 Elizabeth are already beyond the FAA's maximum
15 threshold of 65 D.N.L. for noise.

16 Any increase in airplane noise
17 triggers great concern for the City of Elizabeth.
18 In 1995 and 1996, the City of Elizabeth led the
19 fight against the Federal Aviation Administration's

20 plans to deflect the flow of airplane traffic from
21 Staten Island directly over the City of Elizabeth.
22 The FAA's routing change at that time
23 unfairly shifted the burden of airplane traffic over
24 the City of Elizabeth. In fact, that "190-degree
25 noise abatement maneuver," which intended to lessen
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1 airplane noise over Staten Island, had the opposite
2 effect on the City of Elizabeth.

3 Because Staten Island would not share
4 the burden of the airplane noise, the residents of
5 the City of Elizabeth were unfairly and
6 significantly impacted with late-night rumblings
7 overhead and window-shaking vibrations. These
8 problems, I regret to inform you, continue today.

9 In 1995, the FAA demonstrated little
10 regard for the residents of Elizabeth. Today, more
11 than a decade later, the FAA has issued its Draft
12 Environmental Impact Statement, DEIS, and again has
13 shown a blatant disregard and lack of consideration
14 for the health and quality of life of the residents
15 of Elizabeth.

16 According to the FAA, the purpose
17 behind issuing this Draft Environmental Impact
18 Statement is to effectively and efficiently
19 modernize airplane traffic at Newark Airport. The
20 FAA's DEIS may seek to increase the efficiency of
21 airspace utilization; however, what the Statement
22 actually increases is the already heightened level
23 of airplane noise, resulting in an adverse effect on
24 the quality of life of Elizabeth's residents, under
25 the guise of modernization and efficiency.

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1 Included in this most recent Draft
2 Environmental Impact Statement are five proposed
3 plans: One, The Future No Action Option; Two, The
4 Ocean Routing Airspace Option; Three, the
5 Modifications to Existing Airspace Alternative
6 Option; Four, The Integrated Airspace Alternative
7 without Integrated Control Complex (ICC) Option; and
8 Five, Integrated Airspace Alternative with ICC
9 Option.

10 What is particularly troubling is that
11 the DEIS, which is several hundred pages long,
12 contains only a few select paragraphs on noise
13 exposure over the City. The changes proposed in

14 these plans ignore current noise abatement
15 techniques and disregard the profound negative noise
16 impact on the residents of Elizabeth.

17 These proposed plans drastically
18 impact the large urban minority and low income
19 population of the City of Elizabeth. The FAA needs
20 to effectively address the measure of environmental
21 justice as it relates to this segment of the
22 population in Elizabeth. Yet, the FAA continues to
23 act in a deplorable fashion by not releasing these
24 measures until the Final Environmental Impact
25 Statement.

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1 If the FAA has submitted the DEIS
2 under the guise of modernization and efficiency,
3 then it has essentially singled out the Future No
4 Action and Ocean Routing plans as condemned from the
5 start. That, too, is unacceptable. The residents
6 of the City call on the FAA to view these two plans
7 as serious options and not just "pie in the sky."

8 In the 1950's there were several
9 horrific plane crashes that occurred in the City of
10 Elizabeth. In 1951, Miami Airlines C-46 crashed
11 into the Elizabeth River killing 56 people. In
12 1951, American Airlines Convair crashed into
13 Elizabeth, killing 7 residents and 23 individuals on
14 the plane. In 1952, National Airlines DC-6 crashed
15 in the City of Elizabeth, killing 26 people. With
16 critical historical events such as this, why would
17 the FAA subject the City of Elizabeth to increased
18 risk?

19 The City does not and will not support
20 plans that severely, deliberately, and adversely
21 impact the residents of the City of Elizabeth. With
22 an expected increase of more than 40 percent in
23 airplane traffic throughout the tri-state area over
24 the next ten years, the residents of the City
25 implore the FAA not to force feed a plan, but rather

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1 to work to ensure that a responsible and quality
2 course of action is implemented. These critical
3 concerns must be addressed in an effort to remedy
4 the deteriorating quality of life that will result
5 from increased noise pollution.

6 The City of Elizabeth is therefore
7 requesting that the FAA release any proposed

8 mitigative and environmental justice remedial
9 measures prior to the issuance of the Final
10 Environmental Impact Statement so that the residents
11 will have an opportunity to review and comment on
12 these measures.

13 The millions of dollars the FAA is
14 spending to minimize delays is ridiculous. The
15 minutes saved do not and cannot justify the expense
16 and noise. After all, the FAA is forcing our
17 community to hire an expert at Taxpayer expense for
18 eventual court proceedings in order to protect the
19 City's interests.

20 Environmental justice is for the
21 people living around the airports, not so the FAA
22 and airlines can save a few minutes and fuel.

23 I would like to thank Senators
24 Lautenberg and Menendez, Congressman Payne, the
25 Union County Board of Chosen Freeholders and the
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1 City Council of the City of Elizabeth for their
2 public support in opposition of any plan furthered
3 by the FAA which would increase airplane noise over
4 the City of Elizabeth.

5 Doesn't the FAA think it means
6 something when two U.S. Senators, Members of
7 Congress, and hundreds of thousands of people say
8 you have a bad idea?

9 When is the FAA going to start
10 listening and to whom? Obviously the FAA won't
11 listen to our senators, legislators,
12 representatives, and the residents who are directly
13 impacted, so who will it take?

14 Will the FAA wait for more disasters
15 to occur, such as the ones in Elizabeth during the
16 1950's, before the appropriate actions is taken?

17 The City of Elizabeth will not sit
18 idle while the FAA displays a blatant disregard for
19 the residents of our City and continues to take
20 advantage of an already crucial situation.

21 (Whereupon, the statement concluded.)

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CERTIFICATE

I, LUCILA CARABALLO, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the stenographic notes of the deposition of said witness who was first duly sworn by me, on the date and place hereinbefore set forth.

I FURTHER CERTIFY that I am neither attorney, nor counsel for, nor related to or employed by, any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel in this case, nor am I financially interested in this case.

LUCILA CARABALLO, C.S.R.
LICENSE NO. 30XI00224300

Response to Comment 2818: Councilman Frank Cuesta, City of Elizabeth

Comment Number	Comment response
1	Comment noted.
2	The ability to increase the efficiency of departures to the south of Newark requires the ability to fan departures off the runway.
3	Comment noted.
4	<p>The FAA disclosed the potential environmental impacts for each of the alternatives considered for the Proposed Action. Since the Proposed Action resulted in significant noise impact near EWR, the potential for environmental justice impacts was examined. According to FAA Order 1050.1E, "When FAA determines that a project has significant effects pursuant to NEPA the potential for disproportionately high and adverse effects pursuant to environmental justice must be analyzed." It was determined that the Modifications to Existing Airspace and the Integrated Airspace Alternatives would result in significant noise impacts. Again in accordance with FAA Order 1050.1E, noise impacts are determined by comparing the future condition both with and without (no-action) the proposal and each reasonable alternative. Because of the location of the City of Elizabeth, in proximity to EWR, the City is more impacted by aviation noise. The potential for the significant noise impacts resulting from Modifications to Existing Airspace and the Integrated Airspace Alternatives to disproportionately impact low income or minority communities was examined. It was determined that the significant noise impacts resulted in disproportionate impacts to minority communities near EWR and therefore significant environmental justice impacts. As a result, once the FAA selected the Preferred Alternative, mitigation measures to avoid, minimize, rectify, reduce, eliminate, or compensate for the significant environmental justice impacts were considered. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p>
5	<p>The Purpose and Need for the study does not include noise reduction. However, noise impacts have been considered in an unprecedented scale for this project, and the FAA takes these impacts very seriously. The FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level in the Draft EIS. The noise impacts were certainly given credence, and mitigation measures to address noise impacts are presented in the Final EIS.</p>
6	<p>The DEIS clearly indicates that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in and around the City of Elizabeth. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>
7	<p>On April 6, 2007, the FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies of the report at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>

Response to Comment 2818: Councilman Frank Cuesta, City of Elizabeth

Comment Number	Comment response
8	Despite not meeting the purpose and need for the project both the Future No Action Airspace Alternative and the Ocean Routing Airspace Alternative were retained for detailed environmental analysis. CEQ regulations require the Future No Action Airspace Alternative be carried forward for detailed analysis. The Ocean Routing Airspace Alternative was carried forward for environmental analysis to address long standing public concerns. Therefore, although neither of these alternatives addressed the purpose and need for the airspace redesign, they were carried forward for detailed analysis in the same manner as the Modifications to Existing Airspace and Integrated Airspace Alternatives. All of these alternatives were carefully modeled and analyzed for environmental impacts and carefully considered as alternatives.
9	The FAA would not implement an unsafe air traffic action. Assigning, maintaining and enhancing safety and security are the highest priorities in air commerce. Safety is the utmost concern of the FAA, and has been a priority throughout the Airspace Redesign Process. The Airspace Redesign Project addresses many safety-related inefficiencies and will contribute to enhanced safety in light of growing traffic.
10	The purpose and need for the Proposed Action is to increase efficiency thereby accommodating natural growth in aviation in the metropolitan area. The FAA acknowledges the quality of life issues facing the City of Elizabeth and has included mitigation for the preferred alternative in the FEIS.
11	The FAA did not select a preferred alternative in the Draft EIS, rather it chose to use the DEIS as a mechanism for soliciting input on the four alternatives proposed in the Draft EIS. In March 2007, the FAA selected the preferred alternatives. On April 6, 2007, the FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies of the report at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, were provided.
12	The four biggest airports in the study area generated about \$62 billion in economic activity in 2005. The “few minutes in travel time” is an average over a large number of flights and can equate to a significant cost. It is difficult to assess the value of noise exposure, but the efficiency benefit to users of the aviation system is large. For the importance of the minutes saved, see the section “Interpreting Average Delay” in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.

Response to Comment 2818: Councilman Frank Cuesta, City of Elizabeth

Comment Number	Comment response
13	<p>The FAA disclosed the potential environmental impacts for each of the alternatives considered for the Proposed Action. Since the Proposed Action resulted in significant noise impact near EWR, the potential for environmental justice impacts was examined. According to FAA Order 1050.1E, "When FAA determines that a project has significant effects pursuant to NEPA the potential for disproportionately high and adverse effects pursuant to environmental justice must be analyzed." It was determined that the Modifications to Existing Airspace and the Integrated Airspace Alternatives would result in significant noise impacts. Again in accordance with FAA Order 1050.1E, noise impacts are determined by comparing the future condition both with and without (no-action) the proposal and each reasonable alternative. The potential for the significant noise impacts resulting from Modifications to Existing Airspace and the Integrated Airspace Alternatives to disproportionately impact low income or minority communities was examined. It was determined that the significant noise impacts resulted in disproportionate impacts to minority communities near EWR and therefore significant environmental justice impacts. As a result, once the FAA selected the Preferred Alternative, mitigation measures to avoid, minimize, rectify, reduce, eliminate, or compensate for the significant environmental justice impacts were considered. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS. Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, discloses that the Preferred Alternative with Mitigation reduces fuel consumption by about 194 metric tons per day thus air quality impacts will be reduced.</p>
14	<p>Comment noted. The FAA would not implement an unsafe air traffic action. Assigning, maintaining and enhancing safety and security are the highest priorities in air commerce. Safety is the utmost concern of the FAA, and has been a priority throughout the Airspace Redesign Process. The Airspace Redesign Project addresses many safety-related inefficiencies and will contribute to enhanced safety in light of growing traffic.</p>

Township of Edison

Middlesex County

REINA A. MURPHY
TOWNSHIP CLERK



MUNICIPAL COMPLEX
100 Municipal Boulevard
Edison, NJ 08817
732-248-7350
Fax: 732-248-3738
E-Mail: clerk@edisonnj.org

March 10, 2006

Airspace Redesign Project
Northrop Grumman IT
Mail Stop C302
12005 Sunrise Valley Drive
Reston, VA 20191

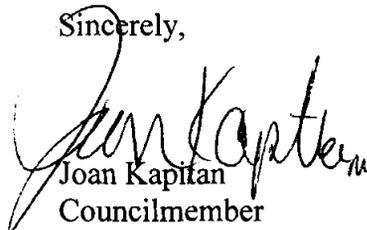
Dear Sir or Madam:

It is unfortunate that our Township Council did not receive your Redesign Meeting Notice in enough time to attend the meeting in Edison on February 27, 2006.

Therefore, the entire Council feels it is necessary to give our input regarding the air lanes over Edison. The low flying planes affect our quality of life. The noise is horrific and the vibrations are disturbing.

Please consider the Council's views on the subject. We would appreciate a copy of your redesign for this area to be sent to us.

Sincerely,


Joan Kapitan
Councilmember

2855

Response to Comment 2855: Councilmember Joan Kapitan, Township of Edison

Comment Number	Comment response
1	A copy of the Draft EIS Executive Summary along with an electronic copy of the entire DEIS (on CD) was sent to a council member of Edison, NJ in December of 2005. This document contained details on where to get public meeting information for the town of Edison, NJ. In addition, several public officials and citizens of Edison received the DEIS Release Newsletter in December 2005. Newspaper and Public Service Announcements were also released in early February announcing the meeting locations.
2	The FAA recognizes the quality of life issues of residents in the Study Area and has always intended to consider mitigation once it selected its preferred alternative. The FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level prior to designing any mitigation. On April 6, 2007, the FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
3	Appendix E of the DEIS includes the aircraft track details. It is suggested that the commenter use Linden Airport (LDJ) as a reference point when reviewing the aircraft tracks. Edison Township is along an extended line through EWR and LDJ, about 3 times as far from EWR as LDJ.

1 THE FEDERAL AVIATION ADMINISTRATION

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4 -----
4 In the Matter of the Public : PUBLIC MEETING
Information Meeting: : ORAL COMMENTS

5 :

6 THE AIRSPACE REDESIGN PROJECT IN :
7 THE NEW YORK/NEW JERSEY :
8 PHILADELPHIA METROPOLITAN AREA, :

9 :

10 -----

11

12

13

14 LaGuardia Marriott
10205 Ditmars Boulevard
East Elmhurst, New York 11369
Wednesday, March 15, 2006
Commencing at 6:30 p.m.

23 SCHULMAN, WIEGMANN & ASSOCIATES
24 CERTIFIED SHORTHAND REPORTERS

25 216 Stelton Road SUITE C-1
PISCATAWAY, NEW JERSEY 08854
(732) 752-7800

6

7 RANGANATHA R. RAO 4
142-09 Negundo Avenue
Flushing, New York 11355

8

17 MR. RAO: My name is Ranganatha Rao.

18 I'm a member and the borough president of the
19 Aviation Advisory Council and also the Community
20 Board Seven of Queens, Flushing, New York. I find
21 that there has not been much study effort to reduce
22 the noise level in the Flushing area, especially
23 north of Kessina Park, where all the planes will be
24 landing almost 100, 200 feet above the residents.
25 There are planes every three minutes from 3:00 p.m.
1 to 11:00 p.m. in the night.

2 Second, they should also explore the
3 possibility of relocating the airplanes and taking
4 them on the waterways or the green area of Queens so
5 that there is less noise for the residents of
6 Flushing. As I can gather from the discussions, the
7 whole study was conducted based on some selected air
8 routes by the air-traffic controllers and noise
9 study and environment study was done to match the
10 selected route or to prove that the selected routes
11 are the best. This does not solve the problem that
12 exists now in Queens especially surrounding
13 LaGuardia Airport. The residents of Queens are very
14 unhappy about the air redesign, it does not add any

15 benefit to residents. Rather it gives more
16 inconvenience to the residents. Just as the report
17 has done a lot of rerouting toward the ocean in New
18 Jersey, a similar attempt must be made to find a way
19 and means of doing such a program on the Queens
20 side. I don't think there has been any effort on
21 this side. Maybe perhaps because Queens residents
22 are not represented much.

23

24 (Statement concluded.)

25

1 C E R T I F I C A T E

2

3 I, YVONNE J. MORALES, a Notary Public and
4 Registered Professional Reporter of the State of New
5 York, certify that the foregoing is a true and
6 accurate transcript of the testimony as taken
7 stenographically by and before me at the time, place
8 and on the date hereinbefore set forth, to the best
9 of my ability.

10 I DO FURTHER CERTIFY that I am neither a
11 relative nor employee nor attorney nor counsel of
12 any of the parties to this action, and that I am

13 neither a relative nor employee of such attorney or
14 counsel, and that I am not financially interested in
15 the action.

16

17

18 YVONNE J. MORALES, R.P.R
19 Notary Public of the
 State of New York
20 My Commission expires:
 July 22, 2006
21 Notary No: 01M06077921

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Response to Comment 2861: Ranganatha Rao, Member and Borough President of the Aviation Advisory Council & Community Board 7 of Queens

Comment Number	Comment response
1	The intent of this EIS effort is to investigate and disclose the potential changes in environmental impacts associated with the proposed alternatives. The FAA understands that there are ongoing and current noise issues in a number of areas throughout the metropolitan area; however, this project is not intended to address these issues directly. To some degree, noise issues were considered in the initial designs of the alternatives when possible. The specific area identified in the comment is generally along the final approach to LGA and relatively close to the airport. Since aircraft need a straight, stable final approach of several miles before landing, re-design could not be incorporated to the arrival paths this close to the runway.
2	Noise abatement measures were considered as a part of the development of the FEIS. These included attempting to enhance the use of over-water routes for traffic at LGA beyond what is already done now. Unfortunately, the "green" areas near LGA are already being used as much as possible for traffic routing. Those areas that are not used are in a location where new air traffic routes would cause conflicts with other airport traffic. The FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.

Location: Spartanburg

2006 NY/NJ/PHL Public Meeting

COMMENTS

Mr. Mrs. Ms. JOSEPH CRAYAN
First Name Last Name

NEW JERSEY STATE ASSEMBLY
Affiliation/Organization/Agency

846 LIBERTY AVE
Address

UNION NJ 07083
City State Zip

(908) 629-0880 ASACRAYAN@NJLEG-ORGE
Work Phone E-Mail Address

All comments are welcome concerning the NY/NJ/PHL Metropolitan Airspace Redesign Project. The formal Comment Period ends June 1, 2006. Please print neatly and clearly.
Thank you!

As a member of the N.J. General Assembly representing the City of Elizabeth and three other towns in Union County, I am deeply opposed to the ICE routing alternative. The maps show significant DNL level increases and impacts far more than the 8900 people discussed in the video.

Ocean routing, or no change at all, will protect our tax-paying citizens quality of life. Their needs should be considered over the desire for more flights and on profits.

IF MORE SPACE IS NEEDED, PLEASE USE FLIP SIDE

Mail your Comment Sheet to: Steve Kelley, c/o Nessa Memberg, 12005 Sunrise Valley Road, MS C3.02Stop, Reston, VA 20191 or email to Faa.deis@ngc.com

2891

Response to Comment 2891: Joseph Cryan, New Jersey General Assembly

Comment Number	Comment response
1	Comment noted.
2	<p>The numbers discussed in the video provided a summary of the net number of persons impacted by a significant (+/- 1.5 dB in 65 DNL) change in noise associated with an alternative. Three of the alternatives showed that there would be some population affected by significant increases in noise while others would be affected by significant decreases in noise. In the video the numbers represent the population count with significant increases minus the number with significant decreases. The DEIS document provides these numbers separately in their raw form.</p>
3	<p>The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet their responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. In the EIS process, the agency first develops a purpose/need for a project, second, develops alternatives, third evaluates the environmental impacts (such as noise) of the project alternatives, and finally, develops mitigation (to reduce or minimize effects of the proposed project).</p> <p>The purpose of the FAA's Proposed Action is to increase efficiency and reliability of the airspace structure and ATC system. Noise reduction was not part of the purpose and need for the Proposed Action. NEPA was not designed to prevent agencies from carrying out their statutory missions or to have environmental factors become more important or supersede other factors such as technical or operational ones. The purpose of NEPA is to ensure that decision makers take into account the impacts on the human environment. Once the purpose and need for the Proposed Action was defined, the FAA examined and developed alternatives to meet this purpose and need. Next, the FAA evaluated the potential environmental impacts that would result from the various alternatives. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated potential environmental impacts. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible.</p>

Location: Spfld.

2006 NY/NJ/PHL Public Meeting

COMMENTS

Mr. Mrs. Ms. Brenda | DeSaivo
 First Name | Last Name
Township of Union, Deputy Mayor
 Affiliation/Organization/Agency
1976 Morris Ave
 Address
Union | NJ | 07083
 City | State | Zip
(908) 851-8504 | _____
 Work Phone | E-Mail Address

All comments are welcome concerning the NY/NJ/PHL Metropolitan Airspace Redesign Project. The formal Comment Period ends June 1, 2006. Please print neatly and clearly .
 Thank you!

Is restricted air space still a hindrance to creating suitable air traffic routes? What considerations are there to make a change of restricted air space?

New traffic patterns appear to spread over a wider path of populated areas. It appears that noise levels will significantly increase over residential areas in all except for ocean routing.

The Township of Union is opposed to changes in air traffic patterns that negatively impact our quality of life.

Is there any hope for another regional airport in NJ to lessen the burden of ever increasing ^{Northern NJ} Metropolitan air traffic?

IF MORE SPACE IS NEEDED, PLEASE USE FLIP SIDE

Mail your Comment Sheet to: Steve Kelley, c/o Nessa Memberg, 12005 Sunrise Valley Road, MS C3.02Stop, Reston, VA 20191 or email to Faa.deis@ngc.com

2892

Response to Comment 2892: Deputy Mayor Brenda Restivo, Township of Union

Comment Number	Comment response
1	It is true that the airways in the study area are constrained by the presence of military airspace. However, the unfortunate international security situation means that the Department of Defense's need has increased in recent years. When civilian traffic is heavy and DoD's schedules permit, FAA has coordinated with DoD to allow temporary use of military airspace by civil aviation.
2	This is true. The Preferred Alternative includes fanning of departures on 4L and 22R. The noise mitigation developed for the Preferred Alternative includes limiting the usage of the heading that causes the most noise exposure, so that it is only used when necessary. That is, it is used when the lineup of aircraft waiting to depart EWR gets long enough to interfere with arriving aircraft. In addition, the precise headings were chosen to minimize the number of flights over sensitive areas, while maintaining safety and efficiency. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.
3	Mitigation of the Preferred Alternative has significantly reduced noise impact associated with the Proposed Action. See Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
4	Comment noted.
5	Use of satellite airports in the Study Area are examined in section 2.3.2.1 of the DEIS. It was determined that used of satellite airports would not address inefficiencies of the present day NY/NJ/PHL Metropolitan Area airspace, since this traffic would still be required to operate into and out of the current terminal and en route airspace structure.

Response to Comment 2906: Alexander Mirabella, Union County Board of Chosen Freeholders

Comment Number	Comment response
1	Comment noted.
2	Comment noted. The DEIS presents both the "significant" and "slight to moderate" impacts for each alternative in areas of Union County according to FAA policy. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
3	Comment noted.

THE FEDERAL AVIATION ADMINISTRATION

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In the Matter of the Public *
Information Meeting of:

* Public Meeting
Oral Comments

THE AIRSPACE REDESIGN PROJECT *
IN THE NEW YORK/NEW
JERSEY/PHILADELPHIA METROPOLITAN
AREA

-----*

THE HOLIDAY INN

304 Route 22 West

Springfield, New Jersey 07081

Tuesday, March 21, 2006

Commencing at 6:30 p.m.

SCHULMAN, WIEGMANN & ASSOCIATES

CERTIFIED SHORTHAND REPORTERS

216 STELTON ROAD, SUITE C-1

PISCATAWAY, NEW JERSEY 08854

(732) 752 - 7800

NANCY WARD

6

1500 North Stiles Street

Linden, New Jersey 07036

NANCY WARD: I am Nancy Ward, Freeholder of Union County, and I am also the appointed liaison to the Air Traffic and Noise Advisory Board of Union County.

As a freeholder I represent the interests of the people of Union County. On March 9th 2006, the Union County Board of Chosen Freeholders unanimously passed a resolution strongly opposing the FAA proposed modified and integrated airspace proposals and the fanning of Newark south flow departures that are part of these proposals. I'm also going to take this opportunity to place this resolution on the record.

"Whereas, in December 2005 the Federal Aviation Administration issued a Draft Environmental Impact Statement containing modified and integrated airspace proposals to redesign the Newark, New Jersey, Philadelphia, Metropolitan airspace. And, whereas, these proposals would dramatically increase

noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few. And; whereas, projected capacity increases are very small with two proposals offering less than 1 percent gain and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice. And; whereas, the three FAA promoted proposals all include a fanning of south flow departures from Newark Liberty International Airport, which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of Newark to directed over heavily populated residential communities of New Jersey yielding a two to three-fold increase in overflight noise for 70,000 residents of Elizabeth and adjacent communities with disproportionate impact to minorities and further negative effects on Union County communities further west. And, whereas, the most heavily promoted alternative of so-called integrated airspace with integrated control center has the largest noise impacts in estimated cost of 2.5 billion dollars.

"Now, therefore be it resolved that the Union County Board of Chosen Freeholders strongly opposes the FAA proposed modified and integrated airspace proposals and especially opposes the fanning of Newark south flow departures that are part of these proposals and be it further resolved that copies of this resolution be forwarded to Federal and State elected officials representing Union County with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the fanning of Newark south flow departures." That is the end of the resolution I've now placed on the record.

I would also like to place some questions and issues which I would like the FAA to review and answer once they make their final decision.

Question number one: How do you propose to address and comply with the law pertaining to environmental justice regarding the population that will be affected at the highest noise level during departures of aircraft at Newark

in Union County, a population that is 83 percent minority?

Question number two: How do you plan to comply with the provisions added to the 1990 Aviation Safety and Capacity Expansion Act which requires the FAA to perform an Environmental Impact Statement of the 1987 Expanded East Coast Plan and seek mitigation of the noise problems it caused --

Question number three: Why did the FAA not incorporate a noise reduction plan in its modified and integrated airspace redesign proposals?

-- comments and question number four:

To obtain the claimed 6.7 percent arrival capacity benefit in Alternative 4 Subsection B, the FAA assumes dual simultaneous approaches to closely spaced north runway four left and right during peak arrival periods, a procedure that has not been established as feasible or workable at Newark. A 2001 FAA simulation study of simultaneous approaches at Newark using actual controllers gave mixed results and fell far short of demonstrating feasibility. The procedure further requires that departure traffic be shifted to cross runway 29,

which is a short runway that pilots frequently don't want to use and which heads immediately over residential areas with high noise impacts.

Long-standing policy and accommodation with the adjacent community of Hillside has been that this runway will not be used for large jets unless the wind speed exceeds 23 knots. Question: Will the FAA eliminate this long-standing policy with Hillside and does any of the alternatives include an increased use of runway 29?

Comment and question number five: A major concern in regard to the proposed simultaneous approaches is safety. In order to accomplish simultaneous approaches you will need better air traffic control equipment and more air traffic controllers in order to reduce the increased probability of equipment failure and the increased probability of human error. In light of the fact that President Bush has cut hundreds of millions of dollars in funding for new air traffic control equipment and in light of the fact the FAA has not prepared for the impending wave of air traffic controller retirements, how does the FAA justify the

proposed implementation of Alternative 4 Subsection B integrated airspace with integrated control center?

Comment and question number six: Is it possible to incorporate ocean routing into alternative two modifications to existing airspace and/or Number 4 Subsection A and Subsection B integrated airspace and integrated airspace with integrated control center?

Finally, fanning Newark departures would dramatically increase noise for more than 70,000 people that reside in Union County. The increases in capacity and reductions in delay is minimal. It is wrong to direct aircraft further to the right upon south departures over the heads of the residents of Union County. Quality of life must not be destroyed for the sake of increased revenue for the airlines, whether that revenue is big or small.

Upon further review of the proposals and the concerns and the questions of the public, we ask that you choose to take no action while you continue to explore other proposals. It would be

more prudent to take no action between 2006 and 2011 and to investigate future technology which may include aircrafts which are less noisy. The bottom line is Newark Airport is as big as it's going to get. It cannot be physically made bigger. You can only improve the capacity and the delay so much. The last alternative, which is Number 4 Subsection A and B, is a very dangerous alternative. It's going to increase the safety of the people in the air while traveling on commercial airlines. It's going to risk the lives of those people and also the people on the ground, especially the people that reside in Union County. In addition to that, the quality of lives of the people of Union County and the surrounding areas will be forever destroyed by this redesigned plan. Again, on behalf of the people of Union County and as their public elected official, we request the FAA propose to take no action at this time to further explore ocean routing. Thank you.

C E R T I F I C A T E

I, KAREN HENRY, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the stenographic notes as taken by and before me, on the date and place hereinbefore set forth.

KAREN HENRY, C.S.R.

LICENSE NO. XIO1852

Response to Comment 2943: Nancy Ward, Freeholder of Union County, Liaison to the Air Traffic and Noise Advisory Board of Union County

Comment Number	Comment response
1	Comment noted.
2	Comment noted. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives and the numbers cited by the commenter are prior to noise mitigation. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.
3	This airspace redesign does not increase capacity. It increases the efficiency with which existing capacity is used. Therefore, changes in throughput will seem small. Changes in delay tell a different story. See the section "Interpreting Average Delay" in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.
4	Comment noted. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.
5	Comment noted. The DEIS disclosed that the Modifications to Existing Airspace and the Integrated Airspace Alternatives would also result in significant environmental justice impacts to minority communities near EWR.
6	Neither estimated nor actual costs have yet been developed for any of the Alternatives.
7	Comment noted.
8	Once the FAA selected the Preferred Alternative, mitigation measures to avoid, minimize, rectify, reduce, eliminate, or compensate for the significant environmental justice impacts were considered. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
9	The FAA has complied with the 1990 Aviation Safety and Capacity Expansion Act which stated "Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue an environmental impact statement pursuant to the National Environmental Policy Act of 1969 on the effects of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the Expanded East Coast Plan." The FAA published the Draft EIS for the EECP in November of 1992 and the Final EIS for the EECP was issued in July 1995 after extensive public comment. The 1990 Act did not require the FAA to seek mitigation of noise problems but to identify the environmental effects of changes in aircraft flight patterns over the State of New Jersey due to the FAA's implementation of the EECP in 1987 and 1988.

Response to Comment 2943: Nancy Ward, Freeholder of Union County, Liaison to the Air Traffic and Noise Advisory Board of Union County

Comment Number	Comment response
10	<p>The FAA did not select a preferred alternative in the DEIS, rather it chose to use the DEIS as a mechanism for soliciting input on the four alternatives proposed in the DEIS. Therefore, the FAA did not present detailed, alternative-specific, mitigation because it would have required extensive and prohibitively costly operational and noise modeling which is also time consuming. The FAA did, however, describe to the public the general mitigation strategies that it would attempt to apply to whichever alternative it ultimately selected as the preferred. Those general mitigation strategies included: (1) use of continuous descent approach (keeping aircraft on a higher altitude flight path at lower engine power levels for a continuous steady descent to landing, which lowers noise levels on the ground at certain distances from the airport); (2) nighttime noise abatement procedures; (3) additional use of water/industrial areas and proposed flight track refinements; (4) sound insulation of impacted buildings with educational or medical uses (this would require airport sponsorship and would be outside the control of FAA). The FAA also acknowledged and recognized that while the general principals were described in the DEIS, the specifics would be forthcoming in the FEIS. The FAA, therefore, committed to conducting one public workshop in each state to discuss the Preferred Alternative and discuss mitigation. This method of analysis was without objection by the Environmental Protection Agency (EPA), which has certain oversight authorities regarding NEPA. For these reasons, the DEIS was adequate and in compliance with NEPA.</p> <p>On April 6, 2007, the FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, were provided.</p>
11	<p>The commenter is correct that many studies have been done of the possibility of dual arrivals at EWR. All have concluded that the reason dual approaches are not used is that the current airspace design can not support them. See, for example, Magyarits et al., Simultaneous Offset Instrument Approaches at Newark International Airport: An Airspace Feasibility Study, DOT/FAA/CT-TN02/01, which states, "They determined that, under the current airspace configuration, dual feed SOIA operations are not feasible. The reason is the lack of airspace south of the airport that is necessary to sequence, vector, and pair the aircraft for the final." The Integrated Airspace Alternative Variation with ICC provides the necessary changes to the airspace. The Preferred Alternative does not include any changes to the types of aircraft using Runway 29. Some extra departures use Runway 29 during periods of dual arrivals. This has been included in the noise analysis.</p>
12	<p>There are existing FAA standards for simultaneous instrument approaches, and these may be implemented where appropriate. The remainder of this comment is not a part of this study and will be addressed in routine FAA business operations.</p>
13	<p>A variation of the Ocean routing alternative at night was considered in the mitigated version of the Preferred Alternative.</p>

Response to Comment 2943: Nancy Ward, Freeholder of Union County, Liaison to the Air Traffic and Noise Advisory Board of Union County

Comment Number	Comment response
14	The DEIS presents both the "significant" and "slight to moderate" impacts for each alternative in areas of Union County according to FAA policy. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.
15	See response to comment 2943 #3.
16	Comment noted.
17	The FAA has selected the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative. This alternative was selected because it best meets the purpose and need for the Proposed Action. Although the Integrated Airspace Alternative Variation with ICC was identified as the Preferred Alternative, FAA has not made its decision yet. FAA spent years attempting to develop alternatives and the alternatives included in the DEIS are the best and most feasible. It should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternative. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.
18	Comment noted. The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet their responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. This design will accommodate new technology.
19	Comment noted. This airspace redesign does not increase capacity. It increases the efficiency with which existing capacity is used. Therefore, changes in throughput will look small. Changes in delay tell a different story. See the section "Interpreting Average Delay" in the Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign of the FEIS.
20	FAA will not implement an airspace design that is unsafe. The purpose of this redesign is to improve the safety and efficiency of the airspace around New York City and Philadelphia, so the new procedures were vetted for safety by the certified professional controllers on the redesign team. Safety is improved by multiple headings off runway 22R, since the aircraft are headed in different directions as soon as they leave the runway, instead of following the lead aircraft as it makes a sharp turn in today's system. This safety improvement is why takeoff times do not need to be spaced as far apart in the dispersed-heading operation.
21	Comment noted.

THE FEDERAL AVIATION ADMINISTRATION

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In the Matter of the Public *
Information Meeting of:

* Public Meeting
Oral Comments

THE AIRSPACE REDESIGN PROJECT *
IN THE NEW YORK/NEW
JERSEY/PHILADELPHIA METROPOLITAN
AREA

-----*

THE HOLIDAY INN

304 Route 22 West

Springfield, New Jersey 07081

Tuesday, March 21, 2006

Commencing at 6:30 p.m.

SCHULMAN, WIEGMANN & ASSOCIATES

CERTIFIED SHORTHAND REPORTERS

216 STELTON ROAD, SUITE C-1

PISCATAWAY, NEW JERSEY 08854

(732) 752 - 7800

1 South Derby Road

Springfield, New Jersey 07081

MAYOR CLARA HARELIK: As the mayor of Springfield, I just want to put forth my opposition to the metro airspace redesigned proposal. The entire Township Committee of Springfield put forth a resolution in February of '06 opposing the metro airspace redesign proposals. Our opinion has not changed since that time. We are concerned about the noise pollution, we are concerned about the air pollution, we are concerned about how this is all going to impact the quality of life for residents in Springfield. We are also concerned that this plan is not improving the conditions at Newark Airport.

And in addition to that when, a few years ago, ocean routing was considered to be the path to take, that did, in our opinions, alleviate some of the overhead noise and we are hoping that they will reconsider their proposals to take into

consideration the negative impact that this plan is
going to have on the residents of Springfield.

That's it.

C E R T I F I C A T E

I, KAREN HENRY, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the stenographic notes as taken by and before me, on the date and place hereinbefore set forth.

KAREN HENRY, C.S.R.

LICENSE NO. XIO1852

Response to Comment 2945: Mayor Clara Harelik, Springfield, New Jersey

Comment Number	Comment response
1	<p>The FAA recognizes the quality of life issues impacted by aviation activities. The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet its responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated operational and environmental impacts. Upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible.</p>
2	<p>The efficiency of operations at Newark Liberty is substantially improved by the Preferred Alternative. When designing the mitigation for the Preferred Alternative the FAA attempted to address the commentator's expressed concerns by limiting the usage of the heading that causes the most noise exposure to Springfield, so that this heading would only be used when necessary. That is, it is used when the lineup of aircraft waiting to depart EWR would be long enough to interfere with arriving aircraft. In addition, the precise heading of the sharpest turn was chosen to minimize the number of flights over sensitive areas, while maintaining safety and efficiency. Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS provide details on limiting the heading use.</p>
3	<p>The FAA has identified the Integrated Airspace variation with ICC as the Preferred Alternative. This alternative was identified as the Preferred Alternative because it best meets the purpose and need for the Proposed Action. The Ocean Routing Airspace Alternative actually increases the amount of delay when compared to the No Action Alternative.</p> <p>Noise abatement measures were considered as mitigation for the FAA's Preferred Alternative for all areas experiencing reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>

THE FEDERAL AVIATION ADMINISTRATION

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In the Matter of the Public *
Information Meeting of:

* Public Meeting
Oral Comments

THE AIRSPACE REDESIGN PROJECT *
IN THE NEW YORK/NEW
JERSEY/PHILADELPHIA METROPOLITAN
AREA

-----*

THE HOLIDAY INN

304 Route 22 West

Springfield, New Jersey 07081

Tuesday, March 21, 2006

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SCHULMAN, WIEGMANN & ASSOCIATES

CERTIFIED SHORTHAND REPORTERS

216 STELTON ROAD, SUITE C-1

PISCATAWAY, NEW JERSEY 08854

(732) 752 - 7800

GEORGE JORN

31

24 Cornell Road

Cranford, New Jersey 07016

MR. JORN: I'm a member of the Cranford Township Committee.

Okay. I just want to start this statement by saying I've been an elected official in Cranford Township for the last twelve years, four years on the Cranford Township Board of Education, and I'm starting my eighth year in the Cranford Township Committee. I've been Mayor of Cranford Township twice.

I guess what I reflect I'm hearing from a lot of residents in Cranford is I'm opposed to the current proposal from the FAA. We have a very vocal and research or tainted airplane noise committee in Cranford and they're opposed also to the current plan. We believe it's a plan people are not really aware of and once it becomes effective, if it does become effective as it's currently planned, there will be a lot of public outcry.

My opinion of this, as we've been hearing from the Union County Air Traffic Noise Advisory Board, and I'll just reflect what the press released after a meeting by the Cranford Township Committee. I'll quote. "Residents can expect to see a lot more aircraft noise and not much benefit of the new routes proposed by the FAA going in effect. Alarming, all three proposals will discard noise abatement procedures south of Newark Liberty Airport in favor of, quotations, fanning, of aircraft departures immediately after takeoff. Current procedures take advantage of the large industrial area south of the Newark Airport to allow aircraft to climb before overflying before residential areas. The proposed procedures direct aircraft immediately over residences in Elizabeth, Hillside, Linden, Roselle and Roselle Park and Union are closest to Newark and will be hurt the most. Yet if the FAA is withholding most of these noise increase data from fanning but admits approximately 30,000 residents will see more than a three-fold increase in overflight noise and that an additional 35,000 residents will see more than a two-fold

increase. Close to Newark an additional 5,480 residents living in high noise areas will see a 1.4 times increase. The latter are mostly minorities, raising environmental justice concerns. Union County residents further west will see increased noise due to shorter flight paths and lower altitudes but the FAA will not disclose details that include the noise increase exceeds a factor of 3.2. Relatively few residents see noise decreases although puzzlingly the industrialized areas south of Newark receive much less noise. Early in the redesign process the FAA promised to search for better noise mitigation so it's especially disturbing to see this proposal is moving sharply in the opposite direction.

"More broadly over the tri-state area the picture is also bleak. The most ambitious plans increases noise for more than 300,000 residents and the other two affect almost 200,000 residents. The last airspace redesign, the Expanded East Coast Plan, performed in 1987 increased noise for 45,000 residents, which caused widespread upheavals leading to congressional and bitter tenure battle with the

FAA over repairs. New proposals negatively affect four to seven times the number of people which will yield unprecedented public outcry. The benefits of the FAA proposals are weak. The FAA cites operational advantages, but it admits that there will not be much increase in capacity or reduction in delays. Small capacity increases are rapidly taken advantage of by the carriers to schedule additional flights in traffic peaks preventing delay reductions. Governor Corzine and Senators Lautenberg and Mendez already have come out strongly against the proposed design. I think they reflect the opinions of Cranford residents." Thank you.

C E R T I F I C A T E

I, KAREN HENRY, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the stenographic notes as taken by and before me, on the date and place hereinbefore set forth.

KAREN HENRY, C.S.R.

LICENSE NO. XIO1852

Response to Comment 2960: George Jorn, Member of the Cranford Township Committee

Comment Number	Comment response
1	Comment noted.
2	<p>The DEIS presents both the "significant" and "slight to moderate" impacts for each alternative in areas of Union County according to FAA policy. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p> <p>The FAA disagrees with the commenter regarding the detail presented in the DEIS. All noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project web site allowing for further comparisons beyond that of FAA's change thresholds.</p> <p>The purpose of this project is to increase efficiency and reliability of the air traffic system through the adjustment of traffic flows in the NY, NJ, and PHL areas to accommodate new technologies and reduce delays. The FAA has never included noise reduction as part of the purpose and need and has been clear on this topic throughout the process. The belief that FAA once promised to reduce noise by airspace redesign and then reneged on it stems from people taking its commitment to the communities out of context. The FAA has committed to the communities from the beginning of the project that it would consider means to reduce noise and other environmental effects where feasible and without derogating safety or efficiency of the national airspace system.</p>
3	Comment noted.
4	Comment noted.
5	<p>It is not true that the FAA admits that none of the proposed plans would result in major improvements in delay. The delay reductions discussed in the DEIS are considerable. This airspace redesign does not increase capacity. It increases the efficiency with which existing capacity is used. Therefore, changes in throughput will look small. Changes in delay tell a different story. See the section "Interpreting Average Delay" in the Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.</p>
6	Comment noted.



Township of
Pequannock

530 NEWARK-POMPTON TURNPIKE
POMPTON PLAINS, N.J. 07444-1799

Tel: (973) 835-5700
Fax: (973) 835-1152

March 31, 2006

TO: Steve Kelley - FAANAR
Senator Frank R. Lautenberg
Senator Robert Menendez
Congressman Rodney Frelinghuysen
Barbara Frawlwy
Board of Chosen Freeholders

Re: Opposing the New York/New Jersey/Philadelphia Metropolitan Airspace
Redesign Proposals by the Federal Aviation Administration.

Herewith is a certified copy of a Resolution adopted by the Pequannock Township
Council at a meeting held March 28, 2006.

Sincerely,

Dolores J. Sweeney
Dolores J. Sweeney
Township Clerk

3005

RESOLUTION

WHEREAS, The basic air traffic structure of the New York/New Jersey Philadelphia Metropolitan Area airspace was designed and implemented in the 1960's and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, The EECP proved inadequate in addressing the changes in Volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the ECCP and mitigate the noise; and

WHEREAS, In the 1995 final Environmental Impact Study, the FAA committed to mitigate noise in a "follow-up regional study"; and

WHEREAS, In 2001, the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public, however, the FAA failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, on December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, The airspace redesign involves a 31,000 square mile, five-state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, Two of the FAA proposed plans would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, The proposed plans would raise environmental concerns for the State and would cost an estimated \$2.5 billion; and

WHEREAS, The FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, The New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, It is in the best interest of the State to oppose the FAA's proposal to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; now, therefore,

BE IT RESOLVED by the Senate and General Assembly of the State of New Jersey:

1. This Joint Resolution opposes the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals set forth in the Draft Environmental Impact Statement issued on December 20, 2005, by the Federal Aviation Administration.

2. Duly authenticated copies of this joint resolution shall be transmitted to the President and Vice President of the United State, the Speaker of the United State House of Representative, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of Congress elected from this State, and the Administrator of the Federal Aviation Administration.

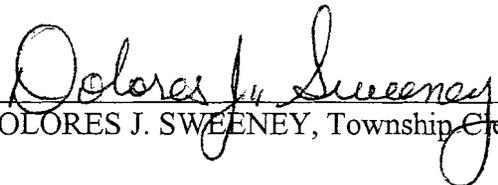
3. This joint resolution shall take effect immediately.

GOVERNING BODY
TOWNSHIP OF PEQUANNOCK

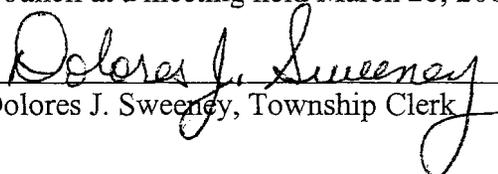
ADOPTED:
March 28, 2006

By 
RUTH E. SPELLMAN, Mayor

ATTEST:


DOLORES J. SWEENEY, Township Clerk

I hereby certify that this is a true copy of the Resolution adopted by the Pequannock Township Council at a meeting held March 28, 2006.


Dolores J. Sweeney, Township Clerk

Response to Comment 3005: Township Clerk Dolores J. Sweeney, Township of Pequannock

Comment Number	Comment response
1	<p>Noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p> <p>Neither estimated nor actual costs have yet been developed for any of the Alternatives.</p> <p>FAA has never indicated that none of the proposed plans would result in major improvements in delay. The delay reductions discussed in the DEIS are considerable. See the section "Interpreting Average Delay" in –Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign of the FEIS.</p> <p>Your opposition to the Airspace Redesign alternatives is noted.</p>



NEW JERSEY GENERAL ASSEMBLY

Robert M. Gordon
ASSEMBLYMAN, 38TH DISTRICT
RADBURN PLAZA BUILDING
14-25 PLAZA ROAD
P.O. BOX 398
FAIR LAWN, N.J. 07410
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COMMITTEES
APPROPRIATIONS
ENVIRONMENT AND SOLID WASTE
HEALTH AND HUMAN SERVICES

Statement of New Jersey Assemblyman Bob Gordon, 38th Legislative District
FAA Hearing on Metro Airspace Redesign Proposals
Hasbrouck Heights, N.J.
April 6, 2006

Good Evening Ladies and Gentleman, and thank you for the opportunity to comment on the potential impact of the various airspace redesign proposals.

I am Assemblyman Bob Gordon and I represent the 38th Legislative District of New Jersey, an area encompassing approximately 215,000 people and 13 communities in central Bergen County. I also serve as Vice Chairman of the Assembly Committee on Environment and Solid Waste.

The residents of this region already suffer from high levels of aircraft noise and other adverse environmental impacts related to air travel. The redesign proposals, particularly the option called "Integrated Airspace with Integrated Control Center," will further degrade our quality of life, while offering limited improvements in airport capacity.

My district includes Teterboro Airport, and the surrounding communities of Hasbrouck Heights, Little Ferry, and South Hackensack. These communities, along with other municipalities in Bergen County, have long suffered from the aircraft noise related to the traffic in and out of Teterboro, one of the busiest general aviation airports in the nation. In addition to the noise impacts, my constituents are adversely affected by aircraft related air pollution and safety concerns.

With the leadership of Congressman Steve Rothman and the cooperation of the Port Authority of New York and New Jersey, which operates Teterboro, we have made some progress in reducing the environmental impact of aircraft operations in northern New Jersey. In my view, the redesign proposals now under consideration by the FAA would represent a major step backward.

3048



Based on my reading of the Draft Environmental Impact Statement, the projected noise impacts are very high. The FAA alternatives are expected to generate noise levels four to seven times those experienced after the last airspace redesign, the 1987 Expanded East Coast Plan. I remind you that this change in policy caused a major public outcry.

I am particularly concerned about the proposal that appears to be the favored alternative, the Integrated Airspace with Integrated Control Center option. According to the DEIS, over 330,000 people in the tri-state region, mostly in New Jersey, will be subjected to increased noise if this alternative were implemented. Most of these people will experience a two to three-fold increase in aircraft noise.

In Bergen County, the modifications in flight paths will result in substantial noise impacts in communities that have, heretofore, not experienced such problems, including the Borough of Fair Lawn, in my district. The DEIS predicts that nearly 100,000 North Jersey residents will suffer from a substantial increase in aircraft noise.

And yet, the projected benefits are expected to be minimal—a 6.7% increase in arrival throughput and a 2.9% gain for departures. In my view, these operational improvements are far outweighed by the adverse environmental impacts.

By the FAA's own admission, the redesign of airspace is not intended to address issues of noise--only efficiency and airport capacity. I consider this approach to policymaking to be unacceptable. Rather than focusing on the needs of the airline industry, the FAA needs to consider the quality of life of the people who live around the nation's airports. Given the limited operational benefits and substantial noise impacts, I urge the FAA to reject the Integrated Airspace/Integrated Control Center Option in favor of more benign alternatives.

Thank you.

Response to Comment 3048: New Jersey Assemblyman Bob Gordon, 38th Legislative District

Comment Number	Comment response
1	It is not the purpose of the redesign to improve airport capacity. Rather, it is intended to permit air traffic controllers to make the best use of the airspace capacity that exists. The Port Authority of New York and New Jersey estimates that Newark Liberty International Airport adds \$11.3 billion per year to the region's economy. Making the most efficient use of such an important resource is consistent with improvement to the quality of life in New Jersey, not degradation.
2	Comment noted. No significant increases or decreases in noise are expected in the immediate vicinity of Teterboro Airport as a result of the Airspace Redesign Project. In addition, this Airspace Redesign would not be expected to increase air pollution in the Study Area. In fact, increasing efficiency and reducing delay in the airspace system would have the potential to reduce fuel burn and thereby reduce air pollutant emissions. Also, it is not a capacity enhancement project, therefore, the number of aircraft operations remains the same for the Proposed Project as well as the Future No Action Airspace Alternative.
3	The FAA modeled each of the Alternatives and has shown that the Integrated Airspace Alternative Variation with ICC would increase efficiency and reliability of the airspace structure and ATC system.
4	It is important to note that NEPA requires that the impacts of a proposed project be judged against the impacts of taking no action at the same point in time. Thus, while there are areas of reportable and even significant noise change, the overall noise impacts are not high when compared to the future no action scenarios. In fact, each alternative slightly reduces the total number of persons exposed to incompatible aircraft noise (65 DNL or higher). While there are areas of noise increases documented in the DEIS, comparisons to the 1987 EECF should be made with caution. This DEIS focuses on a much larger study area, and many more airports than the EECF analysis did. Finally, extensive mitigation measures have been evaluated to reduce and/or eliminate many of the impacts associated with the FAA's Preferred Alternative. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
5	Comment noted. .
6	Comment noted. .
7	When the airports are operating so close to their theoretical capacity, even a slight increase in efficiency can have a large impact. See Appendix C of the DEIS and the section "Interpreting Average Delay" in Appendix 0, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign appendix of the FEIS.

Response to Comment 3048: New Jersey Assemblyman Bob Gordon, 38th Legislative District

Comment Number	Comment response
8	<p>It is true that noise was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>However, noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible.</p> <p>The FAA recognizes the quality of life issues of residents in the Study Area and has always intended to consider mitigation once it selected its preferred alternative. The FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level prior to designing any mitigation. All mitigation measures to avoid or minimize significant noise impacts are included in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p> <p>Your comment rejecting to the Integrated Airspace Alternative Variation with ICC has been noted.</p>

2
[First Reprint]

ASSEMBLY JOINT RESOLUTION

No. 88

STATE OF NEW JERSEY

212th LEGISLATURE

INTRODUCED FEBRUARY 6, 2006

Sponsored by:

Assemblyman ERIC MUNOZ

District 21 (Essex, Morris, Somerset and Union)

Assemblyman JOHN F. MCKEON

District 27 (Essex)

Co-Sponsored by:

Assemblyman Connors

SYNOPSIS

Opposes NY/NJ/Philadelphia Metropolitan Airspace Redesign proposals of Federal Aviation Administration.

CURRENT VERSION OF TEXT

As reported by the Assembly Environment and Solid Waste Committee on February 27, 2006, with amendments.

A JOINT RESOLUTION opposing the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals.

WHEREAS, The basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960s and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, The EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the ECCP and mitigate the noise; and

WHEREAS, In the 1995 final Environmental Impact Study, the FAA committed to mitigate noise in a “follow-up regional study”; and

WHEREAS, In 2001, the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public; however, the FAA failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, On December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, The airspace redesign involves a 31,000 square mile, five-state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, Two of the FAA proposed plans would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, The proposed plans would raise environmental concerns for the State and would cost an estimated \$2.5 billion; and

WHEREAS, The FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, The New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, It is in the best interest of the State to oppose the FAA’s proposal to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; now, therefore,

BE IT RESOLVED by the Senate and General Assembly of the State of New Jersey:

1. ¹[This Joint Resolution] The State of New Jersey¹ opposes the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals set forth in the Draft Environmental

Impact Statement issued on December 20, 2005 by the Federal Aviation Administration.

2. Duly authenticated copies of this joint resolution shall be transmitted to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of Congress elected from this State, and the Administrator of the Federal Aviation Administration.

3. This joint resolution shall take effect immediately.

Response to Comment 3050: State of New Jersey 212th Legislature Assembly Joint Resolution

Comment Number	Comment response
1	<p>Noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>However, noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, we made a commitment to the communities in the Study Area that, where possible, we would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five "Preferred Alternative and Mitigation" of the FEIS.</p> <p>Neither estimated nor actual costs have yet been developed for any of the Alternatives. Upon completion of the NEPA process the FAA will develop an implementation plan for the Preferred Alternative including a cost benefit analysis.</p> <p>It is not true that the FAA admits that none of the proposed plans would result in major improvements in delay. The delay reductions discussed in the DEIS are considerable. See the section "Interpreting Average Delay" in the "Mitigation - Operational Analysis" Appendix of the FEIS.</p>



Township of Cranford

8 Springfield Avenue • Cranford, New Jersey 07016-2199

(908) 709-7200 • Fax (908) 276-7664

www.cranford.com/township

March 29, 2006

Mr. Steve Kelley
c/o Nessa Memberg
12005 Sunrise Valley Road
MS C3.02Stop
Reston, VA 20191

Re: Resolution To Prohibit Increased Airplane Noise Over Cranford

Dear Mr. Kelley:

Enclosed please a copy of our Resolution Number 2006-138 adopted by the Township Committee of the Township of Cranford, New Jersey at a meeting held on March 28, 2006.

Thank you for your consideration.

Sincerely,

Rosalie Hellenbrecht, RMC
Municipal Clerk

RH/kl

encl.

cc: Barbara Krause

003144.
000807

**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

RESOLUTION NO. 2006-138

RESOLUTION TO PROHIBIT INCREASED AIRPLANE NOISE OVER CRANFORD

WHEREAS, in December 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing “Modified” and “Integrated Airspace” proposals to redesign New York, New Jersey, and Philadelphia Metropolitan Airspace; and

WHEREAS, all three proposals will implement a “westward fanning out” of south-flow departures from New Liberty International Airport (EWR) moving traffic from non-inhabited industrial areas south of EWR and instead directing it over highly populated residential communities including Cranford, NJ; and

WHEREAS, the goal of the proposals is simply to increase capacity and efficiency of air carriers and does not take into account the harmful effects upon the communities impacted; and

WHEREAS, the projected capacity increases are very small, with two proposals offering less than 1% gain and the third proposal offering mid-single-digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS, the proposals discard previous noise abatement efforts and procedures, add a second layer of air flight over Cranford, and are expected to substantially increase the current airplane noise levels for the more than 23,000 residents of Cranford as well as hundreds of thousands of neighboring residents within our county, as well as the rest of the New York, New Jersey, and Philadelphia metropolitan areas, while benefiting relatively few; and

WHEREAS, the proposed actions would have obvious and significant negative impacts on Cranford residents directly affecting quality of life, property values, air pollution, hearing, and wellbeing; and

WHEREAS, the proposals would negatively impact from 4 to 7.2 times the 45,622 people found impacted by the 1987 Expanded East Coast Plan (EECP) which caused widespread outcry and led Congress to require, through the 1990 Aviation Safety and Capacity Expansion Act, the FAA to perform an EIS and mitigate the noise; and

WHEREAS, the FAA committed in the 1995 final EECP EIS to attempt EECP noise mitigation in a “follow on regional study” and in 2001 they determined that aircraft noise pollution was the strongest and most widespread concern raised by the public, yet failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, the proposed plans would raise environmental concerns for the state and would cost an estimated \$2.5 billion; and

WHEREAS, the FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, numerous surrounding towns, the Union County Board of Freeholders, the New Jersey State Assembly (resolution sponsored by Assemblyman Munoz and supported by Assemblyman Bramnick), U.S. Senators Lautenberg and Menendez, and Governor Corzine are in accordance with our concerns regarding this serious issue impacting residents; and

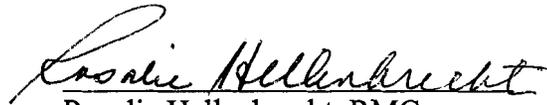
WHEREAS, the New Jersey State Senate Transportation Committee is currently considering a related resolution sponsored by New Jersey State Senators Kean and Scutari; and

WHEREAS, the New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interest of the residents of New Jersey have not been considered and that the proposals no longer promote airplane noise reduction; now therefore

BE IT RESOLVED, that the Township of Cranford strongly opposes the FAA's Modified and Integrated Airspace proposals, especially the proposal's "westward fanning out" of south-flow departures from EWR; and

BE IT FURTHER RESOLVED, that copies of this resolution will be forwarded to the Union County Board of Chosen Freeholders, as well as our State Assemblymen Munoz and Bramnick, State Senator Kean, U.S. Congressman Ferguson, U.S. Senators Lautenberg and Menendez, Governor Corzine, President Bush, and the Administrator of the FAA, with recommendation that they take and/or continue to take all reasonable measures to oppose and prevent implementation of the FAA proposals.

Certified to be a true copy of a resolution adopted by the Township Committee of the Township of Cranford at a meeting held March 28, 2006.


Rosalie Hellenbrecht, RMC
Township Clerk

Dated: 3/29/06

Response to Comment 3144: Municipal Clerk Rosalie Hellenbrecht, RMC, Township of Cranford

Comment Number	Comment response
1	<p>ASCEA states that the FAA shall issue an EIS pursuant to the NEPA of 1969 on the effects of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the EECF, conduct an investigation to determine the effects on air safety of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the EECF, transmit a report to Congress regarding the results of the EIS and investigation conducted pursuant to the EECF. The report was to contain such recommendations for modifications of the EECF as the Administrator considers appropriate or an explanation of why modifications of such plan is not appropriate. Finally, implementation of the modifications should occur within a year of enactment of the Act. The redesign is not required to follow ASCEA Section 401 as it was specific to the EECF.</p> <p>Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA’s scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. The FAA acknowledges that there are significant changes in noise for all alternatives besides the Ocean Routing Airspace Alternative. Upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p> <p>Neither estimated nor actual costs have yet been developed for any of the Alternatives. Upon completion of the NEPA process the FAA will develop an implementation plan including a cost benefit analysis.</p> <p>It is not true that the FAA admits that none of the proposed plans would result in major improvements in delay. The delay reductions discussed in the DEIS are considerable. See the section “Interpreting Average Delay” in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.</p> <p>Your comment objecting to the FAA's Modified and Integrated Airspace proposals, especially the proposal's "westward fanning out" of south-flow departures from EWR is noted.</p>



SINCE 1844

ROCKAWAY TOWNSHIP

65 MOUNT HOPE ROAD, ROCKAWAY, NEW JERSEY 07866

CLERK'S OFFICE

Mary C. Cilurso, Municipal Clerk April 21, 2006

The President of the United States
The Honorable George W. Bush
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

Enclosed please find a certified copy of Resolution No. 06-48
Adopted by the Township Council of the Township of Rockaway at a duly
convened Meeting held on April 4, 2006, entitled

**RESOLUTION AJR88 A JOINT RESOLUTION OPPOSING
THE NEW YORK/NEW JERSEY/PHILADELPHIA
METROPOLITAN AIRSPACE REDESIGN PROPOSALS**

The Mayor and Township Council believe it is in the best interest of
the State to oppose the FAA's proposal to redesign the New York/New
Jersey/Philadelphia Metropolitan airspace.

Please consider the official position of the Mayor and Governing
Body of Rockaway Township concerning this matter.

Very truly yours,

Mary Cilurso, RMC/CMC
Township Clerk

MC:mc

Enclosure(s)

c: Hon. Vice President Richard Cheney
Speaker of the US House of Representatives
Majority & Minority leader of US Senate
U.S. House of Representatives
Congressman Rodney Frelinghuysen
Steve Kelley, Federal Aviation Administrator
Barbara Frawley, NJCAAN
Mayor Louis Sceusi
Council President O'Connor
Council Members

R06-48

RESOLUTION AJR88 A JOINT RESOLUTION OPPOSING THE NEW YORK/NEW JERSEY/PHILADELPHIA METROPOLITAN AIRSPACE REDESIGN PROPOSALS

WHEREAS, the basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960's and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, the EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the ECCP and mitigate the noise; and

WHEREAS, in the 1995 final Environmental Impact Study, the FAA committed to mitigate noise in a "follow-up regional study"; and

WHEREAS, in 2001, the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public; however, the FAA failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, on December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, the airspace redesign involves a 31,000 square mile, five-star area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, two of the FAA proposed plans would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, the proposed plans would raise environmental concerns for the State and would cost an estimated \$2.5 billion; and

WHEREAS, the FAA admits that none of the proposed plans would results in major improvements in delays or throughput; and

WHEREAS, the New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, it is in the best interest of the State to oppose the FAA's proposal to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace;

NOW, THEREFORE BE IT RESOLVED by the Senate and General Assembly of the State of New Jersey:

1. This Joint Resolution opposes the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals set forth in the Draft Environmental Impact Statement issued on December 20, 2005 by the Federal Aviation Administration.
2. Duly authenticated copies of this joint resolution shall be transmitted to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of Congress elected from this State, and the Administrator of the Federal Aviation Administration.
3. This joint resolution shall take effect immediately.

I HEREBY CERTIFY the foregoing to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on April 4, 2006.


Mary C. Curso, RMC/CMC
Township Clerk

Response to Comment 3154: Township Clerk Mary Cilurso, RMC/CMC, Rockaway Township

Comment Number	Comment response
1	<p>ASCEA states that the FAA shall issue an EIS pursuant to the NEPA of 1969 on the effects of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the EECF, conduct an investigation to determine the effects on air safety of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the EECF, transmit a report to Congress regarding the results of the EIS and investigation conducted pursuant to the EECF. The report was to contain such recommendations for modifications of the EECF as the Administrator considers appropriate or an explanation of why modifications of such plan is not appropriate. Finally, implementation of the modifications should occur within a year of enactment of the Act. The redesign is not required to follow ASCEA Section 401 as it was specific to the EECF.</p> <p>Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA’s scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. The FAA acknowledges that there are significant changes in noise for all alternatives besides the Ocean Routing Airspace Alternative. Upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p> <p>Neither estimated nor actual costs have yet been developed for any of the Alternatives. Upon completion of the NEPA process the FAA will develop an implementation plan including a cost benefit analysis.</p> <p>It is not true that the FAA admits that none of the proposed plans would result in major improvements in delay. The delay reductions discussed in the DEIS are considerable. See the section “Interpreting Average Delay” in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.</p>

Borough of Kenilworth

567 BOULEVARD
KENILWORTH, NEW JERSEY 07033

Office of
HEDY LIPKE
Borough Clerk
Tel. (908) 276-9090
Fax: (908) 276-7688

May 2, 2006

Mr. Steve Kelley
c/o Nessa Memberg
12005 Sunrise Valley Road
MS C3, 02Stop
Reston, VA 20191

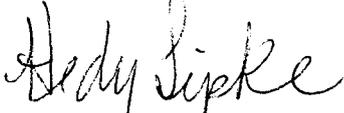
Re: Resolution to Prohibit Increased Airplane Noise Over Kenilworth

Dear Mr. Kelley:

Enclosed please find a copy of our Resolution Number 10 adopted by the Borough of Kenilworth at a Council Meeting held on April 12, 2006.

Thank you for your consideration.

Sincerely,



Hedy Lipke
Borough Clerk

enc.

003224

182

Response to Comment 3224: Borough Clerk Hedy Lipke, Borough of Kenilworth

Comment Number	Comment response
1	<p>The delay reductions discussed in the DEIS are considerable. See the section "Interpreting Average Delay" in Appendix), Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign of the FEIS.</p> <p>Neither estimated nor actual costs have yet been developed for any of the Alternatives. Upon completion of the NEPA process the FAA will develop an implementation plan for the Preferred Alternative including a cost benefit analysis.</p> <p>Your comment objecting to the FAA's Modified and Integrated Airspace proposals, especially the "fanning" of EWR south flow departures that are parts of these proposals was noted.</p>



EXECUTIVE DIRECTOR
GOVERNMENT CENTER BUILDING
201 WEST FRONT STREET
MEDIA, PENNSYLVANIA 19063

AREA CODE (610) 891-4453
FAX - (610) 891-0647
E-MAIL: gracem@co.delaware.pa.us

COUNCIL

ANDREW J. REILLY
CHAIRMAN

LINDA A. CARTISANO
VICE CHAIRMAN

MARY ALICE BRENNAN
MICHAEL V. PUPPIO, JR.
JOHN J. WHELAN

Marianne Grace
Executive Director

May 11, 2006

James B. Byers, Environmental Specialist
Federal Aviation Administration
Airports District Office
3905 Hartzdale Dr., Suite 508
Camp Hill, PA 17901

Dear Mr. Byers:

Enclosed is a copy of the Resolution passed by Delaware County Council on May 9, 2006 regarding the Federal Aviation Administration's (FAA) draft Environmental Impact Statement (DEIS) for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign project. As you can see by the Resolution, Delaware County is opposed to the changes being considered in the "action alternatives" as they would have a detrimental impact on the residents of Delaware County.

Additionally, Council encourages the FAA to more fully evaluate options such as "alternative modes of transportation and communication" as well as "congestion management programs" as possible alternatives to the Airspace Redesign. Finally, Council requests that the FAA ensure that local municipalities and residents are more fully informed of activities related to the Airspace Redesign project.

Your consideration of County Council's position, that will protect the interest of the county's residents, is greatly appreciated. You may contact me directly if you have any questions. Thank you.

Sincerely,

Marianne Grace

Attachment

cc: Senator Arlen Specter
Senator Rick Santorum
Congressmen Curt Weldon
Congressmen Robert Brady

004033 - Duplicate - 102

**RESOLUTION OF DELAWARE COUNTY COUNCIL
WITH RESPECT TO THE
NEW YORK/NEW JERSEY/PHILADELPHIA METROPOLITAN AREA
AIRSPACE REDESIGN PROJECT**

WHEREAS, the Federal Aviation Administration (FAA) has released for public review a draft Environmental Impact Statement (DEIS) for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign project; and

WHEREAS, the changes in flight patterns being considered in the three "action alternatives" in the DEIS would result in increases of 5.0 decibels or more in the day-night average sound level over a significant portion of Delaware County, affecting approximately 100,000 residents and 39,000 households; and

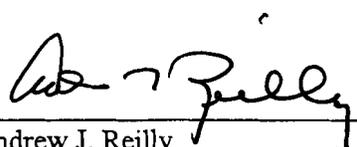
WHEREAS, the DEIS identifies but does not fully evaluate options such as "alternative modes of transportation and communication" and "congestion management programs" as possible alternatives to Airspace Redesign; and

WHEREAS, the FAA did not directly notify local governments in Delaware County of the public meetings or comment period for this project, despite the potential for major impacts on their residents.

NOW, THEREFORE, BE IT RESOLVED that:

1. Delaware County Council opposes the *Modifications to Existing Airspace, Integrated Airspace Without Integrated Control Complex*, and *Integrated Airspace With Integrated Control Complex* action alternatives because of their impact on Delaware County residents, and recommends that arrivals and departures remain over the Delaware River to the greatest extent possible.
2. The FAA should give further consideration to no-build options such as alternative modes of transportation and congestion management programs.
3. The FAA should ensure that Delaware County municipalities and residents are more fully informed of activities related to the Airspace Redesign project.

Approved by Delaware County Council on May 9, 2006.



Andrew J. Reilly
Chairman

ATTEST:



Joyce A. Lamont
County Clerk

Response to Comment 4033: Marianne Grace, Executive Director, Media, Pennsylvania

Comment Number	Comment response
1	<p>The population receiving 5 DNL or more increases in noise levels are within the 45-60 DNL range which is not considered a significant impact by FAA impact standards.</p> <p>Categories of alternatives including Alternative Modes of Transportation and Telecommunication, and Congestion Management Programs were considered. These categories were evaluated based on whether they met the Purpose and Need for the Proposed Action. It was determined that neither the Alternative Modes of Transportation and Telecommunication, or the Congestion Management Programs Categories of Alternatives met the Purpose and Need for the Proposed Action. Therefore, these categories of alternatives were eliminated from further analysis.</p> <p>DEIS postcards were sent to the mayors of Prospect Park, Ridley Park, Eddystone, Media and Middletown. These postcards listed the specific meeting locations and dates. Advertisements for the meetings appeared in The Philadelphia Inquirer, The Philadelphia Daily News, and The Delaware County Times. Public service announcements were played on several radio stations including the following which serve Delaware County: WITN Channel 22 Wilmington, WDEL 1150 AM, and WMPH 91.7FM.</p>
2	<p>Comment noted. FAA considered the mitigation recommended by the Delaware County Council. The process to design mitigation is discussed in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. Detailed analysis of potential mitigation measures is discussed in Appendices O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign and Appendix P, Noise Mitigation Report.</p>
3	<p>Comment noted. See sections 2.3.1 and 2.3.3 of the EIS for information on alternative modes of transportation and congestion management, respectively.</p>
4	<p>Comment noted. See response to Comment 4033 #1. In addition the FAA participated in a public hearing of the Aviation Sub-Committee in Delaware County in October 2006 and March 2007.</p>

BOROUGH OF ORADELL

Honorable Frederick T. LaMonica, Mayor
Raymond T. Eckel, Council President

COUNCIL
Joseph L. Murray, Jr.
Richard A. Joel
Robert A. Pizzuto
Andrew Rudman
Dianne C. Didio

Tel: (201) 261-8200
Fax: (201) 261-6906

355 Kinderkamack Road
ORADELL, NEW JERSEY 07649

ADMINISTRATOR/CFO
Terry McCue
BOROUGH CLERK
Ivana Malec

May 17, 2006

Steve Kelley, FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Dear Mr. Kelly:

The Oradell Environmental Committee discussed the FAA's draft Environmental Impact Statement dated December, 2005 in reference to the NEW YORK/NEW JERSEY/PHILADELPHIA METROPOLITAN AREA AIRSPACE REDESIGN.

We found the report to be quite thorough in setting out negative aspects to the redesign then setting those negative aspects aside. We further found that there was little discussion of Teterboro Airport and the cumulative affect of Teterboro in an airspace that is already crowded with aircraft from Newark and LaGuardia.

The answer to the refusal of the report to give credence to the increase noise that will result from this proposal may be found in the reason for this study. "The purpose of the Airspace Redesign is to increase the efficiency and reliability of the airspace structure and ATC system".

While the report does set out the environmental impact, it is clearly stated that this is done only because Federal Law requires this to be done. Apparently Federal Law does not require that the findings of the environmental impact study be used to reach a conclusion.

Indeed one of the most infuriating statements in the draft EIS relates to noise and is in the Socioeconomic section of the draft EIS. It states "All of the significantly impacted census blocks are located in the vicinity of LGA, EWR, and PHL. These areas are already exposed to extensive aviation noise." What is being stated in less technical terms is that things are already so bad that making them worse will not cause people to move.

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182

BOROUGH OF ORADELL

New York/New Jersey/Philadelphia Metropolitan Airspace Redesign

Page 2

The draft EIS also states that the final report will offer mitigation measures for the significant increase in noise. This is not adequate. The proposed measures should be set forth now so that the citizens may know what is being planned and are therefore able to fully respond. Based upon this alone, this draft EIS should be rejected. An incomplete report cannot be completely considered. It shows little regard for the citizens for an incomplete report to be presented for comments.

The draft EIS also shows that the Ocean Routing Airspace Alternative will reduce noise while the other Alternatives will increase noise.

Further, the study makes it plain that a significant number of citizens will be permanently affected by the increase in noise while a transient population of travelers will have marginal decreases in waiting times.

When this draft EIS is considered in its entirety, it is plain that only the convenience of travelers was considered in arriving at a recommendation. The impact upon the study area was presented only because it is required by law to be presented. It is obvious that the impact upon the residents was not used in the recommended Integrated Airspace Alternative.

We recommend that the Ocean Routing Airspace Alternative be adopted.

Respectfully yours,



Frederick T. LaMonica, Mayor
Borough of Oradell

FLM/sm

Response to Comment 4127: Mayor Frederick T. LaMonica, Borough of Oradell

Comment Number	Comment response
1	Comment noted.
2	The annual number of instrument operations at TEB has almost tripled since the current airspace was designed. On some days during the design process, TEB had more operations than JFK; this fact was noted by the design team. The Integrated Airspace Alternative Variation with ICC recognizes the crowding in the airspace, and improves the situation by opening extra departure fixes and altitudes. Under that alternative, TEB departures contend only with EWR and its satellites; LGA, JFK, and their satellites use different departure airspace. New arrival procedures reduce the dependency between the approaches to EWR and TEB. TEB has a new jet airway from the southwest, which it does not share with EWR or JFK, as its routes do today. More details are in Appendix C of the DEIS.
3	While FAA has indicated that reduced environmental impacts would likely be a benefit of the Airspace Redesign, the Purpose and Need for the project has never included noise reduction. The Purpose and Need has always been to increase the efficiency and reliability of the airspace. From the beginning of the project, including during scoping, FAA committed to the communities in the Study Area that, where possible, we would build the following techniques into the design to reduce noise and other environmental impacts: 1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. The designs for all alternatives presented honored that commitment..
4	The purpose of the Draft EIS was to present the alternatives to the public so that they may comment on those alternatives. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The purpose of the environmental process is to inform the decision-maker of effects on human environment and it will be used to reach a decision.
5	The DEIS reported the facts. The areas of significant impact are near airports there is not a lot of place to put aircraft close-in. The DEIS did acknowledge the potential impact.
6	On April 6, 2007, the FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, were provided.
7	Comment noted.
8	A survey of airline tickets shows that 85% of all domestic passengers using EWR are beginning or ending their flight there. The benefits of increased efficiency will go to the same population as the effects of increased noise.
9	At the time the DEIS was published, the preferred, or recommended, alternative had not been selected. Impacts to the Study Area as well as comments received on the DEIS were taken into consideration when the preferred alternative was selected. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
10	Comment noted.



ELIZABETH BRATON
Chairperson

COMMUNITY BOARD 10

CITY OF NEW YORK ♦ BOROUGH OF QUEENS
115-01 LEFFERTS BOULEVARD
SOUTH OZONE PARK, N.Y. 11420
TEL: (718) 843-4488
FAX: (718) 738-1184
E-MAIL: cb10qns@nyc.rr.com



KARYN PETERSEN
District Manager

May 20, 2006

Mr. Steve Kelley, FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Dear Mr. Kelley:

The following constitutes the comment of New York City Community Board 10, Queens regarding the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Draft Environmental Impact Statement.

Community Board 10 serves that area of Queens County, New York bounded by 103 Avenue on the north; the Van Wyck Expressway on the east; Jamaica Bay on the south; and the Kings/Queens counties border on the west. According to the 2000 Census, 127,274 people reside within this area. The area is adjacent to JFK International Airport.

The FAA has provided Noise Exposure Tables which include the calculated noise exposure level in each census block for each of the alternatives. We appreciate that such information was provided. There are 818 census blocks within Community Board 10 which more or less equates to the number of actual city blocks on which people live.

The FAA has established 65 DNL as the threshold above which aircraft noise is considered to be incompatible with residential areas. The issue of noise impacting a community is not an aviation safety issue, it's a public health and welfare issue. The FAA is responsible for aviation safety not public health and welfare, which is left up to EPA. In 1979, EPA was asked to provide guidance on that issue. However, the FAA rejected the EPA's recommendation of 55 DNL as a more realistic threshold number. Most of those in our community would even agree that 55 DNL is not realistic and that DNL is not the appropriate measure to utilize to determine the true deleterious impact aircraft noise has on our people.

Aviation noise is a growing problem, not a declining one, in our community. Its true impacts are not adequately reflected by the 65 DNL criteria used by the FAA to determine significant impact on neighborhoods surrounding airports. The positive effect resulting from the introduction of quieter aircraft in recent years has been more than offset by the cumulative effect from the increased number of flights over our communities.

In our communities, night flights that wake us and cause sleep disturbance, especially for our children, are extremely disturbing and to us - a significant noise impact. Single event levels that are greater than 45 dBA indoors significantly impact our schools (not all of which have been soundproofed to date), religious services, and family lives.

Census tract maps and the data in the Noise Exposure Tables provided indicate that 395 blocks or 48.3% of the land area within Community Board 10 is impacted significantly, in our view, by aircraft noise (over 55 DNL). Given that we don't agree that the numbers provided by the FAA present an accurate picture of the impacts to our people, it is reasonable for us to say that more than a majority of the land within Community Board 10 is impacted. Therefore any person on any of that land is negatively impacted by aviation noise.

A review of the Noise Exposure Tables as provided indicates that there are 9 census tracts within Community Board 10 having blocks subject to noise levels higher than 55 DNL. The following chart indicates how many of our residents would fare under the different options presented by the DEIS.

004128

1 of 3

	<u>Year</u>	Community Board 10 Population		
		<u>+DNL 65</u>	<u>60-64 DNL</u>	<u>55-59 DNL</u>
No Action Option	2006	3,991	19,005	14,643
	2011	4,462	19,343	15,454
Ocean Routing Option	2006	3,794	19,202	14,376
	2011	4,462	18,653	15,853
Modifications to Existing Airspace Option	2006	3,991	19,005	14,643
	2011	4,462	19,343	15,454
Integrated Variation Without ICC Option	2006	3,991	19,005	14,643
	2011	4,462	19,343	15,454
Integrated Variation With ICC Option	2011	4,326	19,105	15,054

By 2011 with No Action taken, 39,259 people in Community Board 10 will be impacted above 55 DNL. By 2011, the Integrated Variation with ICC puts 38,485 people above 55 DNL which is a 2% benefit in terms of overall population. However, the benefit is extremely slight in terms of relieving actual noise impact in those areas most affected.

Census Tract 62 is our Lindenwood community. The tables show that 65% of its blocks are above 55 DNL. That part of our area shows some improvement in 2006 and 2011 with the Ocean Routing Option and improvement in 2011 with the Integrated Variation with ICC option.

Census Tract 88 is our Centerville area. 67% of its blocks are above 55 DNL. It shows some improvement in 2006 and 2011 from Ocean Routing and improvement in 2011 with the Integrated Variation with ICC option.

Census Tract 814 and 818 are in South Ozone Park with 52% of their combined blocks above 55 DNL. 43% of Tract 818 is above 60 DNL. Both tracts show no changes in 2006 with tract 814 showing more noise in 2011 and tract 818 improving with the Integrated Variation with ICC option.

Census Tract 838 is also in South Ozone Park. All of it and the one impacted block located in the adjacent tract 840 are above 55 DNL. 44% are above 60 DNL. It basically shows no change in 2006 and some improvement in 2011 from the Ocean Routing and Integrated Variation with ICC option.

Census Tract 846.01 is in South Ozone Park area as well. All of its blocks are above 55 DNL with 78% above 60 DNL. It shows more noise in 2006 and 2011 from the Ocean Routing option and improvement in 2011 with the Integrated Variation with ICC option.

Census Tract 846.02 is the Wakefield community. That area is immediately to the north of the airport. All its blocks are above 60 DNL. It shows improvement in both 2006 and 2011 from the Ocean Routing Option and in 2011 from the Integrated Variation with ICC option.

Census Tract 884 is the Hamilton Beach and Old Howard Beach communities. All of its blocks are above 55 DNL with 78% above 60 DNL. Our most impacted blocks are in the Hamilton Beach area. This tract shows some benefit and some areas with more noise with the Ocean Routing Option in 2006 and 2011 and shows more noise in 2011 with the Integrated Variation with ICC option.

Census Tract 892 is the Rockwood Park and Spring Park communities (New Howard Beach). All of its blocks are above 60 DNL. It shows some benefit and some areas with more noise with the Ocean Routing Option in 2006 and mostly more noise from it in 2011. It shows more noise in 2011 with the Integrated Variation with ICC option.

In Community Board 10 all of the census blocks showing higher than 65DNL are in Tracts 884, 846.02, and 846.01. There are 20 such blocks in Hamilton/Old Howard Beach, 17 in Locust Grove, and 10 in Wakefield with populations of 1793, 1486 and 712, respectively. The Integrated Variation Option with ICC helps somewhat in 846.01 and 846.02 but impacts 884. The Integrated Variation without ICC leaves things basically the same as the No Action Option by 2011.

Community Board 10 has 9 tracts impacted significantly by noise. For 6 of them, the No Action Option DNL is lowest in 2006. For 5 of those 6, the No Option DNL was lowest, or the same as other options in 2011. The Integrated Variation Option with ICC is lowest, or the same as other options, for 6 of the 9 tracts and results in an extremely slight decrease in Tract 838 but causes the largest increase of all 9 for 1 area (Tract 814) and the largest increase for another (Tract 884) which is also the most impacted.

The people, who reside in Community Board 10, as airport neighbors, are faced with an unjust situation. We pay a large social cost in terms of our diminished quality of life. The FAA must recognize that situation. We understand that the goal of the Airspace Redesign process is to address other problems. The options presented do offer solutions to the problems the process is meant to address. The pluses and minuses for our impacted areas are minimal if looked at in terms of the standard that an increase of 1.5 DNL in an area already above 65 DNL constitutes a "significant impact." The same is true if we accept that an increase of 3 DNL in an area already between 60-65 DNL or an increase of 5 DNL in an area now between 45-60 DNL constitutes a "slight to moderate" impact. None of the options afford any relief for our community of any significance whatsoever in terms of a recognizable difference in what their ears hear every day.

Therefore, it is the position of Community Board 10 that any proposed action by the FAA dealing with the use of the airspace above our homes must, as a matter of course, have noise abatement as part of its primary goals and recommendations. We believe this DEIS is flawed as it does not. None of the action options presented offer any significant relief to our residents from their daily barrage of aircraft noise. Community Board 10 supports none of them and recommends that the FAA develop solutions to crowded airspace for the flying public that also provide significant noise abatement for the people on the ground in proximity to airports.

Very truly yours,


Elizabeth Braton
Chairperson

EB:mat

Response to Comment 4128: Chairperson Elizabeth Barton, Community Board 10, South Ozone Park, New York

Comment Number	Comment response
1	<p>There is currently no consensus within or among the scientific, medical, and government communities' regarding the health effects of aircraft noise. As the commenter indicates, there are some studies that indicate a possible relationship between aircraft noise and nonauditory health effects; however, these relationships tend to be weak at best, and thus far are insufficient for either the scientific or medical communities to reach a conclusion. In fact, there are other studies that conclude no relationship between increased aircraft noise and detrimental nonauditory health effects occur. In 1974, the EPA "Levels" document identified a level below 65 DNL that it believed would "protect public health and welfare with an adequate margin of safety". There are two important points to note regarding the level that EPA identified in this document. First, careful reading of the document reveals that EPA actually identified a separate level that it believed would specifically protect against health effects. That level was a 24-hr average level of 70 dB, or approximately 75 DNL. Secondly, the lower level identified to protect against both health effects and to protect the public welfare included a margin of safety. In other words, that level is lower than the level that actually would protect the public welfare as EPA saw it at the time. Finally, it should be noted that EPA has been a signatory agency in the development and findings of the 1992 Federal Interagency Committee on Noise (FICON) report which reaffirmed the use of the DNL metric and the use of 65 DNL for land use compatibility.</p>
2	<p>Comment noted. Note that this is not a capacity enhancement project, and the total number of operations would be the same with the Future No Action Airspace Alternative as with the Action Alternatives. While use of DNL has often been the subject of controversy in airport noise studies, its use has also been the subject of scrutiny by government agencies. In their 1992 report, the Federal Interagency Committee on Noise (FICON) group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. The EPA "Levels Document" identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)." Finally, it should be noted that the findings of the 1992 Federal Interagency Committee on Noise (FICON) report reaffirmed the use of the DNL metric and the use of 65 DNL for land use compatibility.</p>
3	<p>Comment noted.</p>
4	<p>Comment noted. See response to comment 4128 #1</p>
5	<p>Comment noted.</p>

Response to Comment 4128: Chairperson Elizabeth Barton, Community Board 10, South Ozone Park, New York

Comment Number	Comment response
6	<p>Noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>
7	Comment noted. See response to comment 4128 #6.

ULSTER COUNTY LEGISLATURE

DAVID B. DONALDSON, Chairman
JEANETTE M. PROVENZANO, Majority Leader
GLENN P. NOONAN, Minority Leader
KATHLEEN C. MIHM, Clerk



P.O. Box 1800
KINGSTON, NEW YORK 12402
Telephone: 845 340-3900
FAX: 845 340-3651

May 11, 2006

Steve Kelly (FAA-NAR)
Nessa Memberg
12005 Sunrise Valley Road/C302
Reston, Virginia 20191

Dear Mr. Kelly

Attached please find a copy of Ulster County Resolution No. 187 which was **adopted** at our Legislative Session held on May 10, 2006.

Thank you.

Sincerely

Kathleen C Mihm

Kathleen C. Mihm
Clerk

KCM:edd
Enc.

004129
183

Calling For A Reduction Of Noise Impacts From Newark And Westchester Jet Arrivals On The Public, Protected Catskill And Shawangunk Parklands

The Environmental Committee (Chairman Shapiro and Legislators Bartels, Distel, R.A. Parete, Rodriguez, Fabiano and McAfee) and Legislator Kraft offer the following:

WHEREAS, Ulster County has a longstanding history of protected parklands (Catskill State Park, Mohonk Preserve and Mountain House, Minnewaska State Park Preserve and Sam's Point Preserve) that provide places of natural quiet and are central to the tourism economy of the area, and

WHEREAS, major jet arrivals from Newark and Westchester airports with flight altitudes as low as 7000 feet should not be routed over the public, protected parklands of the Catskills and Shawangunks, and

WHEREAS, in order to protect the airspace of the Catskills and Shawangunks, planes should be kept as high as possible for as long as possible when approaching metropolitan airports, and

WHEREAS, a mid-level intersection at 7,000 to 11,000 feet creates an adverse impact over public, protected parkland but is not noticed over a city or transportation corridor, and

WHEREAS, the Federal Aviation Administration (FAA) has not included noise mitigation for Ulster County in the draft environmental impact statement for the airspace redesign.

RESOLVED, the Ulster County Legislature calls upon the FAA to mitigate or reduce, to the greatest extent practicable, noise from Newark and Westchester jet arrivals over the Catskill and Shawangunk parklands in Ulster County, New York, and

FURTHER RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to President George W. Bush, Governor George E. Pataki, Comptroller Alan Hevesi, United States Senators Hillary Rodham Clinton and Charles Schumer, United States Congressman Maurice Hinchey, Senate Majority Leader Joseph Bruno, Senate Minority Leader David A. Paterson, Assembly Speaker Sheldon Silver, Assembly Majority Leader Paul A. Tokasz, Assembly Minority Leader James N. Tedisco, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin Cahill, Clifford Crouch, Daniel Hooker and Thomas Kirwan, the National Association of Counties, the New York State Association of Counties, Steve Kelly (FAA-NAR), (c/o Nessa Memberg, 12005

Resolution No. 187 May 10, 2006

Calling For A Reduction Of Noise Impacts From Newark And Westchester Jet Arrivals On The Public, Protected Catskill And Shawangunk Parklands

Sunrise Valley Rd. C302, Reston, VA 20191), Marion C. Blakey, Federal Aviation Administrator, (800 Independence Ave. SW, Washington, DC 20591), Nancy D. LoBue, Deputy Assistant Administrator for Aviation Policy, (Planning and Environment, 800 Independence Ave. SW, Washington, DC 20591), Carl E. Burlison, Director, Office of Environment and Energy, (800 Independence Ave. SW Washington, DC 20591),

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0
(Legislator Stoeckeler left at 10:05 PM)
(Absent: Legislator Every)

FINANCIAL IMPACT:
NONE

0522

Response to Comment 4129: Clerk Kathleen C. Mihm, Ulster County Legislature

Comment Number	Comment response
1	<p>The FEIS includes additional information regarding the potential impacts that would result from the proposed airspace redesign over the Catskill Forest Preserve and Shawangunk Ridge State Forest.</p> <p>The FAA always intended to consider mitigation once it selected its preferred alternative. The FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level prior to designing any mitigation. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>



TOWN OF GREENWICH

Office of First Selectman (203) 622-7710 Fax (203) 622-3793
Town Hall • 101 Field Point Road • Greenwich, CT 06830
E-Mail: jlash@greenwichct.org

James A. Lash
First Selectman

May 23, 2006

Mr. Steve Kelley, FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Re: New York/New Jersey/Philadelphia Airspace Redesign

Dear Mr. Kelley:

The following provides our comments on your airspace redesign for the tri-state area.

For over two decades, residents living in Greenwich have been suffering from severe noise pollution from low flying aircraft over their homes. The problem is worsening, while having a serious impact on quality of life and raising the potential for a major public safety issue. Numerous attempts have been made to register our concerns and request change will little result.

More specifically, Greenwich is one of the most severely impact communities in the entire country by air traffic. There is an average of 340 low altitude flights per day – an astonishing number – from five different airports, with the major offenders being Westchester and LaGuardia – arrivals and departures. In addition, there is an average of 19 violations per day of the “voluntary curfew” at Westchester Airport alone. This means planes are flying over Greenwich between 12:30 a.m. and 6:00 a.m. According to the consultant, this number of curfew violations is significant compared to similar airports across the country.

The FAA does not take into sufficient consideration what is under the routes they plan. They also do not make effective use of unpopulated or less populated tracts of land, industrial and commercial zones, major highway systems or large bodies of waters as “natural troughs” for mitigating population impact. As a result, alternative routes do exist that meet all FAA standards that will simultaneously and substantially reduce population impact.

We ask that you consider the following solutions, which do not impact any other communities and, in fact, benefit the population of the region as a whole.

Sound Visual Approach (SVA) Runway 34, Westchester Airport. The SVA was implemented in recent years. If flown correctly, planes fly over commercial and industrial areas out over Long Island Sound, before making their final approach to Westchester Airport. The problem is that the FAA is not enforcing the current track. Instead, they are allowing planes to cut the corner and fly at low altitude over Greenwich. This maximizes population impact in the region, while bringing large commercial jetliners and large commercial jets in possible conflict with small aircraft flying visually (VFR) and without anti-collision technology, right over heavily populated areas. If the FAA would require all Westchester traffic to adhere to the runway 34 Sound Visual Approach, then a major noise and safety issue would be addressed.

New approach to Westchester County Airport. Implement the proposed Flight Management System (FMS) approach to Westchester County Airport. The FMS approach – which was requested by Westchester Airport Authorities – tracks along a narrow corridor that will traverse unpopulated terrain and the Long Island Sound to avoid over-flight of Greenwich and Stamford. The FMS has been developed over the past five years by experts and reviewed by air traffic controllers. No further research would be needed so implementation time and costs would be minimal. It will reduce population impacted by 51%.

Eliminate redundant LaGuardia Approach. Cancel one approach to Runway 22 at LaGuardia Airport that is redundant and unnecessary. By removing this approach, called LGA GPS-E Instrument Approach Procedure, and realigning LGA GPS-G over Long Island Sound, you route the planes over the water. This will remove air traffic over the homes of thousands of people in the shoreline communities of both Fairfield and Westchester counties.

Enforce night flying rules. Enforce the Voluntary Restraint From Flying program by establishing heavy surcharges for violators. This approach has worked well at other airports around the country.. It will eliminate noise between Midnight and 6:00 a.m.

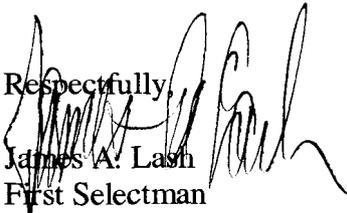
Raise airspace floor. Modify the New York Class B airspace by raising the floor from 3000 feet to 4000 feet. This would allow flights coming in below that airspace to Westchester County Airport to fly 1000 feet higher reducing their impact on the local community. This would have the added benefit of segregating helicopters traversing the airspace at 2000 feet from the fixed-wing aircraft at higher altitudes.

With regard to the Draft Environmental Impact Statement (DEIS), there were no public workshops in Greenwich and our residents were unaware of the FAA/DEIS workshops in held in other towns. But in Appendix C and E of the DEIS, there is a proposed flight change to planes departing from Westchester Airport that would require planes to make a large loop over Greenwich before turning out to their destination. This would have a dramatic environmental impact on Greenwich residents.

We would like to request a public workshop to be held in Greenwich by the FAA regarding the DEIS and any proposed flight changes for the Westchester County Airport that would impact Greenwich residents. Going forward we would like to be included in a dialogue with the FAA regarding air traffic affecting our area.

I look forward to hearing from you.

Respectfully,


James A. Lash
First Selectman
Town of Greenwich

Response to Comment 4230: James A. Lash, First Selectman, Town of Greenwich

Comment Number	Comment response
1	Comment noted. The FAA recognizes the quality of life issues impacted by aviation activities. In addition, the FAA understands the community's concerns regarding safety. Assigning, maintaining and enhancing safety and security are the highest priorities in air commerce. Safety is the utmost concern of the FAA, and has been a priority throughout the Airspace Redesign Process. The Airspace Redesign Project addresses many safety-related inefficiencies and will contribute to enhanced safety in light of growing traffic.
2	Comment noted.
3	Comment noted.
4	The FAA always intended to consider mitigation once it selected its preferred alternative. The FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level prior to designing any mitigation. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
5	This is an issue of controller training. Current noise abatement procedures are part of the mitigated Preferred Alternative and will be included in the training that air traffic controllers receive to implement the design.
6	HPN already has an RNAV approach to Runway 34 however this approach is rarely used. This is due to airspace constrictions at N90, the final approach is too long to be used extensively.
7	There is neither a GPS-E nor a GPS-G at LGA. Assuming correspondent was referring to the VOR/DME-E and VOR/DME-G approaches, realigning them is not as practical as replacing them with an approach overlaying the LDA approach to Runway 22. Increasing use of that less-intrusive approach is included in the noise mitigation of the preferred alternative.
8	<p>In order to impose fines, the Voluntary Restrain From Flying program would have to be changed from a voluntary program to a restrictive program. In accordance with the Airport Noise and Capacity Act of 1990 (49 U.S.C. App. 2153, 2154, 2155, and 2156) the airport owner would have to complete a 14 CFR Part 161 study.</p> <p>Part 161 does not apply to restrictions imposed by an airport prior to October 1, 1990. Therefore, even though some airports have access restrictions such as curfews, such restrictions may not be possible at HPN or LGA.</p>
9	The floor of Class B airspace over Greenwich is derived from the climb performance of aircraft departing LGA. Unfortunately, nothing in this airspace redesign will increase their rate of climb, so this will not be possible.

Response to Comment 4230: James A. Lash, First Selectman, Town of Greenwich

Comment Number	Comment response
10	<p>A public meeting was held in Stamford on 2/8/2006. Ads announcing the public meeting appeared in newspapers at least two weeks prior to the public meeting. Ads appeared in the Stamford Advocate and the Greenwich Times on 1/22/06 and 1/25/06 respectively. In addition public service announcements were run on several radio stations two of which include Fairfield County in their coverage area; WGCH 1490 AM and WXPk 107.1 FM.</p> <p>As the commenter notes, there are some route changes at a distance from HPN. These flight route changes occur beyond the HPN noise abatement procedures and beyond the extent of the HPN 2005 60 DNL noise contour as published in HPN's 2002 Aircraft Noise Study as found on their Web Site. The DEIS does provide detailed discussions regarding the changes in noise levels that meet FAA's thresholds of reportability. These discussions include the identification of the cause and/or contributing factors to the changes depicted for each alternative. The changes identified in the comment are below FAA's threshold of reportability and thus are not discussed in detail. Information beyond FAA's thresholds of significance and reportability was provided by FAA in the form of the supplemental data in the noise spreadsheets published on the project web site. This data goes beyond the typical level of disclosure and provides noise levels for each census block within the Study Area.</p>
11	<p>Comment noted. In addition to meeting NEPA public involvement requirements, the FAA participated in a public hearing of the Aviation Sub-Committee in New Canaan, CT, in October 2006.</p>



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JOSEPH T. LAPAGLIA, Mayor
EDWARD SANDVE, Borough Administrator

201-391-4977
Fax 201-391-8830

May 30, 2006

Mr. Steve Kelley, FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C#.02
Reston, Virginia 20191

RE: **Resolution to Prohibit Increased Airplane Noise Over
Woodcliff Lake**

Dear Mr. Kelley:

Attached please find a Resolution to Prohibit Increased Airplane Noise Over Woodcliff Lake, New Jersey which is situated in the Pascack Valley section of Bergen County, New Jersey. This Resolution accurately relays the sentiments of the full Council and Mayor of the Borough of Woodcliff Lake. All of the municipalities in the Pascack Valley section of Bergen County can reasonably anticipate disproportionately negative impacts from the DEIS.

Should you require any additional information or need further input from the Borough of Woodcliff Lake, please feel free to contact me at extension 218.

Thank you.

Sincerely,

Lori Sciara
Borough Clerk

C: Mayor and Council
Ed Sandve, Borough Administrator

004237
1 of 5



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JOSEPH T. LAPAGLIA, Mayor
EDWARD SANDVE, Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION TO PROHIBIT INCREASED AIRPLANE NOISE OVER WOODCLIFF LAKE

WHEREAS, the Federal Aviation Administration (“FAA”) has proposed a redesign of the airspace in the New York, New Jersey, and Philadelphia Metropolitan Areas; and

WHEREAS, the FAA has prepared a Draft Environmental Impact Statement (“DEIS”) in accordance with various FAA Orders including Order 1050.1E and Order 5050.4B; and

WHEREAS, all FAA Orders mandate public participation in the Environmental Impact Statement decision making process; and

WHEREAS, the FAA Orders require the DEIS documents to be available for review 30 days prior to any public meeting; and

WHEREAS, the DEIS identifies four airspace redesign alternatives; and

WHEREAS, the citizens of the Borough of Woodcliff Lake will see significant negative impacts from at least one of the four alternatives; and

WHEREAS, the Borough of Woodcliff Lake is situated in the Pascack Valley section of Bergen County, New Jersey; and

WHEREAS, all of the municipalities in the Pascack Valley section of Bergen County can reasonably anticipate disproportionately negative impacts from the DEIS; and

WHEREAS, while notice of the proposed airspace redesign and/or the contemplated public meeting schedule was sent to a multitude of groups and individuals in the areas of Philadelphia, New York and New Jersey, none of the municipalities in the Pascack Valley section of Bergen County received any such notice; and

WHEREAS, no public meeting was scheduled or held in the Pascack Valley section of Bergen County; and

WHEREAS, certain data essential to formulating a cogent and thorough response to the DEIS was not provided by the FAA with the release of the DEIS; and

WHEREAS, as a result of certain data essential to analyzing and responding to the DEIS not being released by the FAA with the DEIS, the entire DEIS was not available for review 30 days prior to some of the public meetings held on the DEIS; and

WHEREAS, the Borough of Woodcliff Lake together with 8 adjoining municipalities has objected to (i) the proposed redesign of air traffic flow in the New York, New Jersey, Philadelphia area by the FAA in a manner that has a disproportionate adverse impact upon the Pascack Valley area of Bergen County (ii) the fact that no public meetings were held in the Pascack Valley section of Bergen County, and (iii) the fact that the FAA has violated the requirements of Federal law and its own regulations in not releasing the complete DEIS, in not giving adequate notice of public hearings to persons affected by its proposed redesign of the airspace and in not conducting appropriate public meetings, and (iv) the conclusion of the comment period on June 1, 2006; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake, in the County of Bergen, State of New Jersey makes the following determinations:

1. The residents of the Borough of Woodcliff Lake have been disenfranchised as they (i) were not afforded adequate public notice of the FAA's proposed actions, and (ii) were not afforded a public hearing to provide comments and reactions to the DEIS.
2. The actions of the FAA in denying the residents of the Borough of Woodcliff Lake and the residents of the other municipalities in the Pascack Valley section of Bergen County an additional public hearing on the DEIS are arbitrary, capricious, unreasonable, and contrary to the requirements of the law.
3. The actions of the FAA in concluding the comment period for the DEIS on June 1, 2006 given its failure to give notice to the residents and government of the Borough of Woodcliff Lake and the residents and governments of the other municipalities in the Pascack Valley section of Bergen County and in the face of repeated requests to extend the comment period are arbitrary, capricious, and unreasonable.
4. Even for those public hearings actually held, the FAA failed to provide a full DEIS in the time period required by its own directives and orders.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake reserves the right to pursue whatever recourse it

deems appropriate (either as part of the Pascack Valley Mayor's Association or independently) if the FAA refuses its request for additional meetings(s) and an extension of the comment period.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized on behalf of the Borough of Woodcliff Lake to join with the 8 other mayors representing municipalities in the Pascack Valley section of Bergen County (the Pascack Valley Mayors Association) in retaining the services of William G. Mennen, PC as special counsel for the purpose of objecting to the FAA's June 1, 2006 closure of the comment period and denial of the request for additional public meetings(s).

BE IT FURTHER RESOLVED, that this Resolution ratifies and confirms the action taken by vote of the Mayor and Council of the Borough of Woodcliff Lake.

Response to Comment 4237: Lori Sciara, Borough Clerk, Borough of Woodcliff Lake

Comment Number	Comment response
1	<p>The DEIS discloses that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in some regions of the Study Area. However, the Woodcliff Lake area is not expected to be exposed to any significant noise changes as defined by FAA's threshold of a change of +1.5 DNL at 65 DNL or higher. There are areas nearby that may experience slight to moderate increases in noise associated with the Integrated Airspace Alternative Variation with the ICC in the future. In addition it should be noted that noise abatement measures were considered in designing mitigation for the FAA's Preferred Alternative. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p>
2	<p>Comment noted. See response to comment 4237 #1.</p>
3	<p>Over 400 individuals residing in the Bergen County received direct mail notification of the public meetings. In addition, a copy of the DEIS Executive Summary, was sent directly to the Mayor's office in Hillsdale, NJ in December 2005.</p> <p>Newspaper advertisements, with circulation in the Pascack Valley area, announcing the public meeting locations were run in the following papers: El Diario, The North Jersey Herald News, and the Bergen Record. Public Service Announcements were run in rotation on several stations in Bergen county. Fifteen meetings were held in NJ including a meeting in Hasbrouck Heights on April 6, 2006. Hasbrouck Heights is approximately 12 miles from Woodcliff Lake. Furthermore, an additional presentation was given on May 22, 2006, at the behest of the Pascack Valley Mayor's Association.</p>
4	<p>Comment noted. The noise grid points referred to by the commenter were released as an interpretive supplement to noise information already modeled and published in the document. These grid points allowed any resident in the five-state study area to log on to a website and find noise grid point information for his/her census tract/block. This information was for public disclosure and individual interpretation purposes only. The noise analysis provided in the EIS is the information upon which the FAA made its decisions related to alternatives and for comparison with any noise mitigation strategies proposed in the FEIS. FAA extended the comment period for an additional 30 days, in response to numerous requests for extension.</p> <p>A meeting was held in Hasbrouck Heights on April 6, 2006. Hasbrouck Heights is near the Pascack Valley section of Bergen County. Furthermore, an additional presentation was given on May 22, 2006, at the behest of the Pascack Valley Mayor's Association.</p>
5	<p>Comment Noted. See responses to Comments 4237 # 3 and 4.</p>
6	<p>The FAA participated in an elected officials briefing in May 2006, in Bergen County.</p>
7	<p>The comment period was extended to July 1, 2006. Comments were accepted for a period of over seven months following the release of the Draft EIS on December 21, 2005, which is substantially longer than the 45 days required. Approximately twenty residents of Pascack Valley were sent post cards notifying them of the release of the Draft EIS and the comment period, including the following public officials: Assemblyman Rooney, Assemblywoman Vandervalk, and Mayor Deutsch.</p>

Response to Comment 4237: Lori Sciara, Borough Clerk, Borough of Woodcliff Lake

Comment Number	Comment response
8	FAA extended the comment period for an additional 30 days to July 1, 2006, in response to numerous requests for extension.
9	Comment noted. FAA extended the comment period for an additional 30 days to July 1, 2006, in response to numerous requests for extension.
10	Comment noted. See response to Comment 4237 #11.



Township of River Vale

Resolution offered : Councilman Matos	No. 2006-125
Resolution seconded by: Councilman Blundo	

WHEREAS, the Federal Aviation Administration ("FAA") has proposed a redesign of the airspace in the New York, New Jersey, and Philadelphia Metropolitan Areas; and

WHEREAS, the FAA has prepared a Draft Environmental Impact Statement ("DEIS") in accordance with various FAA Orders including Order 1050.1E and Order 5050.4B; and

WHEREAS, all FAA Orders mandate public participation in the Environmental Impact Statement decision making process; and

WHEREAS, the FAA Orders require the DEIS documents to be available for review 30 days prior to any public meeting; and

WHEREAS, the DEIS identifies four airspace redesign alternatives; and

WHEREAS, the citizens of the Township of River Vale will see significant negative impacts from at least one of the four alternatives; and

WHEREAS, the Township of River Vale is situated in the Pascack Valley section of Bergen County, New Jersey; and

WHEREAS, all of the municipalities in the Pascack Valley section of Bergen County can reasonably anticipate disproportionately negative impacts from the DEIS; and

WHEREAS, while notice of the proposed airspace redesign and/or the contemplated public meeting schedule was sent to a multitude of groups and individuals in the areas of Philadelphia, New York and New Jersey, none of the municipalities in the Pascack Valley section of Bergen County received any such notice; and

WHEREAS, no public meeting was scheduled or held in the Pascack Valley section of Bergen County; and

WHEREAS, certain data essential to formulating a cogent and thorough response to the DEIS was not provided by the FAA with the release of the DEIS; and

WHEREAS, as a result of certain data essential to analyzing and responding to the DEIS not being released by the FAA with the DEIS, the entire DEIS was not available for review 30 days prior to some of the public meetings held on the DEIS; and

WHEREAS, the Township of River Vale together with 8 adjoining municipalities has objected to (i) the proposed redesign of air traffic flow in the New York, New Jersey Philadelphia area by the FAA in a manner that has a disproportionate adverse impact upon the Pascack Valley area of Bergen County (ii) the fact that no public meetings were held in the Pascack Valley section of Bergen County, and (iii) the fact that the FAA has violated the requirements of Federal law and its own regulations in not releasing the complete DEIS, in not giving adequate notice of public hearings to persons affected by its proposed redesign of the airspace and in not conducting appropriate public meetings, and (iv) the conclusion of the comment period on June 1, 2006; and

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NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of River Vale, in the County of Bergen, State of New Jersey makes the following determinations:

1. The residents of the Township of River Vale have been disenfranchised as they (i) were not afforded adequate public notice of the FAA's proposed actions, and (ii) were not afforded a public hearing to provide comments and reactions to the DEIS.
2. The actions of the FAA in denying the residents of the Township of River Vale and the residents of the other municipalities in the Pascack Valley section of Bergen County an additional public hearing on the DEIS are arbitrary, capricious, unreasonable, and contrary to the requirements of the law.
3. The actions of the FAA in concluding the comment period for the DEIS on June 1, 2006 given its failure to give notice to the residents and government of the Township of River and the residents and governments of the other municipalities in the Pascack Valley section of Bergen County and in the face of repeated requests to extend the comment period are arbitrary, capricious, and unreasonable.
4. Even for those public hearings actually held, the FAA failed to provide a full DEIS in the time period required by its own directives and orders.

BE IT FURTHER RESOLVED, that the Township Council reserves the right to pursue whatever recourse it deems appropriate (either as part of the Pascack Valley Mayor's Association or independently) if the FAA refuses its request for additional meetings(s) and an extension of the comment period.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized on behalf of the Township of River Vale to join with the 8 other mayors representing municipalities in the Pascack Valley section of Bergen County (the Pascack Valley Mayors Association) in retaining the services of William G. Mennen, PC as special counsel for the purpose of objecting to the FAA's June 1, 2006 closure of the comment period and denial of the request for additional public meetings(s).

BE IT FURTHER RESOLVED, that this Resolution ratifies and confirms the action taken by vote of the Township Committee at its May 29, 2006 meeting.

Council Member	AYE	NAY	N.V.	A.B	VETO
BLUNDO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DE STEFAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JASIONOWSKI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Council Member	AYE	NAY	N.V.	A.B	VETO
MATOS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MENVILLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

X - Indicates Vote A.B. - Absent N.V - Not Voting (Abstained or Excused)

Dated: May 29, 2006

Copy: FAA

I hereby certify that this is a true copy of the Resolution passed by the Township Council at their meeting

held on: May 29th, 2006 Attest: Wanda A. Worner
 Wanda A. Worner, Township Clerk

COMMISSIONERS OF TINICUM TOWNSHIP

President
WILLIAM R. WASCH
Lester, PA

Vice President
JOSEPH F. WUNDER
Essington, PA

DENNIS R. ARTHUR
Lester, PA

THOMAS J. GIANCRISTOFORO, JR.
Essington, PA

MICHAEL J. MESSINA
Essington, PA

May 25, 2006

Steve Kelley,
FAA-NAR,
c/o Ms. Nessa Memberg,
12005 Sunrise Valley Rd.,
MS C3.02 Stop,
Reston, VA 20191

Enclosure (1) Map Identifying Delaware County Impacted Area
Enclosure (2) Census Figures Related to Impacted Area

**RE: NY / NJ / PHL Airspace Redesign DRAFT Environmental Impact Statement
2005 "2011 Integrated Airspace Alternative Variation Without ICC -
PHL Metropolitan Area Concept"**

Dear Mr. Kelley:

The purpose of this letter is to address comments on behalf of the residents of Tinicum Township, Delaware County concerning the Federal Aviation Administration (FAA) proposal on the recently released Draft Environmental Impact Statement for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign currently under consideration for public review and comments.

Upon our review of the referenced document the Tinicum Township Board of Commissioners are urging that for the Philadelphia International Airport the FAA consider the FUTURE NO ACTION AIRSPACE ALTERNATIVE and require that all departing flights remain over the Delaware River and not be permitted to fly over Tinicum Township, the John Heinz National Wildlife Refuge at Tinicum and surrounding Delaware County Communities identified on Enclosure (1).

Should the 2011 Integrated Airspace Alternative variation without ICC - PHL Metropolitan Area Concept identified in Enclosure (1) be approved, departing aircraft will be permitted to make a right turn on take-off flying over Tinicum, the John Heinz National Wildlife Refuge at Tinicum, Ridley Park, Norwood, Prospect Park, Glenolden, Folsom, Rutledge, Morton, Woodlyn, Parkside, Nether Providence, Swarthmore, Springfield and other Delaware County communities, the end result will have a significant adverse environmental impact on our residents and surrounding schools. 107,287 persons and 42,382 residential households reside in the impacted

Manager
NORBERT J. POLONCARZ
Essington, PA

Secretary
JEAN L. McCOY
Lester, PA

Treasurer
RICHARD E. GODBEY
Essington, PA

Solicitor
SAM S. AUSLANDER, ESQ.
Collingdale, PA

Engineer
JAMES W. MacCOMBIE, P.E.
Broomall, PA



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area will be environmentally affected. Refer to Enclosure (1) for impacted area and Enclosure (2) for census figures related to impacted area.

It must be understood by the FAA that there is absolutely no community acceptance for the “2011 Integrated Airspace Alternative Variation Without ICC - PHL Metropolitan Area Concept” and that the present departure flight pattern over the Delaware River should be the only acceptable departure route. More emphasis should be placed on the Future No Action Airspace Alternative so as to minimize the catastrophic impact the “2011 Integrated Airspace Alternative Variation Without ICC - PHL Metropolitan Area Concept” will have on all our residents.

Our comments are in opposition to the “2011 Integrated Airspace Alternative Variation Without ICC - PHL Metropolitan Area Concept” for the following:

1. The implementation of the referenced concept will not only place the viability of Tinicum Township at risk, but will create undue hardship affecting the quality of life and health and welfare of all surrounding Communities.
2. Air traffic control procedural changes associated with the proposed airspace redesign will have the potential to impact on our environment, and create an adverse effect on all of our lives, and will have a significant impact on our noise sensitive areas - our schools our hospitals and libraries.
3. The actions proposed for the Philadelphia International will cause substantial division and disruption of our established communities and disrupt orderly and planned development and is not reasonably consistent with the plans and goals that have been adopted by the impacted communities.
4. The following is a list of important issues that the FAA must be address concerning the proposed departures from the Philadelphia International Airport:
 - a.) Impact on the local communities and Delaware County at large:
 - 1.) Quality of life and quiet enjoyment of resident's property, and impact on the residential character of the communities.
 - 2.) Livability within the Community
 - 3.) Noise
 - 4.) Fear of low flying planes over our homes and schools
 - b.) Psychological and sociological impact upon the local communities:
 - 1.) Additional psychological and anxiety to the residents as a result of multiple and larger low flying aircraft over our dwellings.
 - 2.) Growing anxiety over a potential catastrophe arising from an airport mishap.

- c.) Adverse environmental impact throughout the Communities:
 - 1.) Noise and sound pollution, which will adversely affect the health and welfare of residents
 - 2.) Air quality and potential impact on the water supply
 - 3.) Adverse impact on residential parks, open space and refuges, such as the John Heinz Refuge
 - 4.) Adverse impact on vegetation, wildlife and other natural resources.

- d.) Economic factors to the local community, as well as the County as a whole:
 - 1.) Loss of new economic development in the impacted areas.
 - 2.) Decrease in property values that this concept is likely to cause. Many consider the noise represents a taking of preemption of property without just compensation
 - 3.) Loss of our tax base by devaluation of both residential and commercial properties.

- e.) Air Quality:
 - 1.) The increase in the emission level air pollutants over the impacted communities.

- f.) Safety Issues that the FAA did not Address or Consider:
 - 1.) Bird strikes or at the end of the runways. Under the “2011 Integrated Airspace Alternative Variation with ICC – PHL Metropolitan Area Concept” aircraft taking off will fly directly over the John Heniz National Wildlife Refuge in Tincum Township, where approximately 280 species of birds that have been recorded on the Refuge and its immediate environs. It includes some 85 species that nest here, as well as migratory birds traveling the Atlantic Flyway that use the Refuge as a resting and feeding stop.

- g.) Past incidents in Tincum Township include:
 - 1.) Landing gear falling off aircraft and landing in the fields in the area of 4th and Tincum Island Road.
 - 2.) Engine housing falling off aircraft into the same area.
 - 3.) Hatch doors falling off aircraft landing in the backyards of residential homes.

It is abundantly clear that the adverse impact of the “2011 Integrated Airspace Alternative Variation Without ICC - PHL Metropolitan Area Concept” far outweighs the saving of a mere few minutes in travel time and therefore the FUTURE NO ACTION AIRSPACE ALTERNATIVE should be adopted.

Sincerely,

TOWNSHIP OF TINICUM


William R. Wasch,
President

WRW/jlm

Enclosures

cc: Commissioners
Township Manager
Representative W Curtis Weldon
Robert A Brady
Senator Arlen Specter
Senator Richard J. Santorum
Andrew Reilly, Delaware County Council

<u>Municipality</u>	<u>Persons in Household</u>	<u>Total Households</u>
Tinicum	4,349	1,749
Ridley Park Twp	30,735	12,121
Ridley Park Boro	7,129	3,015
Norwood	5,983	2,286
Prospect Park	6,421	2,577
Glenolden	7,476	2,907
Rutledge	852	297
Morton	2,703	1,875
Parkside	2,670	869
Nether Providence	10,443	4,075
Swarthmore	4,932	1,993
Springfield	<u>23,494</u>	<u>8,618</u>
TOTAL	107,287	42,382

Also the John Heinz National Wildlife Refuge at Tinicum is in the impact area.

* Source U.S. Department of Commerce, Bureau of the Census (2000 Census)

Response to Comment 4240: William R. Wasch, President, Commissioners of Tinicum Township

Comment Number	Comment response
1	Comment noted.
2	The DEIS presents both the "significant" and "slight to moderate" impacts for each alternative in the areas northwest and west of PHL according to FAA policy. In addition it should be noted that noise abatement measures were considered in designing mitigation for the FAA's Preferred Alternative. While noise abatement was not possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.
3	Comment noted.
4	The FAA would not implement an unsafe air traffic action. The FAA recognizes the quality of life issues of residents in the Study Area and always intended to consider mitigation once it selected its preferred alternative.
5	Comment noted.
6	Comment noted. The FAA included mitigation for the Preferred Alternative in the FEIS.
7	The FAA recognizes the quality of life issues of residents in the Study Area and always intended to consider mitigation once it selected its preferred alternative. In addition, the FAA understands the community's concerns regarding safety. Assigning, maintaining and enhancing safety and security are the highest priorities in air commerce. Safety is the utmost concern of the FAA, and has been a priority throughout the Airspace Redesign Process. The Airspace Redesign Project addresses many safety-related inefficiencies and will contribute to enhanced safety in light of growing traffic.
8	The FAA would not implement an unsafe air traffic action. The FAA can not address anxiety over low flying aircraft and potential for mishap. Assigning, maintaining and enhancing safety and security are the highest priorities in air commerce. Safety is the utmost concern of the FAA, and has been a priority throughout the Airspace Redesign Process. The Airspace Redesign Project addresses many safety-related inefficiencies and will contribute to enhanced safety in light of growing traffic.
9	The FEIS provides mitigation measures designed to reduce the noise impacts associated with the Preferred Alternative. Air quality will benefit as a result of the Preferred Alternative and no impacts are expected to water supply, vegetation, and other natural resources. Chapter Five, Preferred Alternative and Mitigation, of the FEIS includes additional information on potential impacts to National Wildlife Refuges and avian species.

Response to Comment 4240: William R. Wasch, President, Commissioners of Tinicum Township

Comment Number	Comment response
10	<p>The property value impacts of aviation noise have been studied on multiple occasions with publication of study results beginning in the mid 1970s, to-date there is still no definitive answer. For individuals who might work at (or near) the airport or who use the airport for travel, the benefits of proximity can be reflected in residential property values. Because it is possible for an airport to have both negative and positive effects on property values, the net effect can be negative or positive. Separation of aviation noise from other noise emitters has always been an issue for determining a specific property value impact due to aviation noise. Some studies have found that impact due to aviation noise is negligible while others have found the impact to be upwards of 10 percent. A 2003 study by J. Nelson, Department of Economics, Pennsylvania State University entitled Meta-Analysis of Airport Noise and Hedonic Property Values: Problems and Prospects found that the “cumulative noise discount in the U. S. is about 0.5% to 0.6% per decibel at noise exposure levels of 75 dB or less”. For this study 20 hedonic property value studies are analyzed, covering 33 estimates of the noise discount for 23 airports in Canada and the United States. Specifically, at DNL above 65 dB, the effect is about 1% per additional dB; at DNL between 60 and 65 dB, the effect is about 0.5% per additional dB; below 55 dB DNL, no effect has been measured. Nelson, Jon P., “Hedonic Property Value Studies of Transportation Noise: Aircraft and Road Traffic”, Proceedings of the International Symposium on Hedonic Methods in Real Estate, Geneva, Switzerland, June 2007. Although property devaluation is based on circumstance (i.e. frequency of airport use, economic ties to airport) it is clear that proximity to an airport is a key component to potential devaluation with higher noise levels having the most potential for property devaluation. With respect to commercial property devaluation, it is less likely that commercial properties will be impacted by aviation noise as commercial properties are compatible with higher noise levels. Studies to-date have focused on residential property value impacts.</p>
11	<p>The Proposed Action does not induce aircraft operations and is designed to increase efficiency and decrease delay; therefore, air pollutants would be less with the Preferred Alternative than with the Future No Action Airspace Alternative.</p>
12	<p>Additional information related to avian species and the proposed airspace changes is included in the FEIS.</p>
13	<p>The FAA has strict regulations governing the certification and maintenance of aircraft. Before any type of transport category aircraft enters service and is authorized to carry passengers or cargo, it must be certified in accordance with Title 14 of the Code of Federal Regulations Part 25 known as Airworthiness Standards. Once the airline start using an aircraft type, they have to follow a vigorous maintenance schedule mandated by Title 14 of the Code of Federal Regulations Part 43 Maintenance, Preventive Maintenance, Rebuilding and Alteration. In addition, all aircraft type certificate holders, owners and operators must comply with Title 14 of the Code of Federal Regulations Part 39: Airworthiness Directives (AD). The aircraft type certificate owner is responsible to notify the FAA when they become aware that unsafe conditions exist on one of their products. FAA will issue Airworthiness Directives when they become aware of the existence of an unsafe condition in a product or if the condition is likely to develop in other product of the same type design. Parts of planes falling off during flight most likely will require FAA to issue an Airworthiness Directives to all owners/operators who utilize that particular type of aircraft. The AD specifies a compliance time and that compliance time determines when the actions are required. Aircraft owners and operators are responsible for ensuring compliance with the requirements of all ADs that apply to their aircraft</p>

Response to Comment 4240: William R. Wasch, President, Commissioners of Tinicum Township

Comment Number	Comment response
14	Comment noted.



THE TOWNSHIP OF MILLBURN

375 MILLBURN AVENUE
MILLBURN, NEW JERSEY 07041

OFFICE OF TOWNSHIP CLERK

(973) 564-7073
FAX (973) 564-7468

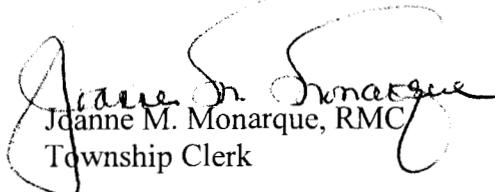
May 31, 2006

Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Dear Sir,

Enclosed is a certified copy of Resolution #06-106, which was adopted by the Township Committee of the Township of Millburn at a Special Meeting this morning. This resolution opposes the draft EIS for the NY NJ Airspace Redesign.

Sincerely,


Joanne M. Monarque, RMC
Township Clerk

Enclosure

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RESOLUTION OPPOSING METRO AIRSPACE REDESIGN PROPOSALS

WHEREAS; in December of 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing Modified and Integrated Airspace proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS; these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS; projected capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS; the three FAA promoted proposals all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on communities further west (an increase in aircraft noise of between 15%-32% for Millburn Township depending on the alternative); and

WHEREAS; to a lesser extent, "fanning" of north flow departures from EWR and increased use of Runway 29 in certain procedures would also impact communities in close proximity to EWR and further to the west in Essex and Union Counties; and

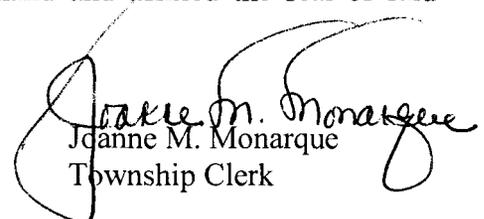
WHEREAS; the most heavily promoted alternative, the so called Integrated Airspace with Integrated Control Center has the largest noise impacts and estimated cost of \$2.5 billion dollars.

NOW, THEREFORE BE IT RESOLVED that the Millburn Township Committee strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the fanning of EWR south flow departures that are parts of these proposals.

CERTIFICATION

I, Joanne M. Monarque, Clerk of the Township of Millburn, in the County of Essex, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Township Committee at a regular meeting held on the 31st day of May, 2006.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this 31st day of May, 2006.


Joanne M. Monarque
Township Clerk

Response to Comment 4261: Township Clerk Joanne M. Monarque, RMC, Township of Millburn

Comment Number	Comment response
1	Comment noted.

TOWN OF WOODSTOCK • 45 COMEAU DRIVE, WOODSTOCK NY 12498

PHONE: (845) 679-2113:
Ext. 7: Supervisor; Fax: (845) 679-7915
Ext. 4: Town Clerk; Fax: (845) 679-8743
Ext. 1: Assessor
Ext. 3: Building Dept, Code Enforcement
Ext. 6: Planning Board
Ext. 8: Zoning Board of Appeals
Ext. 8: Environmental Commission
Ext. 8: Commission for Civic Design

FAX: (845) 679-8743:
Assessor, Bldg. Dept., Planning Board
Zoning Board of Appeals, CCD, WEC

Incorporated 1787



Colony of the Arts

Highway Department: (845) 679-2805
Fax: (845) 679-2813
Justice Court: (845) 679-6345
Fax: (845) 679-6826
Police/Fire/Emergency: (845) 679-2422
Fax: (845) 679-2009
Water/Sewer Dept.: (845) 679-2356
Fax: (845) 679-0317
Youth Center: (845) 679-2015
Fax: (845) 679-8032
WEBSITE: www.woodstockny.org
E-MAIL: info@woodstockny.org

May 23, 2006

Mr. Steve Kelley, FAA NAR
c/o Ms. Nessa Memberg
12005 Sunrise Valley Drive
MSC3.02
Reston VA 20191

Via: e-mail: faa.deis@ngc.com and
US Postal Service

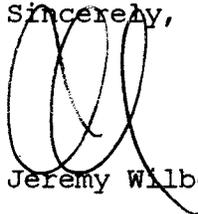
Dear Mr. Kelley,

I was pleased to have been told that the interests of the Catskill Park will be recognized and thoroughly considered when you propose changes to the flight patterns of aircraft approaching and departing airports to the south of us. As you recall, there was considerable concern with the impact of aircraft traffic on the Catskill Park at the April 10th meeting at the Holiday Inn in Kingston.

The purpose of this letter is to recommend the plan that would narrow the flight paths and raise their altitudes. However, I urge you to consider refining the plan and move the concentrated flight path further east so that it follows the New York State Thruway corridor. My reason for this suggestion is that the corridor is already subject to considerable ambient noise. Another reason is that the Thruway corridor has a lower elevation (compared to most of the Catskill Park to its west). This means there would even be more separation (and mitigation of noise impacts) between the aircraft and the ground it passes over.

I thank you very much for the considerable time and effort you have put into your primary mission to improve air traffic safety and facilitate the arrivals and departures of the burgeoning air traffic in our region. I hope the opportunity to address the environmental impacts, particularly the noise; will lead to a proposal that will satisfy the needs of the industry and the sanctity of the Catskill Park. If I can be of any assistance with this matter, or answer any questions, please do not hesitate to contact me.

Sincerely,



Jeremy Wilber, Supervisor

JW:as

cc: Ms. Laurie DuBord, Aide, 28th Congressional Dist.

004270
198

May 23, 2006

Steve Kelley, FAA National Airspace Redesign
C/O Nessa Memberg
12005 Sunrise Valley Drive, MS C302
Reston, VA
20191

Dear Mr. Kelley,

2 In light of the information presented at the Northeast Airspace Redesign public hearing, we would like to express our continued concern over the consolidation of air traffic over the Catskill and Minnewaska State Parks.

3 We support the Integrated Airspace Variation with ICC, as it increases present altitudes by approximately 3000-5000 feet. The current mid-level intersection at 7000-11,000 feet is unacceptable in a rural, mountainous area. We do not, however, support the proposed further consolidation of air traffic over the Catskill Park, and feel that other alternatives must be examined, such as routing traffic over cities and/or transportation corridors, which would be much less impacted by the noise.

4 We feel that noise mitigation and environmental impacts must be of greater concern to any Redesign plan that is adopted. The Ulster County Legislature has unanimously passed a resolution to this effect, calling for a reduction of noise impacts from Newark and Westchester jet arrivals on the public, protected Catskill and Shawangunk parklands. Our group also has the support of Congressman Maurice Hinchey, who shares our concerns.

5 We also hope that FAA will make an effort to involve public comment and suggestion for the required noise mitigation efforts after adoption of a Redesign plan.

6 Our group represents a wide range of concerned citizens who are adversely affected by the current level of noise pollution. In closing, we would like to emphasize our position that any Redesign plan must include noise abatement for this sensitive region. Since the only proposed option that has any effect is the Integrated Variation with ICC, our group supports that option, presuming that a noise mitigation effort is included after its adoption.

7 We enjoyed meeting all of you at the hearing, and thank you for your time and consideration. We thank you also for providing the additional specifications and information that we requested.

We look forward to hearing from you as the Redesign process advances.

Best wishes,
Euphrosyne Bloom and Martin Keith
Woodstock Overflight Focus Group
399 Stoll Road
Saugerties, NY
12477
(845) 246 – 1369
euphrosynebloom@yahoo.com



Comments on: Metropolitan Airspace Redesign :Addendum

May 12, 2006

Steve Kelly, FAA NAR

C/o Nessa Memberg

12005 Sunrise Valley Dr. MS C3.02

Reston, VA 20191

8 In 1989 noise impacts to the Catskill and Shawangunk parklands (Minnewaska Park Preserve and Sam Point Preserve) as a result of the Expanded East Coast Plan occasioned the creation of our citizen group, Ulsterites Fight Overflight Noise as well as the Woodstock focus group. Since that time we have been working toward the aim of insuring protection of places of natural quiet (as per Grand Canyon legislation in 1987). We have argued at numerous public forums for better assessment and abatement of noise impacts over noise sensitive areas with low ambient noise levels that serve the public need for quiet. Factoring in the intrusiveness and audibility of noise is essential in assessing impacts in these areas. (For example, a mid level intersection in Ulster County creates an adverse impact over a quiet hamlet or over publicly protected parkland but is not noticed over an urban area or over a transportation corridor like the Thurway).

9 This letter follows our initial comments (March 1) prior to the public hearing in Kingston. In that letter, we critiqued the DEIS in terms of its inadequacy in assessing noise impacts in rural areas subject to overflights. The DNL averaging methodology is not appropriate for assessing impacts in areas of low background noise that serve the public need for quiet; in particular the Catskill and Shawangunk park preserves of Ulster County. An accurate accounting of noise impacts in Ulster County would require single event measures on the Shawangunk ridge. The (date) single event analysis by David Nightingale for the Paul Huth Research Center indicates that 13 noise events an hour that are perceived as more than twice as loud as the natural background noise is clearly a problem.

11 We indicated that the DEIS did not give us sufficient information to determine the nature of
impacts in Ulster County under the proposed alternatives. Since that letter we have attended the
12 public meeting on April 10 in Kingston. Although we thought that the format was helpful in
attending to all voices and aspects of the process, we were disappointed that information specific
to the questions we raised was not provided. In stead, we needed to make inferences and
guesstimates from the information provided by modeling. While staff were courteous and
attempted to be helpful, they were not sufficiently versed in our concerns ahead of time so as to
be able to give us more specific information within the time period allowed.

13 Perhaps most distressing, Steve Kelly and the environmental specialist made it clear to us that
despite numerous listening sessions and pre-scooping sessions, impacts on noise sensitive
parklands had not been factored at all into alternatives developed the DEIS. Under all
alternatives, the major arrival path for Newark jets continues to impact the most noise sensitive
parklands of Ulster County and future alternatives would consolidate planes so that flyovers
would be more frequent (i.e., experienced as more relentless) with none of the advantages of
dispersion. Almost as an afterthought at the end of the evening, we were told that noise mitigation
would occur after an alternative was chosen.

14 We want to support the fact that flights need to be higher and the advantages of the ICC in this
respect. We do not, however, endorse the Integrated Airspace Alternative with ICC as it is
formulated in the DEIS because it continues to place the major arrival routes for Newark
and LaGuardia over the Shawangunks and Catskills. Although the planes would be at
higher altitudes, the routes are consolidated so that there would be a greater frequency of
noise impacts in a given time period. Consequently should this alternative be chosen, a
change in the placement of routes to areas that are less noise sensitive would be an
essential noise mitigation measure.

15 We ask you to attend to the major mitigation need of Ulster County: the need to not route a major
metropolitan approach over most noise sensitive areas of the county that serve the public need for
quiet and have the lowest ambient noise levels. Noise mitigation has traditionally been the
responsibility of airport authorities but in the case of en route impacts in Ulster County there is no
responsible airport authority and therefore the FAA and our federal representatives who oversee it
have a special responsibility to address impacts on our noise sensitive and publicly protected
areas.

We appreciate our involvement in this process as well as the complexity of the issues that require
your attention.

Sincerely,

Ulsterites Fight Overflight Noise, Inc.

58 Spongia Rd.

Stone Ridge, NY. 12484

p. 2: | 1:10 = N→S, vvh ~ 37 dB.
 ----- (3 young for pass) -----
 1:12 ~ N→S ≈ 40 dB.
 1:14 = dist, invis, plane ---
 1:15 1/2 = wh, invis ≈ 41 dB.
 (max)
 1:20 = N→S, 2 eng j ≈ 35 dB.
 1:23 = " 4 eng j, vis, ≈ 42 dB
 1:26 = " 2 eng " ≈ 42 "
 1:29 = " " " ≈ 48 "
 1:34 1/2 = ... dist vvh alone -----
 1:39 1/2 = N→S, 2 eng j, vis ≈ 44 "
 (1:41 = breeze)
 1:41-2 = opp! E→W, hi j, 2 eng, ~ 40
 1:50 1/2 = vvh ... invis etc -----
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 1:52-53 = N→S, 2 eng. j ~ 40 dB
 1:55 = ... vvh dist ... invis j -

S TOP.

AMBIENT ~ [31-33] dB.

2:00 pm
(cont. now!)

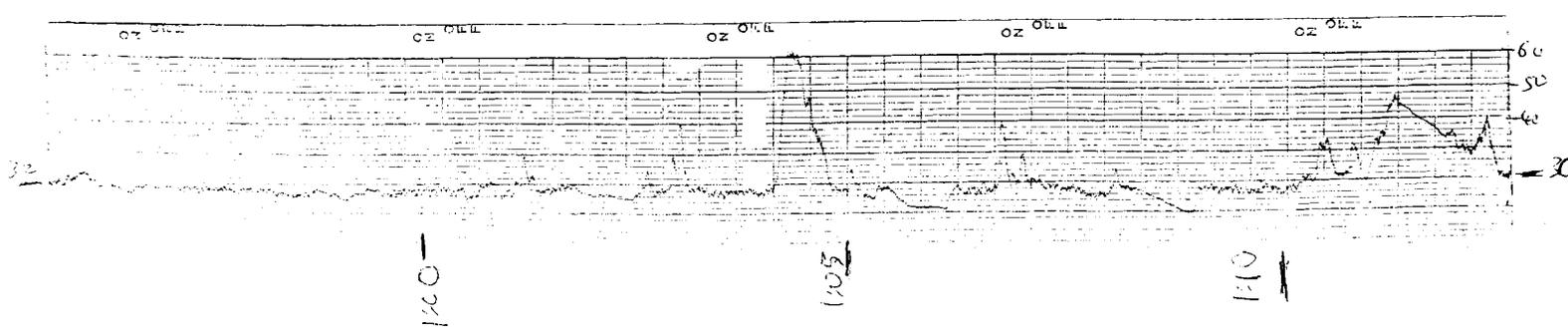
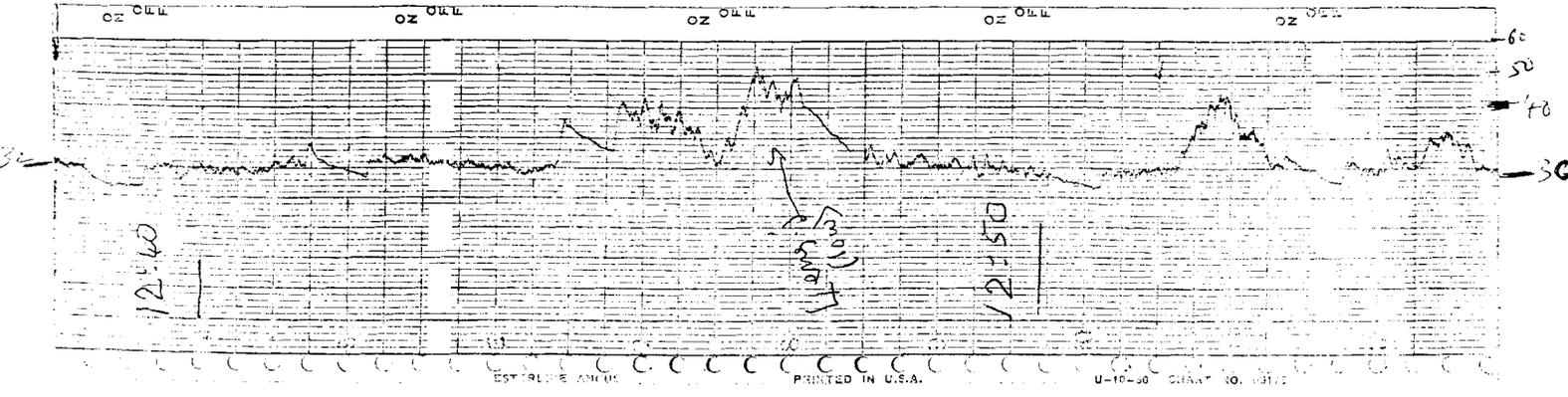
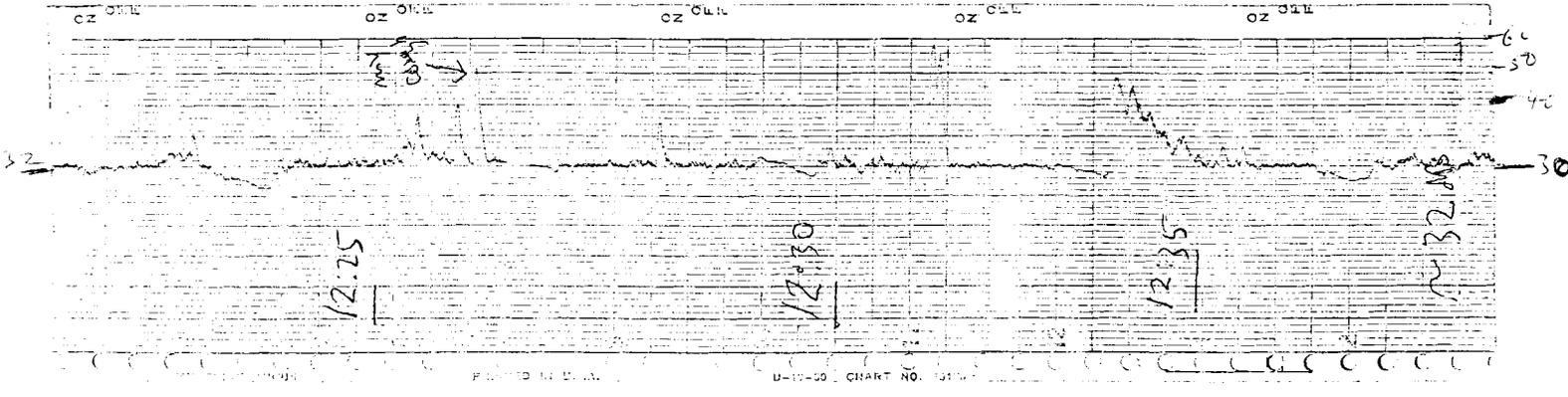
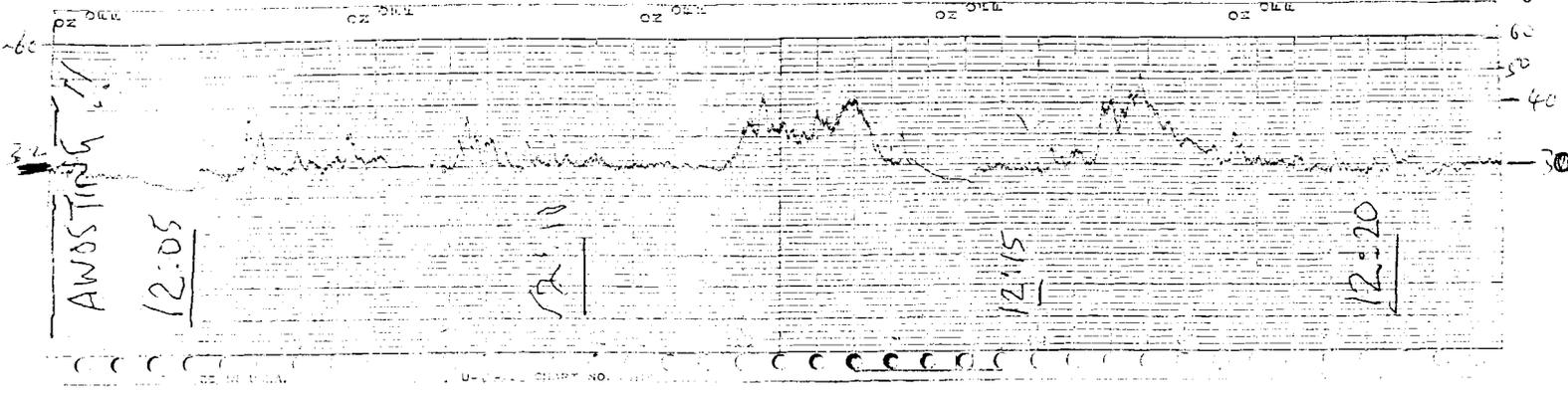
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AWOSTING LAKE

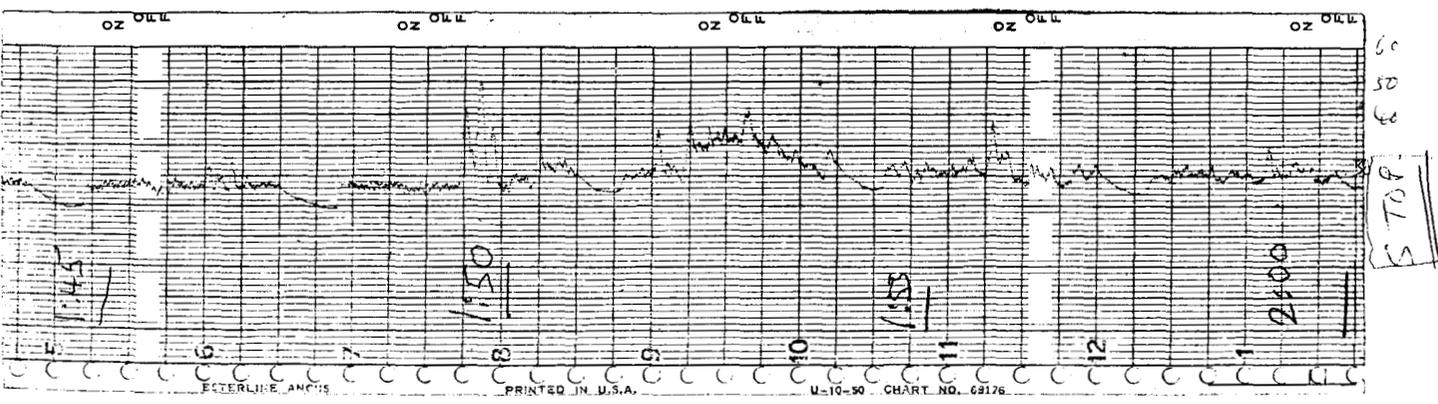
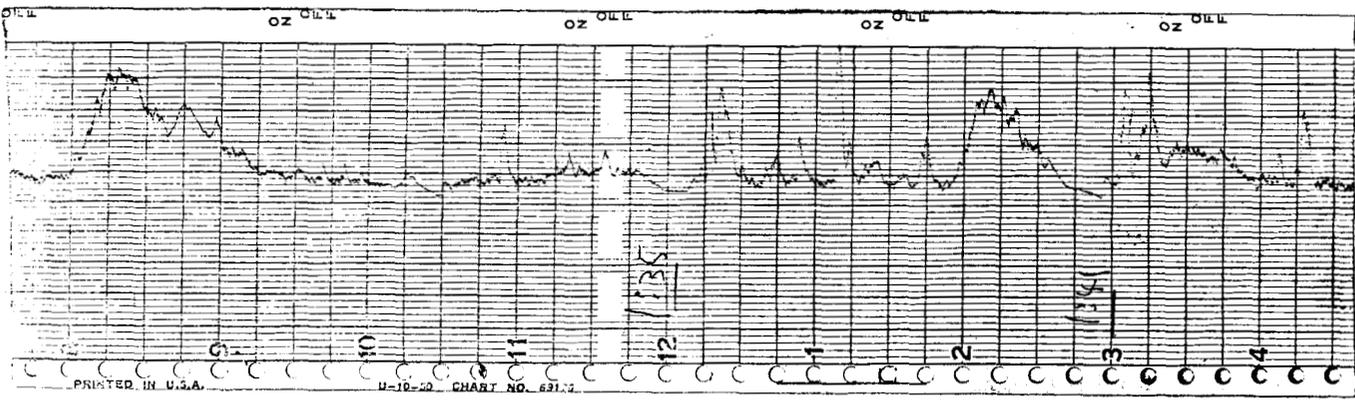
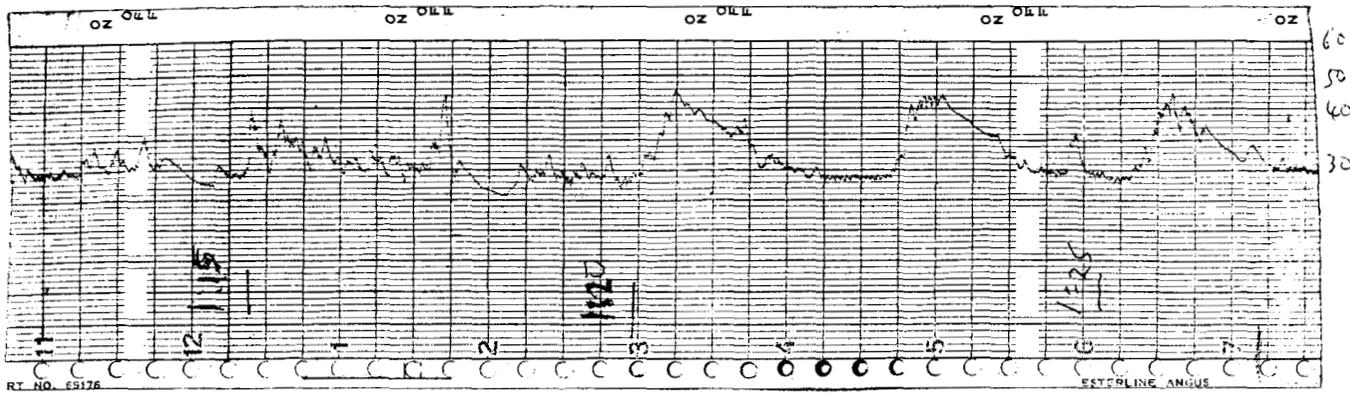
(By bicycle!) (affairs + battery ...)

CBA
(To be returned)



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NOVA-
(Estimated)
(Estimated)



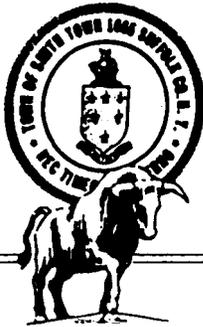
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Response to Comment 4270: Jeremy Wilber, Supervisor, Town of Woodstock; Euphrosyne Bloom and Martin Keith, Woodstock Overflight Focus Group; and Ulsterites Fight Overflight Noise

Comment Number	Comment response
1	The plan referred to by the commenter has indeed been selected by the FAA as the Preferred Alternative. However, the noise levels due to aircraft noise in this area are well below any threshold of reportability or significance. Consequently, additional movement of higher altitude flight routes will have a marginal effect at best on the noise levels at the ground. Furthermore, comments received as part of this process indicate that residents near the cited transportation corridor (NY thruway) do not agree that it is the best place for aircraft routes.
2	Comment noted.
3	Comment noted. The Integrated Airspace Alternative Variation with ICC design includes adjusting routes to follow transportation corridors.
4	Noise impact in particular was a major environmental consideration throughout the EIS process. The DEIS included extensive detailed modeling of each of the alternatives so that the FAA could identify the associated environmental impacts. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
5	The FAA acknowledged and recognized that while the general mitigation principals were described in the Draft EIS, the specifics would be forthcoming in the Final EIS. The FAA, therefore, committed to conducting one public workshop per state, to discuss mitigation. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
6	Comment noted. The FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level prior to designing any mitigation. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
7	The criteria applied to assess and classify impacts are based on FAA policies and requirements stated in FAA Order 1050.1E. This criterion was generally an adoption of the recommendations made by the FICON (Federal Interagency Committee on Noise) in 1992. .
8	The criteria applied to assess and classify impacts are based on FAA policies and requirements stated in FAA Order 1050.1E. This criterion was generally an adoption of the recommendations made by the FICON (Federal Interagency Committee on Noise) in 1992. That said, additional analysis regarding the nature of the proposed airspace changes over the Catskill State Park and Shawangunk Ridge State Forest is provided in the FEIS.

Response to Comment 4270: Jeremy Wilber, Supervisor, Town of Woodstock; Euphrosyne Bloom and Martin Keith, Woodstock Overflight Focus Group; and Ulsterites Fight Overflight Noise

Comment Number	Comment response
9	The FAA disagrees with the notion that an accurate accounting of noise could only be achieved through single event noise measurement. In fact, the use of computer noise modeling and the DNL metric his widely accepted as the preferred methodology for aircraft noise evaluations especially when investigating future conditions and alternative scenarios. Numerous court precedents support this methodology. The criteria applied to assess and classify impacts are based on FAA policies and requirements stated in FAA Order 1050.1E. This criterion was generally an adoption of the recommendations made by the FICON (Federal Interagency Committee on Noise) in 1992.
10	The FAA believes that the document is sufficient for its purposes of considering the environmental effects of the proposed project over a large area and over many millions of people. It should be noted that spreadsheets were provided that included the detailed noise levels expected for each alternative and the No Action condition at every census block location in the Study Area regardless of noise level. The changes in noise associated with a given alternative can easily be computed and considered regardless of threshold.
11	Noise, air traffic and environmental experts were available at all public meetings to answer any questions pertaining to the project.
12	<p>Comment noted. In order to respond to comments on the DEIS, additional analysis regarding the nature of the proposed airspace changes over the Catskill Forest Preserve and Shawangunk Ridge State Forest was completed and is provided in the FEIS in Chapter Five, Preferred Alternative and Mitigation.</p> <p>The FAA has always intended to consider noise mitigation once it selected its preferred alternative. However, it is true that the FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level prior to designing any mitigation. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five "Preferred Alternative and Mitigation" of the FEIS.</p>
13	Comment noted. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
14	Mitigation in the form of noise abatement measures was considered. The FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.



TOWN OF SMITHTOWN

SUPERVISOR
PATRICK R. VECCHIO

MAIN OFFICE (631) 360-7514
WASTE MANAGEMENT (631) 754-4998
FAX (631) 360-0227

DEPARTMENT OF
ENVIRONMENT &
WATERWAYS

TOWN COUNCIL
THOMAS J. MCCARTHY
JOANNE GRAY
EDWARD R. WEHRHEIM
PATRICIA BIANCANIELLO

CERTIFIED MAIL
7003 0500 0004 2426 9343

RUSSELL K. BARNETT
DIRECTOR

May 30, 2006

Steve Kelley, FAA-NAR
c/o Nessa Memberg
12005 Sunrise Valley Road, MS C302
Reston, VA 20191

Re: New York/New Jersey/Philadelphia
Metropolitan Area Airspace Redesign Project

Dear Mr. Kelley:

The Town of Smithtown Department of Environment and Waterways has reviewed the Draft Environmental Impact Statement (DEIS) for the above referenced project and offers the following comments for your consideration.

1. The potential safety risks, if any, associated with the proposed reduction in en route airspace from the current five nautical miles to three nautical miles, as proposed in the "Integrated Airspace Alternative Variation with Integrated Control Complex", should be evaluated.
2. The "Modifications to Existing Airspace Alternative" and the "Integrated Airspace Alternative without Integrated Control Complex" address flow alterations to all the major airports in the project area with the exception of JFK.
3. While it is understood that operational modeling and noise analysis was conducted only for the five major airports in the project area and not for the sixteen satellite airports because changes to their operations would be minimal as a result of the proposed project; some discussion of expected noise impacts to areas surrounding the satellite airports would be appropriate. Furthermore, three of the sixteen satellite airports (ISP, MMU and HPN) are identified in Chapter 3, along with the five major airports, as being most likely affected by the proposed project and should therefore be subject to the same analyses.

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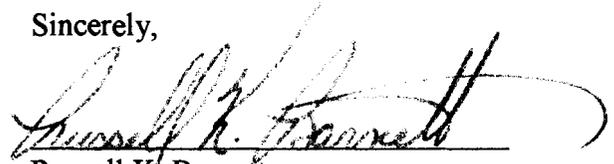
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4. The DEIS states that delays are expected to increase in the future as air traffic levels continue to grow. It is unclear whether this statement refers to the total aircraft delay, the average time of the delay or both. According to Table 1.5, the airport with the highest total aircraft delay is not necessarily the airport with the highest average delay in minutes. The proposed project should seek to reduce both delay types.
5. Consideration should be given to utilizing some "Congestion Management Programs", not necessarily as an alternative, but in conjunction with the proposed project in order to produce a greater benefit.
6. The "Ocean Routing Airspace Alternative" does not appear to meet the purpose and need of the proposed project in that its only benefit would be the reduction of noise impacts on the citizens of New Jersey.
7. Table 3.19 (State Parks and Forests) should include "Nissequogue River State Park", consisting of 187 acres, located in Suffolk County, New York.

This department appreciates the opportunity to comment on this project. Please forward this office a copy of the Final Environmental Impact Statement upon completion.

Sincerely,



Russell K. Barnett,
Environmental Protection Director

RKB/SH:sh

Response to Comment 4290: Russell K. Barnett, Environmental Project Director, Town of Smithtown

Comment Number	Comment response
1	Reduced separation will not be used if it poses a degradation of safety. The use of three-mile separations is safe and legal in current operations, where airspace and air traffic control infrastructure permit. En-route separations may be reduced in any of the Alternatives. It was explicitly called out in the Integrated Airspace Alternative Variation with ICC because it will be required for those routing changes.
2	JFK was intended to be the major airport in the New York metropolitan area when the current airspace was designed. JFK operations were given all the airspace it needed, except on the northwest side, where Manhattan Island, LGA, EWR, and TEB are located. The biggest airspace limitation that JFK currently faces is the single west departure fix. The Integrated Airspace Alternative Variation with ICC would expand the number of west departure fixes to six.
3	The noise analysis presented in the DEIS actually includes full noise modeling for 21 airports in the Study Area. These include the secondary airports specified by the commenter. Since the noise analysis did cover so many airports over a large study area, and the reportable noise changes were located for the most part around a few major airports, it was not reasonable to discuss the specific noise around all of the 21 airports modeled. To the degree that the arrival and departures of each individual airport influences the noise levels in the areas very near the airport, the individual airport noise is represented in the analysis presented. Regardless, all of the modeled noise levels presented in the DEIS document, as well as the on-line noise spreadsheets reflect the noise contributions from all 21 airports and the overflights below 14,000 feet above sea level.
4	Both delay metrics increase. When airports operate this close to their theoretical maximum capacity, they become nonlinear: each additional flight receives much more than the average delay of the rest of the traffic. Reducing one type of metric reduces the other in this case.
5	Congestion management, which has been in place at LGA since 1969, works best when there are peaks and valleys of traffic. According to the forecast for 2011, hours of low traffic will happen only on the least-busy days. Congestion management is considered in section 2.3.3 of the DEIS and found not to be a reasonable alternative for meeting the purpose and need for the Airspace Redesign. In the context of airport congestion, Congress has articulated a policy that artificial restrictions on airport capacity are not in the public interest and should be imposed to alleviate air traffic delays only after other reasonably available and less burdensome alternatives have been tried. 49 U.S.C. 47101(a)(9)(A)(B).
6	Comment noted.
7	Comment noted. Table 3.19 was edited in accordance with the comment.

BOROUGH OF MONTVALE
12 MERCEDES DRIVE
MONTVALE, NJ 07645
2ND FLOOR

**BOROUGH OF MONTVALE
COUNTY OF BERGEN**

RESOLUTION # 88A

WHEREAS, the Federal Aviation Administration ("FAA") has proposed a redesign of the airspace in the New York, New Jersey, and Philadelphia Metropolitan Areas; and

WHEREAS, the FAA has prepared a Draft Environmental Impact Statement ("DEIS") in accordance with various FAA Orders including Order 1050.1E and Order 5050.4B; and

WHEREAS, all FAA Orders mandate public participation in the Environmental Impact Statement decision making process; and

WHEREAS, the FAA Orders require the DEIS documents to be available for review 30 days prior to any public meeting; and

WHEREAS, the DEIS identifies four airspace redesign alternatives; and

WHEREAS, the citizens of the Borough of Montvale will see significant negative impacts from at least one of the four alternatives; and

WHEREAS, the Borough of Montvale is situated in the Pascack Valley section of Bergen County, New Jersey; and

WHEREAS, all of the municipalities in the Pascack Valley section of Bergen County can reasonably anticipate disproportionately negative impacts from the DEIS; and

WHEREAS, while notice of the proposed airspace redesign and/or the contemplated public meeting schedule was sent to a multitude of groups and individuals in the areas of Philadelphia, New York and New Jersey, none of

the municipalities in the Pascack Valley section of Bergen County received any such notice; and

WHEREAS, no public meeting was scheduled or held in the Pascack Valley section of Bergen County; and

WHEREAS, certain data essential to formulating a cogent and thorough response to the DEIS was not provided by the FAA with the release of the DEIS; and

WHEREAS, as a result of certain data essential to analyzing and responding to the DEIS not being released by the FAA with the DEIS, the entire DEIS was not available for review 30 days prior to some of the public meetings held on the DEIS; and

WHEREAS, the Borough of Montvale together with 8 adjoining municipalities has objected to (i) the proposed redesign of air traffic flow in the New York, New Jersey Philadelphia area by the FAA in a manner that has a disproportionate adverse impact upon the Pascack Valley area of Bergen County (ii) the fact that no public meetings were held in the Pascack Valley section of Bergen County, and (iii) the fact that the FAA has violated the requirements of Federal law and its own regulations in not releasing the complete DEIS, in not giving adequate notice of public hearings to persons affected by its proposed redesign of the airspace and in not conducting appropriate public meetings, and (iv) the conclusion of the comment period on June 1, 2006; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Borough of Montvale, in the County of Bergen, State of New Jersey makes the following determinations:

1. The residents of the Borough of Montvale have been disenfranchised as they (i) were not afforded adequate public notice of the FAA's proposed actions, and (ii) were not afforded a public hearing to provide comments and reactions to the DEIS.
2. The actions of the FAA in denying the residents of the Borough of Montvale and the residents of the other municipalities in the Pascack Valley section of Bergen County an additional public hearing on the DEIS are arbitrary, capricious, unreasonable, and contrary to the requirements of the law.
3. The actions of the FAA in concluding the comment period for the DEIS on June 1, 2006 given its failure to give notice to the residents and government of the Borough of Montvale and the residents and governments of the other municipalities in the Pascack Valley section of Bergen County and in the face of repeated requests to extend the comment period are arbitrary, capricious, and unreasonable.
4. Even for those public hearings actually held, the FAA failed to provide a full DEIS in the time period required by its own directives and orders.

BE IT FURTHER RESOLVED, that the Township Committee reserves the right to pursue whatever recourse it deems appropriate (either as part of the Pascack Valley Mayor's Association or independently) if the FAA refuses its request for additional meetings(s) and an extension of the comment period.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized on behalf of the Borough of Montvale to join with the 8 other mayors representing municipalities in the Pascack Valley section of Bergen County (the Pascack Valley Mayors Association) in retaining the services of William G. Mennen, PC as special counsel for the purpose of objecting to the FAA's June 1, 2006 closure of the comment period and denial of the request for additional public meetings(s).

BE IT FURTHER RESOLVED, that this Resolution ratifies and confirms the action taken by vote of the Borough of Montvale at its May 30th, 2006 meeting.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Federal Aviation Administration, Senator Frank Lautenberg, Senator Robert Menendez, Congressman Scott Garrett, the New Jersey Coalition Against Air Traffic Noise, the County Executive, Dennis McNerney and all Northern Bergen County municipalities.

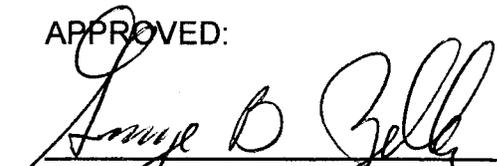
Councilmember	Motion	Second	Yes	No	Absent	Abstain
Fyfe			✓			
Kent			✓			
Kimball		✓				
Lavis			✓			
Sullivan	✓					
Voorhees			✓			

Adopted: May 30, 2006

ATTEST:


 Maureen Larossi-Alwan
 Municipal Clerk

APPROVED:


 George B. Zeller
 Mayor

Response to Comment 4291: Borough of Montvale Resolution

Comment Number	Comment response
1	<p>Comment noted. The DEIS discloses that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes are discussed in the document. In addition it should be noted that noise abatement measures were considered in designing mitigation for the FAA's Preferred Alternative. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p> <p>Over 400 individuals residing in the Bergen County received direct mail notification of the public meetings. In addition, a copy of the DEIS Executive Summary, was sent directly to the Mayor's office in Hillsdale, NJ in December 2005. Approximately twenty residents of Pascack Valley were sent post cards notifying them of the release of the Draft EIS and the comment period, including the following public officials: Assemblyman Rooney, Assemblywoman Vandervalk, and Mayor Deutsch. Newspaper advertisements, with circulation in the Pascack Valley area, announcing the public meeting locations were run in the following papers: El Diario, The North Jersey Herald News, and the Bergen Record. Public Service Announcements were run in rotation on several stations in Bergen county. Fifteen meetings were held in NJ including a meeting in Hasbrouck Heights on April 6, 2006. Hasbrouck Heights is approximately 9.6 miles from Oradell and 10.8 miles from Emerson. Furthermore, an additional presentation was given on May 22, 2006, at the behest of the Pascack Valley Mayor's Association.</p> <p>The noise grid points referred to by the commenter were released as an interpretive supplement to noise information already modeled and published in the document. These grid points allowed any resident in the five-state study area to log on to a website and find noise grid point information for his/her census tract/block. This information was for public disclosure and individual interpretation purposes only. The noise analysis provided in the EIS is the information upon which the FAA made its decisions related to alternatives and for comparison with any noise mitigation strategies proposed in the FEIS. The FAA extended the comment period for an additional 30 days, to in response to numerous requests for extension.</p>
2	Comment noted. See response to Comment 4291 # 1.
3	Comment noted. See response to Comment 4291 # 1.
4	Comment noted. See response to Comment 4291 # 1.
5	FAA complied with all time periods and other requirements specified by CEQ regulations and FAA Orders.
6	Comment noted. See response to Comment 4291 # 1.
7	Comment noted. See response to Comment 4291 # 1.

BOROUGH OF HILLSDALE

MUNICIPAL BLDG.
380 HILLSDALE AVE.

RESOLUTION

HILLSDALE, NJ 07642-2794

**Title: Authorizing Participation with the Pascack Valley Mayors Association
in Retaining Counsel to Object to FAA's Closure of Public Comment
on Proposed Air Traffic Patterns**

WHEREAS, the Federal Aviation Administration ("FAA") has proposed a redesign of the airspace in the New York, New Jersey, and Philadelphia Metropolitan Areas; and

WHEREAS, the FAA has prepared a Draft Environmental Impact Statement ("DEIS") in accordance with various FAA Orders including Order 1050.1E and Order 5050.4B; and

WHEREAS, all FAA Orders mandate public participation in the Environmental Impact Statement decision making process; and

WHEREAS, the FAA Orders require the DEIS documents to be available for review 30 days prior to any public meeting; and

WHEREAS, the DEIS identifies four airspace redesign alternatives; and

WHEREAS, the citizens of the Borough of Hillsdale will see significant negative impacts from at least one of the four alternatives; and

WHEREAS, the borough of Hillsdale is situated in the Pascack Valley section of Bergen County, New Jersey; and

WHEREAS, all of the municipalities in the Pascack Valley section of Bergen County can reasonably anticipate disproportionately negative impacts from the DEIS; and

WHEREAS, while notice of the proposed airspace redesign and/or the contemplated public meeting schedule was sent to a multitude of groups and individuals in the areas of Philadelphia, New York and New Jersey, none of the municipalities in the Pascack Valley section of Bergen County received any such notice; and

WHEREAS, no public meeting was scheduled or held in the Pascack Valley section of Bergen County; and

WHEREAS, certain data essential to formulating a cogent and thorough response to the DEIS was not provided by the FAA with the release of the DEIS; and

WHEREAS, as a result of certain data essential to analyzing and respond to the DEIS not being released by the FAA with the DEIS, the entire DEIS was not available for review 30 days prior to some of the public meetings held on the DEIS; and

WHEREAS, the Borough of Hillsdale together with 8 adjoining municipalities has objected to (i) the proposed redesign of air traffic flow in the New York, New Jersey, Philadelphia area by the FAA in a manner that has a disproportionate adverse impact upon the Pascack Valley area of Bergen County (ii) the fact that no public meetings were held in the Pascack Valley section of Bergen County, and (iii) the fact that the FAA has violated the requirements of Federal law and its own regulations in not releasing the complete DEIS, in not giving adequate notice of public hearings to persons affected by its proposed redesign of the airspace and in not conducting appropriate public meetings, and (iv) the conclusion of the comment period on June 1, 2006; and

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Hillsdale makes the following determinations:

1. The residents of the Borough of Hillsdale have been disenfranchised as they (i) were not afforded adequate public notice of the FAA's proposed actions, and (ii) were not afforded a public hearing to provide comments and reactions to the DEIS.
2. The actions of the FAA in denying the residents of the Borough of Hillsdale and the residents of the other municipalities in the Pascack Valley section of Bergen County an additional public hearing on the DEIS are arbitrary, capricious, unreasonable, and contrary to the requirements of the law.
3. The actions of the FAA in concluding the comment period for the DEIS on June 1, 2006, given its failure to give notice to the residents and government of the Borough of Hillsdale and the residents and governments of the other municipalities in the Pascack Valley section of Bergen County and in the face of repeated requests to extend the comment period are arbitrary, capricious, and unreasonable.
4. Even for those public hearings actually held, the FAA failed to provide a full DEIS in the time period required by its own directives and orders.

BE IT FURTHER RESOLVED, that the Borough of Hillsdale reserves the right to pursue whatever recourse it deems appropriate (either as part of the Pascack Valley Mayor's Association or independently) if the FAA refuses its request for additional meetings(s) and an extension of the comment period.

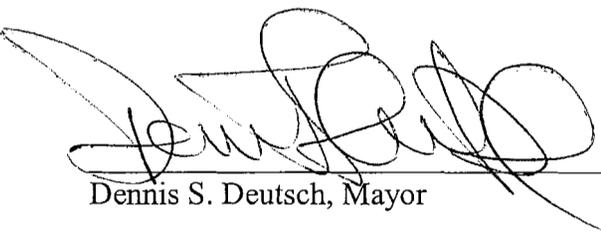
BE IT FURTHER RESOLVED, that the Mayor is hereby authorized on behalf of the Borough of Hillsdale to join with the 8 other Mayors representing municipalities in the Pascack Valley section of Bergen County (the Pascack Valley Mayors Association) in retaining the services of William G. Mennen, PC as special counsel for the purpose of objecting to the FAA's June 1, 2006, closure of the comment period and denial of the request for additional public meetings(s).

BE IT FURTHER RESOLVED, that this Resolution ratifies and confirms the action taken by vote of the Borough of Hillsdale at its June 5, 2006, meeting.

Council member	Motion	Second	Yes	No	Absent	Abstain
Arnowitz, Max						
Prospero, Frank						
Rush, Ken						
Sapanara, John						
Schiavone, Donna						
Weinstein, Andrew						

Adopted: June 5, 2006

Attest: 
 Robert P. Sandt, RMC
 Municipal Clerk


 Dennis S. Deutsch, Mayor

Response to Comment 4296: Borough of Hillsdale Resolution

Comment Number	Comment response
1	<p>Comment noted. The DEIS disclosed that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes are discussed in the document. In addition it should be noted that noise abatement measures were considered in designing mitigation for the FAA's Preferred Alternative. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p> <p>Over 400 individuals residing in the Bergen County received direct mail notification of the public meetings. In addition, a copy of the DEIS Executive Summary, was sent directly to the Mayor's office in Hillsdale, NJ in December 2005. Approximately twenty residents of Pascack Valley were sent post cards notifying them of the release of the Draft EIS and the comment period, including the following public officials: Assemblyman Rooney, Assemblywoman Vandervalk, and Mayor Deutsch. Newspaper advertisements, with circulation in the Pascack Valley area, announcing the public meeting locations were run in the following papers: El Diario, The North Jersey Herald News, and the Bergen Record. Public Service Announcements were run in rotation on several stations in Bergen county. Fifteen meetings were held in NJ including a meeting in Hasbrouck Heights on April 6, 2006. Hasbrouck Heights is approximately 9.6 miles from Oradell and 10.8 miles from Emerson. Furthermore, an additional presentation was given on May 22, 2006, at the behest of the Pascack Valley Mayor's Association.</p> <p>The noise grid points referred to by the commenter were released as an interpretive supplement to noise information already modeled and published in the document. These grid points allowed any resident in the five-state study area to log on to a website and find noise grid point information for his/her census tract/block. This information was for public disclosure and individual interpretation purposes only. The noise analysis provided in the EIS is the information upon which the FAA made its decisions related to alternatives and for comparison with any noise mitigation strategies proposed in the FEIS. FAA did extend the comment period for an additional 30 days, in response to numerous requests for extension.</p>
2	Comment noted. See response to Comment 4296 # 1.
3	Comment noted. See response to Comment 4296 # 1.
4	Comment noted. See response to Comment 4296 # 1.
5	FAA complied with all time periods and other requirements specified by CEQ regulations and FAA Orders.
6	Comment noted. See response to Comment 4296 # 1.
7	Comment noted. See response to Comment 4296 # 1.



The Phoenix House circa 1820

The Borough of Mendham

2 West Main Street, Mendham, New Jersey 07945

Incorporated May 15, 1906

Telephone: 973-543-7152
Fax: 973-543-7202

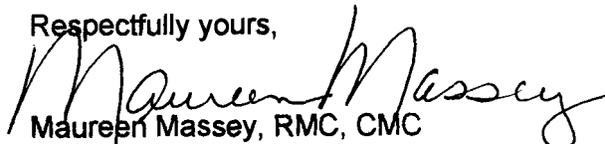
May 18, 2006

To: President George Bush
Vice President Richard Cheney
U. S. House of Representatives
Senator Robert Menendez
Senator Frank Lautenberg
Congressman Rodney Frelinghuysen
Mr. Steven Kelley, FAA NAR
Ms. Ilene St. John

Re: FAA Proposed Flight Plan Alteration

Attached is a certified copy of a Resolution adopted by the Mendham Borough Council at a meeting held on May 1, 2006.

Respectfully yours,


Maureen Massey, RMC, CMC
Borough Clerk

004297

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**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY**

RESOLUTION #89-06

WHEREAS, the basic air traffic structure of the New York/New Jersey Philadelphia Metropolitan Area airspace was designed and implemented in 1960 and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, the EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the EECP and mitigate the noise; and

WHEREAS, in the 1995 final Environmental Impact Study, the FAA committed to mitigate noise in a follow-up regional study; and

WHEREAS, in 2001, the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public; however, the FAA failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, on December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, the airspace redesign involves a 31,000 square mile, five-state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, two of the FAA proposed plans would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, the proposed plans would raise environmental concerns for the State and would cost an estimated \$2.5 billion; and

WHEREAS, the FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, the New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, it is in the best interest of the State to oppose the FAA's proposal to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace;

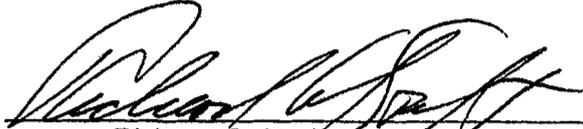
NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Borough of the Borough of Mendham, County of Morris and State of New Jersey as follows:

1. This Resolution opposes the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals set forth in the Draft Environmental Impact Statement issued on December 20, 2005, by the Federal Aviation Administration.

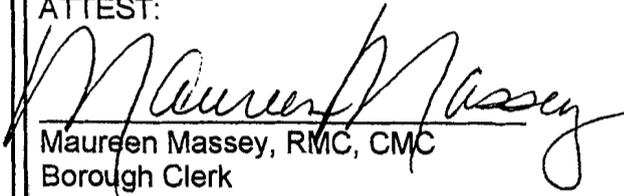
2. Duly authenticated copies of this resolution shall be transmitted to the President and Vice President of the United States, the Speaker of the United States House of Representative, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of Congress elected from this State, and the Administrator of the Federal Aviation Administration.

3. This resolution shall take effect immediately.

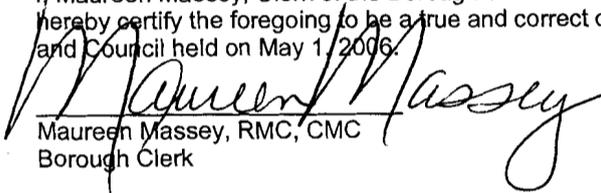
DATE: May 1, 2006


Richard G. Kraft, Mayor

ATTEST:


Maureen Massey, RMC, CMC
Borough Clerk

I, Maureen Massey, Clerk of the Borough of Mendham, in the County of Morris, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted at a meeting of the Mayor and Council held on May 1, 2006.


Maureen Massey, RMC, CMC
Borough Clerk

Response to Comment 4297: Borough Clerk Maureen Massey, RMC/CMC, Borough of Mendham

Comment Number	Comment response
1	<p><u>Noise reduction</u> was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p><u>Noise impact</u> was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, <u>the agency</u> made a commitment to the communities in the Study Area that, where possible, <u>it</u> would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p> <p>Neither estimated nor actual costs have yet been developed for any of the Alternatives. Upon completion of the NEPA process the FAA will develop an implementation plan for the Preferred Alternative including a cost benefit analysis.</p> <p>It is not true that the FAA admits that none of the proposed plans would result in major improvements in delay. The delay reductions discussed in the DEIS are considerable. See the section "Interpreting Average Delay" in <u>Appendix O, Operational Analysis, of Mitigation of the NY/NJ/PHL Airspace Redesign</u>, of the FEIS.</p>

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RESOLUTION OPPOSING THE NEW YORK / NEW JERSEY / PHILADELPHIA METROPOLITAN AREA AIRSPACE RESEIGN AS PROPOSED BY THE FEDERAL AVIATION ADMINISTRATION

WHEREAS, the Federal Aviation Administration (FAA) is proposing to redesign the airspace in the New York / New Jersey / Philadelphia metropolitan area; and

WHEREAS, in December of 2005, the FAA released a Draft Environmental Impact Statement (DEIS) which reviewed four alternatives, namely, Future No Further Action, Modifications to Existing Airspace, Ocean Routing Airspace and the Integrated Airspace (with and without the Integrated Control Complex); and

WHEREAS, significant environmental impacts including aircraft noise for each proposed alternative has been analyzed and compared to the Future No Further Action alternative in order to predict community exposure; and

WHEREAS, with the exception of the Ocean Routing Airspace Alternative, all other alternatives significantly increase noise to the residents of the tri-state area; and

WHEREAS, the Integrated Airspace with ICC Alternative will adversely impact residents of Somerset County, Morris, Sussex and Passaic Counties as to increased noise; and

WHEREAS, the FAA has failed to consider noise reduction as a factor in studying the proposed alternatives; and

WHEREAS, the FAA appears to have rejected an alternative in the DEIS which would redirect flights over the ocean, significantly reducing noise pollution for residents of the New Jersey / New York / Philadelphia Metropolitan Area; and

WHEREAS, the Honorable Senators Robert Menezes and Frank Lautenberg, the Honorable Congressmen Rodney Frelinghuysen and Michael Ferguson, and the Honorable Governor of the State New Jersey Jon Corzine, have all expressed their opposition to the aforesaid proposed plans on the basis of the noise pollution they would generate.

NOW, THEREFORE, BE IT RESOLVED by the Somerset County Planning Board in the State of New Jersey as follows:

1. That this Board rejects and opposes the alternatives presented and supported by the FAA which would increase aircraft noise pollution in the New Jersey / New York / Philadelphia metropolitan area.
2. That the Board urges similar resolutions to be adopted by the municipalities of Somerset County and Boards of Chosen Freeholders and Planning Boards of the other Counties in New Jersey.
3. That a copy of this resolution be sent to all our local State and Federal Representatives, to the Honorable Governor of the State of New Jersey, to all the municipalities in Somerset County, to all the Boards of Chosen Freeholders and Planning Boards in the State of New Jersey and to the United States Secretary of Transportation, Norman Y. Mineta.

I, Michael J. Amorosa, Secretary of the Somerset County Planning Board, County of Somerset, in the State of New Jersey, do hereby certify that the foregoing is a true copy of a resolution adopted by said Planning Board of Somerset County at its regularly convened meeting of May 16, 2006.



Michael J. Amorosa, Secretary
Somerset County Planning Board

COUNTY ADMIN BLDG.
P.O. BOX 3000

20 GROVE STREET

SOMERVILLE, NJ 08876-1262

004298

Response to Comment 4298: Secretary Michael J. Amorosa, Somerset County Planning Board

Comment Number	Comment response
1	<p>Noise reduction was not part of the purpose and need (or goals) of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p> <p>The evaluation of the Purpose and Need Criteria found that the Ocean Routing Alternative would not reduce delay, balance controller workload, meet system demand, improve user access, expedite arrivals or departures, increase flexibility, or maintain airport throughput. In fact, this alternative would negatively affect many of the Purpose and Need Criteria including the following: reduce complexity, reduce delay, expedite arrivals and departures, and maintain airport throughput.</p>

**TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY**

RESOLUTION

**Re: Federal Aviation Administration airspace redesign
for the New York, New Jersey, Philadelphia, Metropolitan area**

Introduced by: _____
Devine Giardina Hrbek Sobkowitz ✓ Schroeder

Seconded by: _____
Devine Giardina ✓ Hrbek Sobkowitz Schroeder

WHEREAS, the United States Department of Transportation, Federal Aviation Administration ("FAA") is in the process of considering an airspace redesign for the New York, New Jersey, Philadelphia, Metropolitan area; and

WHEREAS, the negative impact of the proposed redesign is out of proportion to reasonable expectations of such a redesign; and

WHEREAS, the environmental impact on residents of the Pascack Valley is negative and is detrimental to the health and welfare of residents of the Pascack Valley, and residents of the Township of Washington, County of Bergen, in particular, and adversely affects the quality of life of such residents;

NOW, THEREFORE, be and it is hereby resolved by the Township Council of the Township of Washington as follows:

1. The Township of Washington objects to the proposed redesign of airspace by the FAA currently under consideration affecting the Township of Washington.
2. The Township of Washington objects to the 2011 Alternative Integration Variation with ICC which represents a 10% increase over 2006 Alternative Integrated Variation with ICC.
3. The Township of Washington objects to the significant noise impact that the proposed redesign of airspace will have on the residents of the Township of Washington and other communities in the Pascack Valley.
4. The Township of Washington hereby requests that the proposed redesign of airspace for the Township of Washington as reflected in the Draft Environmental Impact Statement of the United States Department of Transportation, Federal Aviation Administration be rejected.

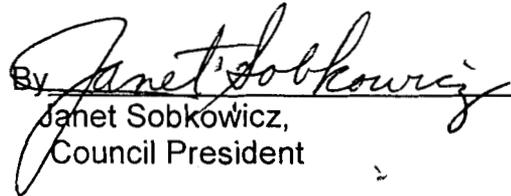
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5. A copy of this Resolution shall be served on the FAA and all applicable agencies involved in the redesign proposal, and all affected municipalities.

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON

By 
Mary Ann Ozment,
Township Clerk

By 
Janet Sobkowitz,
Council President

Adopted: May 22, 2006

	Ayes	Nays	Abstain	Absent
Devine	<u>✓</u>	_____	_____	_____
Giardina	<u>✓</u>	_____	_____	_____
Hrbek	<u>✓</u>	_____	_____	_____
Schroeder	<u>✓</u>	_____	_____	_____
Sobkowitz	<u>✓</u>	_____	_____	_____

Response to Comment 4576: Township of Washington Resolution

Comment Number	Comment response
1	Comment noted.
2	Comment noted.
3	Comment noted.
4	Comment noted. As a result of the 2011 Integrated Airspace Alternative Variation with ICC, portions of the Bergen County would experience an increase in noise of greater than or equal to 5.0 DNL in areas with existing noise levels between 45 and 60 DNL. This increase in noise does not exceed the threshold of significance used by the FAA for evaluating noise impact. Noise mitigation measures were considered for this area. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
5	Comment noted.

Response to Comment 4578: James P. Molinaro, President of the Borough of Staten Island

Comment Number	Comment response
1	This procedure is equally counter-productive for airspace users and for air traffic controllers, so its use is curtailed in the mitigated version of the Preferred Alternative.
2	The Modifications to Existing Airspace and the Integrated Airspace Alternatives were both designed to address the Runway 22 L/R departure inefficiencies. The extra mileage flown by westbound aircraft turning east is included in the performance metrics.
3	The Runway 22L/R departure procedures are an integral part of EWR's current operating procedures and were incorporated into the Baseline and Future No Action noise modeling in extensive detail. This is generally evidenced in the Chapter 3 and 4 discussions of the detail considered in the development of the noise model input as well as diagrams showing the flight routes responsible for the noise changes associated with each alternative in Chapter 4. It should be noted that only changes to current procedures were discussed. All areas within the Study Area, including Staten Island were treated equally in terms of mapping, modeling, and detail provided.
4	Comment noted.
5	Comment noted. The FAA identified the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative. This alternative was selected because it best met the purpose and need for the Proposed Action. The Ocean Routing Airspace Alternative was analyzed to address the long-standing concerns of New Jersey Citizens Against Aviation Noise (NJCAAN).
6	Comment noted. The FAA is not aware of inconsistencies in the document. Upon completion of the NEPA process the FAA will develop an implementation plan.
7	Due to the extension of the comment period and the substantial number of comments requiring response, the Record of Decision (ROD) has been delayed. No alternative will be implemented until the NEPA process is complete and the FAA issues a ROD identifying the selected alternative and the associated mitigation. The FAA expects to issue a ROD in August of 2007.
8	See Volume One of the DEIS, pg. 3-4, "Ocean Routing Airspace Alternative EWR Shifted West Departure Gate". This paragraph described the close in air traffic procedures that would be used by all aircraft departing EWR Runways 22 L/R and destined for the Raritan Bay.
9	The intent of the alternative descriptions was to give the public an easy to understand explanation of how the aircraft will depart or arrive at each airport. The descriptions did not contain every geographic area that the planes would fly over in the Study Area; this would only increase the size of the document. For this reason, detailed flight track information was contained in Appendix E of the EIS.
11	Comment noted. The FAA identified the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative.

Response to Comment 4578: James P. Molinaro, President of the Borough of Staten Island

Comment Number	Comment response
11	<p>Table 3.4 of the DEIS provides information for the counties in which the eight major airports are located; although not detailed in the table, Staten Island population was included in the study.</p> <p>The noise measurements taken for this study are not the basis of the noise analysis or the evaluation of environmental impacts. They are included only to provide a general context for reference for those that are interested when considering the noise modeling results. These measurements only represent a finite time frame and are not inclusive of all conditions at all areas near the measurement sites. Also, it is important to note that the changes in noise levels associated with each of the alternatives are solely based on the computations from the NIRS noise modeling and do not include any influence from the field noise measurement program and it is these results that the decision makers will consider when developing the Record of Decision for this project. Finally, it should be noted that the several of the alternatives in the DEIS have the effect of routing traffic away from Staten Island, thus reducing overall noise levels in the borough.</p> <p>The statistics quoted from the DEIS document serve to confirm that the noise monitoring sites referenced were the monitoring sites located closest to a major airport. The Baseline and Future No Action noise analysis present the noise exposure throughout the entire Study Area; including Staten Island.</p>
12	<p>Page 2-26, Section 2.5.4.2, makes reference to Figure 2-12, which graphically displays the new departure routes close in to EWR. CEQ requires federal agencies to use plain English in government documents so that information is understandable by a lay person. Therefore, in Chapter Two, the aircraft routes were described using such terms as right turn off the runway and illustrated in graphical figures as opposed to providing degree references. More detailed information regarding the aircraft routes was available in Appendix E of the DEIS.</p>
13	<p>Text in Chapter Two of the DEIS described how the aircraft would depart EWR and proceed to the Raritan Bay area. This chapter provided a description, in general terms, of the flight path of the aircraft from the runways to the departures gates, 40-50 miles from the airport.</p> <p>In contrast, pages 4-19 and 4-20 only describe that portion of the flight track that caused the associated noise impacts. The following text was included in the paragraph: "These changes are caused primarily by the new departure routes off of Runways 22L/R that have changed from turning directly to the west, north, northeast, and northwest. These routes have changed to follow the Ocean Routing procedure to the south and east over the ocean."</p>

Response to Comment 4578: James P. Molinaro, President of the Borough of Staten Island

Comment Number	Comment response
14	<p>The statement in the document does indicate that there is a large component of aircraft noise, but it applies only for the areas represented by the noise measurement sites in the northwest corner of Staten Island. Figures 4.2 and 4.4 in the DEIS illustrate the aircraft noise levels for Staten Island for the future No Action conditions based on the noise modeling. The noise measurements taken for this study are not the basis of the noise analysis or the evaluation of environmental impacts. They are intended only to provide a general context for reference for those that are interested when considering the noise modeling results. These measurements only represent a finite time frame and are not inclusive of all conditions at all areas near the measurement sites. Also, it is important to note that the changes in noise levels associated with each of the alternatives are solely based on the computations from the NIRS noise modeling and do not include any influence from the field noise measurement program and it is these results that the decision makers will consider when developing the Record of Decision for this project. Finally, it should be noted that the several of the alternatives in the DEIS have the effect of routing traffic away from Staten Island, thus reducing overall noise levels in the borough.</p>
18	Comment noted.



Township of Ridley

June 6, 2006

James B. Byers, Environmental Specialist
Federal Aviation Administration
Airports District Office
3905 Hartzdale Drive, Suite 508
Camp Hill, PA 17011

RE: Philadelphia International Airport Expansion

Dear Mr. Byers:

The Board of Commissioners of the Township of Ridley adopted the attached Resolution at their May 24, 2006 public meeting which opposes the *Modifications to Existing Airspace, Integrated Airspace Without Integrated Control Complex* and *Integrated Airspace with Integrated Control Complex* action alternatives.

Please do not hesitate to contact me at 610-534-4806 if you have any questions.

Sincerely,

Anne E. Howanski
Township Manager

AEH:pb
Attachment

cc: Congressman Curt Weldon
Tom Shaffer, Delaware County Planning Department
Commissioner James Pentimall

BOARD OF COMMISSIONERS

ROBERT J. WILLERT
President
Seventh Ward Commissioner

MARGARET A. KEEGAN
Vice President
Second Ward Commissioner

FIORE PETICCA
First Ward Commissioner

SHERI L. ZUPPO
Third Ward Commissioner

DAVID J. WHITE
Fourth Ward Commissioner

EDMOND J. PISANI
Fifth Ward Commissioner

JAMES J. PENTIMALL
Sixth Ward Commissioner

PETER T. MACINNIS
Eighth Ward Commissioner

JOSEPH A. DICOSTANZO
Ninth Ward Commissioner

OFFICERS

ANNE E. HOWANSKI
Township Manager

ROSEANNA M. CZWALINA
Treasurer/Tax Collector

CHRISTOPHER M. BETZLER
Controller

PETER J. ROHANA, JR., ESQ.
Solicitor

CHARLES J. CATANIA, SR., P.E.
Engineer

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Township of Ridley

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF RIDLEY WITH RESPECT TO THE NEW YORK/NEW JERSEY/PHILADELPHIA METROPOLITAN AREA AIRSPACE REDESIGN PROJECT

WHEREAS, the Federal Aviation Administration (FAA) has released for public review a draft Environmental Impact Statement (DEIS) for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign project; and

WHEREAS, the changes in flight patterns being considered in the three "action alternatives" in the DEIS would result in increases of 5.0 decibels or more in the day-night average sound level over a significant portion of Delaware County, affecting approximately 100,000 residents and 39,000 households; and

WHEREAS, the DEIS identifies but does not fully evaluate options such as "alternative modes of transportation and communication" and "congestion management programs" as possible alternatives to Airspace Redesign; and

WHEREAS, the FAA did not directly notify local governments in Delaware County of the public meetings or comment period for this project, despite the potential for major impacts on their residents.

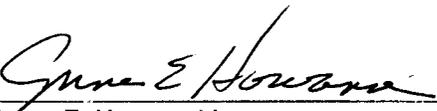
NOW THEREFORE BE IT RESOLVED, that:

1. Ridley Township opposes the *Modifications to Existing Airspace, Integrated Airspace Without Integrated Control Complex, and Integrated Airspace With Integrated Control Complex* action alternatives because of their impact on Ridley Township and Delaware County residents, and recommends that arrivals and departures remain over the Delaware River to the greatest extent possible.
2. The FAA should give further consideration to no-build options such as alternative modes of transportation and congestion management programs.
3. The FAA should ensure that Delaware County municipalities and residents are more fully informed of activities related to the Airspace Redesign project.

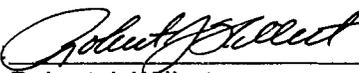
ADOPTED this 24th day of May, 2006.

TOWNSHIP OF RIDLEY
BOARD OF COMMISSIONERS

Attest:


Arne E. Howanski
Manager/Secretary

By:


Robert J. Willert
President

Response to Comment 4581: Anne E. Howanski, Township Manager, Township of Ridley

Comment Number	Comment response
1	<p>Comment noted. Alternative Modes of Transportation and Communication, and Congestion Management Programs, as well as Changes in Airport Use and Improved Air Traffic Control Technology, were among the categories of alternatives considered and rejected in Chapter Two of the Draft EIS. Use of Alternative Modes of Transportation would not meet the Purpose and Need for the Airspace Redesign, nor would it address present day inefficiencies of the NY/NJ/PHL Metropolitan Area airspace. Congestion Management Programs cannot be implemented under existing law and policy, they would not serve to accommodate growth, and would not address specific operational inefficiencies cited in the Draft EIS.</p> <p>FAA directly notify local governments in Delaware County regarding the public meetings and comment period. The Mayor of the City of Ridley Park, PA received a DEIS postcard announcing the dates and locations of the public meetings, and a hard copy of the DEIS Executive Summary along with a full copy of the DEIS on CD. The Mayors of the Cities of Prospect Park, Media, and Eddystone also received the DEIS postcard, DEIS Executive Summary, and DEIS CD. In addition, newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk. All with circulation in Delaware County. Public Service Announcements were run in rotation at the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p>
2	<p>Comment noted. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. Routing departures from PHL over the Delaware River is included as a mitigation measure. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p>
3	<p>Comment noted. See response to Comment 4581 # 1.</p>
4	<p>Comment noted. See response to Comment 4581 # 1.</p>

Nagendran, Ram

From: Hugh Weinberg [HWEINBERG@queensbp.org]
Sent: Friday, June 23, 2006 4:31 PM
To: FAA DEIS
Subject: Comments of Queens Borough President Helen Marshall on the FAA's Airspace Redesign Project

Attachments: FAA-airspce redesign-commnt on DEIS-may06.wpd



FAA-airspce
design-commnt on D.

To: Steve Kelley, c/o Nessa Memberg, or To Whom it May Concern:

Attached are the comments of Queens Borough President Helen Marshall in response to the FAA's DEIS for its Airspace Redesign Project. Note that I have sent them in two formats. Please contact me if you have any difficulty opening at least one of them (the text in each is identical). My phone number is (718) 286-2880.

Also, please note that today, June 23, 2006, I put a signed, hard copy of this document into first class mail, and it should be delivered within days. Thank you very much for your consideration. Sincerely,

Hugh Weinberg
Counsel to the Queens Borough

President

<<FAA-airspce redesign-commnt on DEIS-may06.wpd>>

HELEN M. MARSHALL
PRESIDENT



(718) 286-3000
TDD (718) 286-2656
TELECOPIER (718) 286-2885

CITY OF NEW YORK
OFFICE OF THE
PRESIDENT OF THE BOROUGH OF QUEENS
120-55 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11424-1015

June 21, 2006

Mr. Steve Kelley, FAA NAR1
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, Virginia 20191

Re: Comments on the Draft Environmental Impact Statement for the New York / New Jersey / Philadelphia Metropolitan Area Airspace Redesign Project

Introduction

My office has reviewed, in pertinent part, the Draft Environmental Impact Statement (DEIS), which was issued in December 2005 by the United States Department of Transportation (USDOT) and the Federal Aviation Administration (FAA), for their New York / New Jersey / Philadelphia Metropolitan Area Airspace Redesign Project (the "Project"). As you know, I am the highest-level elected official in the Borough of Queens in New York City, which is home to two of the nation's busiest airports, John F. Kennedy International Airport and LaGuardia Airport (both of which fall within the airspace targeted for redesign in the Project). As the Borough President, I count among my constituents not only the two airports and their tenants, employees and customers, but also more than 2,000,000 residents who make their home here, the majority of whom have been, at one time or another, impacted by the airports' operations. For these reasons, I offer my comments on the DEIS on behalf of the Borough of Queens.

Comments

Allow me to start by commenting on the purpose of the Project, which, in the

words of the DEIS Executive Summary, is “to increase the efficiency and reliability of the airspace structure and air traffic control system. The airspace redesign is needed to accommodate growth while maintaining safety and mitigating delays, and to accommodate changes in the types of aircraft using the system.” I agree with the concept that it is important to ensure that our region’s aviation system continues to operate effectively; after all, a healthy aviation industry is vital to the economic well-being of Queens, New York and the surrounding region. Our two airports provide tens of thousands of on-site jobs and another several hundred thousand aviation-related jobs, and they generate millions of dollars in tax revenue annually. Moreover, they are integral components of New York City’s tourism trade. While we want to see the airports and their operations continue to flourish, we do *not* want that economic development to come at the expense of our residents’ quality of life.

It is out of concern for Queens’ residents that I express my anger and frustration that the DEIS does not contain a more meaningful examination of the potential impacts of any of the alternative redesign proposals on aircraft noise or air quality. While there is considerable statistical data about noise in the report, I do not believe that rolling out data that suggests a certain plan might result in a .2 decibel increase or decrease in aircraft noise level in a particular neighborhood comes anywhere close to recognizing the true impact airport operations have on our communities. What ought to have been done— and what still needs to be done— is for those in charge of the Project to actually visit some of these neighborhoods so they can hear first-hand how aircraft noise interferes with our students’ ability to learn and causes many of us to lose hours of sleep on any given night. I am all too aware of the impact that aircraft noise has on our neighborhoods— not only did I represent the LaGuardia Airport area for approximately ten years in the State Legislature and another ten years in the City Council before I became Borough President in 2002, but I also live near LaGuardia Airport.

I am also aware of the other health risks generated by the airports’ operations, in particular the heightened asthma rates in Queens and its environs, which experts believe are caused at least in part by the noxious exhaust fumes being spewed out at and near our airports, both on the ground while the aircraft idle, and in the sky while they pass overhead. Instances of improper fuel dumping also plague our area. While the DEIS report indicates that airspace redesign might have some positive impacts on the level of air pollution caused by air traffic, I regret that the FAA neglected to fully acknowledge or address this problem. In fact, the DEIS Executive Summary contains little information on the subject, other than to conclude that since the airspace redesign “alternatives would be considered *de minimus* actions and would have little effect on vehicle traffic, no negative air quality impacts would be expected.”

From the time that the Project was initiated many years ago-- and actually long before then-- many of our community boards, civic associations, other elected officials, and I have protested that the FAA, which is, after all, a government agency, should be taking a serious look at aircraft noise and air pollution. In fact, when the Project was first announced, many of my constituents and I expected that the Project would bring much-needed and long-awaited relief from aircraft noise to the people of Queens. Now, unfortunately, the best hope the Project seems to be offering is that things might not get too much worse. We deserve better from our federal government!

It is now disingenuous-- and too convenient-- for FAA officials or their representatives to say, as they have, that we should have brought up these issues during the Project's scoping phase, or when confronted about these issues, to simply shrug their shoulders and say that such matters were beyond the agency's mandate when this Project was conceived. We are very disappointed that, at least in this instance, the FAA appears to be acting more as a consultant for the airline industry than as a guardian of the people.

My office does not have the technical expertise to analyze the full DEIS and all the data contained therein, but in light of the broad concerns addressed in this letter, a mathematically precise analysis of each of the four possible redesign plans is unnecessary. Clearly, based on comments in the DEIS Executive Summary, the plans most likely to be selected will have some impact on noise levels, and while we are not equipped to pass judgment on all aspects of the various alternatives, I strongly urge you to select the option-- if one *must* be selected-- that will least disrupt our communities. We prefer, however, that the USDOT and FAA reconsider the entire Project, and in so doing, factor into its calculations the needs of those people who are so directly impacted by the airports' operations. Furthermore, this reconsideration of the entire Project must be done only after air monitoring *at* our airports has been implemented, and the results have been analyzed (pursuant to pending New York State legislation or through other means), so that aviation's affect on air quality can be studied at the same time as and in conjunction with its impact on noise levels in our communities.

Through comments in official documents and at public meetings, the FAA has made it clear that two redesign alternatives-- those identified as "Future No Action Alternative" and "Ocean Routing Airspace Alternative"-- have never been considered viable alternatives. The "no action" alternative has been deemed unfeasible, because the way the airspace is currently utilized will not be able to accommodate the anticipated growth of air traffic in our region. As for the "ocean routing" alternative, the FAA has tacitly indicated that this alternative was included as a courtesy to vocal anti-aircraft noise groups in New Jersey, but was quickly dismissed as a viable alternative because such routing would in fact increase delays.

The remaining, seemingly more viable, alternatives are entitled “Modifications to Existing Airspace Alternative” and two variations of what is called the “Integrated Airspace Alternative,” one with the use of a facility called the Integrated Control Complex (ICC) and one without the ICC. The DEIS reports that these alternatives would enhance aviation safety, which is of course another huge concern in Queens. One need look no further than the tragic crash of American Airlines Flight 587 in November 2001 to understand why this is so.

With regard to the actual “Environmental Consequences” section of the DEIS, as I have indicated elsewhere in this letter, the FAA’s use of statistics, averages and formulas to determine various regions’ noise exposure through as late as 2011 cannot begin to approximate the toll that aircraft noise takes on us. For example, the FAA uses the “Day / Night Average Sound Level (DNL)” and has established 65 DNL as the threshold above which aircraft noise is considered to be incompatible with residential areas. Further, the FAA has determined that it would be considered a significant noise impact if a proposed airspace change would result in an increase of 1.5 DNL or more in any noise-sensitive area within the 65 DNL exposure level. With all due respect to the scientists, engineers and others who conducted this environmental impact study and prepared the DEIS, these numbers are relatively meaningless to lay people. The bottom line is that the agency predicts that any of the airspace alternatives likely to be chosen would result in significant noise impacts to noise-sensitive areas, which would also be considered significant impacts in terms of land use compatibility. Rather than looking at average day / night aircraft noise levels over time, which has the effect of making aircraft noise seem less significant than it is, a maximum allowable decibel level should be imposed over highly populated residential and other noise-sensitive areas.

The DEIS also addresses possible socioeconomic impacts caused by airspace redesign, as well as issues of environmental justice. Concerning the former, DEIS foresees possible indirect impacts caused by the increased noise levels, but seems to peremptorily dismiss concerns about such impacts: “All of the significantly impacted census blocks are located in the vicinity of LGA, EWR, and PHL. These areas are already exposed to extensive aviation noise. In addition, because of their urban setting, ambient noise is also high in these areas.... Therefore, it would be unlikely that residences or businesses would relocate, surface transportation patterns would be altered, established communities would be divided, planned development would be disrupted or employment levels would be changed as the result of any of the Airspace Redesign Alternatives.” It is disrespectful to the people and businesses of Queens for the FAA to imply, as the DEIS surely does, that a new airspace plan might adversely impact the quality of life in the region, but not enough to make these affected people and businesses move out of the area. The DEIS suggests that only then would the implementation of an

airspace redesign plan have a significant socioeconomic impact. To conclude that since a working and living environment is already burdened by aircraft noise and that, therefore, more noise will not have an impact on a particular area, is an easy way for the FAA to avoid addressing the larger socioeconomic issues raised by the increasingly frequent clashes between the quality of life and commercial concerns in a large urban area such as Queens.

Similarly, the FAA is mandated to address issues of environmental justice in its DEIS. The FAA is required to identify and address disproportionately high adverse health and / or environmental impacts on low-income and minority populations in the communities potentially affected by the proposed action. The FAA is charged with analyzing the potential for disproportionate adverse impacts to these communities; however, by not including middle class communities in this study, the FAA is disregarding the past, present and future impacts of aviation noise on a significant part of the Queens population. Thus, as I have attempted to make clear throughout these comments, the parameters guiding the conduct of this environmental impact study were so narrowly drawn that the conclusions suggesting minimal adverse impacts on Queens communities were inevitable. Shockingly, under the criteria applied by the FAA, the DEIS concludes that the only part of Queens where increased aircraft noise would raise environmental justice issues is Riker's Island. The report does not discuss the potential impacts on any other areas of Queens, including, for example, parts of southeast Queens (where JFK Airport is located), which have substantial minority populations.

In a section of the DEIS entitled "Secondary or Induced Impacts," the FAA is equally dismissive of any new airspace plan's potential impact on any publicly-owned land (including parks, recreation areas, wildlife / waterfowl refuges, as well as on migratory birds, fish, wildlife and plants, and on any historic sites, including historical, architectural, archeological and cultural resources). Queens of course has many natural resources on public lands, most of which have been impacted to varying degrees by aviation activity, including, but not limited to: Flushing Meadows Corona Park, Flushing Bay, the East River (all affected mostly by operations at LaGuardia Airport), as well as Gateway National Park, Jamaica Bay, and the beaches on the Rockaway peninsula (all affected by operations at JFK Airport). Rather than analyzing all the minute data at its disposal in a way so narrow as to conclude that any impacts on our quality of life will not rise to some arbitrarily-set threshold, the FAA and other responsible government entities should be doing all that they can to address the myriad aviation-related problems already faced by our borough. The goal of improving aviation efficiency in the skies need not be mutually exclusive from the even more important goal of protecting the quality of life of those on the ground.

The only potentially good news in the DEIS is contained in the section entitled “Mitigation”. The DEIS Executive Summary states that mitigation measures “are those designed to avoid, minimize, rectify, reduce, eliminate, or compensate for significant impacts. Since significant noise-related impacts would potentially result from implementation of any of the Airspace Alternatives, mitigation will be considered.” Unfortunately, even this tidbit of good news must be viewed with caution by the airports’ neighbors. First of all, the noise mitigation efforts described in the DEIS are couched in conditional terms, and, secondly, the DEIS makes clear that the FAA will consider noise mitigation strategies later. I believe it would be much more efficient, effective and fair to factor noise mitigation directly into each of the airspace redesign alternatives. Otherwise, once a new airspace design has been implemented, there is no guarantee that effective noise mitigation programs can be either planned or implemented. Even the Port Authority, which, above all else, would like to see a more effective use of this region’s airspace, has recognized the common sense of this approach in its comments on the DEIS. Among the mitigation strategies that *might* be considered are:

— Continuous Descent Approach (CDA): As they approach an airport for landing, aircraft would do a continuous descent, which results in a higher-altitude flight path and lower engine power levels. Ultimately, this practice might result in less noise on the ground;

— Nighttime abatement procedures: During nighttime hours, when demand decreases, it might be possible to implement flight track and runway use programs that direct air traffic away from residential and other noise-sensitive areas. I would go further and impose a late-night to early morning curfew on flights to and from the local airports and only allow exceptions for exigent circumstances. Even if such a measure would require an act of Congress, the USDOT’s and the FAA’s support would surely help persuade others that curfews are necessary;

— Additional Use of water and / or industrial areas: Potential flight tracks may be adjusted so that aircraft are routed away from residential and other noise-sensitive areas; and

— Sound insulation of impacted buildings with educational and medical uses: This kind of facility may be eligible for Airport Improvement Program (AIP) funds for soundproofing programs.

I would also like to share my observation that, though the FAA repeatedly claims that this study was completed with ample opportunities for public input, the public meetings that were held could have been better-publicized and made more accessible.

Notwithstanding my concern, I thank the FAA for acceding to my request several months ago to conduct one of its public hearings near JFK Airport *in Queens*, rather than to require the airport's neighbors to travel to Nassau County to attend one of the meetings held there. However, while public meetings are one way to gauge public sentiment, they are not the *only* way. Forgive the pun, but it does not take a rocket scientist to understand the serious negative impacts of aircraft noise on affected communities.

Conclusion

From their official comments and other public comments, it is clear that neither the Port Authority nor the City of New York, which of course also has a vested interest in seeing the aviation industry flourish, strongly supports any of the alternatives described in the DEIS. Neither the City nor the Port Authority has much confidence that implementation of any of these new airspace redesign plans would accomplish the goals for which they are intended. If that is the case, and any benefits realized by the aviation industry indeed turn out to be negligible, we wonder if that is enough to justify exposing Queens to an increased risk of even more aircraft noise. Rather than looking to the potential benefits of the alternative airspace plans and waiting to see what harmful impacts would accompany these potential benefits, the FAA and other responsible government entities at the federal, state and local levels should act *now* to address the quality of life issues caused by the aviation industry.

Because I am not convinced that *any* of the airspace alternatives discussed in the DEIS would not have a significant negative impact on the quality of life in Queens, I do not support any of the current choices. The FAA must reject *all* the current alternatives and compose new plans that will accommodate the people and businesses of Queens, as well as the aviation industry and the people it serves.

First, the executive and legislative branches of the federal government must adopt a new approach to the aviation industry. Among other things:

--- The federal government must start to view aviation in context with other modes of transportation, particularly in the northeastern United States. Other modes of transportation, particularly high-speed passenger rail service, must be supported in some way by the government. It makes no sense for the government to be cutting its assistance to the nation's rail systems, as it has been doing in recent years. A reliable high-speed rail system would relieve some of the airport congestion caused by an abundance of commuter-length flights at local airports;

— Reasonable limits must be imposed in congested residential areas such as Queens. The High Density Rule, or a similar system used to cap daily operations at LaGuardia Airport and JFK Airport must remain in place. Local airport operators and municipalities must be allowed more input in operating airports. Therefore, for example, if a municipality determines that it is in the best interests of all concerned to reasonably limit an airport's hours of operation and / or impose a curfew, then at the very least, there should be a procedure whereby the municipality can work with the USDOT in taking such action;

— The FAA must work with localities, including New York City and Queens, to implement the above measures, as well as to develop, implement and enforce a system to limit the maximum decibel level of aircraft noise over highly populated residential and other noise-sensitive areas, as was proposed elsewhere in these comments;

--- No physical expansion, including the addition or alteration of runways should even be contemplated at these airports. Rather, if it is determined that room for growth must be found, then one of the numerous smaller regional airports, such as Stewart Airport in Westchester County, should be targeted for possible expansion;

— Congress must immediately work on requiring the phasing-in of a requirement that all aircraft be Stage 4-compliant, and that all new aircraft contain the most modern and efficient technology for reducing noise and air pollution; and

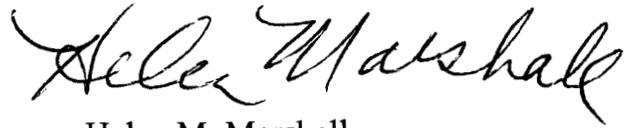
— Rather than cutting funding for aviation and aviation-related programs, the federal government should be helping to subsidize the development and implementation of more widespread noise abatement programs that would reduce aircraft noise levels inside private homes, as well as in schools, hospitals, libraries, museums and other public buildings.

Again, I recognize and appreciate that our airports and the aviation industry are vital to the economic well-being of this entire region, in terms of jobs, tax revenue and the tourism trade. Of course we all want to see the industry thrive, but not at the expense of the quality of life in Queens. As I have indicated above, the USDOT and the FAA need to re-focus their study and to take into account the profoundly negative impact that aircraft noise and pollution have had and will continue to have on this borough unless we take advantage of this once-in-a-lifetime opportunity to fundamentally change the way that airports co-exist with the communities surrounding them in congested urban areas such as Queens.

Thank you for your consideration. If you require any further information, please

do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Helen Marshall". The signature is written in black ink and is positioned above the printed name.

Helen M. Marshall
President
Borough of Queens

Response to Comment 4669: Helen Marshall, Queens Borough President

Comment Number	Comment response
1	Comment noted.
2	Comment noted.
3	<p>The DEIS provides a meaningful examination of the environmental impacts associated with each alternative. The data that reveals a 0.2 DNL change in a certain area due to an alternative is meaningful in that it tells the residents of the Census block that the alternative will change the aircraft noise very little in their area. Conversely, a larger change such as 5 DNL resulting from a different alternative would tell the same resident that that alternative will result in a notable change in noise over their area. It should also be noted that many of the schools in the higher noise areas around the metropolitan airports have already been sound insulated by the Port Authority. This effort dates back to 1983 and the program has sound insulated some 77 schools in New York and New Jersey since its inception. In 2006, some \$37M was authorized for the continuation of the program at 21 schools in the area.</p> <p>In regard to air quality impacts; the test for both NEPA and General Conformity is the difference in emissions between the Proposed Action and the No Action alternatives, with reduced delay emissions will also be reduced with the Preferred Alternative. The FEIS provides a fuel burn analysis, found in Appendix R, which discloses the potential for fuel burn reduction with the Preferred Alternative.</p>
4	Ground based pollutants generated by airports are included in State Implementation Plans and thus considered in the overall effort to improve air quality. The air pollutant effects of aviation at higher altitudes are being considered at the highest levels of the Federal government.
5	Fuel dumping occurs rarely and only in cases of emergencies. When fuel dumping must occur, aircraft follow set procedures proscribed by air traffic control, and aircraft are directed to altitudes at which fuel will evaporate before reaching the ground. Some aircraft are not even capable of "fuel dumping" and must circle to burn fuel before landing in an emergency situation.
6	The test for both NEPA and General Conformity is the difference in emissions between the Proposed Action and the No Action alternatives, with reduced delay emissions will also be reduced with the Preferred Alternative. The FEIS provides a fuel burn analysis, found in Appendix R, which discloses the potential for fuel burn reduction with the Preferred Alternative.
7	The purpose and need for the study does not include noise reduction. However, noise impacts have been considered in an unprecedented scale for this project, and the FAA takes these impacts very seriously. The FAA considered mitigation of noise impacts for the Preferred Alternative and discloses the proposed mitigation in the FEIS. The project will actually provide some benefit to air quality due to reduced delays. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.

Response to Comment 4669: Helen Marshall, Queens Borough President

Comment Number	Comment response
8	<p>In the EIS process, the agency first develops a purpose/need for a project, second, develops alternatives, third evaluates the environmental impacts (such as noise) of the project alternatives, and finally, develops mitigation (to reduce or minimize effects of the proposed project). The FAA developed the purpose and need for the airspace redesign, consistent with NEPA regulations, to reflect its mission. According to the Federal Aviation Act of 1958, as amended, the FAA's mission includes controlling the use of navigable airspace and regulating civil and military operations in that airspace in the interest of maintaining the safety and efficiency of these operations. Therefore, the purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. Likewise the project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region. NEPA was designed to have environmental considerations taken into account along with other factors.</p> <p>Noise was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
9	<p>Comment noted, the FAA selected the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative. Upon selection of the Preferred Alternative, the FAA designed mitigation to minimize the environmental impacts to the extent possible. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
10	<p>The FAA has considered viable options for airspace redesign in the study area that meet the purpose and need for the project.</p>
11	<p>Comment noted. The FAA does not intend to reconsider the entire Project. This project has been thoroughly analyzed pursuant to NEPA, and all applicable regulations and FAA Orders. The Preferred Alternative would reduce delay thereby reducing fuel burn and emissions. The FEIS provides a fuel burn analysis, Appendix R, that discloses the potential for fuel burn reduction with the Preferred Alternative.</p>

Response to Comment 4669: Helen Marshall, Queens Borough President

Comment Number	Comment response
12	<p>Comment noted. Despite not meeting the purpose and need for the project both the Future No Action Airspace Alternative and the Ocean Routing Airspace Alternative were retained for detailed environmental analysis. CEQ regulations require the Future No Action Airspace Alternative be carried forward for detailed analysis. The Ocean Routing Airspace Alternative was carried forward for environmental analysis to address long standing public concerns. Therefore, although neither of these alternatives addressed the purpose and need for the airspace redesign, they were carried forward for detailed analysis in the same manner as the Modifications to Existing Airspace and Integrated Airspace Alternatives. All of these alternatives were carefully modeled and analyzed for environmental impacts.</p>
13	<p>Comment noted. Both the Modifications to Existing Airspace Alternative and the Integrated Airspace Alternative would meet the Purpose and Need for the project, including the need to maintain safety.</p>
14	<p>Comment noted. All analysis was completed in accordance with the current FAA Orders and approved computer models.</p>
15	<p>The DEIS does indicate that several alternatives would have some "significant" impacts to noise sensitive areas. It should be noted that noise abatement measures were considered in designing mitigation for the FAA's Preferred Alternative. While noise abatement was not possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
16	<p>Comment noted. While use of DNL has often been the subject of controversy in airport noise studies, its use has also been the subject of scrutiny by government agencies. In their 1992 report, the Federal Interagency Committee on Noise (FICON) group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. The EPA "Levels Document" identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)."</p>
17	<p>Comment noted. The DEIS discloses the noise levels for both existing and projected operational levels and compares the associated noise levels to land use compatibility standards used by FAA. Some areas within Queens currently receive extensive noise impacts from aviation resources, none of the alternatives considered significantly increase noise levels beyond those existing noise levels.</p>

Response to Comment 4669: Helen Marshall, Queens Borough President

Comment Number	Comment response
18	<p>Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Population and Low Income Populations, and the accompanying Presidential Memorandum, and Order DOT 5610.2, Environmental Justice in Minority and Low-Income Population, require the FAA to identify and address disproportionately high and adverse human health or environmental impacts on low-income and minority populations in the communities potentially impacted by the Proposed Action. The environmental justice analysis completed for the DEIS examined areas where there were significant noise impacts to determine whether these impacts were disproportionately born by minority or low-income communities. Other than Riker's Island there are no areas within Queens that are projected to experience a significant noise impact. The environmental justice analysis was completed using applicable federal guidance; Executive Order 12898 applies only to disproportionate impacts on low income and minority populations.</p>
19	<p>The FAA completed analysis for DOT 4(f) properties, historic/cultural resources, and wildlife as described in separate sections within the DEIS. Please see Sections 4.4, 4.5, and 4.7 of the DEIS. Additional analysis was completed for DOT 4(f) properties and is included in the FEIS.</p>
20	<p>Comment noted. The FAA analyzed impacts for the proposed action in accordance with the requirements and standards set forth in the FAA's Order 1050.1E.</p>
21	<p>In the DEIS, the FAA described to the public the general mitigation strategies that it would attempt to apply to whichever alternative it ultimately selected as the preferred. Those general mitigation strategies included: (1) use of continuous descent approach (keeping aircraft on a higher altitude flight path at lower engine power levels for a continuous steady descent to landing, which lowers noise levels on the ground at certain distances from the airport); (2) nighttime noise abatement procedures; (3) additional use of water/industrial areas and proposed flight track refinements; (4) sound insulation of impacted buildings with educational or medical uses (this would require airport sponsorship and would be outside the control of FAA).</p> <p>The FAA acknowledged and recognized that while general principals of scoping were described in the DEIS, the specifics would be forthcoming in the FEIS. The FAA, therefore, committed to conducting one public workshop per state, to discuss the Preferred Alternative and mitigation. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
22	<p>Comment noted. Advertisements announcing both public meetings in Queens, NY were run on several dates in the following papers: Queens Gazette (all 3 zones), Queens Tribune, Queens Ledger, Queens Chronicle, El Diario, Press of Southeast Queens, Pennysavers Queens (weekly).</p> <p>The Elmhurst meeting was held at the Marriott Hotel, while the Howard Beach meeting was held at PS 207. Both locations are easily accessible by personnel vehicle or public transportation.</p>
23	<p>Comment noted, the FAA has used public meetings as one way to solicit public input but has used other methods as well (e.g. newsletters, website).</p>

Response to Comment 4669: Helen Marshall, Queens Borough President

Comment Number	Comment response
24	Impacts on communities surrounding airports in the study area are fully modeled, analyzed and considered in the decision making process. It is noted that the beneficial employment and economic impacts of EWR, LGA, and JFK reach beyond the industry and its users. According to the Port Authority of New York and New Jersey these airports employ 67,000 people and contribute \$48.2 billion in economic activity to the NY/NJ metropolitan region generating some 435,000 jobs and \$16.9 billion in wages.
25	Comment noted.
26	Comment noted. Alternative Modes of Transportation was among the categories of alternatives considered and rejected in the DEIS. Use of other modes of transportation would not address present day inefficiencies of the NY/NJ/PHL Metropolitan Area airspace. Government support of high-speed rail service is outside the scope of this study.
27	<p>In order to limit the hours of airport operation or impose a curfew, the airport proprietor would have to complete a 14 CFR Part 161 study in accordance with the Airport Noise and Capacity Act (ANCA) of 1990 (49 U.S.C. App. 2153, 2154, 2155, and 2156).</p> <p>While the FAA has the responsibility for safe and efficient use of the airspace, The Aviation Noise Abatement Policy of 1976 and FAA Order 1050.11, Noise Control Planning, identify airport proprietors as responsible for taking the lead in local aviation noise control plans and issues. This is appropriate because the airport proprietor has the best understanding of the local noise climate, community needs and desire, and the requirements of the airport users. Hence, the FAA does not normally initiate noise control programs. Rather, airport proprietors may choose propose specific noise abatement initiatives to the FAA. Under such circumstances it is the responsibility of the FAA to determine only if the proposed initiatives are both safe and efficient, not whether they are appropriate from the local land -use compatibility perspective.</p>
28	Comment noted. The airspace redesign project was conceived as a system for more efficiently directing Instrument Flight Rule aircraft to and from major airports in the study area. The FAA's objective is to move aircraft safely; if mitigation can be completed safely and is promoted by the airport sponsor the FAA will work to implement noise abatement procedures.
29	Comment noted. Physical expansion of airports, including the addition or alteration of runways, was not the subject of this Airspace Redesign Project.
30	Comment noted. This issue is outside the context of this study.
31	While the FAA has the responsibility for safe and efficient use of the airspace, The Aviation Noise Abatement Policy of 1976 and FAA Order 1050.11, Noise Control Planning, identify airport proprietors as responsible for taking the lead in local aviation noise control plans and issues. This is appropriate because the airport proprietor has the best understanding of the local noise climate, community needs and desire, and the requirements of the airport users. Hence, the FAA does not normally initiate noise control programs. Rather, airport proprietors may choose propose specific noise abatement initiatives to the FAA. Under such circumstances it is the responsibility of the FAA to determine only if the proposed initiatives are both safe and efficient, not whether they are appropriate from the local land -use compatibility perspective.
32	Comment noted. However, the FAA does not intend to re-focus this study. The FAA developed the purpose and need for the airspace redesign, consistent with NEPA regulations, to reflect its mission. According to the Federal Aviation Act of 1958, as

Response to Comment 4669: Helen Marshall, Queens Borough President

Comment Number	Comment response
	<p>amended, the FAA's mission includes controlling the use of navigable airspace and regulating civil and military operations in that airspace in the interest of maintaining the safety and efficiency of these operations. Therefore, the purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. Likewise the project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region. NEPA was not designed to prevent agencies from carrying out their statutory missions or to have environmental factors become more important or supersede other factors such as technical or operational ones. It was designed to ensure that environmental considerations are taken into account along with other factors when a Federal action is considered.</p> <p>Noise was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p> <p>Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that "air traffic control activities and adopting approach, departure, and en route procedures for air operations" are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released "Aviation and Emissions, a Primer" indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP</p>

Response to Comment 4669: Helen Marshall, Queens Borough President

Comment Number	Comment response
	<p>inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.</p>

102 Park Drive
Cranford, NJ 07016-1832
June 20, 2006

Mr. Steve Kelley, FAA-NAR
c/o Ram Nagendran
Reston, VA 20192

Gentlemen:

I do not want two additional layers of airplanes over my home as proposed by the FAA. Currently, the Nomehegan Park area of Cranford is the route which low-flying, noisy and structure-damaging helicopters use to get to EWR. There could be up to 8 round trips a day. Also, during evening hours, Stage 2 cargo planes shatter the "quiet" time up to 3:00 a.m. These were to have been retired many years ago.

All day and evening long I can see planes crisscrossing over the open lake area of the park at different altitudes, even when weather conditions are good. It is now 6:00 p.m. and they are roaring overhead.

I am sorry that some people have to sit in a terminal because their flight was delayed, but I am more concerned about the residents who have to live under a constant barrage of noise and fuel exhaust, conditions which also affect schools and churches.

1

As far as many Cranford residents are concerned, ocean routing is the viable solution.

2

Yours truly,



Ellen E. Hunt

P.S. The common outdoor and indoor sound level comparisons in your brochure are ridiculous. How often does the average taxpayer in Union County go to a rock band, ride a subway train, run a garbage disposal, use a vacuum etc. to justify the upsetment of their lives? It is my opinion that the FAA has already redesigned the airspace and is only trying to pacify people by allowing them to "express their opinions" which will not affect the outcome.

3

004940

Response to Comment 4940: Ellen E. Hunt

Comment Number	Comment response
1	<p>Noise was a major environmental consideration throughout the EIS process. From the beginning, during the FAA’s scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. Appendix P, Noise Mitigation Report, of the FEIS provides the mitigation analysis undertaken for the Preferred Alternative.</p> <p>A fuel burn analysis, Appendix R, of the FEIS determined that the mitigated Preferred Alternative will save about 194.4 metric tons of fuel on an average day in 2011. By reducing fuel consumption air pollutants generated by aircraft activity will be reduced in the future with implementation of the Preferred Alternative and are thus de minimis. Additionally, for aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations..</p>
2	<p>The FAA has identified the Integrated Airspace variation with ICC as the Preferred Alternative. This alternative was identified as the Preferred Alternative because it best meets the purpose and need for the Proposed Action. The Ocean Routing Airspace Alternative actually increases the amount of delay when compared to the No Action Alternative.</p>
3	<p>Comment noted. It is assumed the commenter is referring to Figure E-2 of Appendix E. This standard figure presents typical A-weighted sound levels of several common sources such as vacuum cleaners to facilitate the understanding of a particular metric.</p>

June 22, 2006

FAA Redesign – Integrated Airspace Design

Steve Kelley, FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Dear Mr. Kelley,

I am strongly opposed to the "Integrated Airspace" design favored by the FAA. The plan is primarily focused on improving airline economy and "on-time" statistics. The fact is *most* people fly very infrequently. As a Union County [New Jersey] resident I would be happy to endure longer delays and even less flights to insure an expected *quality of life* for my family and the many thousands of residents that will be diminished by an Integrated Airspace design. In my opinion, the ever increasing affront on quality of life I see is appalling and it is high time that politicians and government agencies take notice.

1

I urge the FAA to endorse flight plans that route air traffic over the ocean where it belongs and not over the heads of NJ taxpayers already paying a lot for an ever decreasing benefit.

2

Sincerely,



Charles Capro
418 Cranford Avenue
Cranford, NJ 07016
jcapro@verizon.net

418 CRANFORD AVENUE
CRANFORD, NJ 07016

00 4941

Response to Comment 4941: Charles J. Capro

Comment Number	Comment response
1	The FAA recognizes the quality of life issues impacted by aviation activities. The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet its responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated operational and environmental impacts. Upon receipt of public and agency comments, the FAA identified a Preferred Alternative and designed mitigation to minimize the environmental impacts to the extent possible. Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS provide details on the mitigation considered for the Preferred Alternative.
2	Comment noted. The Ocean Routing Alternative considered within the EIS does not meet the purpose and need and thus was not identified as the FAA's preferred alternative.

June 22, 2006

FAA Redesign – Integrated Airspace Design

Steve Kelley, FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

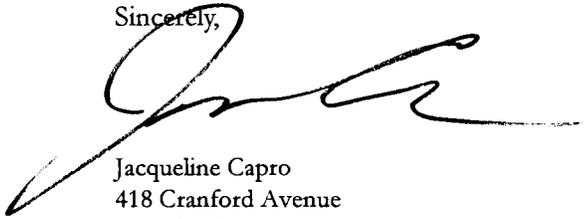
Dear Mr. Kelley,

I am strongly opposed to the "Integrated Airspace" design favored by the FAA. The plan is primarily focused on improving airline economy and "on-time" statistics. The fact is *most* people fly very infrequently. As a Union County [New Jersey] resident I would be happy to endure longer delays and even less flights to insure an expected *quality of life* for my family and the many thousands of residents that will be affected by an Integrated Airspace design. In my opinion, the ever increasing affront on quality of life I see is appalling and it is high time that politicians and government agencies take notice.

I urge the FAA to endorse flight plans that route air traffic over the ocean where it belongs and not over the heads of NJ taxpayers already paying a lot for an ever decreasing benefit.

1

Sincerely,



Jacqueline Capro
418 Cranford Avenue
Cranford, NJ 07016
jcapro@verizon.net

418 CRANFORD AVENUE
CRANFORD, NJ 07016

00 4942

Response to Comment 4942: Jacqueline Capro

Comment Number	Comment response
1	Comment noted. The Ocean Routing Alternative considered within the EIS does not meet the purpose and need and thus was not identified as the FAA's preferred alternative.



Andrew J. Spano
County Executive

Airport Advisory Board
George Skinner, Chair
Edward Berman, Vice Chair

June 21, 2006

Mr. Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Dear Mr. Kelley:

The Westchester County Airport Advisory Board, created under the County Charter, consists of citizen representatives of the Westchester communities surrounding the Airport and the county at large. On behalf of the residents of all these communities we want you to know we are very concerned about both the content and the adequacy of the Draft Environment Impact Statement (DEIS) regarding the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign.

County Executive Andrew J. Spano, in his letter to you dated June 18, 2006 stated:

"The primary purpose of the DEIS under the National Environmental Policy Act is to provide interested and affected parties adequate information upon which to fairly evaluate and make informed comments about a proposed action. As it concerns the potential noise impacts on those interested and affected people in Westchester, this draft utterly fails to achieve that goal.

For that reason I have no alternative other than to strongly oppose the recommended "2011 Integrated Airspace Alternative Variation with Integrated Control Complex (ICC)," and to urge you to prepare a Supplemental DEIS clarifying the relevant issues. Implementing the alternative without the supplemental DEIS would violate your own procedures and thus make your action invalid."

We have reviewed the County Executive's letter and enclosures and are in complete agreement with his conclusion that the DEIS is inadequate and must be supplemented so that the residents of Westchester County may be fully informed of the impacts upon them of the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign.

Yours truly,

100 East First Street
Mount Vernon, New York 10550

Telephone: (914)813-7700

Fax: (914)813-7712

Website: westchestergov.com

004974
1812

~~Edward M. Bertram, Vice Chair, Town of North Castle~~

~~Salvatore M. Cresenzi At. Large~~

~~Robert Hillbert, Town of New Castle~~

~~Mark Orsini County Legislator, 6th District~~

~~Glenn Whelan Western County Planning Commissioner~~

cc: Andrew J. Spano
William Ryan

HARRIS MILLER MILLER & HANSON INC.

77 South Bedford Street
Burlington, MA 01803
Tel. (781) 229-0707
Fax (781) 229-7939

MEMORANDUM

To: Robert Funicello, Westchester County
From: Ted Baldwin
Date: June 8, 2006
Subject: Review of New York / New Jersey / Philadelphia Metropolitan Airspace Redesign
Draft Environmental Impact Statement with Respect to Westchester County Airport
Reference: HMMH Project 301630

1. INTRODUCTION



This memorandum summarizes the Harris Miller Miller & Hanson Inc. (HMMH) review of the New York / New Jersey / Philadelphia Metropolitan Airspace Redesign Draft Environmental Impact Statement (DEIS). HMMH conducted this review on behalf of Westchester County, New York

1.1 Purpose of Review

HMMH's primary purpose is to provide input for the County to consider in commenting on the DEIS.

1.2 Scope of Review

We focused our review of the DEIS documentation on sections addressing noise issues related to the DEIS "2011 Integrated Airspace Alternative Variation with Integrated Control Complex (ICC)" as they pertain to the Westchester County and to Westchester County Airport (HPN) operations. *All of the changes in noise values presented and discussed in this memorandum are in reference to that alternative to the "no-action" alternative for 2011, unless explicitly noted otherwise.*

We briefly reviewed the other alternatives for both the 2006 and 2011 study years and did not find any indication of dramatic changes in HPN operations or changes in other aircraft operations within Westchester County or the neighboring areas of Fairfield County, CT.

We have not prepared an exhaustive, section-by-section evaluation or commentary.

1.3 Basis of Review

HMMH based this review on DEIS document, appendices, other supporting material posted on the DEIS website¹, and the firm's previous experience assisting on noise-related issues at HPN. We have not conducted any independent data collection or analysis. Our review of noise values was limited to the aircraft noise levels presented in the DEIS and supporting material. We have not considered the relationship between ambient and aircraft noise.

1.4 Recommendations

Throughout the memorandum, we have italicized major observations and recommendations. On a general level, we recommend that the County request that the FAA provide:

- Detailed descriptions of HPN-related operations under the proposed action and non-action alternatives, including runway use, and flight track geometry and use rates, and other assumptions.
- Results of all noise modeling conducted in preparing the DEIS, including the 5,000 foot grid spacing and 500 foot grid mentioned in the documentation (Appendix E), but for which documentation or results are not reported.
- Additional noise modeling results for a denser set of points to identify possible noise impact at locations between census block centroids, in particular in the vicinity of the 55 dB DNL and higher contours at HPN. In "Area A" discussed in Section 3.3 of this memorandum, we recommend a

¹ http://www.faa.gov/airports_airtraffic/air_traffic/nas_redesign/regional_guidance/eastern_reg/nynjphl_redesign/dei_statement/

100-foot grid spacing, because the change in exposure at the single analysis location in that area is at the brink of significant impact and there are very few noise modeling locations in this area.

- Noise Impact Routing System (NIRS) study(ies) used to develop the noise values, which provide a complete description of modeling assumptions for the no-action and proposed action alternatives.

2. PRIMARY CONCLUSIONS

The following paragraphs summarize our primary comments; Section 3 presents detailed discussion.

Predicted Changes in Noise Exposure Are Likely To Be Highly Detectable

The DEIS does not predict changes in noise exposure in Westchester County that would exceed FAA criteria for significant or slight-to-moderate impact. (Section 3.1 summarizes of those criteria.)

However, many of the predicted changes are within one decibel, or even as little as three tenths of a decibel, of the criteria, including the criteria for significant impact. *Based on our experience at HPN and other airports, we believe that the changes in operations and exposure are likely to be highly noticeable to residents of the County and areas in the vicinity of HPN, and likely to result in highly negative feedback to the County.*

Actual Changes in Exposure May Exceed FAA's Threshold of Significance

The DEIS noise-prediction approach is not accurate enough to predict noise exposure with an accuracy of one-decibel or less for all noise-sensitive locations. Minor improvements in the precision of modeling assumptions (such as runway use, fleet mix, flight tracks, or specific analysis location) would result in identification of significant impact within the County and vicinity of HPN. At one analysis location, under the approach to Runway 34 at HPN, in the vicinity of the Belle Fair development, the predicted change in exposure is within two tenths of decibel of the FAA's threshold of significance. *The predicted change in exposure at that location could exceed the threshold of significance with very minor adjustments in modeling assumptions or there could be significant impact at nearby locations that were not specifically modeled.*

The Operational Changes under Consideration Would Require Westchester County to Reevaluate and Revise its Noise Abatement Program, Noise Monitoring Locations, and Noise Contours

The information available in the DEIS indicates that the proposed flight routes, particularly for departures, would be inconsistent with existing noise abatement departure flight tracks that lead aircraft over unpopulated or less-densely populated, areas during initial climb-out from the airport. The new routes would lead aircraft over more densely populated areas, requiring reassessment of existing noise abatement procedures. The new routes also would lead aircraft over areas where existing Remote Monitoring Terminal (RMT) locations do not provide adequate coverage; the County would have to reassess the existing locations, and consider moving and possibly adding RMTs. The changes in exposure also would make the most recent noise contours out-of-date, and require preparation of an updated noise study.² *These costly actions would be required to maintain the County's commitment to a responsive and effective noise compatibility program at HPN.*

DEIS Documentation is Insufficient to Thoroughly Review the Proposed Action

The DEIS documentation is not sufficiently detailed to fully understand potential noise-related impacts in the vicinity of HPN. For example, the documentation does not identify the extent to which predicted changes in exposure are associated with modified operations at HPN or other airports, and modeling assumptions are not described completely, even at the basic level of runway use. The text in Appendix C provides a general description of the Integrated Airspace Alternative Variation with ICC alternative, but the figures in Appendices C and E are at too small a scale, on a map lacking useful landmarks (such as the reservoir or major roads), such that it is not possible to fully understand the proposed changes within the vicinity (approximately five to ten miles) of HPN. *The fundamental*

² HMMH assisted TAMS Consultants, Inc. to prepare the 2002 "Westchester County Airport Aircraft Noise Study" that presented noise contours for 1999 and 2005.

implication is that the DEIS fails to achieve its primary objective; i.e., to provide interested and potentially affected parties with sufficient information, in a clear and comprehensible format, to comment on potential impacts in an informed manner.

Westchester County Should Request That FAA Provide Further Documentation

The preceding conclusions, and other issues raised by our review of the DEIS provide ample justification for you to request that the FAA provide further documentation and conduct additional analysis of the proposed action and changes in activity over the County. *The deficiencies justify preparation of a supplemental DEIS, to ensure that interested parties have the time and materials necessary to prepare thorough informed comments.*

3. DISCUSSION



This section summarizes HMMH's major observations in somewhat greater detail, with the purpose of providing sufficient information to defend our major conclusions and support the County in preparation of comments on the DEIS. The discussion includes three primary elements:

- Summary of "impact categories" that FAA used in the noise analysis, including a brief description of the major noise terminology used in the DEIS.
- A discussion of the noise analysis locations used in the DEIS.
- Graphical summaries of changes in noise exposure, based on detailed data from the DEIS website, and discussion of major HMMH observations.

Once again, all of our observations address the "2011 Integrated Airspace Alternative Variation with Integrated Control Complex (ICC)," compared to the 2011 "no-action" alternative.

3.1 FAA Categories of Impact

The DEIS follows FAA standard practice³ and considers noise impact in three categories that consider incremental increases in Day-Night Average Sound Level (DNL)⁴ over threshold values:⁵

- Significant Impacts: 1.5 DNL minimum increase resulting in 65+ DNL noise exposure, or 1.5 DNL minimum increase where noise exposure already exceeds 65 DNL
- Slight to Moderate: 3 DNL minimum increase resulting in noise exposure between 60 and 65 DNL, or 3.0 DNL minimum increase where noise exposure is already between 60 and 65 DNL
- Slight to Moderate: 5 DNL minimum increase resulting in noise exposure between 45 and 60 DNL, or 5 DNL minimum increase where noise exposure is already between 45 and 60 DNL

3.2 Noise Analysis Locations Used in the DEIS

Practical requirements dictate that the analysis approach used to evaluate changes in exposure in the large geographic areas affected by airspace changes is less precise than in airport-specific studies. Modeling assumptions (e.g., fleet mix, flight track geometry, runway use, etc.) are generally less detailed than those developed for preparation of noise contours. It is worth noting that the DEIS documentation is not detailed enough for us to understand the extent to which HPN activity was

³ FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," defines the agency's impact assessment requirements.

⁴ FAA has adopted DNL as the noise measure to be used in impact assessments. DNL describes cumulative noise exposure from individual source categories (such as aircraft operations) or from multiple sources (up to all sources at a). In simple terms, DNL represents the steady-state noise level that would provide the same cumulative exposure as the actual time-varying noise over the period of interest, with one important adjustment - all noise between 10 pm and 7 am is counted ten times, to reflect the added annoyance of noise during that sensitive period. Because of this adjustment, DNL always must be calculated for some number of days. Standard practice in aviation noise studies is to consider the DNL for a full calendar year, to take into account seasonal variation in airport activity, weather, etc. This memorandum considers calendar year 2011 DNL.

⁵ These three impact category definitions are quoted directly from Section ES.6.1 (page ES-11) of the DEIS.

simplified in the noise modeling; the model inputs might have been as detailed as those used in preparing noise contours or they might have been highly simplified. *Westchester County should request that the FAA describe the HPN modeling assumptions in detail, to permit full evaluation of the implications of simplifying assumptions.*

The DEIS did provide information on the analysis locations in Westchester County and the vicinity of HPN; from that information we know that the density of analysis locations is much lower than that used in plotting contours. Therefore, the noise analysis risks overlooking areas where impacts might exceed FAA impact criteria and even rise to "significant."

In airspace noise assessments, FAA starts the list of analysis locations with the geographic centers of census blocks ("population centroids") and adds locations of specific interest, such as historic sites and discrete sensitive land uses, such as schools and parks. The analysis locations in the vicinity of HPN appear to be limited to population centroids.



There are only about a dozen reported analysis locations within the 55 dB DNL exposure area around HPN. That area is approximately four times the larger than the area encompassed by the 65 dB DNL contour, which normally is the outer boundary shown in noise contours. It would be impossible to draw contours of any value with only 12 data points, let alone with the few that would fall within the 65 dB exposure area.

While lower analysis densities are common in airspace studies, it is worth noting that the DEIS calculated exposure for 5,000-foot grid spacing over the entire study area and for 500-foot grid spacing around major airports. However, these results are not reported. *Westchester County should request that the FAA provide this more detailed information, to permit assessment of all analysis results. As discussed in the following section, the available exposure results also suggest that changes in exposure at some locations are so close to impact thresholds that minor shifts in analysis locations or changes in modeling assumptions would result in slight-to-moderate or even significant impact. These "near misses" justify a request from the County for more detailed local analysis.*

HMMH observed that some Census block locations reported in the DEIS website disagree with locations downloaded from the Census Bureau⁶; in some cases the differences range from several hundred feet to over a quarter mile. For example the point identified in the DEIS online noise tables as New York, Westchester, 123.03,9027, latitude 41.08645, longitude -73.72542, and a population of 19, has a Census location of 41.087487, -73.723343. These two locations differ by over 680 feet, well beyond reasonable rounding differences. Moreover, as discussed in the following section, variation in modeling location might lead to exceedance of impact criteria.

3.3 Graphical Summaries of Changes in Noise Exposure

The DEIS did not identify noise impacts in any of the three FAA impact categories, in Westchester County or the vicinity of HPN. To obtain a greater understanding of changes in exposure in the area, HMMH evaluated detailed noise values available on the DEIS website for analysis locations used in the study.

The two appended figures distill the critical results of our review. The first figure depicts *absolute changes in DNL* in nine categories for the 2011 Integrated Airspace Alternative Variation with ICC to the 2011 "no-action" condition. The second figure presents *changes in DNL relative to impact assessment criteria*. Specifically, it shows locations that meet one aspect of the impact criteria and are within one decibel of the other, or that are within one decibel of meeting both criteria for significant impact.

The first figure outlines seven areas of particular interest; the second figure outlines three of them. These areas and their significance are described below. These areas start south of HPN and continue clockwise.

⁶ From http://www2.census.gov/census_2000/datasets/redistricting_file--pl_94-171/ and interpreted using the FAA's integrated Noise Model.

- Area A is almost directly under the extended centerline of Runway 16/34, to the southeast of the airport. It appears to be in the southern corner of the Belle Fair development.

This area encompasses one analysis location where the DEIS data indicate the DNL would increase by 2.7 decibels (dB), compared with the 2011 no-action alternative, and, result in an aircraft-related DNL of 64.8 dB⁷. Therefore, the change in exposure at this location would be within tenths of a decibel of creating a significant impact. Modest refinements in modeling assumptions or a slight shift in the analysis location would almost certainly yield a significant impact in this area. The DEIS documentation does not provide sufficient detail to understand the reason for this change in exposure. *This change in exposure on the brink of significance clearly merits more detailed analysis and documentation of the causative factors. The FAA should investigate additional locations in this area to identify locations of potentially significant or light to moderate impact. Residents in this area would likely respond in a strong negative fashion.*



- Area B is a roughly triangular area with corners in Yonkers, Hastings-On-Hudson, and Scarsdale (at its border with the southern end of White Plains). The DEIS predicts changes in exposure of approximately 1.5 to 2.9 dB in this area. These changes may be due to revised operations at other airports. However, the documentation provides no basis for determining the specific contributing factors. *The County should request an explanation, to obtain an understanding of the factors affecting residents in the jurisdiction.*
- Areas C and D appear to be related. Area C is west of the airport, running from White Plains and Valhalla to Tarrytown and the Hudson River. This area is under the existing corridors for departures on both Runway 16 and 34 (turns to 320° and 295°, respectively)⁸. The DEIS predicts 1.5 to 4.9 dB decreases in exposure in this area. Area D runs northwest from Kensico Reservoir to Tomkins Cove and Jones Point. The DEIS predicts DNL increases of at least 1.5 to 8 dB in this area. To the best of our understanding, the airspace changes would shift Runway 34 departures from Area C to Area D; departures on Runway 34 would make a slight dogleg to the west over Rye Lake then proceed up Area D; Runway 16 departures would make a 180° right-hand turn and also proceed up this area.

This change is not documented in text of the DEIS and is only described briefly in the appendices and noise analysis. Figure 8-47 in Appendix C indicates that Runway 34 departures would turn left initially to 295°, but would then turn right to a heading of approximately 330° to 350° before crossing the northern shoreline of the Kensico Reservoir. In summary, this change moves Runway 34 departures from flying between RMTs 8 and 10 to somewhere between RMTs 10 and 5. With regard to Runway 16 departures, Appendix E, Attachment C-109 presents a figure depicting the changed route, but the scale is too small to make an adequate assessment.

As shown in the second figure, predicted changes in DNL at the orange-colored analysis locations in the Pleasantville, Thornwood, and Hawthorne area are very close to the FAA's slight to moderate (five decibel increase / 45 DNL impact) criterion. There are six locations, representing 457 people, within three tenths of a decibel and 99 additional locations, representing 3,834 people, within one decibel of the criterion. The DEIS data also predicts the yellow-colored locations between Pleasantville and Crotonville will be within five-decibels of this criterion (a five-decibel increase is predicted and the total aircraft exposure will be 40 dB DNL or greater). *Based on our experience at HPN and other airports, we believe that the changes in operations and exposure in these areas are likely to be highly noticeable to residents of the County and areas in the vicinity of HPN, and likely to result in highly negative feedback to the County. The changed procedures justify a request from the County to the FAA for additional documentation and analysis.*

⁷ This location is within Westchester County and is identified as Census Tract 83.02, Census Block 9013, latitude 41.04993, longitude -73.69322, with a Census 2000 population of 38 people.

⁸ This procedure is currently called the "Westchester One Departure"

⁹ There are a couple of 1.5 to 2.9 dB increases shown immediately southwest of the airport, on the west side of I-684 and east of Area C that most likely are the result of the Runway 16 departures flying northwest abeam of the airport.

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Memorandum to: Robert Funicello, Westchester County
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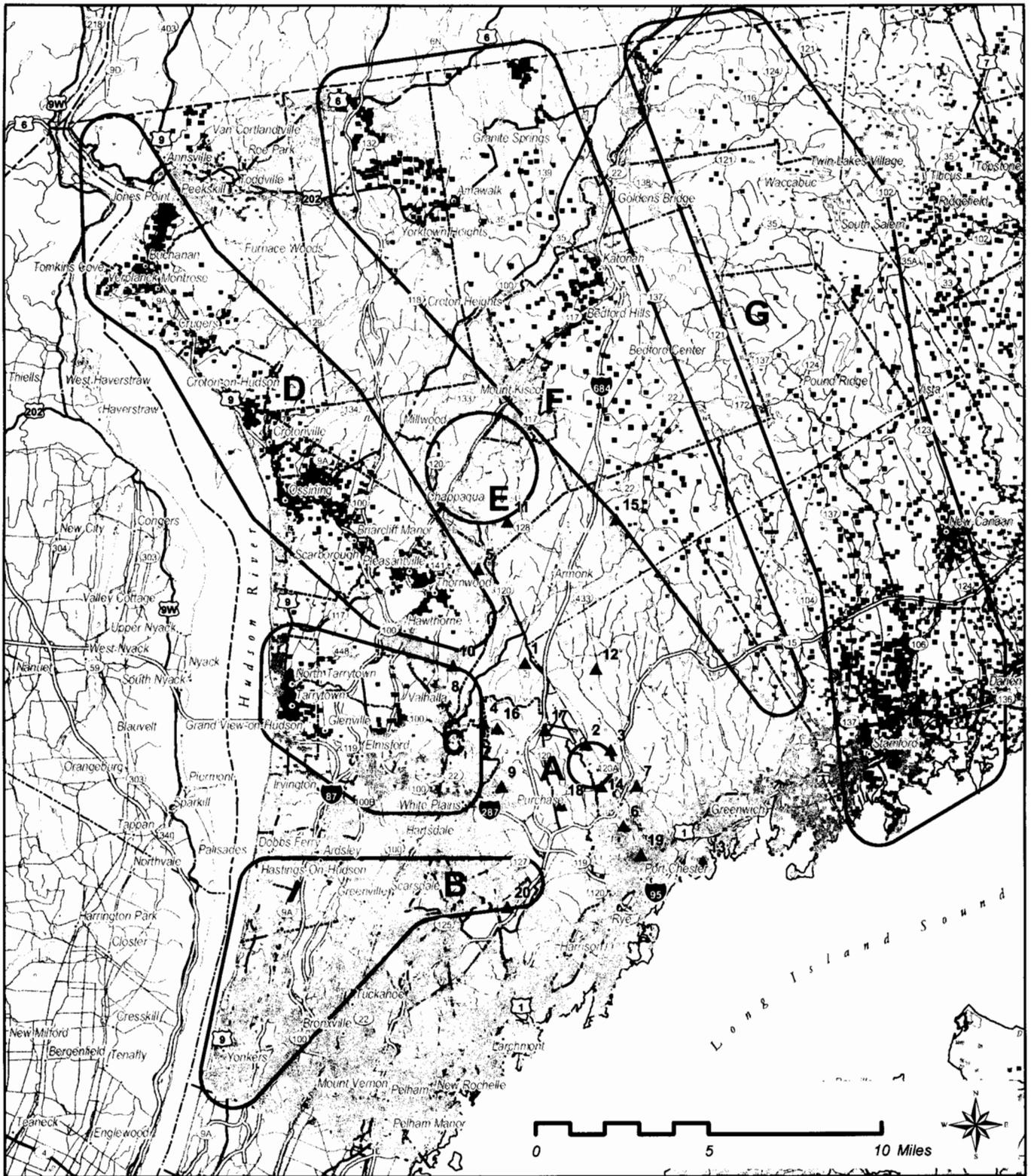
- Area E runs from Chappaqua to Mount Kisco, and includes predicted DNL increases in the 1.5 to 2.9 dB range. It appears to be under the easterly loop proposed for Runway 34 departures; the increases may be the result of that new procedure. There is no other evidence of change in exposure at DEIS analysis locations due to this turn; however, as mentioned previously, the absence of change may be an artifact of the relatively dispersed analysis locations. HPN has recently experienced growth in scheduled passenger operations to southern destinations, which appear to be the primary destinations assigned to this route.

The body of the DEIS does not discuss this loop. Appendix C provides a brief description, and Appendices C and E provide some graphics, but they are at too small a scale to understand the exact flight path near HPN. Appendix C and E also show that some aircraft currently fly a procedure very similar to the proposed loop. We have not seen this procedure in our work at the airport.



It is our understanding that HPN has experienced a recent increase in scheduled departures to southerly destinations. The DEIS documentation does not provide the number of operations or associated destinations modeled on this route, so it is not possible to review assumptions regarding its proposed use, in the context of that increase. *Once again, this unfamiliar procedure is very likely to be noticeable and annoying to residents. The County should request that the FAA provide adequate documentation to understand its purpose and anticipated use.*

- Areas F and G also appear to be related. Area F seems to be under the downwind leg for the existing "Sound Visual Approach." It appears from the DEIS (although the documentation is not absolutely clear) that these approaches would be shifted to the east, over Area G. As shown in the second figure, the DEIS predicts that the shift in traffic will increase levels between Pound Ridge and Stamford, CT by five decibels or more, with aircraft noise associated with the proposed action at levels of 40 dB DNL or greater. *Once again, this unfamiliar procedure is very likely to be noticeable and annoying to residents.*



- ≤ -8
 - -7.9 to -5
 - -4.9 to -3
 - -2.9 to -1.5
 - -1.4 to 1.4
 - 1.5 to 2.9
 - 3 to 4.9
 - 5 to 7.9
 - ≥ 8
- ▲ RMT Locations
 - Municipal Boundary

Westchester County Airport

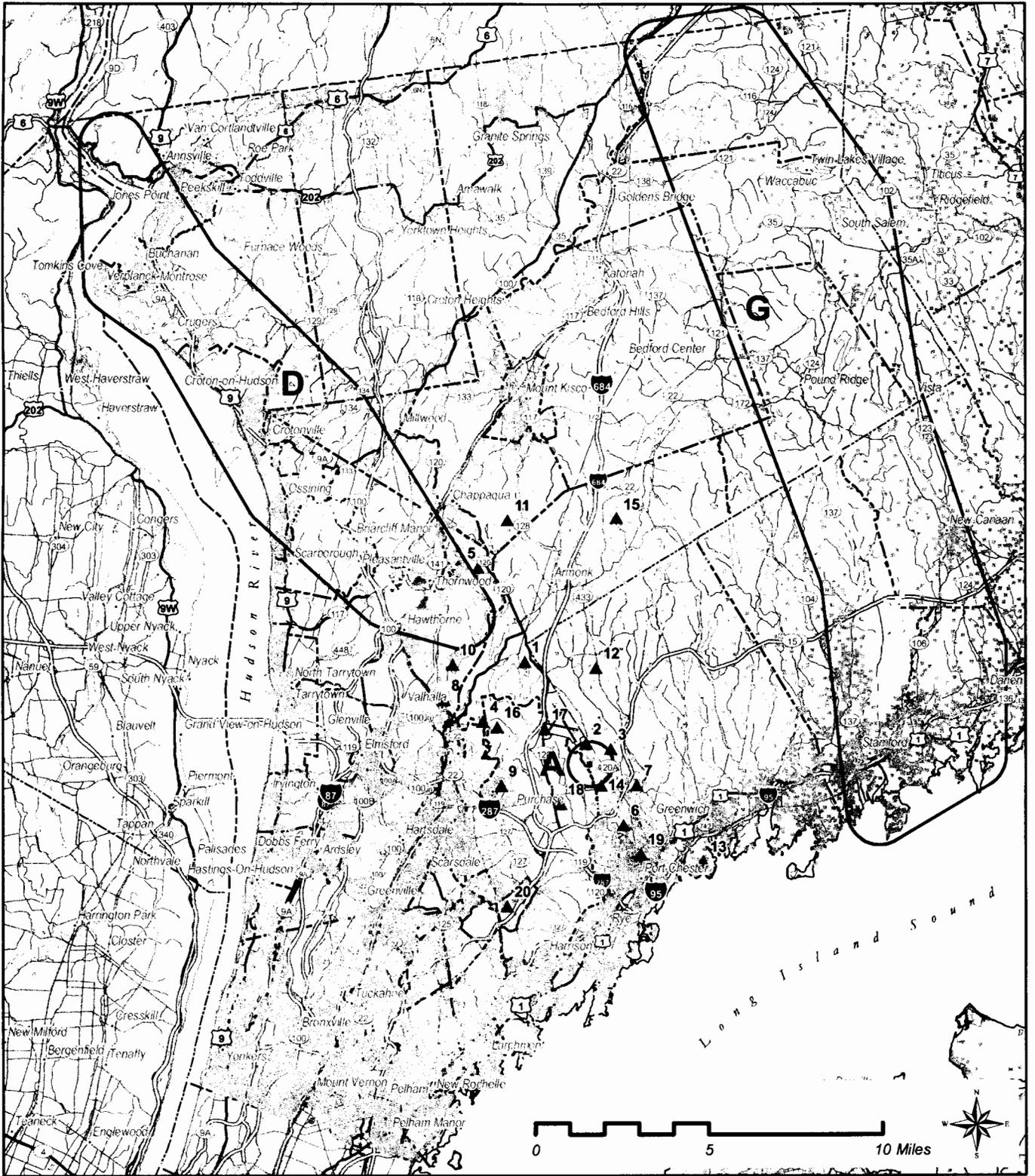
Analysis of New York/New Jersey Philadelphia Metropolitan Area
 Airspace Redesign Draft Environmental Impact Statement
 2011 Integrated Airspace Alternative Variation with ICC

Absolute Change in DNL from 2011 No Action

Data Sources: Federal Aviation Administration (FAA), Westchester County Airport, Westchester County Geographic Information Systems (WCGIS), Environmental Systems Research Institute, Inc. (ESRI).



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Alternative is greater than or equal to 40 dB DNL (≥ 40) and increases 5 dB or greater compared to No Action.

- Alternative is between 44 dB DNL and 45 dB DNL (≥ 44 and < 45) and increases 5 dB or greater compared to No Action, or Alternative is greater than or equal to 45 dB DNL or greater (≥ 45) and increases 4 dB or greater compared to No Action.

- Alternative is greater than 64 dB DNL and increases 2.7 dB or greater compared to No Action.

- Other modeling locations that do not have these increases.

- ▲ RMT Locations
- Municipal Boundary

Data Sources: Federal Aviation Administration (FAA), Westchester County Airport, Westchester County Geographic Information Systems (WCGIS), Environmental Systems Research Institute, Inc. (ESRI).

Westchester County Airport

Analysis of New York/New Jersey Philadelphia Metropolitan Area
Airspace Redesign Draft Environmental Impact Statement
2011 Integrated Airspace Alternative Variation with ICC

Change in DNL Relative to Criteria



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Westchester County's Commitment to Airport Noise Abatement

The County of Westchester has for many years been very concerned about noise and other environmental impacts caused by its Airport. Beginning in 1998 the County increased significantly its efforts to reduce noise and other Airport related environmental impacts. The Westchester County Airport Noise Office was expanded to a full Environmental Department. One of the first ISO 14001 certified Environmental Management Systems (AEMS) to be instituted at a US airport was certified at the Westchester County Airport (HPN). In addition the Westchester County Airport has taken manifold actions, at a cost of millions of dollars in Airport revenues, to identify, evaluate, avoid and, where unavoidable, mitigate the Airport's environmental impacts.

As part of this extensive effort to protect the public from noise and other environmental impacts, in 2002 the County completed the *Westchester County Airport Aircraft Noise Study*, (TAMS Consultants, Inc. and Harris Miller Miller & Hanson, Inc.), available online at <http://www.westchestergov.com/airport/> (HPN 2002 Noise Study). This comprehensive study identified existing and likely future noise impacts resulting from aircraft operations at HPN documented updated aircraft noise contours and discussed their significance.

Prior to the completion of the HPN 2002 Noise Study, the County had completed an evaluation of its noise monitoring system, including the monitoring locations, operating parameters, and overall performance (HMMH, 2000). This study had two principal objectives:

- To ensure that the number and location of permanent noise monitors provides appropriate geographic coverage of areas affected by noise from HPN operations.
- To ensure that the County's Airport Noise and Operations Monitoring System (ANOMS) noise event detection parameters are set in a manner that will maximize the detection of aircraft noise events and, therefore, measure the contribution of aircraft to overall noise exposure.

The noise monitoring system study also had a third, non-technical, but equally important objective:

- To provide opportunities for the public to understand the basis for selecting monitor locations, and to suggest new or relocated sites for consideration.

Public input at the time fell into two principal areas:

- There was concern that there were gaps in the overall geographic coverage of the permanent noise monitors, which might cause the system to miss operations or fail to address noise sensitive areas of interest.
- There was concern that some existing monitors may be in areas where high background

levels limit the system's ability to detect aircraft events or cause the system to reflect non-aircraft exposure levels that are not reasonably representative of residential areas. In most instances, high background levels are associated with street traffic, since several existing monitors are located in the shoulder of relatively busy roads.

Thereafter, the County implemented the noise monitoring system study's recommendations, which included:

- Addition of six new noise monitors to provide comprehensive geographic coverage.
- Relocation of six existing noise monitors to address current site problems, such as unacceptably high non-aircraft noise levels.
- Confirmation of the locations of the eight remaining existing monitors.
- Implementation of an enhanced "floating noise threshold" capability that will improve the system's ability to identify the maximum number of events by lowering the discrimination threshold during time periods when non-aircraft noise levels are low, such as at night.

The completion of the HPN 2002 Noise Study and the implementation of the recommended noise monitoring system improvements have dramatically improved the understanding of HPN's noise impacts by the County government and the public. The County has improved its ability to manage the Airport to reduce noise impacts through the Airport's noise abatement program, implemented as part of the AEMS. Just as important, it has increased the public's understanding of and confidence in the government's willingness to do as much as possible to reduce noise. Based upon the favorable comments received from the public at monthly meetings of the Westchester County Airport Advisory Board, and the significant reduction in noise complaints received by the HPN Environmental Department, it is clear these efforts to understand noise impacts caused by the Airport and mitigate those impacts is working.

Response to Comment 4974: Westchester County Airport Advisory Board

Comment Number	Comment response
1	Comment noted.
2	<p>The DEIS, published in December 2005, was complete and adequate. According to CEQ Regulations Section 1502.9b, Final EISs shall respond to comments and the agency shall discuss at appropriate points in the Final EIS any responsible opposing view which was not adequately discussed in the Draft EIS and indicate the agency's response to the issue raised. The FAA has prepared its Final EIS and responded to comments and opposing views received on the Draft EIS. According to CEQ Regulations Section 1502.9c, agencies shall prepare supplements to either Draft or Final EISs if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or (2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. The FAA has not made substantial changes in the proposed action, nor are there significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. Therefore, a supplement DEIS is not required.</p>
3	Comment noted.

Andrew J. Spano
County Executive

Department of Transportation

Lawrence C. Salley, AICP
Commissioner

Henry J. Stanton,
Deputy Commissioner

June 27, 2006

Mr. Steve Kelly, FAA-NAR
c/o Ram Nagedran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

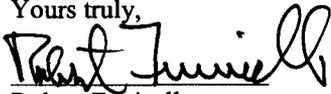
Re: Westchester County Comments on DEIS
NY/NJ/PHL Metropolitan Area
Airspace Redesign

Dear Mr. Kelly:

Andrew J. Spano, County Executive of Westchester County, New York, submitted comments for the County on the Draft Environmental Impact Statement for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign, by a letter to you dated June 22, 2006. Included with the County Executive's comments was a Memorandum prepared for the County by Harris Miller Miller Hanson, dated June 8, 2006 ("HMMH Memorandum").

Harris Miller Miller Hanson forwarded to this office today a corrected version of the first figure ("Absolute Change in DNL from 2011 No Action") in its June 8, 2006 memorandum. This revision corrects approximately 125 points located roughly between Amawalk, Granite Springs, the intersection of Routes 6 and 132, and the County's northern border. These points were colored gray (no change greater than +/- 1.4 dB) in the June 8, 2006 memorandum but now have been correctly colored a dark blue (greater than 8 dB decrease). This correction has not required Harris Miller Miller Hanson to otherwise modify the HMMH Memorandum previously submitted.

Enclosed, to correct the first figure of the HMMH Memorandum previously submitted by the County Executive, please find a substitute copy of the Harris Miller Miller Hanson Memorandum, to which is attached the corrected version of first figure, ("Absolute Change in DNL from 2011 No Action, corrected June 26, 2006"). Please accept this letter and enclosure as part of the comments of the County Executive of Westchester County upon the above mentioned DEIS.

Yours truly,

Robert Funicello
Environmental Project Director

RF/pl
Enclosure

The Bee-Line System

100 East First Street
Mount Vernon, New York 10550

Telephone: (914)813-7700 Fax: (914)813-7712 Website: westchestergov.com/transportation



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HARRIS MILLER MILLER & HANSON INC.

77 South Bedford Street
Burlington, MA 01803
Tel. (781) 229-0707
Fax (781) 229-7939

MEMORANDUM

To: Robert Funicello, Westchester County
From: Ted Baldwin
Date: June 8, 2006
Subject: Review of New York / New Jersey / Philadelphia Metropolitan Airspace Redesign
Draft Environmental Impact Statement with Respect to Westchester County Airport
Reference: HMMH Project 301630

1. INTRODUCTION

This memorandum summarizes the Harris Miller Miller & Hanson Inc. (HMMH) review of the New York / New Jersey / Philadelphia Metropolitan Airspace Redesign Draft Environmental Impact Statement (DEIS). HMMH conducted this review on behalf of Westchester County, New York



1.1 Purpose of Review

HMMH's primary purpose is to provide input for the County to consider in commenting on the DEIS.

1.2 Scope of Review

We focused our review of the DEIS documentation on sections addressing noise issues related to the DEIS "2011 Integrated Airspace Alternative Variation with Integrated Control Complex (ICC)" as they pertain to the Westchester County and to Westchester County Airport (HPN) operations. *All of the changes in noise values presented and discussed in this memorandum are in reference to that alternative to the "no-action" alternative for 2011, unless explicitly noted otherwise.*

We briefly reviewed the other alternatives for both the 2006 and 2011 study years and did not find any indication of dramatic changes in HPN operations or changes in other aircraft operations within Westchester County or the neighboring areas of Fairfield County, CT.

We have not prepared an exhaustive, section-by-section evaluation or commentary.

1.3 Basis of Review

HMMH based this review on DEIS document, appendices, other supporting material posted on the DEIS website¹, and the firm's previous experience assisting on noise-related issues at HPN. We have not conducted any independent data collection or analysis. Our review of noise values was limited to the aircraft noise levels presented in the DEIS and supporting material. We have not considered the relationship between ambient and aircraft noise.

1.4 Recommendations

Throughout the memorandum, we have italicized major observations and recommendations. On a general level, we recommend that the County request that the FAA provide:

- * Detailed descriptions of HPN-related operations under the proposed action and non-action alternatives, including runway use, and flight track geometry and use rates, and other assumptions.
- * Results of all noise modeling conducted in preparing the DEIS, including the 5,000 foot grid spacing and 500 foot grid mentioned in the documentation (Appendix E), but for which documentation or results are not reported.
- * Additional noise modeling results for a denser set of points to identify possible noise impact at locations between census block centroids, in particular in the vicinity of the 55 dB DNL and higher contours at HPN. In "Area A" discussed in Section 3.3 of this memorandum, we recommend a

¹ http://www.faa.gov/airports_airtraffic/air_traffic/nas_redesign/regional_guidance/eastern_reg/nynjphi_redesign/dei_statement/

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100-foot grid spacing, because the change in exposure at the single analysis location in that area is at the brink of significant impact and there are very few noise modeling locations in this area.

Noise Impact Routing System (NIRS) study(ies) used to develop the noise values, which provide a complete description of modeling assumptions for the no-action and proposed action alternatives.

2. PRIMARY CONCLUSIONS

The following paragraphs summarize our primary comments; Section 3 presents detailed discussion.

Predicted Changes in Noise Exposure Are Likely To Be Highly Detectable



The DEIS does not predict changes in noise exposure in Westchester County that would exceed FAA criteria for significant or slight-to-moderate impact. (Section 3.1 summarizes of those criteria.) However, many of the predicted changes are within one decibel, or even as little as three tenths of a decibel, of the criteria, including the criteria for significant impact. *Based on our experience at HPN and other airports, we believe that the changes in operations and exposure are likely to be highly noticeable to residents of the County and areas in the vicinity of HPN, and likely to result in highly negative feedback to the County.*

Actual Changes in Exposure May Exceed FAA's Threshold of Significance

The DEIS noise-prediction approach is not accurate enough to predict noise exposure with an accuracy of one-decibel or less for all noise-sensitive locations. Minor improvements in the precision of modeling assumptions (such as runway use, fleet mix, flight tracks, or specific analysis location) would result in identification of significant impact within the County and vicinity of HPN. At one analysis location, under the approach to Runway 34 at HPN, in the vicinity of the Belle Fair development, the predicted change in exposure is within two tenths of decibel of the FAA's threshold of significance. *The predicted change in exposure at that location could exceed the threshold of significance with very minor adjustments in modeling assumptions or there could be significant impact at nearby locations that were not specifically modeled.*

The Operational Changes under Consideration Would Require Westchester County to Reevaluate and Revise its Noise Abatement Program, Noise Monitoring Locations, and Noise Contours

The information available in the DEIS indicates that the proposed flight routes, particularly for departures, would be inconsistent with existing noise abatement departure flight tracks that lead aircraft over unpopulated or less-densely populated, areas during initial climb-out from the airport. The new routes would lead aircraft over more densely populated areas, requiring reassessment of existing noise abatement procedures. The new routes also would lead aircraft over areas where existing Remote Monitoring Terminal (RMT) locations do not provide adequate coverage; the County would have to reassess the existing locations, and consider moving and possibly adding RMTs. The changes in exposure also would make the most recent noise contours out-of-date, and require preparation of an updated noise study.² *These costly actions would be required to maintain the County's commitment to a responsive and effective noise compatibility program at HPN.*

DEIS Documentation is Insufficient to Thoroughly Review the Proposed Action

The DEIS documentation is not sufficiently detailed to fully understand potential noise-related impacts in the vicinity of HPN. For example, the documentation does not identify the extent to which predicted changes in exposure are associated with modified operations at HPN or other airports, and modeling assumptions are not described completely, even at the basic level of runway use. The text in Appendix C provides a general description of the Integrated Airspace Alternative Variation with ICC alternative, but the figures in Appendices C and E are at too small a scale, on a map lacking useful landmarks (such as the reservoir or major roads), such that it is not possible to fully understand the proposed changes within the vicinity (approximately five to ten miles) of HPN. *The fundamental*

² HMMH assisted TAMS Consultants, Inc. to prepare the 2002 "Westchester County Airport Aircraft Noise Study" that presented noise contours for 1999 and 2005.

implication is that the DEIS fails to achieve its primary objective; i.e., to provide interested and potentially affected parties with sufficient information, in a clear and comprehensible format, to comment on potential impacts in an informed manner.

Westchester County Should Request That FAA Provide Further Documentation

The preceding conclusions, and other issues raised by our review of the DEIS provide ample justification for you to request that the FAA provide further documentation and conduct additional analysis of the proposed action and changes in activity over the County. *The deficiencies justify preparation of a supplemental DEIS, to ensure that interested parties have the time and materials necessary to prepare thorough informed comments.*

3. DISCUSSION

This section summarizes HMMH's major observations in somewhat greater detail, with the purpose of providing sufficient information to defend our major conclusions and support the County in preparation of comments on the DEIS. The discussion includes three primary elements:

- Summary of "impact categories" that FAA used in the noise analysis, including a brief description of the major noise terminology used in the DEIS.
- A discussion of the noise analysis locations used in the DEIS.
- Graphical summaries of changes in noise exposure, based on detailed data from the DEIS website, and discussion of major HMMH observations.

Once again, all of our observations address the "2011 Integrated Airspace Alternative Variation with Integrated Control Complex (ICC)," compared to the 2011 "no-action" alternative.

3.1 FAA Categories of Impact

The DEIS follows FAA standard practice³ and considers noise impact in three categories that consider incremental increases in Day-Night Average Sound Level (DNL)⁴ over threshold values:⁵

- Significant Impacts: 1.5 DNL minimum increase resulting in 65+ DNL noise exposure, or 1.5 DNL minimum increase where noise exposure already exceeds 65 DNL
- Slight to Moderate: 3 DNL minimum increase resulting in noise exposure between 60 and 65 DNL, or 3.0 DNL minimum increase where noise exposure is already between 60 and 65 DNL
- Slight to Moderate: 5 DNL minimum increase resulting in noise exposure between 45 and 60 DNL, or 5 DNL minimum increase where noise exposure is already between 45 and 60 DNL

3.2 Noise Analysis Locations Used in the DEIS

Practical requirements dictate that the analysis approach used to evaluate changes in exposure in the large geographic areas affected by airspace changes is less precise than in airport-specific studies. Modeling assumptions (e.g., fleet mix, flight track geometry, runway use, etc.) are generally less detailed than those developed for preparation of noise contours. It is worth noting that the DEIS documentation is not detailed enough for us to understand the extent to which HPN activity was

³ FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," defines the agency's impact assessment requirements.

⁴ FAA has adopted DNL as the noise measure to be used in impact assessments. DNL describes cumulative noise exposure from individual source categories (such as aircraft operations) or from multiple sources (up to all sources at a). In simple terms, DNL represents the steady-state noise level that would provide the same cumulative exposure as the actual time-varying noise over the period of interest, with one important adjustment - all noise between 10 pm and 7 am is counted ten times, to reflect the added annoyance of noise during that sensitive period. Because of this adjustment, DNL always must be calculated for some number of days. Standard practice in aviation noise studies is to consider the DNL for a full calendar year, to take into account seasonal variation in airport activity, weather, etc. This memorandum considers calendar year 2011 DNL.

⁵ These three impact category definitions are quoted directly from Section ES.6.1 (page ES-11) of the DEIS.

simplified in the noise modeling; the model inputs might have been as detailed as those used in preparing noise contours or they might have been highly simplified. *Westchester County should request that the FAA describe the HPN modeling assumptions in detail, to permit full evaluation of the implications of simplifying assumptions.*

The DEIS did provide information on the analysis locations in Westchester County and the vicinity of HPN; from that information we know that the density of analysis locations is much lower than that used in plotting contours. Therefore, the noise analysis risks overlooking areas where impacts might exceed FAA impact criteria and even rise to “significant.”

In airspace noise assessments, FAA starts the list of analysis locations with the geographic centers of census blocks (“population centroids”) and adds locations of specific interest, such as historic sites and discrete sensitive land uses, such as schools and parks. The analysis locations in the vicinity of HPN appear to be limited to population centroids.

There are only about a dozen reported analysis locations within the 55 dB DNL exposure area around HPN. That area is approximately four times the larger than the area encompassed by the 65 dB DNL contour, which normally is the outer boundary shown in noise contours. It would be impossible to draw contours of any value with only 12 data points, let alone with the few that would fall within the 65 dB exposure area.

While lower analysis densities are common in airspace studies, it is worth noting that the DEIS calculated exposure for 5,000-foot grid spacing over the entire study area and for 500-foot grid spacing around major airports. However, these results are not reported. *Westchester County should request that the FAA provide this more detailed information, to permit assessment of all analysis results. As discussed in the following section, the available exposure results also suggest that changes in exposure at some locations are so close to impact thresholds that minor shifts in analysis locations or changes in modeling assumptions would result in slight-to-moderate or even significant impact. These “near misses” justify a request from the County for more detailed local analysis.*

HMMH observed that some Census block locations reported in the DEIS website disagree with locations downloaded from the Census Bureau⁶; in some cases the differences range from several hundred feet to over a quarter mile. For example the point identified in the DEIS online noise tables as New York, Westchester, 123.03,9027, latitude 41.08645, longitude -73.72542, and a population of 19, has a Census location of 41.087487, -73.723343. These two locations differ by over 680 feet, well beyond reasonable rounding differences. Moreover, as discussed in the following section, variation in modeling location might lead to exceedance of impact criteria.

3.3 Graphical Summaries of Changes in Noise Exposure

The DEIS did not identify noise impacts in any of the three FAA impact categories, in Westchester County or the vicinity of HPN. To obtain a greater understanding of changes in exposure in the area, HMMH evaluated detailed noise values available on the DEIS website for analysis locations used in the study.

The two appended figures distill the critical results of our review. The first figure depicts *absolute changes in DNL* in nine categories for the 2011 Integrated Airspace Alternative Variation with ICC to the 2011 “no-action” condition. The second figure presents *changes in DNL relative to impact assessment criteria*. Specifically, it shows locations that meet one aspect of the impact criteria and are within one decibel of the other, or that are within one decibel of meeting both criteria for significant impact.

The first figure outlines seven areas of particular interest; the second figure outlines three of them. These areas and their significance are described below. These areas start south of HPN and continue clockwise.

⁶ From http://www2.census.gov/census_2000/datasets/redistricting_file--pl_94-171/ and interpreted using the FAA's integrated Noise Model.

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- Area A is almost directly under the extended centerline of Runway 16/34, to the southeast of the airport. It appears to be in the southern corner of the Belle Fair development.

This area encompasses one analysis location where the DEIS data indicate the DNL would increase by 2.7 decibels (dB), compared with the 2011 no-action alternative, and, result in an aircraft-related DNL of 64.8 dB⁷. Therefore, the change in exposure at this location would be within tenths of a decibel of creating a significant impact. Modest refinements in modeling assumptions or a slight shift in the analysis location would almost certainly yield a significant impact in this area. The DEIS documentation does not provide sufficient detail to understand the reason for this change in exposure. *This change in exposure on the brink of significance clearly merits more detailed analysis and documentation of the causative factors. The FAA should investigate additional locations in this area to identify locations of potentially significant or light to moderate impact. Residents in this area would likely respond in a strong negative fashion.*

- Area B is a roughly triangular area with corners in Yonkers, Hastings-On-Hudson, and Scarsdale (at its border with the southern end of White Plains). The DEIS predicts changes in exposure of approximately 1.5 to 2.9 dB in this area. These changes may be due to revised operations at other airports. However, the documentation provides no basis for determining the specific contributing factors. *The County should request an explanation, to obtain an understanding of the factors affecting residents in the jurisdiction.*

- Areas C and D appear to be related. Area C is west of the airport, running from White Plains and Valhalla to Tarrytown and the Hudson River. This area is under the existing corridors for departures on both Runway 16 and 34 (turns to 320° and 295°, respectively)⁸. The DEIS predicts 1.5 to 4.9 dB decreases in exposure in this area. Area D runs northwest from Kensico Reservoir to Tomkins Cove and Jones Point. The DEIS predicts DNL increases of at least 1.5 to 8 dB in this area. To the best of our understanding, the airspace changes would shift Runway 34 departures from Area C to Area D; departures on Runway 34 would make a slight dogleg to the west over Rye Lake then proceed up Area D; Runway 16 departures would make a 180° right-hand turn and also proceed up this area.⁹

This change is not documented in text of the DEIS and is only described briefly in the appendices and noise analysis. Figure 8-47 in Appendix C indicates that Runway 34 departures would turn left initially to 295°, but would then turn right a to heading of approximately 330° to 350° before crossing the northern shoreline of the Kensico Reservoir. In summary, this change moves Runway 34 departures from flying between RMTs 8 and 10 to somewhere between RMTs 10 and 5. With regard to Runway 16 departures, Appendix E, Attachment C-109 presents a figure depicting the changed route, but the scale is too small to make an adequate assessment.

As shown in the second figure, predicted changes in DNL at the orange-colored analysis locations in the Pleasantville, Thornwood, and Hawthorne area are very close to the FAA's slight to moderate (five decibel increase / 45 DNL impact) criterion. There are six locations, representing 457 people, within three tenths of a decibel and 99 additional locations, representing 3,834 people, within one decibel of the criterion. The DEIS data also predicts the yellow-colored locations between Pleasantville and Crotonville will be within five-decibels of this criterion (a five-decibel increase is predicted and the total aircraft exposure will be 40 dB DNL or greater). *Based on our experience at HPN and other airports, we believe that the changes in operations and exposure in these areas are likely to be highly noticeable to residents of the County and areas in the vicinity of HPN, and likely to result in highly negative feedback to the County. The changed procedures justify a request from the County to the FAA for additional documentation and analysis.*

⁷ This location is within Westchester County and is identified as Census Tract 83.02, Census Block 9013, latitude 41.04993, longitude -73.69322, with a Census 2000 population of 38 people.

⁸ This procedure is currently called the "Westchester One Departure"

⁹ There are a couple of 1.5 to 2.9 dB increases shown immediately southwest of the airport, on the west side of I-684 and east of Area C that most likely are the result of the Runway 16 departures flying northwest abeam of the airport.

HARRIS MILLER MILLER & HANSON INC.

Memorandum to: Robert Funicello, Westchester County
Review of Airspace Redesign Draft Environmental Impact Statement

Page 6
June 8, 2006

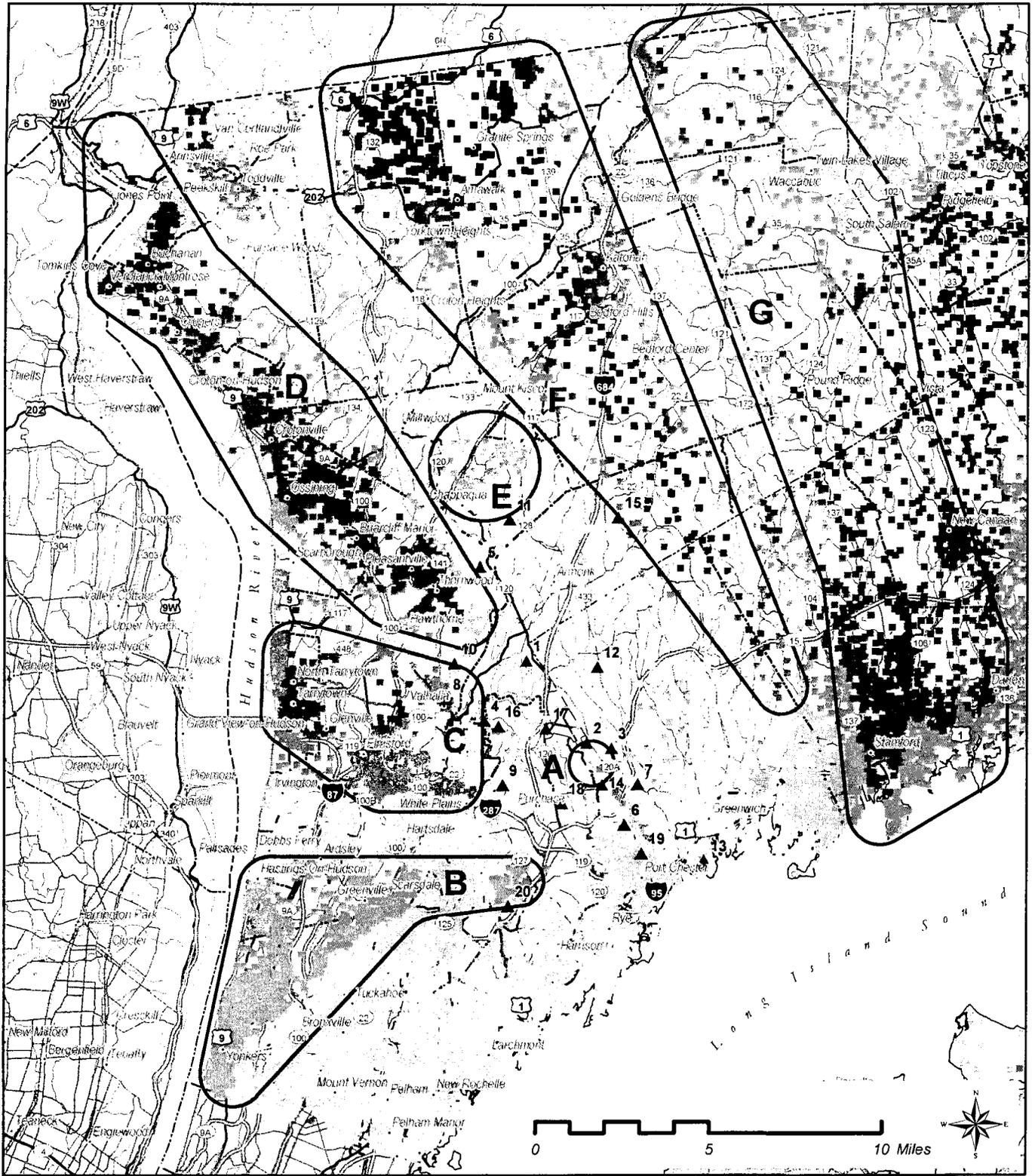
- Area E runs from Chappaqua to Mount Kisco, and includes predicted DNL increases in the 1.5 to 2.9 dB range. It appears to be under the easterly loop proposed for Runway 34 departures; the increases may be the result of that new procedure. There is no other evidence of change in exposure at DEIS analysis locations due to this turn; however, as mentioned previously, the absence of change may be an artifact of the relatively dispersed analysis locations. HPN has recently experienced growth in scheduled passenger operations to southern destinations, which appear to be the primary destinations assigned to this route.

The body of the DEIS does not discuss this loop. Appendix C provides a brief description, and Appendices C and E provide some graphics, but they are at too small a scale to understand the exact flight path near HPN. Appendix C and E also show that some aircraft currently fly a procedure very similar to the proposed loop. We have not seen this procedure in our work at the airport.



It is our understanding that HPN has experienced a recent increase in scheduled departures to southerly destinations. The DEIS documentation does not provide the number of operations or associated destinations modeled on this route, so it is not possible to review assumptions regarding its proposed use, in the context of that increase. *Once again, this unfamiliar procedure is very likely to be noticeable and annoying to residents. The County should request that the FAA provide adequate documentation to understand its purpose and anticipated use.*

- Areas F and G also appear to be related. Area F seems to be under the downwind leg for the existing "Sound Visual Approach." It appears from the DEIS (although the documentation is not absolutely clear) that these approaches would be shifted to the east, over Area G. As shown in the second figure, the DEIS predicts that the shift in traffic will increase levels between Pound Ridge and Stamford, CT by five decibels or more, with aircraft noise associated with the proposed action at levels of 40 dB DNL or greater. *Once again, this unfamiliar procedure is very likely to be noticeable and annoying to residents.*



- ≤ -8
 - -7.9 to -5
 - -4.9 to -3
 - -2.9 to -1.5
 - -1.4 to 1.4
 - 1.5 to 2.9
 - 3 to 4.9
 - 5 to 7.9
 - ≥ 8
- ▲ RMT Locations
 - Municipal Boundary

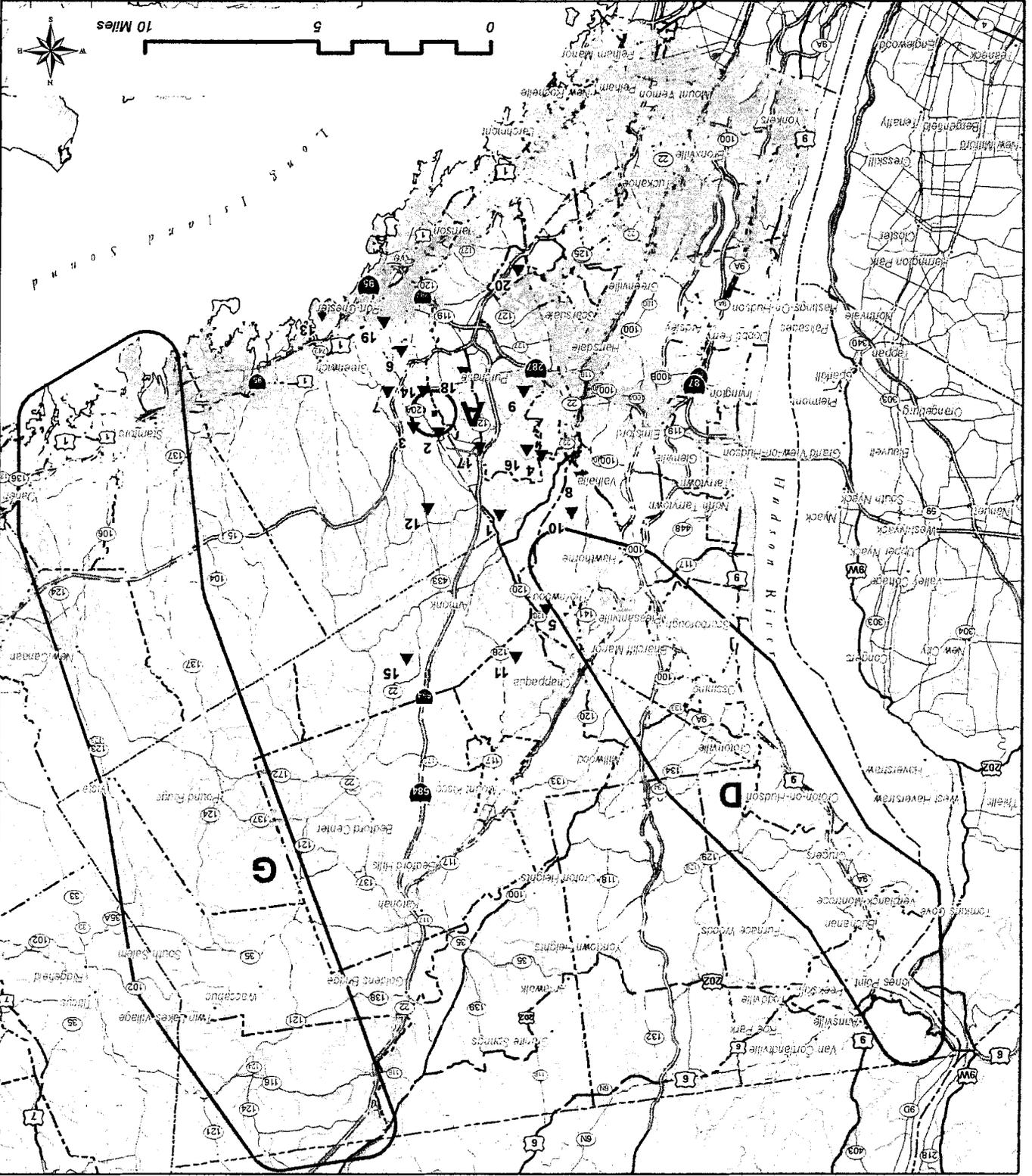
Westchester County Airport

Analysis of New York/New Jersey Philadelphia Metropolitan Area
 Airspace Redesign Draft Environmental Impact Statement
 2011 Integrated Airspace Alternative Variation with ICC

Absolute Change in DNL from 2011 No Action

Corrected June 26, 2006

Data Sources: Federal Aviation Administration (FAA), Westchester County Airport, Westchester County Geographic Information Systems (WCGIS), Environmental Systems Research Institute, Inc. (ESRI).



Westchester County Airport Airspace Redesign Draft Environmental Impact Statement Analysis of New York/New Jersey Philadelphia Metropolitan Area 2011 Integrated Airspace Alternative Variation with ICC Change in DNL Relative to Criteria

HARRIS MILLER MILLER & HANSON INC.

Alternative is greater than or equal to 40 dB DNL (>=40) and increases 5 dB or greater compared to No Action.
 Alternative is between 44 dB DNL and 45 dB DNL (>=44 and <45) and increases 5 dB or greater compared to No Action, or Alternative is greater than or equal to 45 dB DNL, or greater (>=45) and increases 4 dB or greater compared to No Action.
 Alternative is greater than 64 dB DNL and increases 2.7 dB or greater compared to No Action.
 Other modeling locations that do not have these increases.

▲ RMT Locations
 --- Municipal Boundary

Data Sources: Federal Aviation Administration (FAA), Westchester County Airport, Westchester County Geographic Information Systems (GIS), Environmental Systems Research Institute, Inc. (ESRI).

Response to Comment 4976: Andrew J. Spano, Westchester County Executive (by Robert Funicello, Environmental Project Director)

Comment Number	Comment response
1	Comment noted.
2	This request was made and responded to in direct communications with representatives of Westchester County. All NIRS input data files were provided upon the completion of the mitigation analysis.
3	This request was made and responded to in direct communications with representatives of Westchester County. All NIRS input data files were provided upon the completion of the mitigation analysis.
4	This request was made and responded to in direct communications with representatives of Westchester County. All NIRS input data files were provided upon the completion of the mitigation analysis.
5	This request was made and responded to in direct communications with representatives of Westchester County. All NIRS input data files were provided upon the completion of the mitigation analysis.
6	Comment noted.
7	<p>The DEIS noise prediction approach was indeed accurate enough to evaluate the noise exposure changes associated with each of the proposed alternatives. The noise analysis approach followed current state-of-the art practices and FAA's current policy. In fact, the approach used for this analysis is nearly identical to that used by the commenter on similar studies. As the commenter notes, there are numerous points within the study area that come "close" to meeting one of the FAA's thresholds for reporting noise change. A review of comments submitted as part of the DEIS process has prompted further refinement of the DEIS noise modeling to assist in addressing some specific comments.</p> <p>As it relates to the location indicated in this comment, one modeling refinement focuses on how NIRS v6.0c.3 handles multiple airports with differing airfield and runway elevations in a large study area. NIRS relates all aircraft flight profiles (arrival & departure) to the NIRS Study Center elevation, which was set at 22 feet at LGA for this project. At the same time, the model uses the USGS terrain data to correctly place the noise receptors (population centroids or grid points) at the correct ground elevation throughout the study area. The result is that for flights to/from airports at higher elevations, the model essentially flies the aircraft through the ground near the airport as all aircraft takeoff and land at the NIRS Study Center elevation.</p> <p>The runway end elevations at HPN range from 380 feet to 439 feet, thus as the NIRS model departs and lands aircraft at the Study Center elevation of 22 feet, some centroids near the airport may be exposed to aircraft passing at unusually small slant-range (line-of-sight) distances. For any centroid that is located in just the right place this could mean that the noise exposure levels at that centroid for both the No Action and alternative conditions would be higher than would be expected. Also, the unusually small slant range distances that may be involved mean that even a negligible change in the position of a flight track node may generate a disproportionate amount of noise change between the No Action and alternative scenarios. Additional review of the NIRS model indicated that this is why the point that was identified as being near the significant threshold showed a suspiciously high noise value of 64.77 DNL, while other points along the same runway centerline and closer to the airport showed much lower values.</p> <p>This phenomenon has been corrected in the FEIS for HPN and other airports whose elevations differ significantly from the DEIS NIRS Study Center elevation through re-runs</p>

Response to Comment 4976: Andrew J. Spano, Westchester County Executive (by Robert Funicello, Environmental Project Director)

Comment Number	Comment response
	<p>of the noise model. This refinement tends to slightly reduce noise values for some points near airports where this phenomenon occurs. Modeling results indicated that many of the “near-threshold” concerns that have been expressed, particularly near the 60 or 65 DNL levels were reduced or eliminated. Regardless, this refinement was applied to each alternative as well as the No Action conditions. Consequently, it did not materially effect the comparisons presented in the DEIS and is fully disclosed in the FEIS, see Chapter Five, Preferred Alternative and Mitigation.</p>
8	<p>The proposed departure flight routes associated with the Integrated Airspace Alternative Variation with ICC do not change the current noise abatement procedures at HPN which specify an initial departure heading to be followed in both directions of flow. The modifications in departure routes referred to by the commenter occur beyond the initial departure headings and beyond the extent of the 2005 60 DNL noise contour published by HPN in their 2002 Aircraft Noise Study found on the HPN web site. Consequently, it is not at all clear that all of the reassessment and associated costs noted in the comment would be necessary. Furthermore, FAA does provide funding assistance for airport-specific noise studies under the 14 CFR Part 150 program.</p>
9	<p>The FAA disagrees with the commenter regarding the detail presented in the DEIS. The DEIS noise prediction approach is indeed accurate and detailed enough to evaluate the noise exposure changes associated with each of the proposed alternatives in all regions of the Study Area. The noise analysis approach follows the current state-of-the-art practices and FAA's current policy. In fact, the approach used for this analysis is nearly identical to that used by the commenter on similar studies. All noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project web site allowing for further comparisons beyond that of FAA's change thresholds. While the detailed runway use tables were not available at the time of the publishing of the DEIS, these tables were not part of the key information provided in the DEIS. They were additional information provided in an attachment to an appendix, similar to the noise tables provided on the website. The information from those tables was available in a higher level elsewhere in that appendix as well as in the noise modeling discussion provided in Chapters 3 and 4 of the DEIS document. Consequently, the DEIS did not fail to provide sufficient information for the evaluation of the effects of each alternative.</p>
10	<p>The DEIS, published in December 2005, was complete and adequate. According to CEQ Regulations Section 1502.9b, Final EISs shall respond to comments and the agency shall discuss at appropriate points in the Final EIS any responsible opposing view which was not adequately discussed in the Draft EIS and indicate the agency's response to the issue raised. The FAA has prepared its Final EIS and responded to comments and opposing views received on the Draft EIS. According to CEQ Regulations Section 1502.9c, agencies shall prepare supplements to either Draft or Final EISs if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or (2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. The FAA has not made substantial changes in the proposed action, nor are there significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. Therefore, a supplement is not required.</p>

Response to Comment 4976: Andrew J. Spano, Westchester County Executive (by Robert Funicello, Environmental Project Director)

Comment Number	Comment response
11	<p>As the discussions of the noise modeling process in Chapters 3, 4, and Appendix E indicate, there was little if any simplification of the activity incorporated into the noise modeling at any of the 21 airports. Generally, the level of analysis was equal to or exceeded that which is common practice for airport-specific noise studies.</p> <p>The data request discussed in the comment was made and responded to in direct communications with representatives of Westchester County. All NIRS input data files were provided upon the completion of the mitigation analysis.</p>
12	<p>The current FAA policy for the noise analysis of air traffic actions is outlined in FAA order 1050.1E. Paragraph 14.5e of Appendix A of that order specifically states that noise contours will not be developed for studies of this sort. Consequently, the notion of noise contouring is not relevant to this project. Furthermore, the FAA's threshold of significance and reportability are focused only on noise sensitive areas. Generally, the largest component of this group is residential areas which tie directly to population. Thus, the use of population centroids at the finest resolution (Census Block level) for the noise analysis is reasonable for this type of project, particularly in light of the size and scope of the Study Area. Additional points, while necessary for "contouring", would only serve to identify noise in areas of varying compatible land uses that are not directly related to residential uses. See response to comment 4976 #9.</p>
13	<p>The noise analysis for the EIS included national parks, service lands, forest systems, and wildlife refuges as well as state parks, forests, and other areas of state significance. The EIS also considered noise impact for properties and districts listed or potentially eligible for listing in the National Register of Historic Places. The EIS considered Native American Lands as well. Other noise sensitive land uses within the Study Area such as schools were analyzed using Part 150 guidelines for land use compatibility. No significant noise impacts were determined for these resources in Westchester County. The commenter is referring to the on-line noise tables provided to supplement the data presented in the DEIS document. These tables included only data for the Census Block population points throughout the project Study Area.</p>
14	<p>See response to comment 4976 #12.</p>
15	<p>This request was made and responded to in direct communications with representatives of Westchester County. All NIRS input data files were provided upon the completion of the mitigation analysis.</p>

Response to Comment 4976: Andrew J. Spano, Westchester County Executive (by Robert Funicello, Environmental Project Director)

Comment Number	Comment response
16	<p>The DEIS noise prediction approach is indeed accurate enough to evaluate the noise exposure changes associated with each of the proposed alternatives. The noise analysis approach follows the current state-of-the art practices and FAA's current policy. In fact, the approach used for this analysis is nearly identical to that used by the commenter on similar studies. As the commenter notes, there are numerous points within the study area that come "close" to meeting one of the FAA's thresholds for reporting noise change. This not a surprise result, nor is it unreasonable. In fact, identifying specific thresholds of importance for anything presupposes that some things will fall just outside the threshold(s) of interest or concern. This was a known factor as FAA policy was developed as was the limitations inherently involved in the noise modeling process. Consequently, the thresholds developed and adopted in this context are indeed intended to separate things that are below the threshold(s) from things that are above. The degree or amount below the threshold is not necessarily relevant since the issue was considered in the formation of the threshold policy.</p> <p>Regardless, a review of comments submitted as part of the DEIS process has prompted further refinement of the DEIS noise modeling to assist in addressing some specific comments As it relates to the locations indicated in this and other similar comments, one modeling refinement focuses on how NIRS v6.0c.3 handles multiple airports with differing airfield and runway elevations in a large study area. NIRS relates all aircraft flight profiles (arrival & departure) to the NIRS Study Center elevation, which was set at 22 feet at LGA for this project. At the same time, the model uses the USGS terrain data to correctly place the noise receptors (population centroids or grid points) at the correct ground elevation throughout the study area. The result is that for flights to/from airports at higher elevations, the model essentially flies the aircraft through the ground near the airport as all aircraft takeoff and land at the NIRS Study Center elevation.</p> <p>The runway end elevations at HPN range from 380 feet to 439 feet, thus as the NIRS model departs and lands aircraft at the Study Center elevation of 22 feet, some centroids near the airport may be exposed to aircraft passing at unusually small slant-range (line-of-sight) distances. For any centroid that is located in just the right place this could mean that the noise exposure levels at that centroid for both the No Action and alternative conditions would be higher than would be expected. Also, the unusually small slant range distances that may be involved mean that even a negligible change in the position of a flight track node may generate a disproportionate amount of noise change between the No Action and alternative scenarios. Additional review of the NIRS model indicated that this is why the point that was identified as being near the significant threshold showed a suspiciously high noise value of 64.77 DNL, while other points along the same runway centerline and closer to the airport showed much lower values.</p>

Response to Comment 4976: Andrew J. Spano, Westchester County Executive (by Robert Funicello, Environmental Project Director)

Comment Number	Comment response
	<p>Attempts were made to correct for this phenomenon in the mitigation report analysis and the FEIS for HPN and other airports whose elevations differ significantly from our current NIRS Study Center elevation through re-runs of the noise model. However, it was found that the NIRS v6.0c internal code overrode the Study Center elevation setting when the terrain feature was activated. Consequently the results for the mitigation analysis and the FEIS are still based on the elevation used in the DEIS. A sensitivity analysis was conducted to specifically determine the effect of correcting the elevation for the higher elevation airports in the study. This analysis as presented in Part E.3 of Appendix E revealed that this refinement tends to slightly reduce noise values for some points near airports where this phenomenon occurs. Results indicate that many of the “near-threshold” concerns that have been expressed, particularly near the 60 or 65 DNL levels were reduced or eliminated. Specifically, the point that was identified near the threshold of significance went from 64.77 DNL (due to a change of 2.7) to a corrected level of 60.0 DNL (due to a change of 0.4).</p> <p>This request was made and responded to in direct communications with representatives of Westchester County. Further requests for data will be considered at the publishing of the FEIS. All NIRS input data files were provided upon the completion of the mitigation analysis.</p>
17	<p>The location of the census block “centroids” was determined in 2001 based on the census block geometry for the 2000 census. It should be noted that the census block centroids for the 2000 census were not available from the Census Bureau when the analysis for this Study was starting in 2001. The geometric centers of the census blocks were calculated using a third party GIS tool. In some cases, because of the geometry of certain census blocks, the geometric center of the census block did not fall within the actual census block. When this occurred the census block “centroid” was relocated to a position within the appropriate census block. It is true that the original census block centroids do not match the “Internal Point” later published by the Census Bureau. The Census Bureau provides the location of the “Internal Point” for each census block. The definition of the Internal Point is, “A coordinate value for a point that lies within its geographic area, in most cases it is the approximate center of the area.”</p> <p>When considering how the census block centroid is used in the analysis of noise or noise related impacts, the issues discussed in the previous paragraph are not of consequence. Identifying a census block centroid is simply a method to generate a point to represent each of the many census blocks within the Study Area. The location of the census block centroid is not related in any way to the concentration of population within that block. In terms of this analysis, the geometric centroid of the census block does not necessarily represent the distribution of the population within the census block any better than any other point within the block.</p>
18	See response to comment 4976 #16.

Response to Comment 4976: Andrew J. Spano, Westchester County Executive (by Robert Funicello, Environmental Project Director)

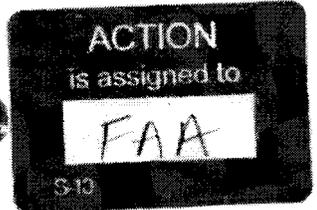
Comment Number	Comment response
19	<p>The DEIS provides detailed discussions regarding the changes in noise levels that meet FAA's thresholds of reportability. These discussions include the identification of the cause and/or contributing factors to the changes depicted for each alternative. The changes identified in the comment are below FAA's threshold of reportability and thus are not discussed in detail.</p> <p>This request was made and responded to in direct communications with representatives of Westchester County. All NIRS input data files were provided upon the completion of the mitigation analysis.</p>
20	<p>As the commenter notes, there are some route changes at a distance from HPN. As discussed in previous comment responses, these flight route changes occur beyond the HPN noise abatement procedures and beyond the extent of the HPN 2005 60 DNL noise contour as published in HPN's 2002 Aircraft Noise Study as found on their Web Site. The DEIS provided detailed discussions regarding the changes in noise levels that meet FAA's thresholds of reportability. These discussions included the identification of the cause and/or contributing factors to the changes depicted for each alternative. The changes identified in the comment are below FAA's threshold of reportability and thus are not discussed in detail.</p> <p>This request was made and responded to in direct communications with representatives of Westchester County. All NIRS input data files were provided upon the completion of the mitigation analysis.</p>
21	<p>Comment noted. This request was made and responded to in direct communications with representatives of Westchester County. All NIRS input data files were provided upon the completion of the mitigation analysis.</p>
22	<p>As the commenter notes, there are some route changes at a distance from HPN. As discussed in previous comment responses, these flight route changes occur beyond the HPN noise abatement procedures and beyond the extent of the HPN 2005 60 DNL noise contour as published in HPN's 2002 Aircraft Noise Study as found on their Web Site. The DEIS provided detailed discussions regarding the changes in noise levels that meet FAA's thresholds of reportability. These discussions included the identification of the cause and/or contributing factors to the changes depicted for each alternative. The changes identified in the comment are below FAA's threshold of reportability and thus are not discussed in detail.</p>
23	<p>The routes noted in the comment are based on the 90 days of radar data supplied to FAA by HPN at the onset of this study. In light of the level of detail sought in the DEIS noise analysis, these routes were active enough to capture in the modeled flight tracks for the Baseline and Future No Action conditions at HPN.</p>

Response to Comment 4976: Andrew J. Spano, Westchester County Executive (by Robert Funicello, Environmental Project Director)

Comment Number	Comment response
24	<p>The FAA disagrees with the commenter regarding the detail presented in the DEIS. The DEIS noise prediction approach is indeed accurate and detailed enough to evaluate the noise exposure changes associated with each of the proposed alternatives in all regions of the Study Area. The noise analysis approach follows the current state-of-the art practices and FAA's current policy. In fact, the approach used for this analysis is nearly identical to that used by the commenter on similar studies. All noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project web site allowing for further comparisons beyond that of FAA's change thresholds.</p> <p>Furthermore, Chapters 3 and 4 of the DEIS document, as well as Appendix E outline the noise modeling process and assumptions used in the analysis. These discussions note that the flight routes and runway use are based on the extensive analysis of baseline radar data acquired at the onset of the project. Noise model input adjustments are outlined for each alternative and anything not mentioned means that it was not changed from the baseline modeling. Consequently, with access to historic data for HPN as the commenter has, it is simple and reasonable to infer the use of any route and to extrapolate any associated increases for what-if scenarios.</p>
25	<p>Comment noted. This request was made and responded to in direct communications with representatives of Westchester County. All NIRS input data files were provided upon the completion of the mitigation analysis.</p>
26	<p>As the commenter notes, there are some route changes at a distance from HPN. As discussed in previous comment responses, these flight route changes occur beyond the HPN noise abatement procedures and beyond the extent of the HPN 2005 60 DNL noise contour as published in HPN's 2002 Aircraft Noise Study as found on their Web Site. The DEIS provided detailed discussions regarding the changes in noise levels that meet FAA's thresholds of reportability. These discussions included the identification of the cause and/or contributing factors to the changes depicted for each alternative. The changes identified in the comment are below FAA's threshold of reportability and thus are not discussed in detail.</p>



ATO-1



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
Phone: 908-204-3001; Fax: 908-204-3015; Website: www.bernards.org

Resolution #060296

Opposing The New York / New Jersey / Philadelphia Metropolitan Area
Airspace Redesign As Proposed By The Federal Aviation Administration

WHEREAS, the Federal Aviation Administration (FAA) is proposing to redesign the airspace in the New York / New Jersey / Philadelphia metropolitan area; and

WHEREAS, in December of 2005, the FAA released a Draft Environmental Impact Statement (DEIS) which reviewed four alternatives, namely, Future No Further Action, Modifications to Existing Airspace, Ocean Routing Airspace and the Integrated Airspace (with and without the Integrated Control Complex); and

WHEREAS, significant environmental impacts including aircraft noise for each proposed alternative has been analyzed and compared to the Future No Further Action alternative in order to predict community exposure; and

WHEREAS, with the exception of the Ocean Routing Airspace Alternative, all other alternatives significantly increase noise to the residents of the tri-state area; and

WHEREAS, the Integrated Airspace with ICC Alternative will adversely impact residents of Somerset County, Morris, Sussex and Passaic Counties as to increased noise; and

WHEREAS, the FAA has failed to consider noise reduction as a factor in studying the proposed alternatives; and

WHEREAS, the FAA appears to have rejected an alternative in the DEIS which would redirect flights over the ocean, significantly reducing noise pollution for residents of the New Jersey / New York / Philadelphia Metropolitan Area; and

WHEREAS, the Honorable Senators Robert Menedez and Frank Lautenberg, the Honorable Congressmen Rodney Frelinghuysen and Michael Ferguson, and the Honorable Governor of the State New Jersey Jon Corzine, have all expressed their opposition to the aforesaid proposed plans on the basis of the noise pollution they would generate.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bernards as follows:

1. That this Committee rejects and opposes the alternatives presented and supported by the FAA which would increase aircraft noise pollution in the New Jersey / New York / Philadelphia metropolitan area.
2. That a copy of this resolution be sent to all our local State and Federal Representatives, to the Honorable Governor of the State of New Jersey, to all the municipalities in Somerset County, to the Somerset County Freeholders and Planning Board, and to the United States Secretary of Transportation, Norman Y. Mineta.

Agenda and Date Voted: 06/13/2006

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 06/13/2006.

Denise Szabo
Denise Szabo, Municipal Clerk

004996

Response to Comment 4996: Resolution of the Township of Bernards

Comment Number	Comment response
1	<p>Comment noted. Noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA’s aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area’s four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA’s scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p> <p>The FAA included a complete analysis of the Ocean Routing Alternative to satisfy requests made by the NJ Coalition Against Aircraft Noise. The FAA has selected the Integrated Airspace variation with ICC as the Preferred Alternative. This alternative was selected because it best meets the purpose and need for the Proposed Action.</p>

Nagendran, Ram

From: jjquinlan3@verizon.net
Sent: Wednesday, June 28, 2006 11:16 AM
To: FAA DEIS
Subject: proposed New Flight Plan

Dear Mr. Kelley,

I am sending this e-mail to you to express my concerns on the FAA's new flight plans for take-offs at Westchester Airport. I have been informed by Andrew J. Spano (Westchester County Executive) that the re-routing of planes from our airport would effect noise levels in Hastings-on-Hudson and planes would fly directly over Indian Point.

My constituents in Hastings-on-Hudson do not want or need added airplane noise that the re-routing proposal would bring to our Village. More importantly, I understand that many of the planes departing the airport would fly directly over the Indian Point Nuclear Power Plant. This significant security risk is unacceptable, and must be avoided. Hopefully, there is some sort of misunderstanding and more adequate information will be provided to Mr. Spano that will show that the re-routing of the planes will not adversely effect the noise levels and the security of the good citizens of Hastings-on-Hudson.

Very truly yours,
Jeremiah Quinlan
Trustee Hastings-on-Hudson

Response to Comment 5079: Jeremiah Quinlan, Trustee, Hastings-on-Hudson

Comment Number	Comment response
1	Comment noted.
2	The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.
3	Comment noted. However, the FAA believes that the level of detail provided in the DEIS was appropriate. Specifically, all noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project web site allowing for further comparisons beyond that of FAA's change thresholds.

Nagendran, Ram

From: Dwyer, Patti [pdwyer@Pleasantville-ny.gov]
Sent: Thursday, June 29, 2006 3:16 PM
To: FAA DEIS
Cc: Bernie Gordon (E-mail); John Dieffenbach (E-mail); Jonathan Cunningham (E-mail); Peter Scherer (E-mail); Weintraub, Judy; jstargiotti@optonline.net
Subject: Objections to Flight Plan, Westchester County NY
Attachments: Flight.doc



Flight.doc (29 KB)

To the FAA:

Please read the attached document from the Trustees of the Village of Pleasantville, New York

> -----Original Message-----
> From: Dwyer, Patti
> Sent: Thursday, June 29, 2006 3:11 PM
> To: Dwyer, Patti
> Subject:
>
> > <<Flight.doc>>

June 29, 2006
Mr. Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Dear Mr. Kelley:

We are writing individually as residents and collectively in our capacity as elected officials of the Village of Pleasantville, Westchester County, New York to state our great concern over both the content and the adequacy of the Draft Environmental Impact Statement (DEIS) regarding the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign.

As you are aware, the primary purpose of the DEIS under the National Environmental Policy Act is to provide interested and affected parties adequate information upon which to fairly evaluate and make informed comments about a proposed action. As it concerns the potential noise impacts on hundreds of thousands of interested and affected people in Westchester, this draft utterly fails to achieve that goal.

For that reason we have no alternative other than to strongly oppose the recommended "2011 Integrated Airspace Alternative Variation with Integrated Control Complex (ICC)," and to urge you to prepare a Supplemental DEIS clarifying the relevant issues. Implementing the alternative without the supplemental DEIS would violate your own procedures and thus make your action invalid.

A precipitous reassignment of air traffic without the legally required level of review is unacceptable.

Our analysis of the limited data indicates that the proposed re-direction of aircraft leaving the County Airport will have significant impact on the corridor of communities beginning at Hawthorne and running northeast through *Pleasantville*, Briarcliff, Ossining, Croton, Buchanan and parts of the City of Peekskill. It will have potentially significant impacts on the City of Yonkers, Scarsdale, and Hastings-on-Hudson.

Incredibly, it appears that many of the aircraft departing HPN will now be routed directly over the nuclear power plant at Indian Point, a possibility we view as a significant security risk that is not acceptable and must be avoided.

The Village of Pleasantville and other Westchester County municipalities are raising valid concerns about the FAA proposal, and expect that a Supplemental Draft Environmental Impact Statement will be undertaken to thoroughly analyze the proposed flight patterns and impacts.

We look forward to your prompt reply.

Sincerely,

The Village Board of Trustees of the Village of Pleasantville, New York

Bernard S. Gordon, Mayor
Jonathan Cunningham, Deputy Mayor
John Dieffenbach, Trustee
Peter Scherer, Trustee
Joe Stargiotti, Trustee

Response to Comment 5162: Trustees of the Village of Pleasantville, New York

Comment Number	Comment response
1	Comment noted.
2	<p>Comment noted. However, the FAA believes that using the noise tools available for this type of project, the FAA has disclosed the potential noise impacts for all alternatives being considered. All noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project web site allowing for further comparisons beyond that of FAA's change thresholds.</p>
3	<p>Your comment opposing the 2011 Integrated Airspace Alternative Variation with Integrated Control Complex is noted.</p> <p>The DEIS, published in December 2005, was complete and adequate. According to CEQ Regulations Section 1502.9b, Final EISs shall respond to comments and the agency shall discuss at appropriate points in the FEIS any responsible opposing view which was not adequately discussed in the DEIS and indicate the agency's response to the issue raised. The FAA has prepared its Final EIS and responded to comments and opposing views received on the Draft EIS. According to CEQ Regulations Section 1502.9c, agencies shall prepare supplements to either Draft or Final EISs if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or (2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. The FAA has not made substantial changes in the proposed action, nor are there significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. Therefore, the FAA will not be preparing a supplemental DEIS.</p>
4	Comment noted.
5	<p>As the commenter notes, there are some route changes at a distance from HPN. These flight route changes occur beyond the HPN noise abatement procedures and beyond the extent of the HPN 2005 60 DNL noise contour as published in HPN's 2002 Aircraft Noise Study as found on their Web Site. The DEIS provided detailed discussions regarding the changes in noise levels that meet FAA's thresholds of reportability. These discussions included the identification of the cause and/or contributing factors to the changes depicted for each alternative. The changes identified in the comment are below FAA's threshold of reportability and thus are not discussed in detail. While the area that the commenter refers to is not affected by any significant change in noise based on FAA's significance criterion of a change of +1.5 DNL at 65 DNL or higher, there are lesser changes expected in the area. Information beyond FAA's thresholds of significance and reportability was provided by FAA in the form of the supplemental data in the noise spreadsheets published on the project web site. This data goes beyond the typical level of disclosure and provides noise exposure levels for each Census Block within the Study Area.</p>
6	<p>The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.</p>

Response to Comment 5162: Trustees of the Village of Pleasantville, New York

Comment Number	Comment response
7	See response to comment 5162 #3.

Merrill, Michael

From: Norm Dotti [norm.dotti@russaco.com]
Sent: Friday, June 30, 2006 6:31 PM
To: FAA DEIS
Cc: 'William R. Holzapfel Esq.'; 'Donald Travisano'
Subject: Comments on "NEW YORK/NEW JERSEY/PHILADELPHIA METROPOLITAN AREA AIRSPACE REDESIGN"
Attachments: CoEReport1.pdf

I have been contracted by the City of Elizabeth to serve as a Acoustical Expert with regard to this matter. Accordingly, I file this report on behalf of the City of Elizabeth.

Regards,

Norm
Norman R. Dotti, P.E., P.P.
Russell Acoustics, LLC
973-283-0001
973-283-0248 (fax)

005262
1 of 30

An Analysis of Effects of the

**NEW YORK/NEW JERSEY/PHILADELPHIA
METROPOLITAN
AREA AIRSPACE REDESIGN**

On the City of Elizabeth, New Jersey

Prepared for

**City of Elizabeth
50 Winfield Scott Plaza
Elizabeth, NJ 07201**

Prepared by

 **Acoustics, LLC**
Butler, NJ

Introduction

The City of Elizabeth, New Jersey retained Russell Acoustics, LLC to assess the FAA report and proposed changes to aircraft flight operations from the viewpoint of how these changes can be expected to affect the City of Elizabeth and its residents. This report is filed on behalf of the City of Elizabeth.

The FAA report covers operations in New York, New Jersey and even Pennsylvania. Discussions of changes in aircraft flight tracks out of, for example, Newark Liberty Airport (EWR), extend out to the western border of New Jersey. However, The City of Elizabeth is located to the immediate south and southwest of EWR. The City of Elizabeth is affected by changes that occur within just a few miles of the airport.

This report examines various FAA illustrations used within its report to show how changes, in the FAA's own words, can be expected to affect the City of Elizabeth. We also have done some basic calculations to make our own comparisons between several proposed changes and to discuss how some of the FAA's design concepts affect community noise levels and exposures.

Summary of Results

We believe the various FAA proposals and how they affect the City of Elizabeth can be broken down into three categories:

- No change. This represents current conditions and is included so that comparisons to the various alternatives can be made;
- Ocean Routing. This scenario, as the name implies, routes aircraft over the ocean. It is our impression that the FAA does not like this alternative; and
- All other changes. There are several proposals, but when examined from the perspective of how the routes vary within 10 nautical miles of EWR (which includes the City of Elizabeth) they are, in fact, all the same.

The effect of noise on the City of Elizabeth from these three categories of proposed aircraft routing are:

- The "no change" scenario, because it is only the baseline, shows no difference in noise;
- The "ocean routing" scenario shows a significant reduction in noise exposures within the City of Elizabeth; and
- The "other" alternatives – all of them – show a significant increase in noise exposure for the City of Elizabeth.

If one examines the comparisons made by the FAA for the various alternatives we see that, in all of New Jersey, there is one area in particular that has significant increases in noise exposure; the City of Elizabeth. If we expand our examination to look at the overall NY-NJ area and its three principal airports, there are a total of two areas so affected; the City of Elizabeth and Rikers Island, New York City's largest jail facility, located near La Guardia Airport (LGA).

In brief, the increased noise exposures for the City of Elizabeth come about for two simple reasons:

- The existing "no change" flight tracks off the end of runway 22 (the end abutting and, in fact, within the City of Elizabeth) are relocated in the alternative routes, eliminating the "noise abatement" departure and moving the routes closer to the City of Elizabeth; and
- Moving of other aircraft routes to place them over the City of Elizabeth.

Both these changes can be clearly seen when the FAA's figures illustrating the various alternatives are examined to look at just the part within 10 NM of the airport.

Our basic analysis of the proposed routing changes specifically on the City of Elizabeth show that very substantial increases in noise will result.

Discussion

Figures 1 through 5 are copies of FAA illustrations of various routing alternatives. However, one should concentrate on the "legend" part of the drawing, where the operations within 10 NM of the airport are shown. We can see, on Figures 3 through 5, the flight tracks are the same within the 10 NM area; these are expanded on Figures 6 and 7.

Level vs. Exposure

Any technical subject has its own jargon, and acoustics is no exception. An understanding of some of the terms should help with assessing the proposed alternatives and what can be expected when yet other changes are discussed. What follows is intended to be a very basic explanation, not necessarily a technically rigorous set of definitions.

The noise/sound that someone hears at a moment in time is its level (technically the sound pressure level), usually indicated as "L" and expressed in terms of decibels, a logarithmic ratio of the sound in question to a reference sound. When a sound level increases up to some maximum and then decreases (such as when an airplane flies past) the maximum sound level is called "Lmax."

Most sounds are made up from acoustical energy at many different frequencies. People hear sounds differently for the different frequencies, and instruments can take this into account when assessing how "loud" various sounds are. The most common adjustments for frequency content of a sound is made using "A-weighting" to give the instrument essentially the same frequency response as the human ear. Decibels measured or calculated this way are "dBA." The noise/sound levels discussed herein and the FAA report are all "dBA" levels (there are other measures of aircraft sound, but here we are dealing with only dBA).

When we have time involved we introduce the idea of "exposure." Whether we're sitting on the beach and getting "baked" by the sun for a period of time or listening to jets pass by every minute or so, we're exposed to the energy (sound energy, in the case of the aircraft) over time. Keeping it simple, noise exposure can be thought of as level, L, times exposure time.

The interesting thing about noise exposure is that it doesn't really care about how loud something is; it is the combination of level and time that makes up a noise exposure. A very loud sound for a short period of time can produce a smaller noise exposure than a quieter sound for a longer period of time.

The FAA assesses aircraft noise on the basis of exposure, not maximum sound level. In particular, the "day-night sound level," abbreviated Ldn or DNL (this term may be seen

on many of the FAA figures we reference), is what is used. This is a 24 hour "average" that adds a "penalty" of 10 dBA to "night" sounds (10 p.m. to 7 a.m.). When we want to change the DNL – the average sound over 24 hours – we can change various things that go into the DNL calculation. For example, because nighttime flights have a 10 dBA penalty, we can reduce the DNL by shifting night flights to daytime hours; same number of flights, same departure tracks, same noise levels from each flight. But the DNL will be different.

Spreading

Over the years we have seen numerous references to "spreading around" the aircraft (as is done in most of the FAA proposed route changes) with the idea that this helps people. It might help slightly, but it can cause very significant increases in sound exposures in other areas. This can be further compounded by the DNL 65 threshold the FAA uses when assessing noise exposures; if the day-night sound exposure is under 65 the FAA says there is no noise problem.

The mathematics of sound tells us that if we cut the number of noise-producing events in half the resulting DNL will decrease 3 dBA. In other words, if we cut the number of flights to the south of EWR in half (everything else being equal) we will lower the noise exposure by 3 dBA.

Where do those aircraft go? If we route them over an area that currently has no significant noise exposure we could increase the noise exposure not 3 dBA but easily by 10 or 15 dBA.

For example, say we have an neighborhood in the City of Elizabeth where the day-night sound exposure is 67 dBA. We cut the number of flights in half by routing them over, say, Newark or Jersey City where the currently are no direct overflights. The sound level in the City of Elizabeth drops 3 dBA, to 64, which is just under the 65 threshold, making it "disappear" as a noise problem because it is just under 65. Meanwhile the relocated flights have raised the noise exposure in the new location from a day-night sound level of perhaps 50 (from other sounds in the area) to 64 from the relocated aircraft. Again, this is "no problem" because it is under the 65 threshold.

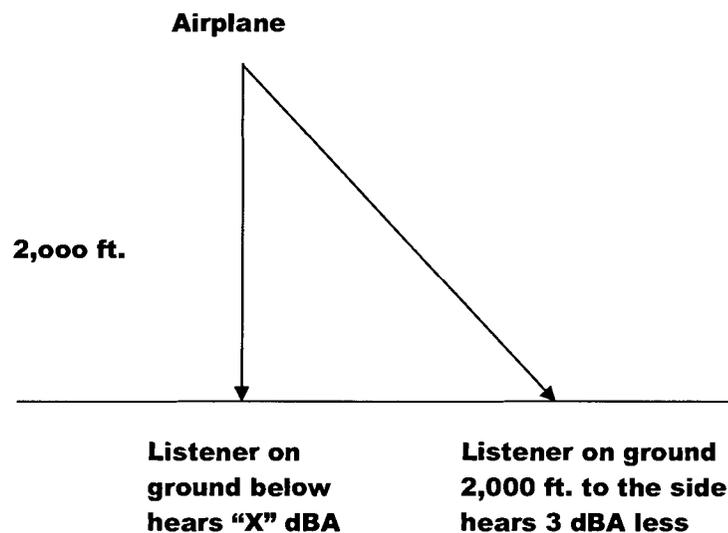
The various proposed routes show neat, tidy flight paths. In reality the actual flight paths are much more spread out. The routes are hardly "railroad tracks" in the sky from which no deviation is possible. Pilots are free to request a change in heading that is closer to where they want to go. Figure 8 comes from the FAA report. It shows one day of RADAR tracks of aircraft on the NY-NJ area. This demonstrates that aircraft routes are considerably more spread out than one would surmise from looking at the various "official" routes."

Moving Routes

The sound heard by someone on the ground depends on many things, distance between the aircraft and the listener being one variable. As distance increases, all other things remaining constant, the sound decreases. For a basic sound source, as distance doubles the sound level decreases 6 dB. (Aircraft are a bit more complicated. As they bank and turn the directivity of the engine sounds or how a wing shields an engine in a particular direction changes. This can be taken into account. But for this discussion the basic laws of physics that govern sound propagation are reasonable to use.)

Thus, changing the distance of a flight track to listeners can affect the noise they receive.

Picture a jet flying overhead at 2,000 feet. If we double the altitude or, keeping the same altitude, move the route so the aircraft is off to the side so the slant-range distance (not the horizontal offset but the straight line from the aircraft in the sky to the same listener on the ground) is 4,000 feet, we get a 6 dB reduction in sound. To get a 3 dB decrease we need offset the route only 2,000 feet. This is the same reduction we get by having the total number of flights in an area! Thus a change in aircraft routing can have a very significant effect on noise!



For listeners close to noise sources, relatively small changes in distance have large effects on the noise they receive. At large distances it takes a much larger change in distance to get the same change, but these people have the added advantage of having lower noise levels because of the greater distance to start with.

Calculating Noise Changes

The FAA has a computer program, the Integrated Noise Model (INM) which seemed to be used to develop the illustrations (Figures 9 through 13) showing change in sound exposure, DNL.

We wanted to evaluate the effects of routing changes relatively near the airport, given the City of Elizabeth's location. We also wanted to do this in a relatively simple manner, not try to set up INM calculations; these use considerable data not available in the complete FAA report. We would be guessing at what the FAA did.

We used SoundPlan, an acoustical modeling program, and mathematically "flew" a hypothetical aircraft along various departure tracks from EWR. We used a conservative 10 degree climb angle from takeoff to the end of each track. We calculated the maximum sound level on the ground (actually 5 meters above ground) for the entire calculation area.

We were attempting to calculate relative sound levels so the various alternatives could be compared, so we are of the opinion this is a reasonable approach. We examined only the 2011 routes because 2006 is here now and the plan, whatever it will be, is not yet implemented.

Figure 15 is based on the current routing. The "noise abatement" departure track to the south of EWR is visible on this illustration.

Figure 16 shows proposed routing that is really the same for all alternatives except ocean routing; within 10 NM of the airport, there is no difference in the routes.

Two things are evident from just the altered routes. First, the noise abatement departure is gone. The departure route is further away from Staten Island and closer to Elizabeth. Second, new routes have been added that directly overfly the City of Elizabeth. There is a substantial increase in sound within the City of Elizabeth.

Finally, Figure 17 shows the difference in noise between the graphs in Figure 15 and 16. Not surprisingly, the addition of routes directly over the City of Elizabeth, and even the pulling in of a northerly departure route that turns south to make it even closer to the City (this was not included in the calculations for Figure 15 because it was relatively far away), result in substantially increased noise for the City. Increases of 15 dBA, owing to the much closer flight tracks can be expected within the City of Elizabeth.

Appendix

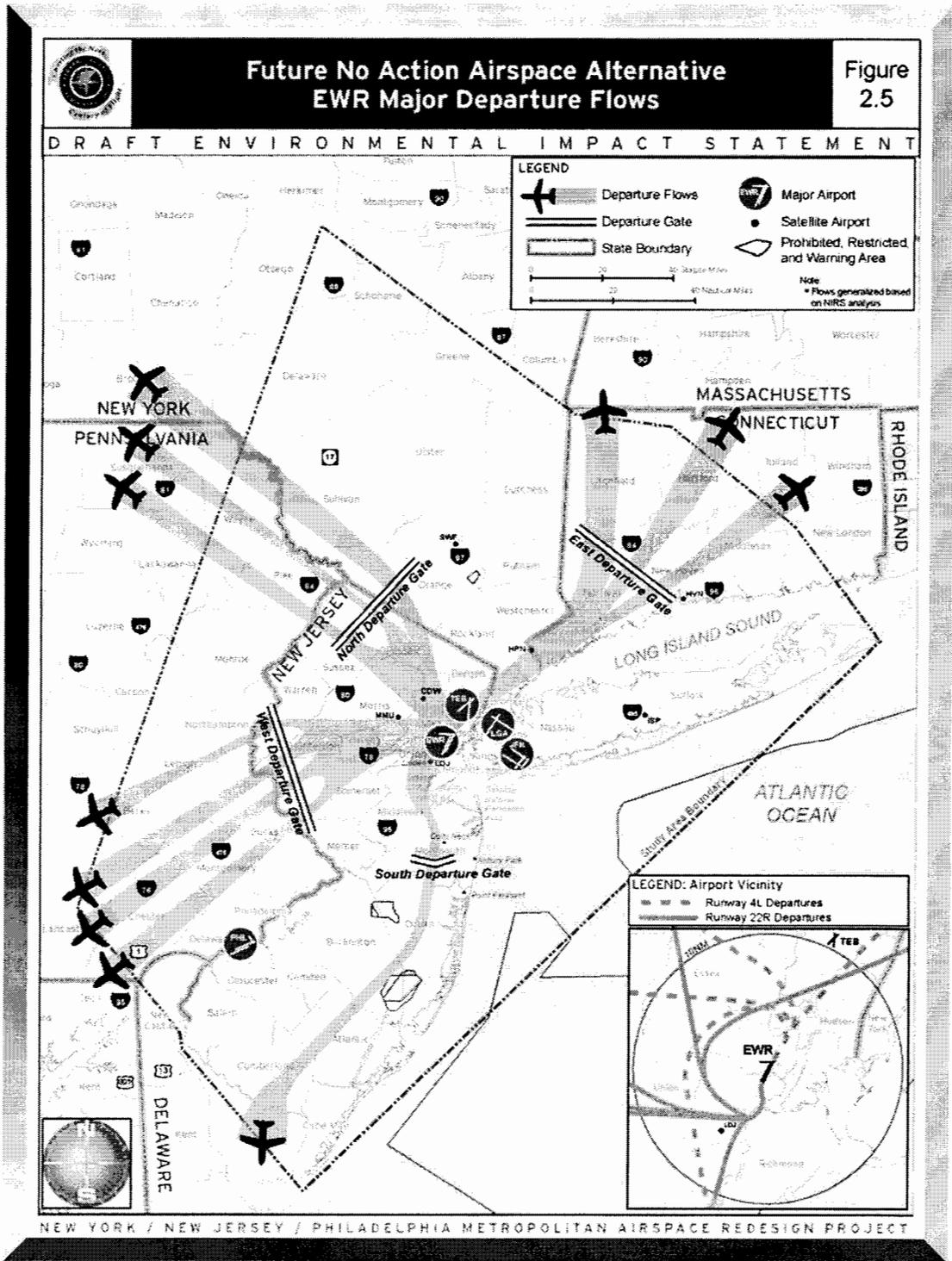


Figure 1 - No Action Airspace Alternative EWR Major Departure Flows

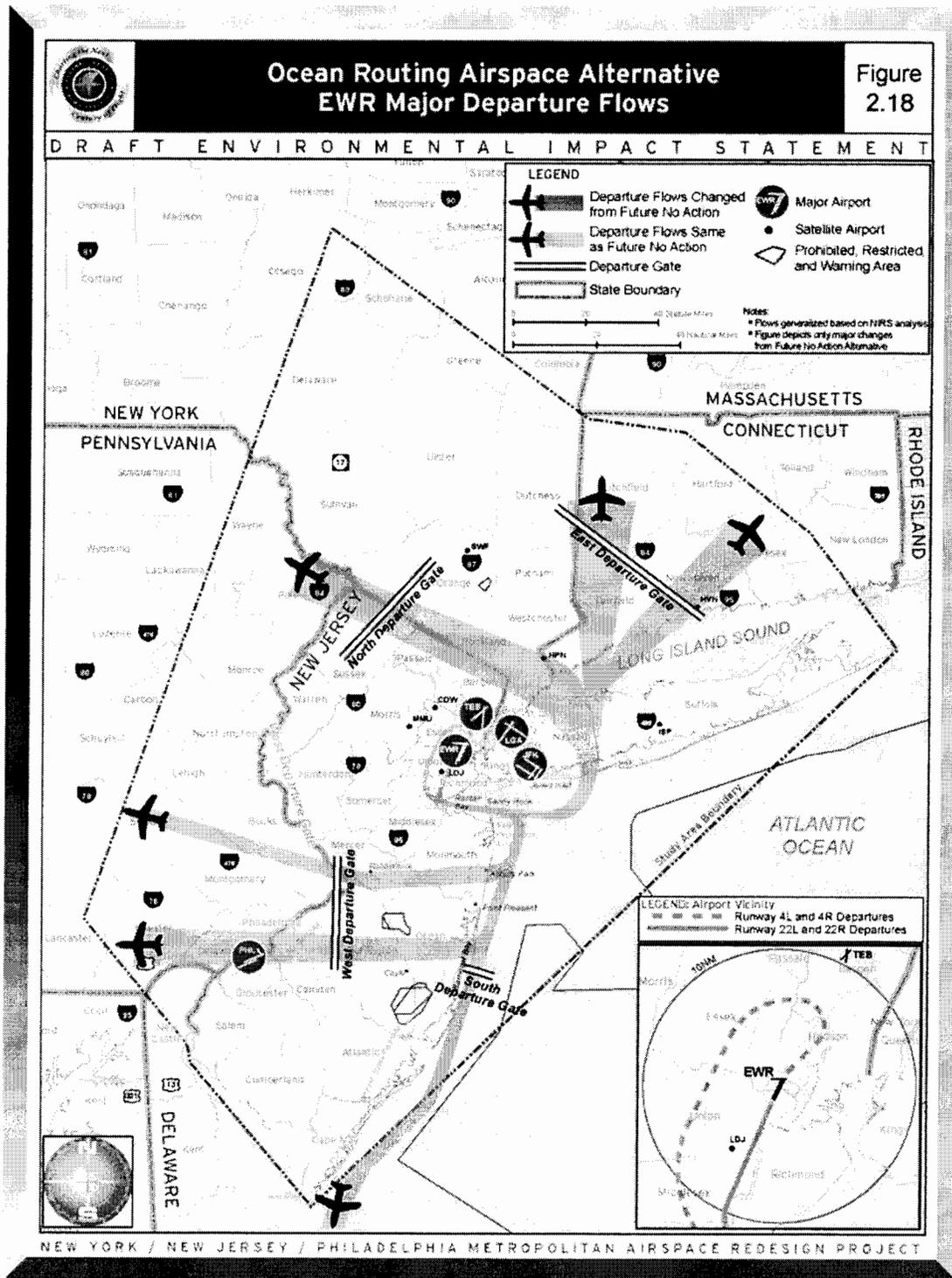


Figure 2 - Ocean Routing Airspace Alternative EWR Major Departure Flows

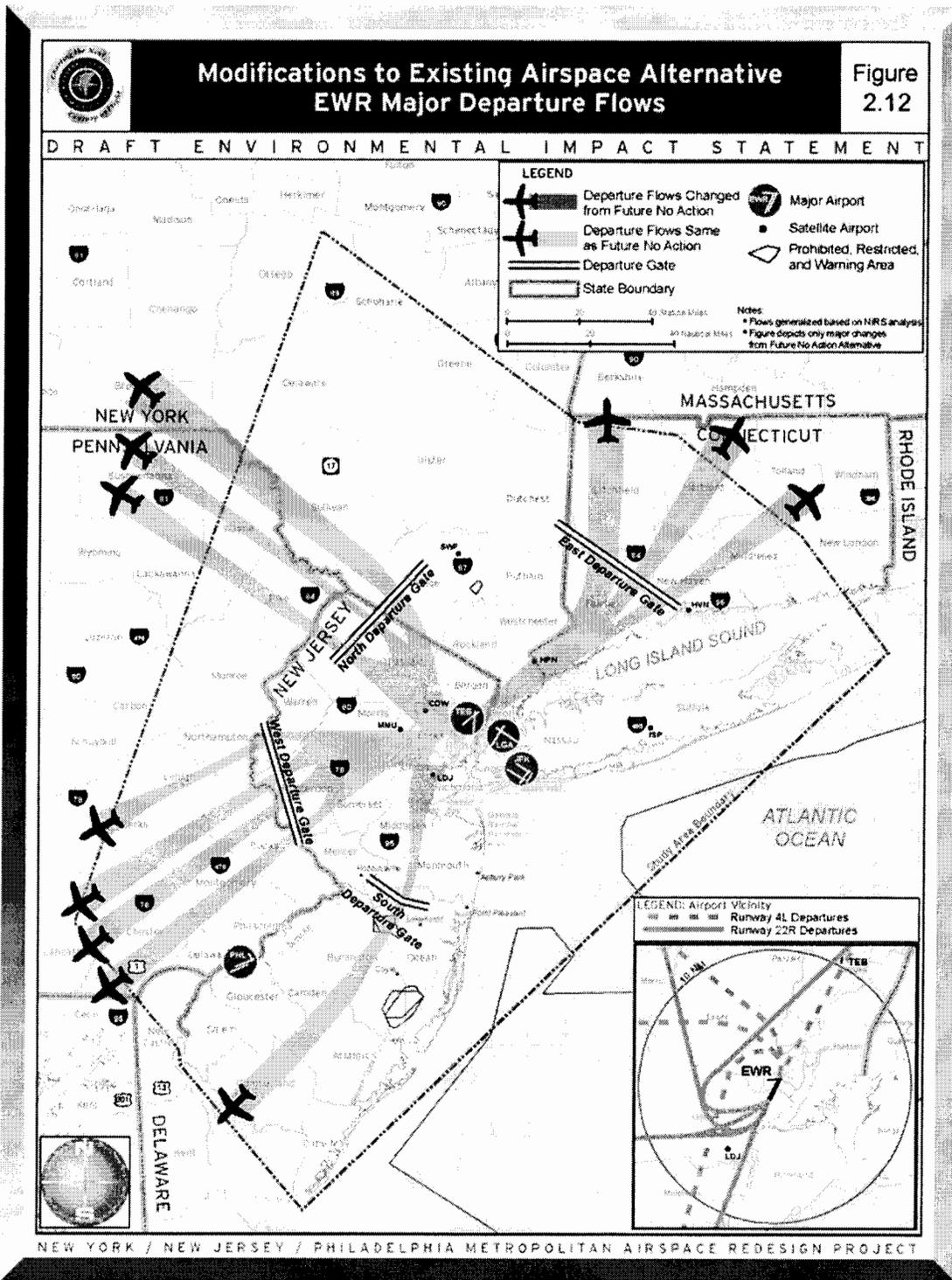


Figure 3 - Modifications to Existing Airspace Alternative EWR Major Departure Flows

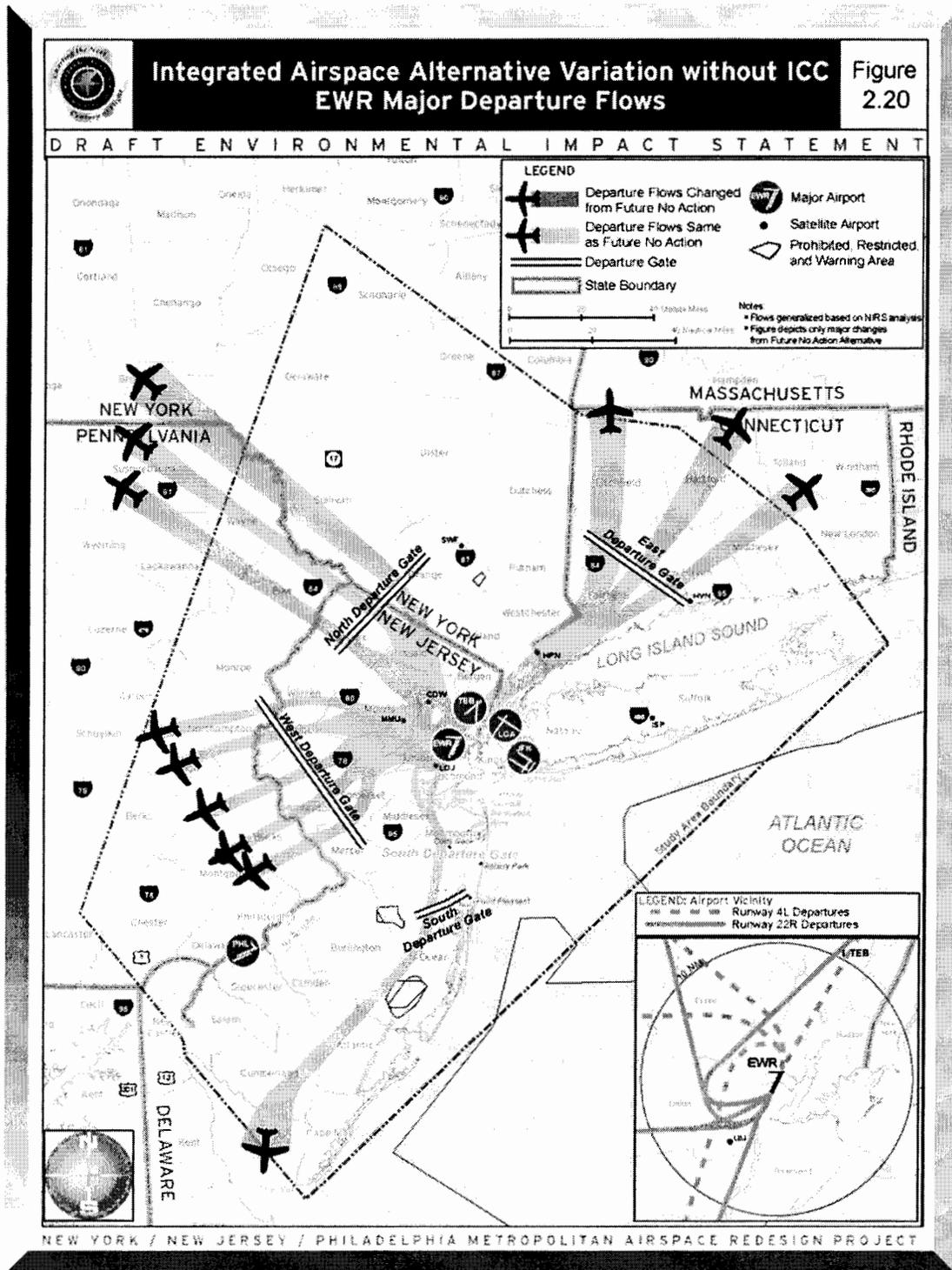


Figure 4 - Integrated Airspace Alternative Variation without ICC EWR Major Departure Flows

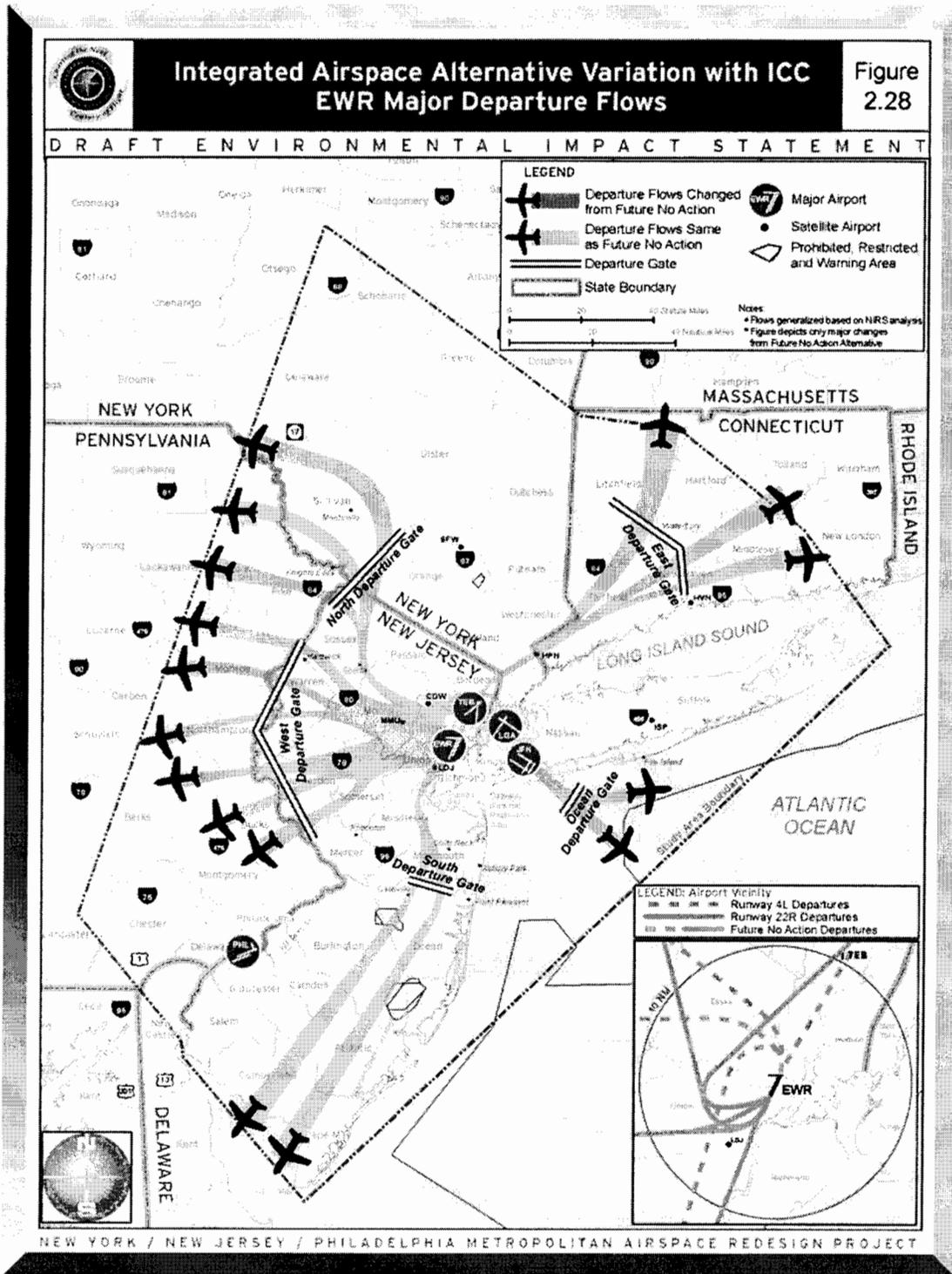


Figure 5 - Integrated Airspace Alternative Variation with ICC EWR Major Departure Flows

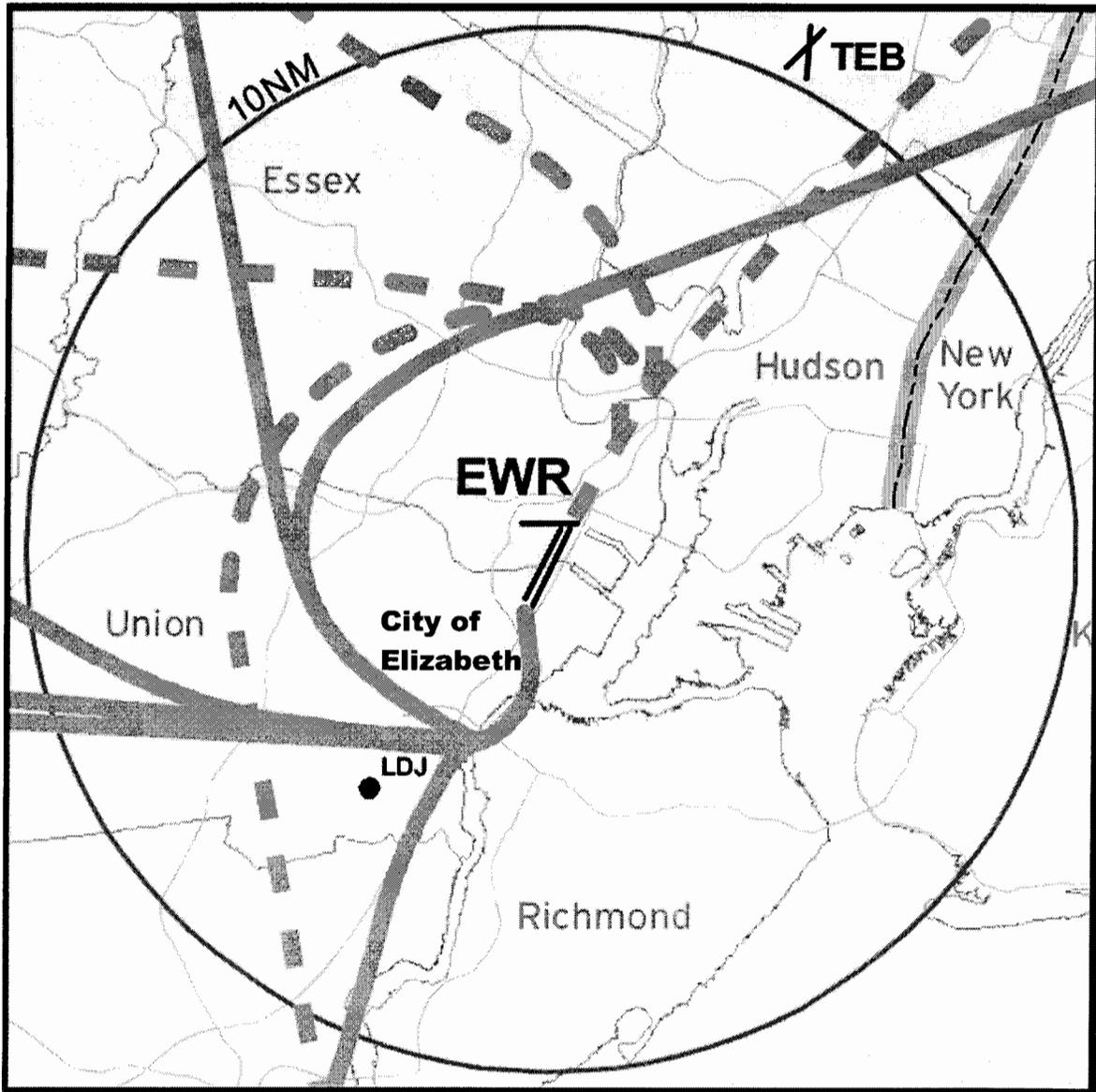


Figure 6 – 10 NM Radius for “No Action” Alternative (from Figure 1)

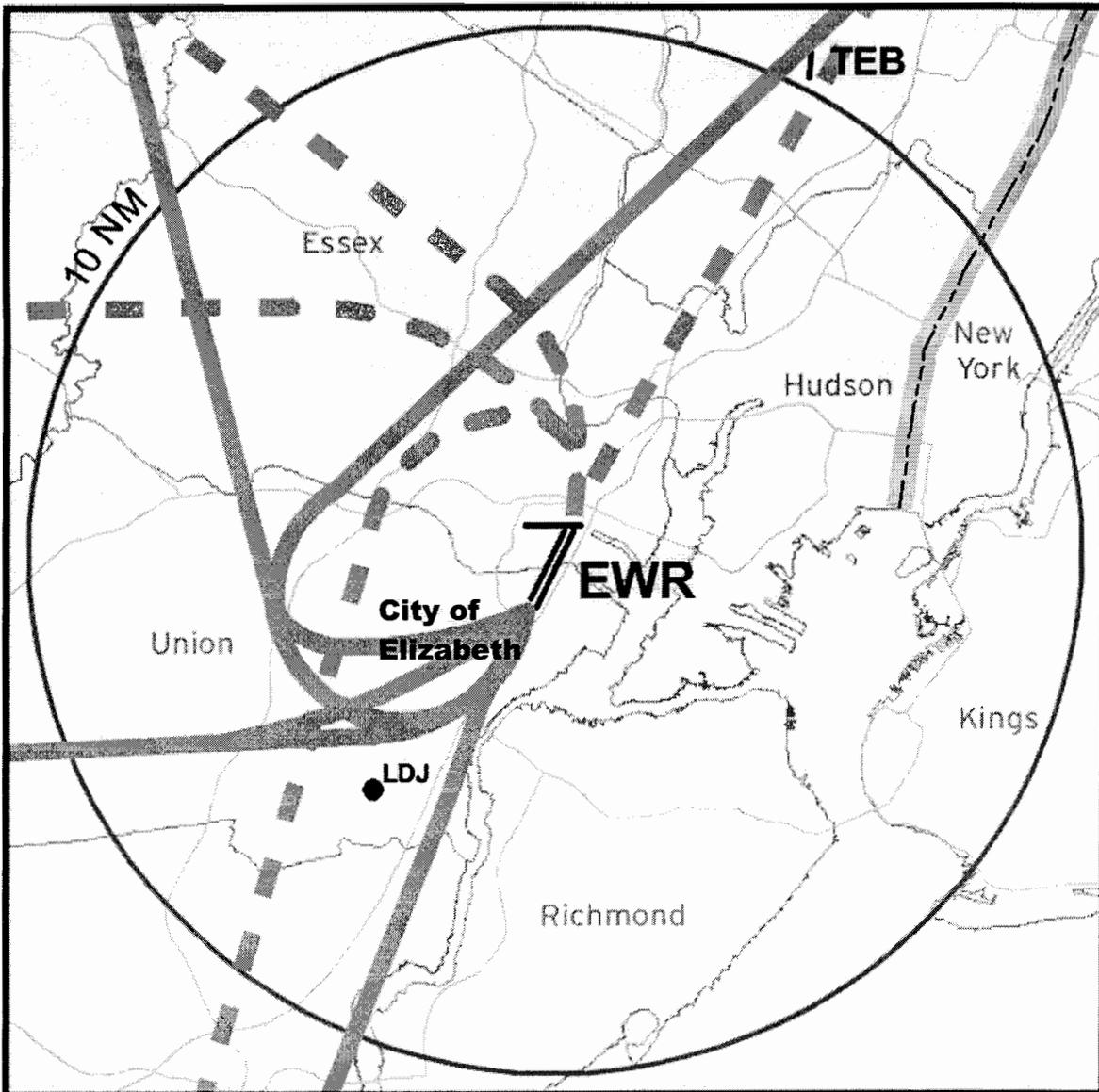


Figure 7 - 10 NM Radius for all Non-Ocean Routing Alternative (from Figures 3, 4 & 5)

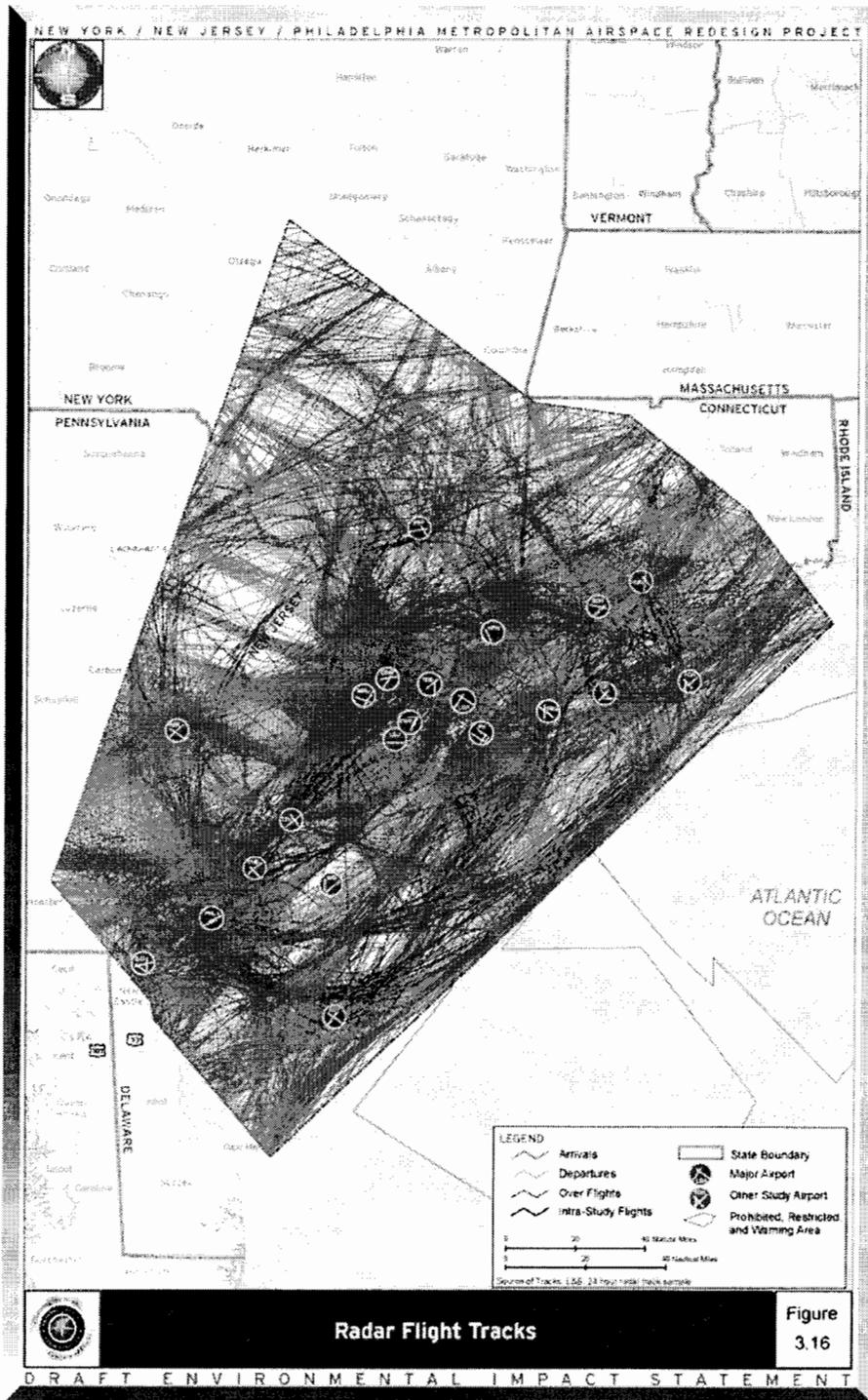


Figure 8 – One Day of RADAR Plots of Flight Tracks

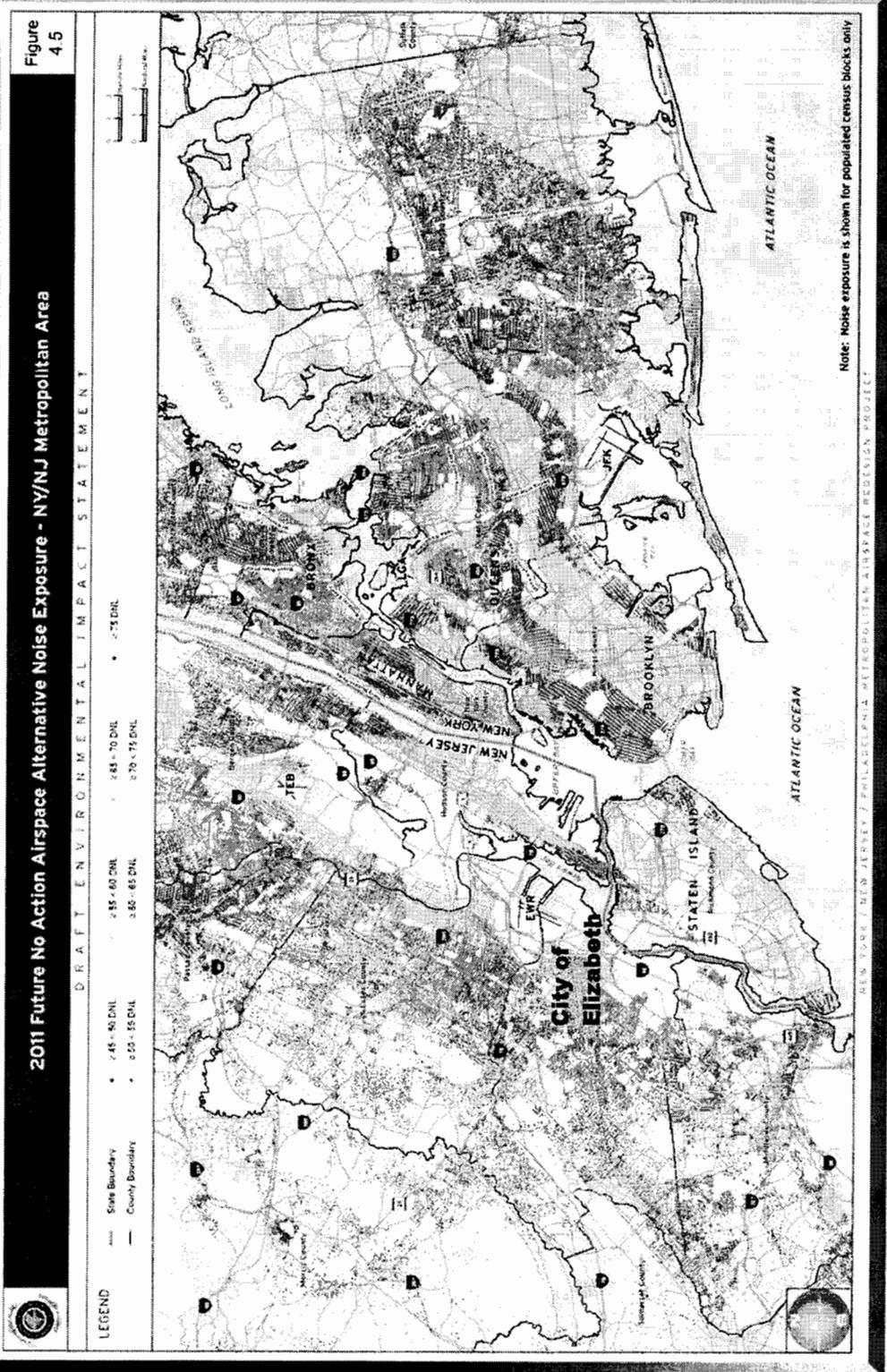


Figure 9 – Noise Exposures from “No Change” alternative (see Figure 1)

Figure 4.10

2011 Modifications To Existing Airspace Alternative Change In Noise Exposure - NY/NJ Metropolitan Area

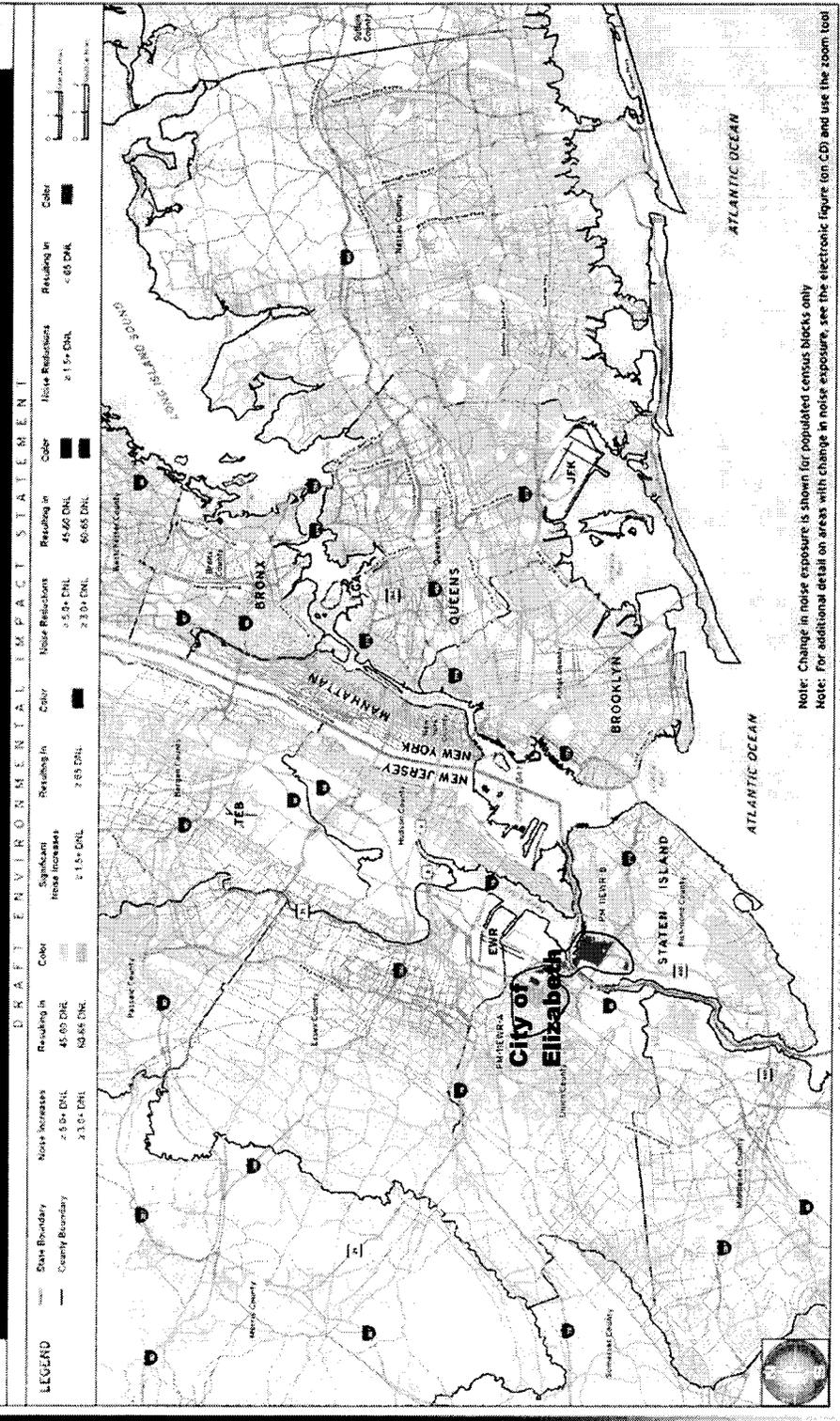


Figure 11 – Noise Exposures from "Modification to Existing Airspace" alternative (see Figure 3)

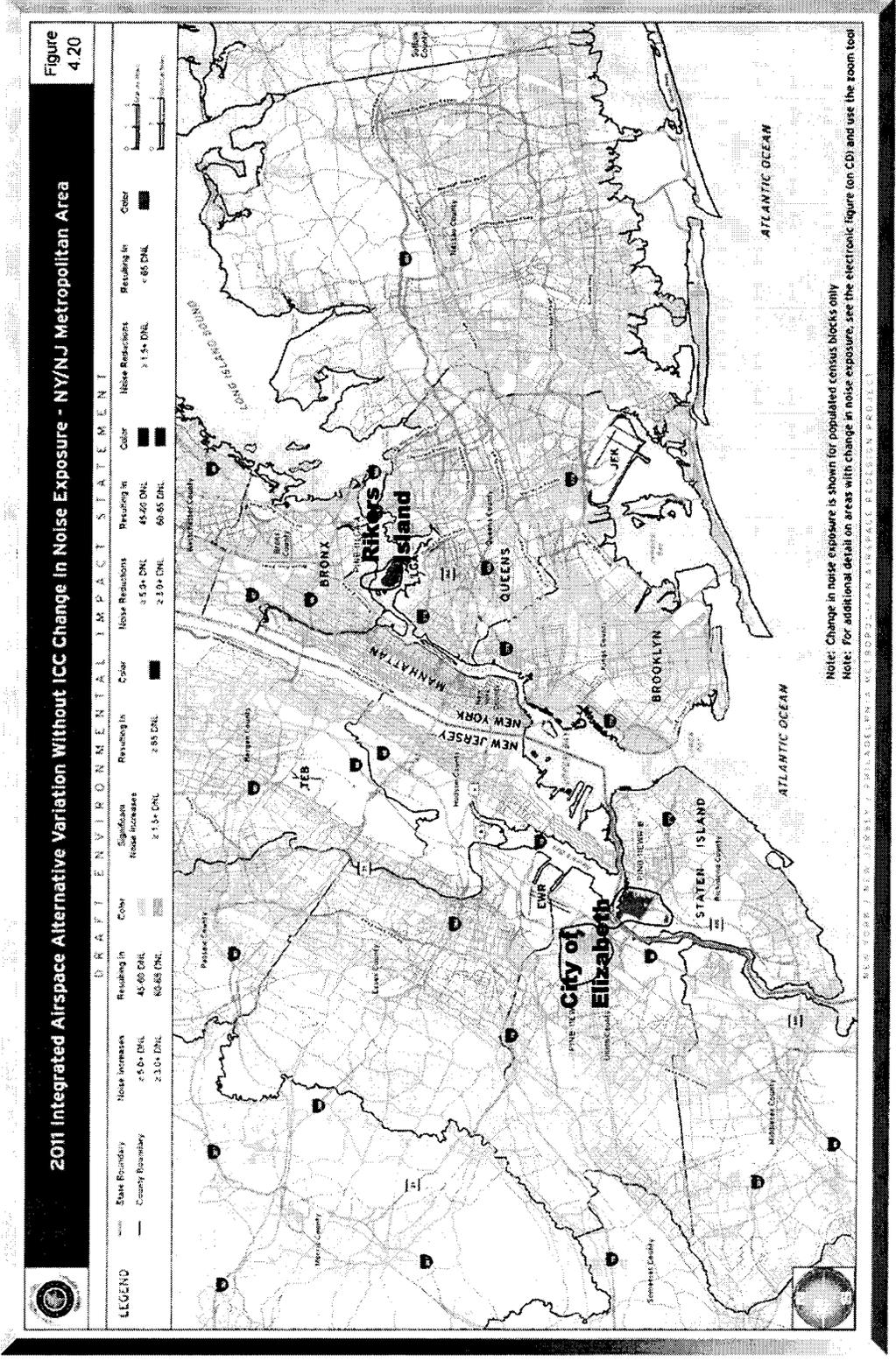


Figure 12 – Noise Exposures from “Integrated Airspace w/o ICC” alternative (see Figure 4)

**NY/NJ Metropolitan Cultural Resources
Area Of Potential Effect**

**Figure
4.29**

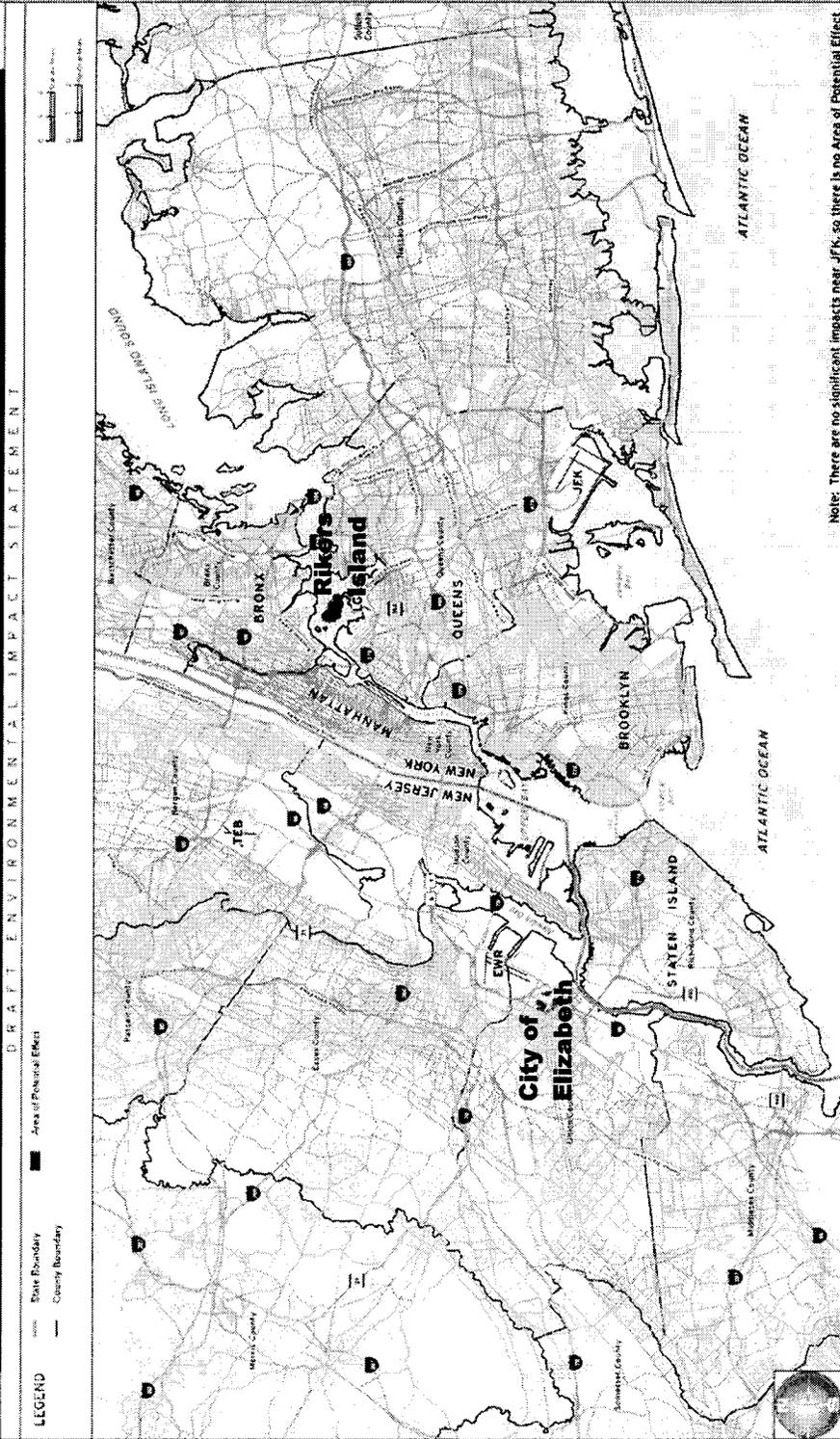


Figure 14 – Cultural Areas Affected

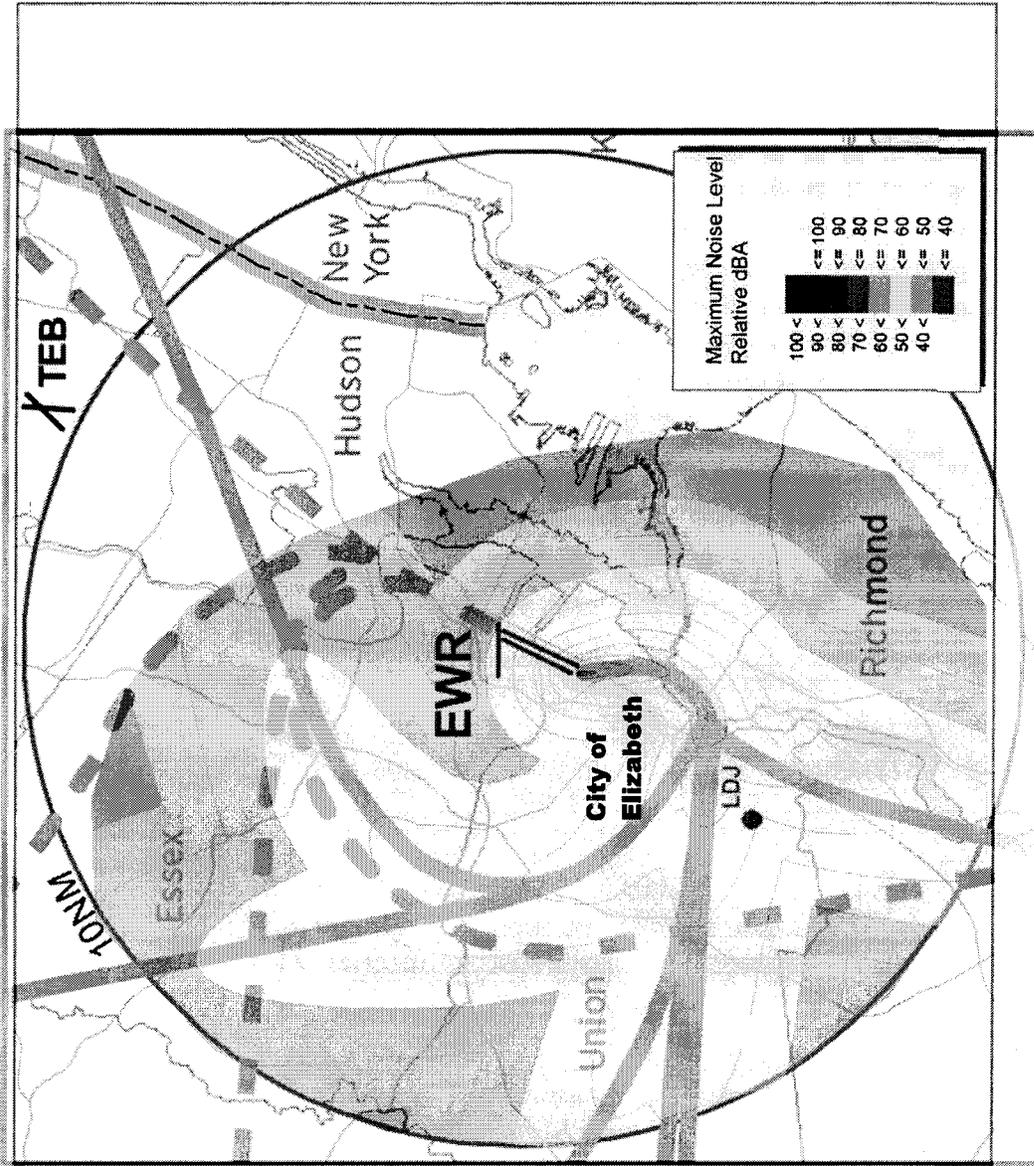


Figure 15 – Relative Sound Levels for Existing Routing

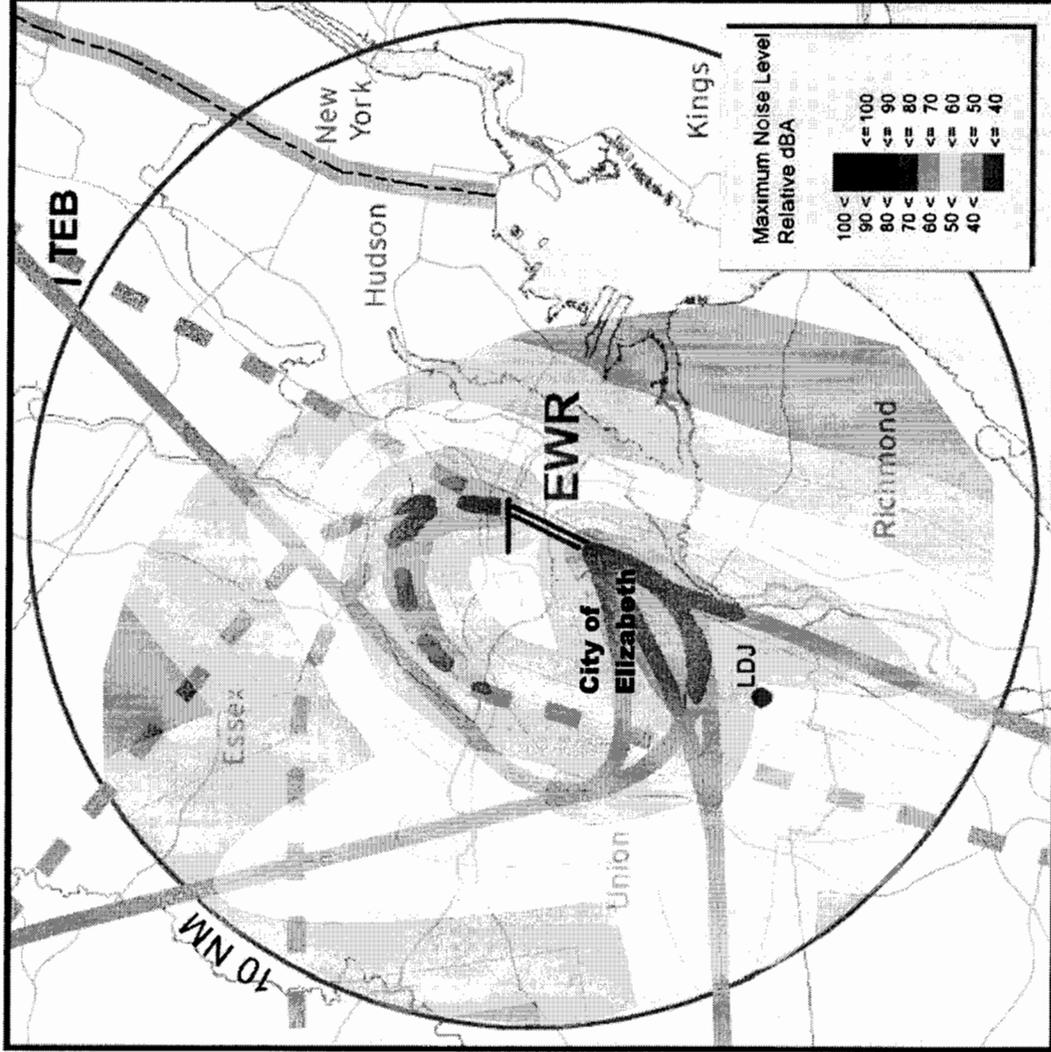


Figure 16 – Relative Sound Levels with 2011 Routing (North Departure also included)

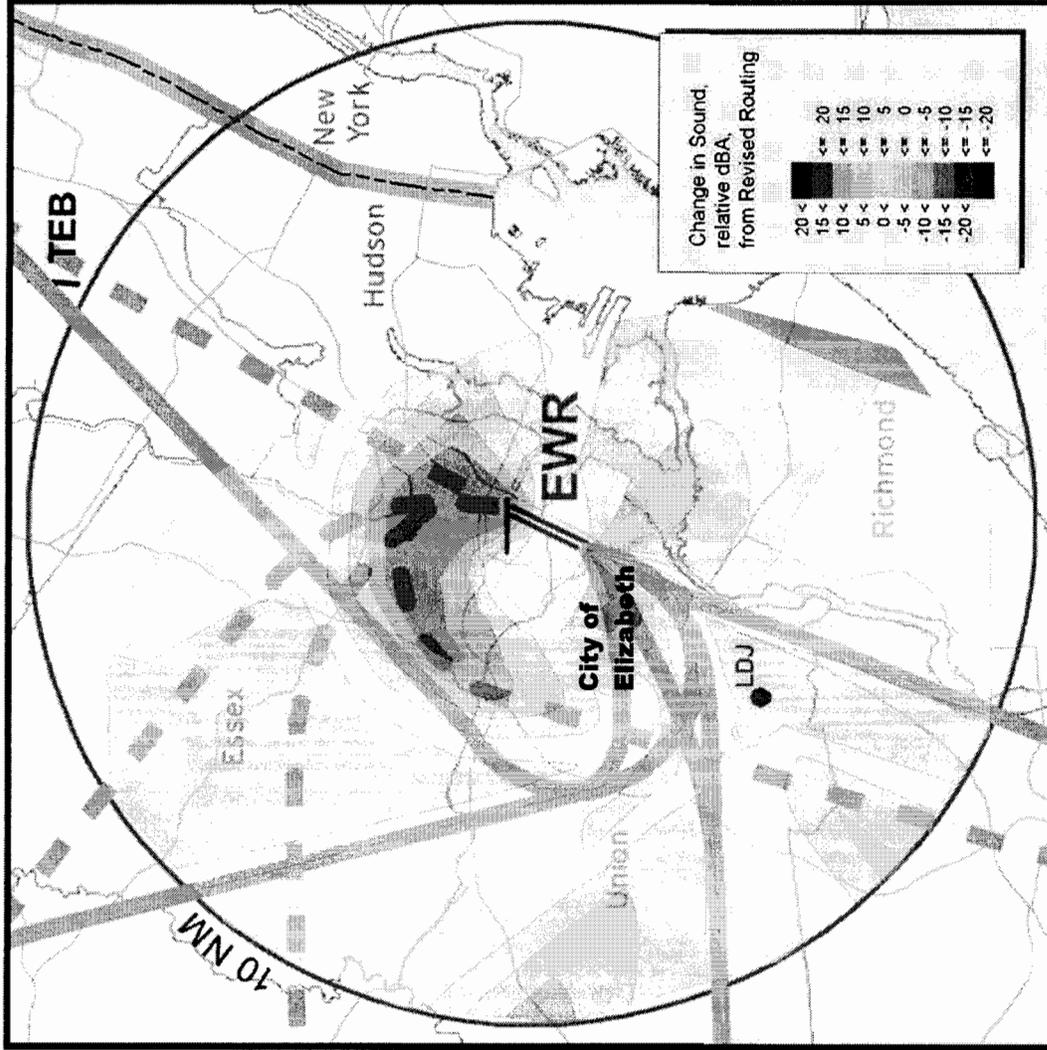


Figure 17 – Change in Sound Due to 2011 Routing

NORMAN R. DOTTI, P. E., P. P.

Principal

Mr. Dotti is a graduate Mechanical Engineer, a Registered Professional Engineer, and a Licensed Professional Planner. As a practicing Acoustical Engineer since 1971, he has over 30 years of direct experience with sound and vibration measurement, analysis, control and engineering project management. He has applied over two decades of electronics, instrumentation and computer programming experience to designing and supplying systems and software for sound and vibration measurement and analysis.

As part of his work he has: conducted hundreds of on-site studies of environmental, architectural and industrial sound and vibration problems; started, developed and managed a group of consulting engineers specializing in noise and vibration control; testified as an expert witness in planning hearings and local, State and Federal courts; worked with experts in other fields on large engineering and architectural projects to integrate sound and vibration controls; designed, programmed and built automated sound and vibration measurement systems for environmental and industrial clients; worked with clients from industry, all levels of government, associations, military, as well as private individuals and community groups.

In 2005 Mr. Dotti was appointed to the State of New Jersey Noise Control Council by Governor Richard J. Codey.

Professional Experience

2005 - Present

Principal, Russell Acoustics, LLC. Consulting engineering services pertaining to sound and vibration measurement, analysis and control.

1987 - 2004

President, Knorr Associates. Acoustical consulting and management of environment, health and safety information management systems development. Responsible for all company technical and business operations. This includes proposal development, field and laboratory studies, analysis and design, report writing, and testimony.

1979 - 1987

Vice President, Ostergaard Associates. Planned, proposed, managed and conducted architectural, environmental and industrial sound and vibration studies for client projects. Developed field instrumentation for long-term environmental monitoring projects. Planned and managed corporate computer system for word processing and data collection and analysis, including spectrum analyzer interfaces and computer graphics. Testified as an expert witness in acoustics for planning boards and in courts to the Federal level.

1971 - 1979

Manager, Noise & Vibration Services, National Loss Control Service Corporation (NATLSCO). Proposed, started and managed sound and vibration (S&V) consulting group within large multi-national consulting firm. Developed computerized sound lab and company multi-user computer system for engineering. Work included performing and managing S&V projects

for environmental, architectural and industrial clients, including finite element analysis of power plant and submarine systems. Developed and taught training courses for Bruel & Kjaer Instruments (INC I & II) and the U.S. DoL's OSHA Training Institute.

1968 - 1971

Pilot, U. S. Air Force. U.S.A.F. pilot training, AC-119K combat crew pilot. Holds a Commercial Pilot license with Multi-engine and Instrument ratings.

1965 - 1968

Research Engineer, Underwater Weapons Division, Davidson Laboratory. Computer analysis and modeling of high performance underwater vehicles; DSRV submarine rescue vehicle, Polaris missile, MK-48 torpedo, DENISON hydrofoil boat. Performed original research in the mathematics of modeling complex stability and control systems on digital computers.

Education

Bachelor's degree: Stevens Institute of Technology, Bachelor of Engineering degree, 1968. Machine design, stability and control, computer programming.

Master's degree: New Jersey Institute of Technology, School of Management, Master of Business Administration (MBA) in Management of Technology, 2003

Specialized Postgraduate Courses

Fifth Institute of Noise Control Engineering	Industrial Noise Control (B&K)
Designing Quiet Products (B&K)	Microphones & Accelerometers (B&K)
Acoustic Materials & Structures (B&K)	Designing Digital Filters
Applied Time Series Analysis (GenRad)	Acoustic Modeling (MIT)
Industrial Hygiene Engineering	Industrial Hygiene Toxicology
Reading Speech Spectrograms (MIT)	

Professional Licenses

Licensed Professional Engineer, New Jersey and Illinois

Licensed Professional Planner, New Jersey

Professional Associations, Societies & Memberships

Acoustical Society of America

Audio Engineering Society

Institute of Noise Control Engineers

American Industrial Hygiene Association - Noise Committee

Air Pollution Control Association - TP6 Noise Committee

Illinois Manufacturers Association Noise Advisory Committee - Chairman

National Council of Acoustical Consultants representative to American National Standards Institute S3 Committee on Bio-acoustics

New Jersey Noise Control Regulation Task Force

Research Fellow of the Research and Development Staff of Metrosonics, Inc.

Teaching

Mr. Dotti has developed courses for and taught at the U.S. Department of Labor's OSHA Training Institute, Des Plaines, IL, for over ten years. His Advanced Noise Control course has been presented to hundreds of OSHA industrial hygienists and safety compliance officers, military personnel, Coast Guard and Postal Service employees and labor and industry representatives.

He also developed the course notes for and taught week-long sound and vibration measurement and control seminars for Bruel & Kjaer Instruments. The Industrial Noise Control I and II courses were taught over a period of six years.

The above courses and custom classes have been prepared for and taught to Federal, State and local government agencies, including the U. S. Navy and the States of Virginia, Kentucky and South Carolina. Classes in sound and vibration measurement and control for industry have been presented to companies including IBM, Borg-Warner and several workers' compensation insurance carriers.

Mr. Dotti was an Adjunct Professor for several years at Montclair State College, where he taught courses in numerical analysis and computer programming.

Representative Projects

Mr. Dotti has managed many of the following projects and has actively participated in the planning, measurement and engineering of all of them:

Environmental Sound

Custom design, construction and installation of computer controlled community noise monitoring systems for industrial plants and other community sources | Test and design of muffler and barrier systems for manufacturing plant fan, process and stand-by equipment noise control | Solid waste transfer station testing and analysis for engineering noise control and permitting | Computer programming for acoustical evaluation of S&V engineering alternatives | Helicopter and fixed wing aircraft sound assessment, measurement and regulation development | Truck and other motor vehicle drive-by tests, road-side barrier design | Long-term measurement of community sound levels and variations, including HUD surveys | Site development community and traffic noise surveys for zoning and planning

review | Measurement of interior sound levels from outside sources and acoustical design review of construction details | Property line measurements for regulation compliance

Industrial Sound

Employee noise exposure and OSHA surveys | Engineering noise control measurement and design | Hearing conservation and audiometric testing programs | Computerized noise exposure and audiometric test data analysis | Machinery noise source identification and control | Employee education programs and manuals | Sound level contour mapping.

Architectural Sound

Recording and broadcast studio building and ventilation design | Office sound isolation materials selection and ventilation system (HVAC) modeling and modifications | Conference and classroom voice articulation | Electronic paging and voice re-enforcement systems | Isolation of exterior noise sources; traffic, aircraft, music, manufacturing | Apartment, town house and other residential sound isolation | Identification of exterior noise sources.

Vibration

Finite element analysis of nuclear power plant components for earthquake response | Structure-borne noise generation measurements and analysis of Navy shipboard power supplies and Trident submarine trailing SONAR array | Air conditioning chiller pipe and floor vibration isolation design and test | PATH Journal Square Transportation Center building and cooling tower vibration tests | Semiconductor manufacturing and clean room equipment vibration isolation | Impact isolation of power press and general manufacturing equipment | Measurement and prediction of human response to ground-borne and building vibration | Design and programming of maintenance vibration monitoring systems.

Forensic Acoustics

Expert witness testimony and litigation support | Measurements to determine compliance with local, State and Federal regulations | Expert report review | Identification of contributing sound and vibration sources | Regulation review and development | Enhancement and recovery of tape-recorded conversations | Tape authentication | Speech analysis and speaker identification | Measurement and analysis of live and recorded voice intelligibility and comprehension | Physiological and psychological response to sound and vibration | Testing of "cordless" telephone in-ear sound levels | Measurement of sound and vibration levels and frequency for determining human detectability and annoyance | Pre- and post-construction building site ambient levels measurement and design of mitigation measures | Re-zoning application surveys | Heliport and helistop sound level assessment | Gunshot measurement and analysis; hearing damage.

Personal Background

Mr. Dotti enjoys teaching and is active in community affairs; he has served as a Captain in his community's volunteer fire department and has been a member for over 25 years.

Response to Comment 5262: Norman R. Dotti, P.E., P.P., for the City of Elizabeth

Comment Number	Comment response
1	The Ocean Routing Alternative considered within the EIS does not meet the purpose and need and thus was not selected as the FAA's preferred alternative.
2	Comment noted.
3	As the DEIS indicates, there are some reportable noise reductions in and near the southern portions of Elizabeth associated with the Ocean Routing Alternative. These changes, however, fall into the -5dB in the 45-60 DNL category and are considered to be "slight to moderate" rather than "significant".
4	Comment noted.
5	Comment noted.
6	Comment noted.
7	Comment noted.
8	The DEIS uses the 65 dB DNL level to identify "significant" impacts on noise-sensitive properties. The DEIS evaluates several other thresholds, down to noise levels as low as 45 dB DNL. While these thresholds of change are considered to be "slight to moderate" changes in noise, they provide information on impacts below the 65 dB DNL level. These lower level noise changes were also considered when identifying potential mitigation measures to reduce the impacts of the Preferred Alternative. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, in the FEIS.
9	Comment noted.
10	See response to comment 5262 #8. Thus, NEPA requires FAA to assess the change in noise associated with the proposed project. The focus of the analysis within the EIS is on the change in noise rather than the raw noise level.
11	The flight paths referred to in the comment appear to be the route depictions shown in Chapter 2 of the DEIS document. Each of these figures includes a note that states that the flows shown are generalizations from the NIRS model input data. Thus, they do not represent the detailed flight tracks and extensive route dispersion that was included in the noise modeling. Sections 3.36 and 3.37 in Appendix E present detailed discussion and several example illustrations of the development of the NIRS input flight tracks and dispersion. The results of this effort provided some 7,000+ backbone flight tracks to and from the 21 modeled airports. These main tracks were supplemented with some 15,000+ subtracks along the backbone tracks to account for the flight track dispersion evident in the actual radar data.
12	Comment noted.
13	The noise analysis discussions in Chapter 3, Chapter 4, and Appendix E of the DEIS uses the FAA's Noise Integrated Routing System (NIRS) model.
14	SoundPlan is an acoustical model that is not specifically designed for aircraft noise analysis. It is not one of the noise models that FAA has approved for evaluation of noise impacts.

Response to Comment 5262: Norman R. Dotti, P.E., P.P., for the City of Elizabeth

Comment Number	Comment response
15	The DEIS discloses that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in and around the City of Elizabeth. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five "Preferred Alternative and Mitigation" of the Final EIS.

RECEIVED
06/06/06



City of Long Beach

ONE WEST CHESTER STREET
LONG BEACH, NEW YORK 11561-9002

TEL: (516) 431-1000

FAX: (516) 431-1389

OFFICE OF
LEONARD G. REMO
PRESIDENT, CITY COUNCIL

June 2, 2006

Mr. Steve Kelley
Federal Aviation Administration
One Aviation Plaza
Jamaica, NY 11434-4809

Dear Mr. Kelley:

I am aware that Damian Sciano, the Chairman of our Planning Advisory Board, has already spoken with you and provided comments on the airspace redesign and ways in which the airspace redesign can radically improve Long Beach's situation, primarily by sending takeoffs over the open ocean and having landings track the empty Reynold's Channel just north of us. I wanted to write to you and emphasize the important improvements to air quality, safety and quality of life this will provide for Long Beach and tell you that as President of the Long Beach City Council I am behind Mr. Sciano's comments and recommendations.

Thanks for your time and consideration.

Sincerely,


Leonard G. Remo, President
Long Beach City Council

LGR:ka

0055 34

Response to Comment 5534: Leonard G. Remo, President, Long Beach City Council

Comment Number	Comment response
1	<p>Long Beach lies along the extended centerline of Runway 13R/31L. There is very little that can be done to move aircraft away from Long Beach. Based on the diagrams provided in the presentation "Cultivating our OASIS", the proposed flight paths rely on curved approaches for arrivals and extended single-heading departures. These are not used today for reasons of safety and efficiency. Long Beach can only benefit if the airspace is changed to move the noise over other communities. It has been a longstanding policy of the FAA to avoid shifting noise from one community to another solely for noise abatement purposes. However, if it is necessary to shift noise from one community to another because of aviation operational needs, then an environmental review must be completed to disclose the purpose and need, and the associated impacts to the public, as is the case here with the FEIS.</p>



RECEIVED
06/02/06

City of Long Beach

ONE WEST CHESTER STREET
P.O. BOX 9002
LONG BEACH, NEW YORK 11561-9002

TEL: (516) 431-1000
FAX: (516) 431-1389

JOHN J. LAFFEY
CITY MANAGER

June 2, 2006

Mr. Steve Kelley
Federal Aviation Administration
One Aviation Plaza
Jamaica, NY 11434-4809

Dear Mr. Kelley:

I am aware that Damian Sciano, the Chairman of our Planning Advisory Board, has already spoken with you and provided comments on the airspace redesign and ways in which the airspace redesign can radically improve Long Beach's situation, primarily by sending takeoffs over the open ocean and having landings track the empty Reynold's Channel just north of us. I wanted to write to you and emphasize the important improvements to air quality, safety and quality of life this will provide for Long Beach and tell you that as City Manager for the City of Long Beach I am behind Mr. Sciano's comments and recommendations.

Thanks for your time and consideration.

Sincerely,

John J. Laffey
Long Beach City Manager

JJL:ka

005535

Response to Comment 5535: John J. Laffey, Long Beach City Manager

Comment Number	Comment response
1	<p>Long Beach lies along the extended centerline of Runway 13R/31L. There is very little that can be done to move aircraft away from Long Beach. Based on the diagrams provided in the presentation "Cultivating our OASIS", the proposed flight paths rely on curved approaches for arrivals and extended single-heading departures. These are not used today for reasons of safety and efficiency. Long Beach can only benefit if the airspace is changed to move the noise over other communities. It has been a longstanding policy of the FAA to avoid shifting noise from one community to another solely for noise abatement purposes. However, if it is necessary to shift noise from one community to another because of aviation operational needs, then an environmental review must be completed to disclose the purpose and need, and the associated impacts to the public, as is the case here with the FEIS.</p>

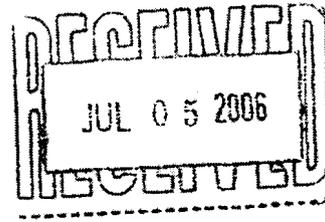
TOWNSHIP OF CONCORD

Delaware County

689 Smithbridge Road, Glen Mills, PA 19342

Board of Supervisors
Dominic A. Pileggi
Dominic J. Cappelli, Jr.
Colleen P. Morrone
Kevin P. O'Donoghue
John J. Gillespie

Meeting Night – 1st Tuesday



Robert J. Willert
Township Manager

Hugh A. Donaghy
Township Solicitor

June 27, 2006

Ms. Marian Blakey, Administrator
Federal Aviation Administration
800 Independence Ave., Southwest
Washington, DC 20591

Dear Ms. Blakey:

We are writing to request a 60-day extension to the comment period for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project.

Concord Township was not notified about this project, about the availability of the draft Environmental Impact Statement, about the public meeting held in Ridley Township, or about the public comment period. We find this objectionable because Concord Township would be subject to significant noise increases if the FAA implements this proposal.

1

We request an extension of the public comment period to at least September 1st so that we can better understand how the proposal will impact our residents. We also ask the FAA to begin a meaningful dialogue with impacted communities so that we can achieve aviation efficiencies that do not negatively impact airport neighbors.

2

Very truly yours,

Robert J. Willert,
Township Manager

Concord Township Board of Supervisors

1
Cc: Congressman Curt Weldon
Senator Rick Santorum
Senator Arlen Specter
Steve Kelley, FAA
Nessa Memberg, FAA

005759

Response to Comment 5759: Robert J. Willert, Township Manager, Township of Concord

Comment Number	Comment response
1	<p>In December 2005 a project newsletter announcing the availability of the Draft EIS and methods to obtain a copy was mailed directly to residents and public officials of Delaware County, PA. In addition, a second postcard identifying the specific public meeting locations was mailed out in February, 2006 also to residents of Delaware County.</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk. All with circulation in Delaware County. In addition Public Service Announcements were run in rotation at the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p>
2	<p>The comment period was extended to July 1, 2006 for a total of over six months.</p> <p>As for working with the community, the FAA participated in a public hearing of the Aviation Sub-Committee in October 2006 and a briefing to the same committee in March 2007 in Delaware County and a public meeting in February 2007 in Ridley Township.</p>

United States Senate

WASHINGTON, DC 20510

June 02, 2006

The Honorable Marion C. Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Administrator Blakey,

I write to express my concern, and the concern of many Staten Island residents, regarding the Federal Aviation Administration's (FAA) consideration of permanent "Oceanic Routing" flight routes for planes departing Newark Airport as part of the redesign of the New York area's air space.

Oceanic Routing has long been considered an onerous noise burden for Staten Island residents and inefficient for our region's airports and economy. It is my hope and expectation that the FAA ought to immediately remove permanent Oceanic Routing as an option from the air space redesign Draft Environmental Impact Statement (DEIS).

Oceanic Routing would direct planes leaving Newark to the New York side of the harbor, then up the Arthur Kill, to the lower bay, on their way to making their final ascents. Currently, air traffic controllers use Oceanic Routing only when necessitated by weather.

This proposal to advance permanent Oceanic Routing would result in Staten Island residents bearing an inequitable burden of airplane noise. One community should not be responsible for absorbing the lion's share of airplane noise from Newark Airport. The FAA has twice before considered redirecting departing nighttime aircraft from Newark International Airport over the South Shore of Staten Island permanently, but both times the FAA rejected the plan as impractical and costly.

The negative economic impacts of permanent Oceanic Routing are also staggering. The FAA has spent at least \$6 million studying Oceanic Routing and has found that redirecting night traffic from Newark over Staten Island would cost \$300 million a year in fuel costs alone. This cost will surely be passed along to the already overstressed air travel consumer. Furthermore, because of the interdependency of regional transportation systems, delays and inefficiency will tax capacity at LaGuardia and Kennedy Airports, leading to increased flight delays and vehicular traffic.

In the most recent DEIS, the FAA concluded that Oceanic Routing does not meet the "purpose and need" of airspace redesign. I fail to understand why, after such lengthy

and costly analysis, the FAA is again considering this option. To put it bluntly, it is a bad idea that should be killed, not kept on life support in the environmental impact statement.

Opposition to Ocean Routing has come from a wide range of industry leaders, community groups and governmental entities, including the owner and operator of New York's Airports – The Port Authority of New York and New Jersey (PA). The PA strongly objects to Oceanic Routing, writing that, "implementing the Oceanic Routing Procedure will cripple the local economy...radically increase the disruption on major roadways, and on air quality in the region...Oceanic Routing needs to be eliminated from all future consideration."

1

Redesigning the air space of New York City's three metropolitan airports presents us with a unique opportunity to increase the capacity of our badly overcrowded airports and address a myriad of community concerns. Given the significant resources that have been invested into this study, I am disappointed that the FAA has not comprehensively addressed the airplane noise burden that currently exists in the Staten Island community of Arlington on the Northwest shore. Before the EIS is issued, it is critical that these concerns are met and mitigation measures formulated to alleviate a burden these citizens have had to bear for too long.

2

Extending the deadline for public comment to July 1 should give the FAA ample time to remove the Oceanic Routing proposal and address noise concerns in Arlington. In that time, it is my hope that you hold another open forum on State Island so that residents and community leaders may share their concerns with you directly. If you have any questions or concerns, please do not hesitate to contact Alexandria Sica in my office at 202-224-6542.

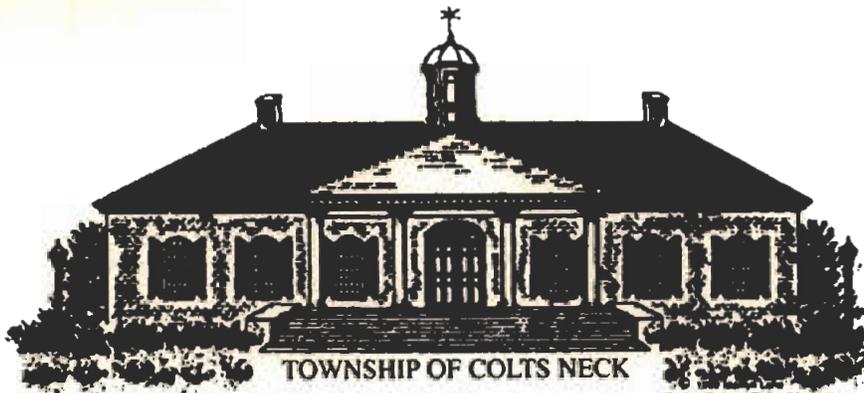
Thank you.



Charles E. Schumer
United States Senator

Response to Comment 5764: Charles E. Schumer, United States Senate

Comment Number	Comment response
1	This alternative does not meet the stated purpose and need for this project and has been eliminated from further analysis and consideration.
2	<p>Comment noted. It is true that noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>However, noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. Specifically on April 6, 2007, the FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p>



Colts Neck Township Municipal Building

Cedar Drive, Colts Neck, New Jersey

124 Cedar Drive
Colts Neck, New Jersey 07722
Web: www.colts-neck.nj.us
E-mail: twpcn@optonline.net

March 3, 2006

Phone: (732) 462-5470
Fax: (732) 431-3173
TDD-TYY: (732) 462-6090

Mr. Steve Kelly
FAA – Airspace Redesign
c/o Nessa Memberg
12005 Sunrise Valley Road
Reston, VA 20191

RE: Air Traffic Routes – Colts Neck Township (Monmouth County)

Dear Mr. Kelly:

The Township of Colts Neck has been monitoring recent hearings conducted by the FAA pertaining to possible air route changes that may impact Monmouth County and Colts Neck in particular. The Township does receive complaints about low-flying aircraft, and this issue is important to our community.

Despite your hearings, it seems difficult to ascertain what the direct impact of any of the proposals would mean to Colts Neck. Needless to say, the Township would be opposed to any proposal that would increase airplane traffic over or near Colts Neck and would support changes that lessen or eliminate said traffic.

As such, I am hereby requesting a written overview of all current proposals and their impact to Colts Neck, if implemented. A general time line of the decision-making process in this regard would also be appreciated.

Thank you for giving these matters your time and consideration.

Very truly yours,

Kenneth F. Florek
Mayor

cc: Township Committee

002824

002824

Response to Comment 2824: Mayor Kenneth F. Florek, Township of Colts Neck

Comment Number	Comment response
1	In all cases where the change in noise level exceeded FAA's threshold of significance, the impacts were mapped, described, and tallied in the DEIS document. In addition, the supplemental data in the noise spreadsheets published on the project web site goes beyond the typical level of disclosure and provided noise exposure levels for each Census Block within the Study Area.
2	<p>Chapter Two of the Draft EIS, released to the public in December 2005, contained descriptions of each airspace alternative, and Chapter Four described the environmental consequences associated with each alternative. Both chapters were geographically referenced so that airspace alternative design changes and associated impacts could be determined for the Colts Neck, NJ area.</p> <p>The current general timeline is as follows: Spring 2007 - conduct one public meeting in each state within the Study Area to discuss the Preferred Alternative and the associated mitigation, Summer 2007 - release of the Final EIS and the Record of Decision</p>

THE FEDERAL AVIATION ADMINISTRATION

-----*

In the Matter of the Public *
Information Meeting of:

* Public Meeting
Oral Comments

THE AIRSPACE REDESIGN PROJECT *
IN THE NEW YORK/NEW
JERSEY/PHILADELPHIA METROPOLITAN
AREA

-----*

THE HOLIDAY INN

304 Route 22 West

Springfield, New Jersey 07081

Tuesday, March 21, 2006

Commencing at 6:30 p.m.

SCHULMAN, WIEGMANN & ASSOCIATES

CERTIFIED SHORTHAND REPORTERS

216 STELTON ROAD SUITE C-1

PISCATAWAY, NEW JERSEY 08854

(732) 752 - 7800

MARK HURWITZ

13

396 Meisel Avenue

Springfield, New Jersey 07081

MR. HURWITZ: I am here as a township committeeman from the Township of Springfield, and I would like to read into the record the resolution that we passed unanimously at the February 14, Township Committee opposing the metro airspace redesign proposals for Union County Air Traffic and Noise Advisory Board, and it begins: "Whereas, in December of 2005 the Federal Aviation Administration issued a Draft Environmental Impact Statement containing modified and integrated airspace proposals to redesign the Newark, New Jersey Philadelphia Metropolitan airspace. And, whereas, these proposals would dramatically increase the noise for 187,000 to 330,000 residents over the tri-state area of New Jersey while benefiting relatively few. And, whereas the projected capacity increases are very small with two proposals offering less than a 1 percent gain and a third offering mid single digit percent gains that depend on

questionable assumptions that may not be realizable in practice. And, whereas, the three FAA promoted proposals all include a fanning of the south flow departures from Newark Liberty International Airport, the EWR, which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of the EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three-fold increase in overflight noise for over 70,000 residents of Elizabeth and adjacent communities with a disproportionate impact to minorities and a further negative impact on Union County communities further west. And, whereas, the most heavily promoted alternative, the so-called integrated airspace with integrated control center, has the largest noise impacts in estimated cost of \$2.5 billion.

"Now, and therefore it be resolved that the Union County Air Traffic and Noise Advisory Board strongly opposes the FAA proposed modified and integrated airspace proposals and especially opposes the fanning of the EWR south flow departures that

are part of these proposals, and it be further resolved that the copies of the resolution be forwarded to the Union County Board of Chosen Freeholders with the recommendation that they take all reasonable measures to oppose and prevent the implementation of the FAA proposals, particularly the fanning of the EWR south flow departures." And that was adopted on February 14, 2006 and was obviously signed by Mayor Harelik, who just gave her statement.

I wanted to make sure that was on the record and obviously as a long-time resident of Springfield, my family has been in town for over 50 years, I am extremely concerned about noise, air pollution and the safety factors of decreasing spacing between planes, et cetera. So I thank you for this time to put that statement on the record.

C E R T I F I C A T E

I, KAREN HENRY, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and

accurate transcript of the stenographic notes as
taken by and before me, on the date and place
hereinbefore set forth.

KAREN HENRY, C.S.R.

LICENSE NO. XIO1852

Response to Comment 2946: Committeeman Mark Hurwitz, Township of Springfield

Comment Number	Comment response
1	Comment noted.
2	Comment noted.
3	This airspace redesign does not increase capacity. It increases the efficiency with which existing capacity is used.
4	Comment noted. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternative. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.
5	Comment noted. The DEIS disclosed that the Modifications to Existing Airspace and the Integrated Airspace Alternatives would result in significant environmental justice impacts to minority communities near EWR.
6	Neither estimated nor actual costs have yet been developed for any of the Alternatives. Upon completion of the NEPA process the FAA will develop an implementation plan for the Preferred Alternative including a cost benefit analysis.
7	Comment noted.

Response to Comment 2946: Committeeman Mark Hurwitz, Township of Springfield

Comment Number	Comment response
8	<p>Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA’s scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a Preferred Alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p> <p>Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.</p> <p>The FAA would not implement an unsafe air traffic action. Assigning, maintaining and enhancing safety and security are the highest priorities in air commerce. Safety is the utmost concern of the FAA, and has been a priority throughout the Airspace Redesign Process. The Airspace Redesign Project addresses many safety-related inefficiencies and will contribute to enhanced safety in light of growing traffic.</p>

4 THE FEDERAL AVIATION ADMINISTRATION
5
6 -----
7 In the Matter of the Public
Information Meeting of:
8 PUBLIC MEETING
THE AIRSPACE REDESIGN PROJECT IN ORAL COMMENTS
9 THE NEW YORK/NEW JERSEY/
PHILADELPHIA METROPOLITAN AREA

10

11

12

13

14

15

16

Concord High School
2501 Ebright Road

17

Wilmington, Delaware
Tuesday, March 28, 2006

18

Commencing at 6:30 p.m.

19

20

21

22

SCHULMAN, WIEGMANN & ASSOCIATES
CERTIFIED SHORTHAND REPORTERS

23

216 Stelton Road, Suite C-1

24

Piscataway, New Jersey 08854

25

(732)752-7800

8 Speaker:

10

GREG LAVELLE

3

13 MR. LAVELLE: Greg Lavelle. I am the State
14 Representative in Brandywine Hundred, Claymont. What
15 I would like to leave, I guess in terms of my comment,
16 is to stress to the FAA and the City of Philadelphia,
17 the Airspace Redesign Group, that they seriously
18 address the noise and other issues that we have as
19 they go through this redesign process; that they work
20 to mitigate noise as effectively as possible,
21 obviously, taking safety into consideration; they take
22 the comments that would be coming to them from our
23 working group seriously; to continue to work with us
24 at the state level and our federal officials to make
25 sure we're active participants in this process.

7
8

9 CERTIFICATE OF REPORTER

10
11 I, Lucinda M. Reeder, Registered Diplomat
12 Reporter and Notary Public, do hereby certify that the
13 foregoing record is a true and accurate transcript of
14 my stenographic notes taken on March 28, 2006 in the
15 above-captioned matter.

16
17 IN WITNESS WHEREOF, I have hereunto set my hand
18 and seal this 29th day of March 2006 at Wilmington,
19 Delaware.

20
21
22
23 Lucinda M. Reeder, RDR, CRR
24 No. 132-RPR
25 (Expires January 31, 2008)

Response to Comment 2968: State Representative Greg Lavelle, Brandywine Hundred, Claymont

Comment Number	Comment response
1	The FAA considered the comments submitted on the DEIS and provided mitigation for the Preferred Alternative. While noise reduction was not part of the project's purpose and need, the FAA designed mitigation to reduce the noise impacts of the Preferred Alternative to the extent possible as disclosed in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.

Location: Parrysony

2006 NY/NJ/PHL Public Meeting

COMMENTS

DONALD J. BOWEN
Mr. Mrs Ms. First Name Last Name

BOROUGH OF MADISON - COUNCILMAN
Affiliation/Organization/Agency

12 GLENWILD ROAD
Address

MADISON NJ 07940
City State Zip

() -
Work Phone E-Mail Address

All comments are welcome concerning the NY/NJ/PHL Metropolitan Airspace Redesign Project. The formal Comment Period ends June 1, 2006. Please print neatly and clearly .
Thank you!

MMU Departures south (Runway 23) are routed over residential neighborhoods. A proposal to slightly adjust the departure route to take departures over an office complex (GIRALDA FARMS) was put forth, culminating in a meeting with the FAA (14-JUN-2002). All participants - including municipal leaders, ^{Congressman Frelinghuysen,} Noise citizen groups, and MMU operators agreed the proposed changes enhanced safety and reduced noise impact. The FAA representative said "wait for the airspace redesign." Fast forward to 2006... I hope this worthy proposal is now implemented. Please do not forget this proposal when making the final plans. Thank you.

Response to Comment 3026: Councilman Donald J. Bowen, Borough of Madison

Comment Number	Comment response
1	<p>The airport operator decided not to change the departure procedures for Runway 23 because:</p> <ul style="list-style-type: none">• It is FAA policy not to change ATCT procedures to shift noise from one community to another,• The Existing 65 DNL contour is within compatible land use as per 14 CFR Part 150; implementing a straight out departure may cause the contour to shift to an area that is incompatible with the 65 DNL contour (school), and• The 2008 noise study projections illustrate a reduction in the 55 DNL contour over Madison.

Location:

Busby

2006 NY/NJ/PHL Public Meeting

COMMENTS

A I L I S H H A M B E L

Mr. Mrs Ms. First Name

Last Name

M A Y O R

Affiliation/Organization/Agency

6 5 M A I N S T

Address

S P A R T A N J 0 7 8 7 1

City

State

Zip

(9 7 3) 7 2 9 - 4 4 9 3 C O U N C I L @ S P A R T A . O R G

Work Phone

E-Mail Address

All comments are welcome concerning the NY/NJ/PHL Metropolitan Airspace Redesign Project. The formal Comment Period ends June 1, 2006. Please print neatly and clearly .

Thank you!

I am here as a result of COMPLAINTS from the
CITIZENS of an area in SPARTA that is referred
to as SPARTA MOUNTAIN (Bel Aire Drive being one)
Noise has increased at this point.

IF MORE SPACE IS NEEDED, PLEASE USE FLIP SIDE

Mail your Comment Sheet to: Steve Kelley, c/o Nessa Memberg, 12005 Sunrise Valley Road, MS C3.02 Stop,
Reston, VA 20191 or email to Faa.deis@ngc.com

3029

Response to Comment 3029: Mayor Ailish Hambel, Sparta, New Jersey

Comment Number	Comment response
1	Comment noted.



TOWNSHIP OF NUTLEY
DEPARTMENT OF PUBLIC AFFAIRS
149 CHESTNUT STREET
NUTLEY, NEW JERSEY 07110
PHONE: (973) 284-4972
FAX: (973) 661-9411

JOANNE COCCHIOLA
Mayor

April 3, 2006

**The Honorable Marion Blakely, Administrator
Federal Aviation Administration
800 Independence Ave., S.W.
Washington, D.C. 20591**

Re: Township of Nutley, New Jersey

Dear Administrator Blakely:

As Mayor of the Township of Nutley, I am writing to you to express important concerns of my constituents.

Recently metal objects fell into a residential neighborhood of our Township from a Fed Ex DC-10 airplane departing from Newark Airport. Fortunately, no one was hurt and I am sure that I do not need to emphasize to you how serious an incident this could have been had it occurred during rush hour or at a time when children were going to school. I would like to receive communication from your office regarding the status of the investigation into the aforementioned incident at your earliest convenience.

It is of importance to our governing body and residents to be notified and informed of the potential and proposed changes in the redesign of airspace over this region. Our community is burdened with an excessive amount of noise due to air traffic on a daily basis. As a community, we deal with air traffic from two airports, Teterboro and Newark. We have been coping with excessive air traffic and noise for many years. It is our hope that any changes will decrease the amount of planes that travel over our community. I understand that, in years past, Bergen County communities were granted relief with a decrease in air traffic patterns. I would hope that our community would be given that same consideration. The quality of life for our residents in this special community must be preserved.

I would appreciate your providing me with relevant information and considering our position that this municipality is unhappy with the current level of air traffic and objects to any increase.

Very truly yours,



Joanne Cocchiola
Mayor

cc: Steve Keller, FAA NAR
Congressman William Pascrell, Jr.
Senator Paul Sarlo
Assemblyman Fred Scalera
Assemblyman Gary Schaer

Response to Comment 3038: Mayor Joanne Cocchiola, Township of Nutley, Department of Affairs

Comment Number	Comment response
1	This issue is outside the scope of this study.
2	Pre-scoping, scoping and public meetings regarding the airspace redesign were held near the Township of Nutley. These meetings were widely publicized on radio stations and in newspapers. In addition, the Mayor of Nutley received a DEIS postcard. The postcard identified the locations of the public meetings held to discuss the DEIS.
3	<p>Comment noted. Noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA’s aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area’s four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA’s scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
4	Comment noted. All relevant materials were provided in the DEIS and FEIS. The DEIS and FEIS are available on the project website: http://www.faa.gov/nynjphl airspace redesign/ .

Location: HH

2006 NY/NJ/PHL Public Meeting

COMMENTS

4 1 1 1 JOSTIN DIAISA
Mr. Mrs Ms. First Name Last Name

COMMICILMAN - BOROGHN OF HASBROOK HASTS
Affiliation/Organization/Agency

176 OLDFIELD AVE
Address

HASBROOK HASTS NJ 07604
City State Zip

(201) 288-2290
Work Phone E-Mail Address

All comments are welcome concerning the NY/NJ/PHL Metropolitan Airspace Redesign Project. The formal Comment Period ends June 1, 2006. Please print neatly and clearly .
Thank you!

OCEAN ROUTING WAS DISCUSSED 10 YRS. AGO & THE CONSENSUS WAS IT WOULD HAPPEN, BY 2000 — ???
TEEBORO AIRPORT - EVENING FLIGHTS SHOULD BE LIMITED TO EMERGENCIES AFTER 11 PM. — TILL 6 AM ~~10~~ — THAT WAS DISCUSSED 10 YRS AGO ALSO ???

Response to Comment 3044: Councilman Justin Dipisa, Borough of Hasbrouck Heights

Comment Number	Comment response
1	The FAA included a complete analysis of the Ocean Routing Alternative to satisfy requests made by the NJ Coalition Against Aircraft Noise. The FAA has identified the Integrated Airspace variation with ICC as the Preferred Alternative. This alternative was identified as the Preferred Alternative because it best meets the purpose and need for the Proposed Action.
2	Limiting the hours of airport access is outside the purview of the FAA. In order to limit the hours of airport operation or impose a curfew, the airport proprietor would have to complete a 14 CFR Part 161 study in accordance with the Airport Noise and Capacity Act (ANCA) of 1990 (49 U.S.C. App. 2153, 2154, 2155, and 2156).



COUNTY OF BERGEN

One Bergen County Plaza • Room 580 • Hackensack, NJ 07601-7076
(201) 336-7300 • Fax (201) 336-7304

Dennis McNerney
County Executive

April 6, 2006

Ms. Marion C. Blakey
Federal Aviation Administration
800 Independence Avenue SW
Washington, D.C. 20591

Dear Administrator Blakey:

I am writing to express my concerns, as well as those of my constituents, about the FAA's Eastern Region Air Traffic Division's plan to redesign the airspace in the New York/New Jersey /Philadelphia Metropolitan area.

Bergen County residents must already cope with air quality, noise, and safety issues as a result of heavy aircraft traffic. The proposed plan will modify the flight plans of aircrafts arriving or departing from Teterboro Airport, thereby widening the territory in Bergen County that will be impacted by the problems that already exist and need to be addressed further.

In February 2005, Bergen County experienced first-hand the effects of congestion at Teterboro Airport, when a twin-engine jet slid off the runway, crossed a major highway and crashed into a warehouse. Luckily, there were no fatalities. While this type of incident is not common, the impact that increased air traffic has on our residents' safety and quality of life is a daily occurrence.

Charter planes make up nearly 30 percent of the planes flying into and out of Teterboro Airport. This only exacerbates the problem of congestion. At a time of heightened security standards, these chartered flights do not require regulation from the federal government.

The public would be better served if our regional airports were expanded and reduction in the number of flights at Teterboro became the focus. It is dangerous to encourage more congestion in one of New Jersey's most densely populated areas.

Received Time Apr. 6. 4:25PM

3045

I urge you to re-evaluate this plan for airspace redesign and consider the impact it will have on the thousands of residents who live in Bergen County and the surrounding areas.

Thank you for your immediate attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dennis McNerney", with a long horizontal flourish extending to the right.

Dennis McNerney

Response to Comment 3045: County Executive Dennis McNerney, County of Bergen

Comment Number	Comment response
1	Comment noted.
2	<p>Comment noted. The FAA recognizes the quality of life issues impacted by aviation activities. In addition, the FAA understands the community's concerns regarding safety. Assigning, maintaining and enhancing safety and security are the highest priorities in air commerce. Safety is the utmost concern of the FAA, and has been a priority throughout the Airspace Redesign Process. The Airspace Redesign Project addresses many safety-related inefficiencies and will contribute to enhanced safety in light of growing traffic.</p>
3	Comment noted.
4	This airspace redesign increases the efficiency with which existing capacity is used.
5	<p>Comment noted.</p> <p>Noise was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p>



COUNTY OF OCEAN

BOARD OF CHOSEN FREEHOLDERS

DANIEL J. HENNESSY
CLERK OF THE BOARD

732-929-2005
FAX: (732) 505-1918

April 12, 2006

Steve Kelley, FAA-NAR
c/o Nessa Memberg
12005 Sunrise Valley Road, C302
Reston, Virginia 20191

Dear Mr. Kelley:

On April 5, 2006, the Ocean County Board of Chosen Freeholders adopted a resolution repeating opposition to the Ocean Routing Airspace Alternative and urging the FAA to immediately remove the Ocean Routing Airspace Alternative from any further consideration in accordance with the findings of the draft Environmental Impact Statement dated December, 2005.

Enclosed please find a certified copy of the resolution for your use and files.

Very truly yours,

Daniel J. Hennessy
Clerk of the Board

DJH:cw



RESOLUTION
April 5, 2006

WHEREAS, the Federal Aviation Administration (FAA) is redesigning the airspace in the New York, New Jersey, Philadelphia Metropolitan area, in an effort to increase capacity, decrease flight delays and improve operational efficiency; and

WHEREAS, the Ocean County Board of Chosen Freeholders has closely monitored this issue for many years and has passed prior resolutions dated September 6, 2000, June 2, 1999, December 5, 1995, and December 6, 1994; and

WHEREAS, after a delay in the evaluation process caused by the 9/11 tragedy, the FAA released a draft Environmental Impact Statement (DEIS) for Airspace Redesign in December 2005; and

WHEREAS, one of the four redesign alternatives evaluated was the Ocean Routing Alternative developed by the NJ Citizens for Environmental Research on behalf of the NJ Coalition Against Aircraft Noise (NJCAAN); and

WHEREAS, the Ocean Routing Alternative would move all departing flights from Newark Liberty Airport out over the Atlantic Ocean, before turning them to the west over Ocean County for their final destinations; and

WHEREAS, this proposal would also cause changes to departing flights from JFK International and LaGuardia Airports; and

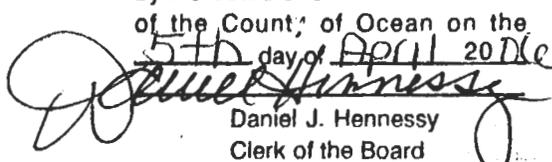
WHEREAS, the FAA's 2005 draft Environmental Impact Statement concluded that the Ocean Routing Alternative was merely a noise reduction proposal and did not meet the purpose and need of the Airspace Redesign proposal. Specifically, Ocean Routing would not reduce delay, meet system demand, improve user access, expedite arrivals and departures, nor increase flexibility; and in-fact the Ocean Routing Alternative would intensify many of these existing problems.

WHEREAS, the Board of Chosen Freeholders again notes that the Ocean Routing Alternative is a flawed proposal that is only designed to transfer noise from one area to another.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Ocean, State of New Jersey, that:

1. It repeats its opposition to the Ocean Routing Airspace Alternative, as its implementation would exacerbate delays and compromise safety at the major metropolitan airports of the region.
2. It urges the Federal Aviation Administration to immediately remove the Ocean Routing Airspace Alternative from any further consideration, in accordance with the findings of the draft Environmental Impact Statement, dated December 2005.
3. Certified copies of the Resolution shall be made available to the Honorable Jon S. Corzine, Governor; the County's Congressional and Legislative Representatives; the Monmouth County Board of Chosen Freeholders; Ocean County Municipalities; and the Federal Aviation Administration.

ROLL CALL
(moved by Kelly, seconded by Lacey)
AYES: Lacey, Kelly, Bartlett, Little
NAYS: None
ABSENT: Vicari

I certify the foregoing to be a true copy of a Resolution adopted by the Board of Chosen Freeholders of the County of Ocean on the 5th day of April 2006

Daniel J. Hennessy
Clerk of the Board

Response to Comment 3122: Daniel J. Hennessy, Clerk of the Board, County of Ocean

Comment Number	Comment response
1	The FAA conducted a complete analysis of the Ocean Routing Alternative to satisfy requests made by the NJ Coalition Against Aircraft Noise. After publication of the DEIS and review of agency and public comments, the FAA identified the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative. This alternative was identified as the Preferred Alternative because it best met the purpose and need for the airspace redesign.
2	See response to comment 3122 #1. The Ocean Routing Airspace Alternative was considered for night time operations during low demand periods, see Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.



Via email and USPS

April 21, 2006

Steve Kelley, Manager
Airspace Redesign
Federal Aviation Administration
1 Aviation Plaza
Jamaica, New York 11434

Subject: New York/New Jersey/Pennsylvania Airspace Redesign Plan

Dear Mr. Kelley:

The Philadelphia Airport Air Traffic and Quality of Life Issues Action Group of Delaware (hereinafter 'Action Group') is a collaborative effort among federal, state, and local representatives to address concerns involving noise, air and light pollution resulting from flights approaching and departing over Delaware's northernmost city and suburban residential neighborhoods. The Action Group submits the following written comments as part of the record for the public hearing on the Federal Aviation Administration's Airspace Redesign Plan for the New York/New Jersey/Pennsylvania region.

As expressed on several occasions, the quality of life enjoyed by the residents of Delaware's communities and neighborhoods has been adversely impacted by increased air traffic at the Philadelphia Airport. The Action Group encourages the FAA and PHL to use the Airspace Redesign Plan as an opportunity to implement strategies and take the necessary actionable steps toward alleviating existing conditions. The Action Group has offered, for the record, a set of proposed recommendations for your consideration. We believe that the following recommendations, if implemented collectively, will help mitigate current conditions related to increased air traffic and the resulting concerns.

- **Implement the use of RNAV technology.** The application of RNAV has been shown to provide a number of advantages over conventional forms of navigation, including the establishment of more direct routes, dual or parallel routes, bypass routes for aircraft overlying high-density terminal areas, alternative or contingency routes, either planned or unplanned (e.g., severe weather avoidance) and the ability to locate holding patterns where needed versus where dictated by NAVAID location and coverage (NATCA). This technology would enable controllers to laterally disperse, or feather, the approach paths of

1

2

inbound aircraft and, thereby, reduce the concentration of noise and pollution that now effects small highly impacted areas in northern Brandywine Hundred.

2

- **Install Precision Approach Path Indicator (PAPI) lights on Runway 9R.** Currently, runway 9R does not have PAPI lights. Such lights would be particularly useful during night visual approaches by assuring safe vertical clearance from obstacles near the approach end of the runway, the Commodore Barry Bridge being the most prominent. The River Approach to Runway 9R would then become a safe alternative to ILS approaches during low volume operations under VMC, particularly at night.

3

- **Enforce the 3,000 ft. approach elevation.** In 2002, the FAA raised the approach elevation from 1,800 ft. to 3,000 ft. over Delaware. However, recent information provided by the PHL Airport to the PHL Action Group (DE) indicated that between October 1, 2004, and September 30, 2005, the percentage of aircraft arriving [through the NOMS penetration gate over Northern Delaware] and operating below 3,000 feet ranged from nine percent to 23 percent.

4

This presents specific concerns related to Delaware's ability to attain ozone standards, given that our 2002 base year air emissions inventory does not include emissions associated with this air traffic. This inventory was predicated upon the understanding that flight over Delaware would be above 3,000 ft. If the current pattern continues and if the approach elevation is not enforced, aircraft emissions associated with those flights below 3,000 ft. over Delaware will have to be included in our air emissions inventory and subsequently, reflected in our State Implementation Plan.

5

- **Reduce the number of flights during late night and early morning hours.** We strongly support reducing the number of commercial and cargo flights arriving and departing over Northern Delaware for the PHL airport after 10:00 p.m. and before 7:00 a.m..
- **Lift the altitude cap for Dual Modena departures.** – Restructure airspace over the tri-state area, and remove the 6 - 10,000 ft. maximum departure altitude restriction for Dual Modena departures. The increased aircraft altitude would reduce ground level noise for residents of northern Brandywine Hundred, and is well within the operating limits of current commercial jet aircraft.

6

7

- **Implement Continuous Descent Approaches (CDA) at PHL.** As we understand it, this approach would keep aircraft at cruise altitude until they are relatively close to the airport, when the aircraft can make an even, continuous descent to the runway. We believe that this alternative will help eliminate stacking, reduce aircraft engine emissions and fuel consumption, and provide significant noise reductions. In response to CDA trials and research, Carl Burluson, the director of environment and energy for the FAA, was cited in several sources saying that "the research team proved the benefits of continuous descent approaches, that the basic principles are correct, and that robust air traffic procedures can be developed and implemented to simultaneously achieve low noise, lower emissions and reduced cost."

8

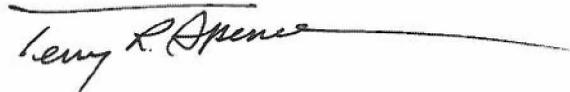
- **Increase the glide slope to PHL ILS Runway 9R.** We understand and appreciate that there are safety considerations and studies that accompany modifying the glide slope; however, a modest increase (to 3.25 or 3.5 degrees), when coupled with some of the other recommendations, would produce beneficial noise reduction over Brandywine Hundred.

We hope that you will thoughtfully consider and take action upon those recommendations in this letter that may mitigate existing concerns. We look forward to your feedback and welcome the opportunity to maintain our ongoing and open dialogue with your office. If appropriate and necessary, we would be happy to meet with you to discuss these recommendations and our intent in more detail. Please feel free to contact Cheryl Semmel, in Governor Minner's office, at (202) 624-5941 if you have any additional questions.

Sincerely,



Ruth Ann Minner
Governor



Terry R. Spence, Speaker of the House
Delaware General Assembly



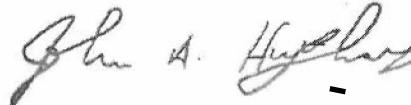
Joseph R. Biden, Jr.
United States Senator



Robert Valihura, Representative
Delaware General Assembly



Thomas R. Carper
United States Senator



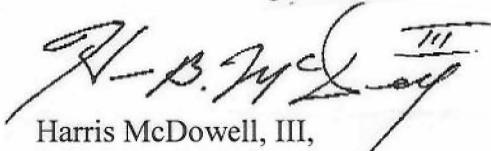
John A. Hughes, Secretary
Delaware Department of Natural Resources
and Environmental Control



Michael N. Castle
United States Congressman



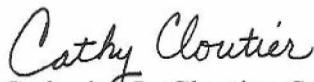
Carol Ann Wicks, Secretary
Delaware Department of Transportation



Harris McDowell, III,
Senate Majority Leader
Delaware General Assembly



Chris Coons, Executive
New Castle County



Catherine L. Cloutier, Senator
Delaware General Assembly

Nagendran, Ram

From: Steve.Kelley@faa.gov
Sent: Tuesday, April 25, 2006 11:28 AM
To: FAA DEIS
Subject: Fw: NY/NY/PA Airspace Redesign Letter from PHL Action Group

Attachments: PHL Airspace Redesign Comments.pdf



PHL Airspace
Redesign Comments.

Steve Kelley
Manager, Airspace and Procedures
Eastern Terminal Services
1 Aviation Plaza
Jamaica, NY 11434
Tel: 718-553-4530
Fax: 718-995-5687

----- Forwarded by Steve Kelley/AEA/FAA on 04/25/2006 11:28 AM -----

"Semmel Cheryl
\(Governor\)"
<Cheryl.Semmel@state.de.us>

Steve Kelley/AEA/FAA@FAA

To

cc

04/25/2006 11:03
AM

"Antoine Oakley"
<aoakley@co.new-castle.de.us>,
"Bill McGlinchey"
<william.v.mcglinchey@us.hsbc.com>,
"Brittingham Rodney \(\LegHall\)"
<Rodney.Brittingham@state.de.us>,
<carrie_casey@carper.senate.gov>,
"Chuck Landry"
<celandry@comcast.net>, "Cloutier
Catherine \(\2\)"
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<Catherine.Cloutier@state.de.us>,
<clsemmel@yahoo.com>, "Cooksey
Sarah W. \(\DNREC\)"
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"Cunningham, Brian \(\Biden\)"
<Brian_Cunningham@biden.senate.gov>,
, "Finnerty Kate R \(\Governor\)"
<kate.finnerty@state.de.us>,
"Finnigan Sean \(\LegHall\)"
<Sean.Finnigan@state.de.us>,
<jeff.dayton@mail.house.gov>,
"Larry Windley"
<Larry_Windley@carper.senate.gov>,
"Matt Fink \(\Castle\)"
<matt.fink@mail.house.gov>,
"McDowell Harris \(\2\)"
<senmcd@aol.com>, "McDowell Harris

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"Mirzakhali Ali \(\DNREC\)"
<Ali.Mirzakhali@state.de.us>,
"Murphy Allison \(\LegHall\)"
<Allison.Murphy@state.de.us>,
"Petrucci Karen \(\DelDOT\)"
<Karen.Petrucci@state.de.us>, "Reeb
Ralph \(\DelDOT\)"
<Ralph.Reeb@state.de.us>,
<tonya_baker@biden.senate.gov>,
"Valihura Robert \(\2\)"
<valihura@aol.com>, "Valihura
Robert \(\LegHall\)"
<Robert.Valihura@state.de.us>,
"Walling Lee Ann \(\Governor\)"
<leeann.walling@state.de.us>
Subject
NY/NY/PA Airspace Redesign Letter
from PHL Action Group

Steve,

I would like to formally submit the attached letter on behalf of the State of Delaware that expands upon the recommendations/comments shared at the March 28th public hearing regarding the NY/NJ/PA Airspace Redesign Draft Environmental Impact Statement.

The Action Group is offering, for the record, a set of proposed recommendations for your consideration. We believe that the following recommendations, if implemented collectively, will help mitigate current conditions related to increased air traffic and the resulting concerns. We understand that the FAA is currently considering or taking action on some of these recommendations.

Steve, if possible, I would like to touch base with you sometime this week. Please feel free to give me call either in the office (202-624-5941) or on my cell (954-557-2987) - day or evening.

Thanks,

Cheryl

Cheryl Semmel
Washington D.C. Office
Governor Ruth Ann Minner
State of Delaware
444 N. Capitol Street, N.W., Suite 230
Washington, D.C. 20001
Phone: (202) 624-5941
Fax: (202) 624-5495
(See attached file: PHL Airspace Redesign Comments.pdf)

Response to Comment 3145: Philadelphia Airport Air Traffic and Quality of Life Issues Action Group of Delaware

Comment Number	Comment response
1	<p>Comment noted. It is important to recognize that the FAA developed the purpose and need for the airspace redesign, consistent with NEPA regulations, to reflect its mission. According to the Federal Aviation Act of 1958, the FAA's mission includes controlling the use of navigable airspace and regulating civil and military operations in that airspace in the interest of maintaining the safety and efficiency of these operations. Therefore, the purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. Likewise the project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region. NEPA was not designed to prevent agencies from carrying out their statutory missions or to have environmental factors become more important or supersede other factors such as technical or operational ones. It was designed to ensure that environmental considerations are taken into account along with other factors when a Federal action is considered.</p> <p>Noise was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
2	<p>RNAV approach and departure procedures are heavily used in the Preferred Alternative. The airways were designed with these features in mind, except for increasing lateral dispersion. In practice, RNAV tends to focus traffic over a single path. Arriving aircraft over Brandywine will be reduced in the mitigated Preferred Alternative, since the river RNAV approach will be used for some of the aircraft that currently land on the ILS approach in the Future No Action alternative.</p>
3	<p>The recommendation to install PAPI lights at PHL to improve night approaches is noted; however, this recommendation is beyond the scope of this particular Air Traffic airspace redesign project. This request is not directly a part of the airspace redesign project, your recommendation has been discussed with FAA's Airports Division and the Philadelphia Airport Authority. It is noted that visual approaches to 09R will be less necessary in the mitigated Preferred Alternative, because the River RNAV approach will be available.</p>
4	<p>This request is not directly a part of the airspace redesign project, and has been forwarded to the appropriate FAA officials.</p>
5	<p>The Proposed Action would not impact your baseline conditions and future operational levels would not change due to the Proposed Action. The Proposed Action does not induce airport operations, it is meant to increase airspace efficiency. SIP inventories are not based on the location of the operations but the number of operations, the Airport's inventory would not be impacted by the Proposed Action.</p>

Response to Comment 3145: Philadelphia Airport Air Traffic and Quality of Life Issues Action Group of Delaware

Comment Number	Comment response
6	The FAA has no statutory control over the scheduling of aircraft and helicopter flights, nor do we determine the times or frequency of flights—commercial, cargo, or otherwise. Reducing the number of flights during late night and early morning hours would be the responsibility of the airport proprietor, and this recommendation may fall under the requirements of 14 CFR Part 161, Airport Noise and Access Restrictions, requiring extensive study and consensus of airline operators to implement.
7	The Preferred Alternative includes raising this altitude to 12,000 ft.
8	Continuous-descent approaches work best where airspace can be reserved for the arrival traffic from a fix, cleared of crossing flows. Since PHL is in the middle of the busiest air traffic corridor in the world, cleared airspace during the day is hard to find. At night, when many of the large airports in New York and Washington have very little traffic, cleared airspace is more available. Therefore, the mitigation measures for the Preferred Alternative include use of a night-time CDA at PHL.
9	Many aircraft landing at PHL may not exceed 3.1 degrees of glide slope for safety reasons. For the others, an increase to 3.25 degrees would add only 250 feet to the altitude of a flight starting a ten-mile final approach. The noise reduction would hardly be discernable.



JOSEPH P. ADDABBO JR.
 COUNCIL MEMBER, 32ND DISTRICT
 QUEENS

- o **DISTRICT OFFICE**
 159-53 102ND Street
 Howard Beach, New York 11414
 (718) 738-1111
 FAX: (718) 322-5760
- o **DISTRICT OFFICE**
 92-03 Rockaway Beach Boulevard
 Rockaway Beach, New York 11693
 (718) 318-6411
 FAX: (718) 318-6413
- o **CITY HALL OFFICE**
 250 Broadway, Room 1820
 New York, NY 10007
 (212) 788-7069
 FAX: (212) 341-9509

THE COUNCIL
 OF
 THE CITY OF NEW YORK

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- STATE & FEDERAL LEGISLATION
- TRANSPORTATION
- WATERFRONTS

May 4, 2006

Mr. Steve Kelley, FAA-NAR
 12005 Sunrise Valley Road, C302
 Reston, VA 20191

Dear Mr. Kelley:

I hope this letter finds you well. I am writing to you regarding the public meeting that took place in my district on May 2, 2006.

I found the meeting to be informative and valuable to my constituency. I believe that it is essential for residents who are directly impacted by airplanes to participate in such meetings.

Once again, thank you for arranging the meeting. I look forward to working together on this issue.

Very truly yours,

Joseph P. Addabbo, Jr.
 Council Member
 District 32

JPA/dmg

003225



Response to Comment 3225: Council Member Joseph P. Addabbo, Jr., District 32, City of New York

Comment Number	Comment response
1	Comment noted.

JUDICIARY COMMITTEE

SUBCOMMITTEES:

RANKING MEMBER

CONSTITUTION

COMMERCIAL AND
ADMINISTRATIVE LAW

**TRANSPORTATION AND
INFRASTRUCTURE COMMITTEE**

SUBCOMMITTEES:

HIGHWAYS AND TRANSIT

RAILROADS

ASSISTANT WHIP



Congress of the United States
House of Representatives

Washington, DC 20515

JERROLD NADLER

8TH DISTRICT, NEW YORK

REPLY TO:

WASHINGTON OFFICE:
2334 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5635

DISTRICT OFFICE:
201 VARICK STREET
SUITE 669
NEW YORK, NY 10014
(212) 367-7350

DISTRICT OFFICE:
445 NEPTUNE AVENUE
BROOKLYN, NY 11224
(718) 373-3198

Web: <http://www.house.gov/nadler>

STATEMENT OF U.S. REPRESENTATIVE
JERROLD NADLER (D-NY8)

at a Federal Aviation Administration Public Meeting
on the Draft Environmental Impact Statement for the
Proposed New York/New Jersey/Philadelphia Metropolitan Area
Airspace Redesign

April 27, 2006

I appreciate this preliminary opportunity to share my views concerning the potential redesign of the New York/New Jersey/Philadelphia Metropolitan Area's airspace. However, it is unfortunate that the format chosen for these public meetings does not include a question- and-answer session. Frankly, including such a session would have benefited participants enormously and made the current format much more effective and efficient. With respect to the Draft Environmental Impact Statement (DEIS) that is the subject of tonight's meeting, I have serious questions and significant concerns about some of the alternatives put forth by the Federal Aviation Administration (FAA).

As always, when dealing with air travel, our first and foremost consideration must be the safety and security of the passengers and the general public. We also must be cognizant of the already significant environmental impacts associated with having three major airports in the New York Metropolitan Area in terms of air quality and noise pollution. Any alternative which significantly increases these impacts can only be justified by clear and convincing benefits to the region and to the nation. Finally, we should remain cognizant of any special concerns or sensitivities that residents may have about low-vector flight paths over the City, especially Manhattan, in the wake of the tragic events of September 11 and the subsequent crash of American Airlines flight 587 two months later.

Obviously, we must weigh all these concerns against the FAA's stated goals of increasing "efficiency and reliability of the airspace structure and the air traffic control system." Quite frankly, we must ensure that the benefits of any redesign of the airspace outweigh the very significant costs, both tangible and intangible, associated with it.

My staff is currently reviewing the DEIS in its entirety and I will be submitting detailed comments and questions in writing to the FAA at a later date. I will certainly have

questions about some of the assumptions and preliminary findings contained in the document. For example, the dual simultaneous arrivals technique mentioned in the study would appear to increase the complexity of the controller's task, thereby increasing the possibility of error. The Integrated Airspace Alternative also reduces separation between aircraft in certain instances from 5 to 3 nautical miles. While I am certainly no expert, simultaneous arrivals and reduced separation would appear to increase capacity at a possible sacrifice in safety. I will be seeking clarifications on this point. Moreover, while the report acknowledges that adoption of the Integrated Airspace Alternative would "generate significant noise impacts", it finds that it would have no negative air quality impacts. I am rather skeptical of this finding and intend to seek more information from the agency.

This is a complex issue with long-term consequences attached to any of the alternatives, including taking no action. Adequately engaging and informing affected communities represents a crucial element of this decision-making process. I applaud all those who have taken time out of their busy lives to attend this evening's meeting. I will work closely with you to ensure that this process is as open and transparent as possible.

Response to Comment 3339: US Representative Jerrold Nadler (D-NY8)

Comment Number	Comment response
1	The public meetings for the DEIS did include a question and answer session at the end of the meetings. Additionally, members of the project team were available at the meetings to respond to questions on a one on one basis.
2	Comment noted.
3	<p>In both of these cases, the airspace redesign expands the use of an existing technique. Dual arrivals at EWR are currently used during ideal weather and traffic conditions. Those conditions no longer occur very often. The redesign expands the conditions under which dual arrivals are practical. Under current rules, three miles between aircraft is a safe separation when certain conditions of airspace allocation, radar surveillance and air traffic control automation are met. Five-mile separations are used elsewhere. The Preferred Alternative brings a larger volume of the airspace into compliance with those conditions. In both cases, there is no loss of safety, because existing safety standards are being met. The redesign project does not increase capacity rather it is designed to make better use of the resources currently available to the system.</p>
4	<p>Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.</p>
5	Comment noted.



**TOWNSHIP OF GREENWICH
COUNTY OF GLOUCESTER**

**420 WASHINGTON STREET, GIBBSTOWN, NEW JERSEY 08027
TELEPHONE: (856) 423-1038 FAX: (856) 423-2989**

GEORGE W. SHIVERY, JR.
MAYOR

HORACE J. SPOTO
ADMINISTRATOR

May 17, 2006

FAA - NAR
Steve Kelly
12005 Sunrise Valley Road C302
Reston, VA 20191

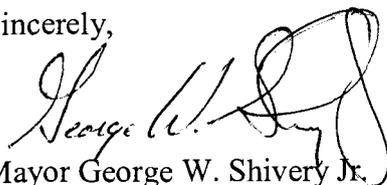
Dear Mr. Kelly:

I am enclosing a copy of Greenwich Township's Resolution #86-2006, opposing the Philadelphia International, Runway 17-35 Extension Project.

The impact to Greenwich Township residents involving noise pollution, accident dangers and Homeland Security issues is unacceptable to the residents of Greenwich Township.

Your assistance in this matter is greatly appreciated.

Sincerely,



Mayor George W. Shivery Jr.

cc: S. Sweeney
R. Andrews
J. Burzichelli
W. Fromm
G. Chila
J. Degeorge
F. Minor
J. Fisher
S. McDonald
S. Kelly
F.J. Valentino

004132
184

**RESOLUTION OPPOSING THE
PHILADELPHIA INTERNATIONAL RUNWAY
17-35 EXTENSION PROJECT**

RESOLUTION NO. *86*-2006

WHEREAS, Gloucester County is the fastest growing county for residential growth in the Delaware Valley; and

WHEREAS, Gloucester County has achieved the 10th greatest growth in jobs of all counties in the United States of America; and

WHEREAS, recent focus group studies verified that a major element of this sustained, controlled growth success is due to quality of life issues including the bucolic character of the County; and

WHEREAS, due to its renewed quality of life, the Delaware Riverfront Area has experienced significant recent residential, recreational and mixed use development activity; and

WHEREAS, the “Gloucester County Northeast Regional Strategic Plan” envisions the opportunity to recapture the edges of the Delaware River as great places to live, work, play and enjoy nature through a cooperative regional approach that will provide for compatible rather than competing initiatives.

WHEREAS, the Federal Aviation Administration has released a Draft Environmental Impact Statement for the proposed Runway 17-35 Extension Project at the Philadelphia Airport; and

WHEREAS, the Runway 17-35 Extension proposal conflicts with the County’s smart growth and the “Gloucester County, Northeast Region Strategy Plan’s” goal to

enhance the Delaware Riverfront Area's role as an environmental, cultural and community asset.

WHEREAS, Gloucester County has actively participated in and promoted Delaware Valley Regionalized Planning for the past 40 years; and

WHEREAS, the success of such planning relies on all areas of the region sharing in the positive and negative impacts of infrastructure development; and

WHEREAS, a shared regional asset such as Philadelphia International Airport requires shared regional impacts rather than an impact focused on Gloucester County's residents.

WHEREAS, the Runway 17-35 Extension Project is incompatible with the County's smart growth Strategies Plan vision and produces an extreme burden of airport traffic noise and visual interruption singularly to the residents of Gloucester County; and

WHEREAS, the impact of such disruptive activities will produce an irrevocable reversal of the successful planned growth and open space protection practiced and delivered in Gloucester County; and

WHEREAS, other viable regional alternatives are available, such as greater use of the regions other airports.

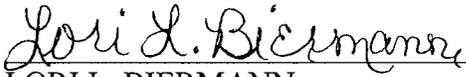
WHEREAS, Greenwich Township is strategically located along the Delaware River in proximity to the airport and would suffer direct, adverse consequences if the 17-35 Extension Project for the runway is approved.

NOW, THEREFORE, BE IT RESOLVED, that the Greenwich Township Council, Gloucester County, New Jersey strenuously opposes the Runway 17-35 Extension Project; and

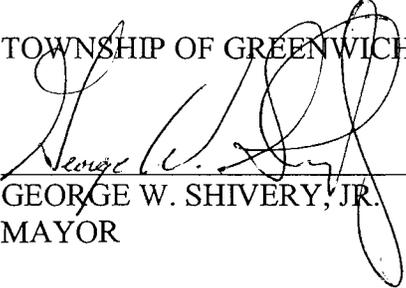
BE IT FURTHER RESOLVED that the Greenwich Township Council supports an alternative that would promote greater use of other airports in the region.

ADOPTED at a work session of the Greenwich Township Council held Monday, May 1, 2006 at Gibbstown, New Jersey.

ATTEST:



LORI L. BIERMANN
ACTING MUNICIPAL CLERK

TOWNSHIP OF GREENWICH


GEORGE W. SHIVERY, JR.
MAYOR

Response to Comment 4132: Mayor George W. Shivery, Jr., Township of Greenwich, NJ

Comment Number	Comment response
1	The commenter has commented on an EIS for a different project than Airspace Redesign. The Runway 17/35 extension was evaluated in a separate EIS and a Record of Decision was issued by the FAA in April 2005. The extension of Runway 17/35 at PHL was considered cumulatively for the airspace redesign as the runway extension will be in place within the timeframe of the EIS.

Nagendran, Ram

From: Sciano, Damian [scianod@coned.com]
Sent: Tuesday, May 30, 2006 11:18 PM
To: FAA DEIS
Subject: Comments on Airspace Redesign from Long Beach, NY

Attachments: Comments on Airspace Redesign.doc



Comments on
Airspace Redesign...

004173
193



CITY OF LONG BEACH

1 WEST CHESTER STREET
LONG BEACH, N.Y. 11561

May 30, 2006

To: Mr. Steve Kelley, FAA
From: Damian Sciano, Chairman, Long Beach, NY Planning Advisory Board
Subject: Comments on NY Metro area airspace redesign

Dear Mr. Kelley,

I wanted to thank you for taking the time to speak with me at the March 13th 2006 informational meeting at Lawrence Middle School. I am formally providing my comments to you today as both the Chairman of Long Beach, New York's Planning Advisory Board and a resident of Long Beach, New York. Long Beach is currently inundated from both take offs and landings at JFK airport (many times simultaneously) despite the availability of ocean and bay routing availability. I would like to request a meeting with decision makers at the FAA and Port Authority to discuss ways to improve our current situation and ways to utilize the airspace redesign to radically improve our situation, primarily by sending takeoffs over the open ocean and having landings track the empty Reynold's Channel just north of us. In the meantime, I have the following comments regarding the current airspace redesign:

- The FAA's fundamental assumption that allowing the NY/NJ/PHL airports to expand to over 50% of current capacity (70% at JFK) as the "do nothing" scenario is, with all due respect, irresponsible from both a public safety and an environmental standpoint. The "do nothing" scenario should depict operations as they are today and not take for granted that a 70% increase in movements will meet environmental and safety standards.
- With the New York metro area out of compliance or in violation of numerous EPA mandates, it is unconscionable that JFK airport, a major source of emissions, is being allowed to expand at all let alone with no legitimate environmental review.
- Taxpayer and homeowner subsidies to the airline industry should be eliminated because they artificially lower ticket prices and drive up volume: The airline industry is periodically subsidized by tax dollars in the form of bail outs and (potentially) pension funding. In addition, airlines benefit from free air rights given at the expense of the ever increasing amount of communities they fly over and the ever increasing amount of times they do this. While this change may be required at a higher level than this DEIS can achieve, it should nonetheless be explained as the driver for throughput growth.
- Long Beach, NY can significantly benefit from more considerate placements of flights over the ocean (primarily departures from 13 R and L or 22 R and L or 31R and 31L) that send flights out to sea as fast as possible rather than allow them to track the island (and residents) of Long Beach. This can be achieved immediately through control tower and pilot awareness training. I am happy to provide more details.

- Long Beach, NY can significantly benefit from more considerate landing patterns on the flights that come directly over our entire island. I am happy to provide more details.

I will also send you, via postal mail, a petition with 137 from Long Beach and Lido Beach residents indicating they want to see “immediate and significant reduction of air traffic over the City of Long Beach.” I look forward to hearing back from you and setting up a meeting. Thanks for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Damian Sciano". The signature is written in a cursive style and is enclosed within a thin black rectangular border.

Damian Sciano
453 W. Beech Street
Long Beach, NY 11561
(516) 889-3156
damians@optonline.net

Response to Comment 4173: Damian Sciano, Chairman, Long Beach, New York Planning Advisory Board

Comment Number	Comment response
1	Long Beach lies along the extended centerline of runway 13R/31L. There is very little that can be done to move aircraft away from Long Beach.
2	The FAA is required, under NEPA, to disclose the potential environmental effects of a proposed project in the context of a No Action condition. FAA has no statutory requirement to control growth in aviation. Growth in air traffic is coming, regardless of the airspace design. FAA is not encouraging growth so much as it is accommodating growth. Air traffic activity is largely a function of market demand in our free market economy. Consequently, it is reasonable and necessary to assume that the future No Action conditions will include market driven growth in air traffic. NEPA requires environmental review for all improvements that require a Federal action, typically there is no Federal action associated with airlines increasing operations unless a new flight procedure is required.
3	The FAA can not comment on New York's compliance with NEPA, the FAA is only responsible for environmental approval of Federal actions regarding airport improvements and air traffic actions. Physical improvements to JFK are beyond the scope of this study and must be sponsored by the Airport sponsor, the Port Authority of New York and New Jersey. NEPA requires environmental review for all improvements that require a Federal action.
4	This issue is outside the context of this EIS.
5	Based on the diagrams provided in the presentation "Cultivating our OASIS", the proposed flight paths rely on curved approaches for arrivals and extended single-heading departures. These are not used today for reasons of safety and efficiency.
6	Long Beach can only benefit if the airspace is changed to move the noise over other communities. It has been a longstanding policy of the FAA to avoid shifting noise from one community to another solely for noise abatement purposes. However, if it is necessary to shift noise from one community to another because of aviation operational needs, then an environmental review must be completed to disclose the purpose and need, and the associated impacts to the public, as is the case here with the FEIS.
7	Comment noted.

Nagendran, Ram

From: Damian Sciano [damians@optonline.net]
Sent: Tuesday, May 30, 2006 11:53 PM
To: FAA DEIS; steve.kelley@faa.gov
Cc: damians@optonline.net
Subject: Comments for Steve Kelley of FAA 5-30-06.ppt
Attachments: Comments to Steve Kelley of FAA 5-30-06.ppt

Please deliver this power point presentation to Steve Kelley. My name is Damian Sciano from Long Beach, NY and I would like to follow up with Mr. Kelley on the conversation we had on 3-13-06.

Thanks,
Damian Sciano
453 W. Beech Street
Long Beach, NY 11561
work: (212) 460-1154
home: (516) 889-3156

004174
106

OASIS: Ocean Air Sand Industry Society

Cultivating our

The City of Long Beach
AIR TRAFFIC REDUCTION

The message:

- Current Long Beach air traffic is excessive: 650 out of 800 daily JFK flights pass over Long Beach
- 75% or more of the flights can be re-routed over water
- 2005/06 Air Space Redesign should be an opportunity for re-routing some of these flights

Agenda

Concerns

- Safety
- Health & Quality of Life
- Airspace redesign

Goals

- Short term – 25% reduction
- Long term – 75% total reduction

Appendix

- Current & proposed routing impacts
- Helicopter routes

Arrivals from east (blue lines): Roughly 88% of all flights directly impact Long Beach

This pattern is used approximately 45% of the time

→ Depart
← Arrive

Most common air traffic patterns at JFK impact Long Beach

NYC/Metro area is the busiest airspace;

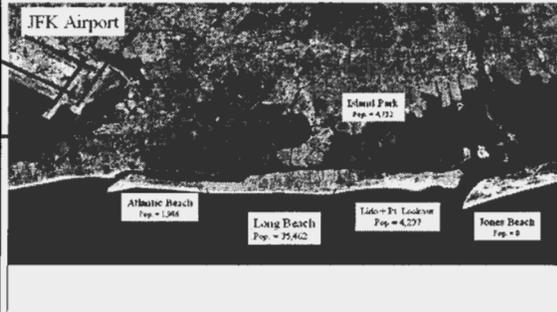
Flight Information
Click on any air plane or ball for details

Date/Time	3/1/2003 23:17:53
Alt	0
Altitude	2342
Altitude	3068 ft
CRJ	-
Destination	-
Track ID	15

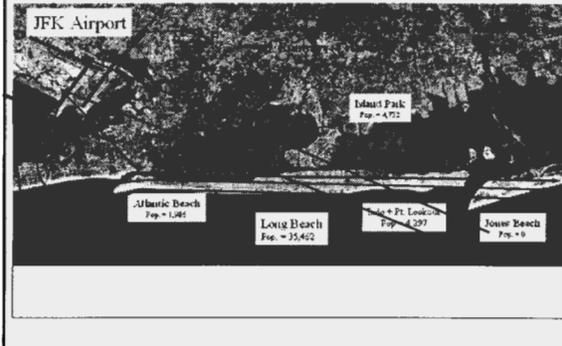
Legend

- JFK (New York)
- LGA (LaGuardia)
- Newark (NJ)
- MacArthur
- JFK

Long Beach is uniquely positioned to use water routing



There are alternative paths for the 650 flight/day



Noise is not the only concern

- Long term health affects of lung level plane exhaust
 - Asthma
 - Lung Cancer
- Safety
 - Most crashes occur during takeoffs and landings
 - 320,000 flights per year increases odds significantly
 - Falling plane debris occurs dozens of times per year!
- Homeland security
 - Shoulder to air missile launchers
 - Hijacked flights
- Noise pollution/quality of life
 - Proven to affect ability to concentrate, sleep and enjoy life
 - Nuisance factor

There have been 8 major crashes at JFK

- December 18, 1951 - a **Linea Aerea Italiana Douglas DC-6** crashed on its fourth approach attempt to land at Idlewild, after circling for 2.5 hours. 26 of the 32 passengers on board were killed.
- December 16, 1960 - a **United Airlines Douglas DC-8** collided with a **TWA Super Constellation** on approach to the airport; the United jet crashed in a **Brooklyn** neighborhood, the TWA plane on **Staten Island**, killing 127 people on board and five on the ground.
- March 1, 1962 - an **American Airlines Boeing 707** crashed on takeoff from Idlewild after its rudder separated from the tail. All 95 passengers and crew were killed.
- November 30, 1962 - an **Eastern Airlines Douglas DC-7** crashed into the ground during a **missed approach**.
- February 8, 1965 - an **Eastern Airlines Douglas DC-7** crashed off **Jones Beach** after takeoff when the pilots found themselves on an apparent collision course with an inbound **PanAm Boeing 707** and made evasive maneuvers.
- June 24, 1972 - **Eastern Airlines Flight 66**, a **Boeing 727** on final approach from **New Orleans**, crashed into the runway lights short of runway 22L, killing 112 passengers and crew. The cause of the crash was **wind shear** during a heavy thunderstorm.
- January 25, 1990 - **Avianca Flight 52**, a **Boeing 707-321B**, crashed at **Cove Neck, Long Island**, after a missed approach at JFK and subsequently running out of fuel.
- November 12, 2001 - The most recent disaster at JFK was **American Airlines Flight 587**, an **Airbus A300** that crashed while en route to **Santo Domingo in the Dominican Republic**. During takeoff, the aircraft lost most of its vertical fin due to wake turbulence (and the pilot's subsequent overcontrol of the rudder) and crashed into the **Belle Harbor** neighborhood of **Queens**. The crash killed all 260 persons on the plane and five people on the ground.

There have been an additional 9 related Crashes

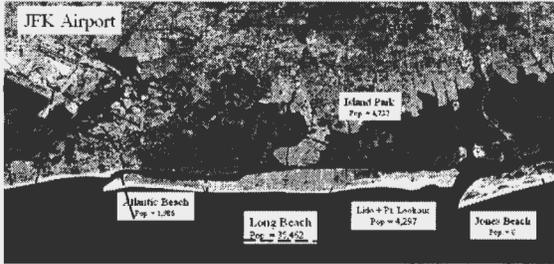
- **Sabena Flight 548 (1961)**, outbound from JFK, crashed while trying to land in **Brussels, Belgium**
 - **Eastern Airlines Flight 401 (1972)**, outbound from JFK, crashed while trying to land in **Miami, Florida**
 - **Pan Am Flight 1736 (1977)**, originated from JFK, collided with another 747 at **Tenerife**
 - **Korean Air Flight 007 (1983)**, originated from JFK, shot down off the coast of **Sakhalin**
 - **Pan Am Flight 103 (1988)**, bound for JFK, with continued service to Detroit, exploded over **Lockerbie, Scotland**
 - **TWA Flight 800 (1996)**, outbound from JFK, crashed off the coast of **Long Island**
 - **Swissair Flight 111 (1998)**, outbound from JFK, crashed off the coast of **Nova Scotia**
 - **EgyptAir Flight 990 (1999)**, outbound from JFK, crashed off the coast of **Nantucket**
 - **Air France Flight 4590 (2000)**, a **Concorde** bound for JFK, crashed in **Conesse, France**
- Several aircraft based at JFK were also targets of the failed **Project Bojinka** terrorist plot in 1995.

Source: http://en.wikipedia.org/wiki/John_F._Kennedy_International_Airport

Crash in Belle Harbor – Nov 2001



The short term goal is an immediate re-route of current patterns



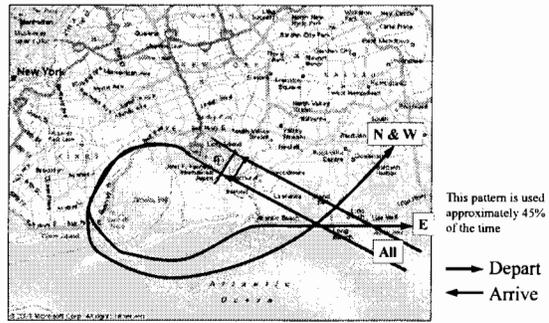
- Takeoffs move 3 miles south ASAP (train pilots & ATCs)
- Make more use of Visual landings
- More usage of north and south runways
- Put down landing gear over bay

Long term goals will build on this success

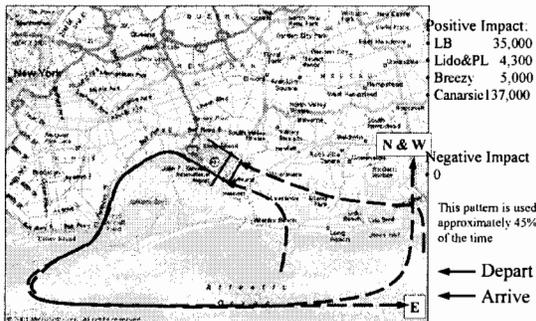
- Formal re-routing of landings impacting Long Beach
- FAA safety goals to include people on the ground
- Curfews for the airport or limited runway usage in PM
- More stringent engine and fuel specs on all flights

Appendix

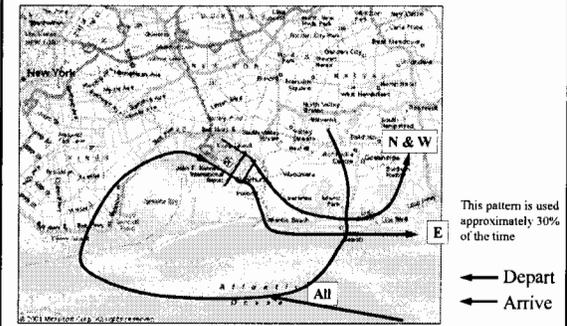
Arrivals from east (blue lines): Roughly 88% of all flights directly impact Long Beach



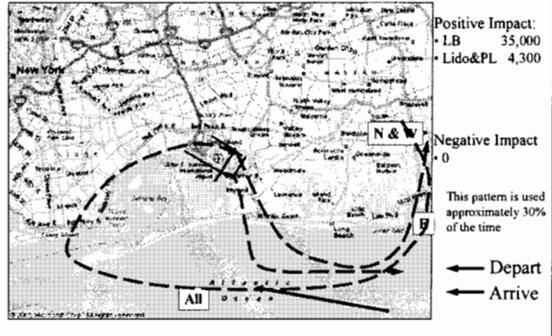
Proposed arrivals from east (dotted blue): All flights can be routed over water benefiting over 170,000 people



Arrivals from west (blue lines): Roughly 40% of all flights directly impact Long Beach



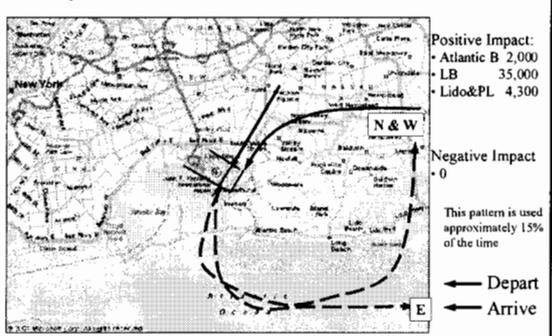
Proposed arrivals from west (dotted blue): Sending departures directly out to sea benefits almost 40,000; arrivals should be sent over Jones Beach



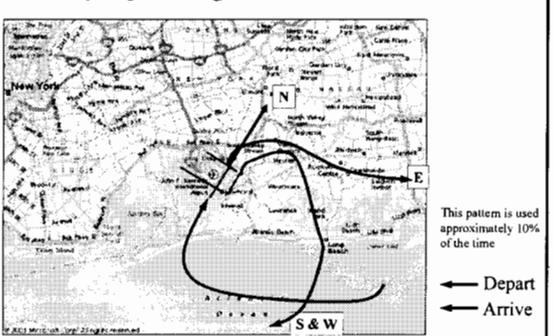
Arrivals from north (blue lines): Roughly 40% of all flights directly impact Long Beach



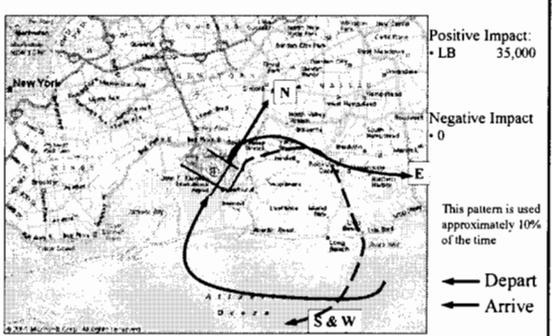
Proposed arrivals from north: Sending departures directly out to sea benefits almost 41,000



Arrivals from south: Roughly 25% of all flights directly impact Long Beach



Proposed arrivals from south: Improved paths are limited but potential exists for a net benefit of 31,000



Eastbound planes should be out at sea: Here is a particularly abusive eastbound plane hugging the shore at only 3,000 feet 7 miles from the airport (most planes are at 9,000 by this point)



Additional Information (continued) - crashes

17/04: Egypt crash kills around 152: 07 on the ground
 12/25/03: Benin Crash (Cotonou, Africa) kills around 111 (hits building on takeoff)

47 fatalities on the ground:
<http://www.planecrashinfo.com/v621094.htm>

Concorde kills 4 on ground:
<http://www.planecrashinfo.com/v090725.htm>

Belle Harbor causes 5 on ground (I thought it was 67)
<http://www.planecrashinfo.com/v611112.htm>

1988: 11 on the ground
<http://www.planecrashinfo.com/v61221.htm>

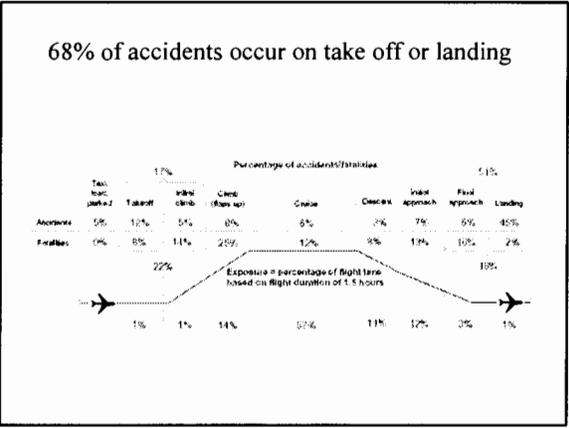
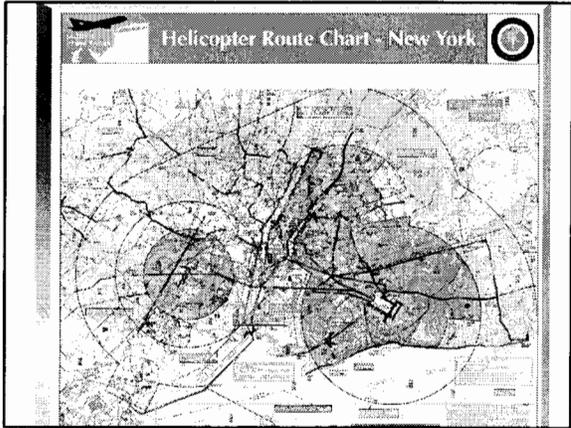
1980: 6 on the ground in Brooklyn
<http://www.planecrashinfo.com/v601216.htm>

Sept 11:
 WTC plus pentagon results in almost 3,000 fatalities on the ground.
<http://www.nytimes.com/2002/08/24/technology/24GRD.html>

20 Feb 03: Emergency landing after engine problems
 12 Jan 02: Nose cone malfunctions
 27 Nov 02: Part of tail rudder falls off
 6 Nov 02: Engine fails, sparking panic
 3 Nov 02: Plane turns round after engine failure
 30 Oct 02: Speed cut after window cracks spotted
 July 02: Problem after engine power surge
 April 02: Engine failure causes mid-air 'bang'
 March 02: Take-off abandoned after computer glitch
 Nov 01: Flight aborted over engine reheat
<http://news.bbc.co.uk/1/hi/world/europe/351209.stm>

Links to crashes, many of which had fatalities on the ground: what is unreal to me is that the FAA only considers the safety of passengers (they expressly do not take any precautions for people on the ground)

List of pieces that fell off the Concorde in the last few years. You can bet other planes have similar lists: flights should avoid flying over people whenever possible: it is not just about catastrophic crashes



- ### Which topic is false?
- A telemarketer can be fined \$10,000 for calling you if you are on a no call list
 - You can get a ticket for honking your horn without due cause
 - An airline is fined if a pilot flies over your house between 12AM and 4AM

Response to Comment 4174: Damian Sciano, Chairman, Long Beach, New York Planning Advisory Board (PowerPoint Presentation)

Comment Number	Comment response
1	<p>According to CAASD's database of FAA Aircraft Situation Display to Industry flight records, more than 45% of all flights using JFK are heavy jets. Heavy jets are not as maneuverable as lighter aircraft. In addition, many flights are flown by foreign-based carriers who may not be very familiar with local procedures. Aiming these aircraft at one another, on curved approaches such as the ones drawn in the "Cultivating Our OASIS" presentation, would not meet the enhanced-safety purpose of this airspace redesign. When arriving and departing on Runways 31L and 31R at JFK, simultaneous approach procedures are used. When the two aircraft are on courses that would intersect at a 90-degree angle (if one pilot misses the turn), simultaneous operations are not advisable, so the airport throughput would be much less. This does not meet the enhanced-efficiency purpose of this airspace redesign. Departure procedures such as those proposed in the Appendix involve complex turns in airspace that is used for arrivals to LaGuardia Airport. The proposed JFK departures would be climbing directly into the descent path of the arrivals, which is neither safe nor efficient.</p>

Response to Comment 4174: Damian Sciano, Chairman, Long Beach, New York Planning Advisory Board (PowerPoint Presentation)

Comment Number	Comment response
2	<p>The FAA acknowledges your concern over air quality issues. Noise studies tie aircraft emissions to asthmas. The FAA is working with other international agencies to determine the long term air pollution effects of aviation operations, however, at this point there is no Federal guidance for assessing procedural changes. Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.</p>
3	<p>The FAA understands the community's concerns regarding safety. Assigning, maintaining and enhancing safety and security are the highest priorities in air commerce. Safety is the utmost concern of the FAA, and has been a priority throughout the Airspace Redesign Process. The Airspace Redesign Project addresses many safety-related inefficiencies and will contribute to enhanced safety in light of growing traffic. Your remaining concerns are beyond the scope of the EIS.</p>

Response to Comment 4174: Damian Sciano, Chairman, Long Beach, New York Planning Advisory Board (PowerPoint Presentation)

Comment Number	Comment response
4	<p>The FAA recognizes the quality of life issues impacted by aviation activities.</p> <p>Noise was a major environmental consideration throughout the EIS process. From the beginning, during the FAA’s scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p>
5	<p>Response to your discrete comments are as follows: (1) Forcing departures onto a long southbound leg is inefficient for two reasons. First, departures take longer to turn to the direction of their destination. Second, the extended southward path will conflict with arrivals descending from the West Atlantic Route System. These aircraft are frequently low on maneuvering fuel, so getting them to the arrival runway must be first priority for air traffic control. (2) Visual approaches are a more efficient way to use runways, and are less work for controllers, so they are used whenever possible in all alternatives. (3) Runways 04L/R and 22L/R are low-capacity configurations at JFK. They are used when weather or noise abatement requires it, but during high-traffic hours use of that configuration would be operationally impractical.</p>
6	<p>Re-routing landings impacting Long Beach in the manner shown in the “Cultivating Our OASIS” presentation and appendix would not meet the purpose and need for the airspace redesign. See response to comment 4174 #5.</p>
7	<p>FAA’s safety procedures include the interests of people on the ground. In order to limit the hours of airport operation or impose a curfew, the airport proprietor would have to complete a 14 CFR Part 161 study in accordance with the Airport Noise and Capacity Act (ANCA) of 1990 (49 U.S.C. App. 2153, 2154, 2155, and 2156). The issue of more stringent engine and fuel specifications is outside the context of this study.</p>



Township of River Vale

Resolution offered : Councilman Matos	No. 2006-125
Resolution seconded by: Councilman Blundo	

WHEREAS, the Federal Aviation Administration ("FAA") has proposed a redesign of the airspace in the New York, New Jersey, and Philadelphia Metropolitan Areas; and

WHEREAS, the FAA has prepared a Draft Environmental Impact Statement ("DEIS") in accordance with various FAA Orders including Order 1050.1E and Order 5050.4B; and

WHEREAS, all FAA Orders mandate public participation in the Environmental Impact Statement decision making process; and

WHEREAS, the FAA Orders require the DEIS documents to be available for review 30 days prior to any public meeting; and

WHEREAS, the DEIS identifies four airspace redesign alternatives; and

WHEREAS, the citizens of the Township of River Vale will see significant negative impacts from at least one of the four alternatives; and

WHEREAS, the Township of River Vale is situated in the Pascack Valley section of Bergen County, New Jersey; and

WHEREAS, all of the municipalities in the Pascack Valley section of Bergen County can reasonably anticipate disproportionately negative impacts from the DEIS; and

WHEREAS, while notice of the proposed airspace redesign and/or the contemplated public meeting schedule was sent to a multitude of groups and individuals in the areas of Philadelphia, New York and New Jersey, none of the municipalities in the Pascack Valley section of Bergen County received any such notice; and

WHEREAS, no public meeting was scheduled or held in the Pascack Valley section of Bergen County; and

WHEREAS, certain data essential to formulating a cogent and thorough response to the DEIS was not provided by the FAA with the release of the DEIS; and

WHEREAS, as a result of certain data essential to analyzing and responding to the DEIS not being released by the FAA with the DEIS, the entire DEIS was not available for review 30 days prior to some of the public meetings held on the DEIS; and

WHEREAS, the Township of River Vale together with 8 adjoining municipalities has objected to (i) the proposed redesign of air traffic flow in the New York, New Jersey Philadelphia area by the FAA in a manner that has a disproportionate adverse impact upon the Pascack Valley area of Bergen County (ii) the fact that no public meetings were held in the Pascack Valley section of Bergen County, and (iii) the fact that the FAA has violated the requirements of Federal law and its own regulations in not releasing the complete DEIS, in not giving adequate notice of public hearings to persons affected by its proposed redesign of the airspace and in not conducting appropriate public meetings, and (iv) the conclusion of the comment period on June 1, 2006; and

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NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of River Vale, in the County of Bergen, State of New Jersey makes the following determinations:

1. The residents of the Township of River Vale have been disenfranchised as they (i) were not afforded adequate public notice of the FAA's proposed actions, and (ii) were not afforded a public hearing to provide comments and reactions to the DEIS.
2. The actions of the FAA in denying the residents of the Township of River Vale and the residents of the other municipalities in the Pascack Valley section of Bergen County an additional public hearing on the DEIS are arbitrary, capricious, unreasonable, and contrary to the requirements of the law.
3. The actions of the FAA in concluding the comment period for the DEIS on June 1, 2006 given its failure to give notice to the residents and government of the Township of River and the residents and governments of the other municipalities in the Pascack Valley section of Bergen County and in the face of repeated requests to extend the comment period are arbitrary, capricious, and unreasonable.
4. Even for those public hearings actually held, the FAA failed to provide a full DEIS in the time period required by its own directives and orders.

BE IT FURTHER RESOLVED, that the Township Council reserves the right to pursue whatever recourse it deems appropriate (either as part of the Pascack Valley Mayor's Association or independently) if the FAA refuses its request for additional meetings(s) and an extension of the comment period.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized on behalf of the Township of River Vale to join with the 8 other mayors representing municipalities in the Pascack Valley section of Bergen County (the Pascack Valley Mayors Association) in retaining the services of William G. Mennen, PC as special counsel for the purpose of objecting to the FAA's June 1, 2006 closure of the comment period and denial of the request for additional public meetings(s).

BE IT FURTHER RESOLVED, that this Resolution ratifies and confirms the action taken by vote of the Township Committee at its May 29, 2006 meeting.

Council Member	AYE	NAY	N.V.	A.B	VETO
BLUNDO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DE STEFAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JASIONOWSKI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Council Member	AYE	NAY	N.V.	A.B	VETO
MATOS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MENVILLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

X - Indicates Vote A.B. - Absent N.V - Not Voting (Abstained or Excused)

Dated: May 29, 2006

Copy: FAA

I hereby certify that this is a true copy of the Resolution passed by the Township Council at their meeting

held on: May 29th, 2006 Attest: Wanda A. Worner
Wanda A. Worner, Township Clerk

Response to Comment 4239: Township Clerk Wanda A. Worner, Township of Riverdale

Comment Number	Comment response
1	<p>Comment noted. The DEIS disclosed that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes are discussed in the document. In addition it should be noted that noise abatement measures were considered in designing mitigation for the FAA's Preferred Alternative. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p> <p>Approximately twenty residents of Pascack Valley were sent post cards notifying them of the release of the Draft EIS and the comment period, including the following public officials: Assemblyman Rooney, Assemblywoman Vandervalk, and Mayor Deutsch.</p> <p>The noise grid points referred to by the commenter were released as an interpretive supplement to noise information already modeled and published in the document. These grid points allowed any resident in the five-state study area to log on to a website and find noise grid point information for his/her census tract/block. This information was for public disclosure and individual interpretation purposes only. The noise analysis provided in the EIS is the information upon which the FAA made its decisions related to alternatives and for comparison with any noise mitigation strategies proposed in the FEIS. The FAA extended the comment period for an additional 30 days, in response to numerous requests for extension.</p> <p>A meeting was held in Hasbrouck Heights on April 6, 2006. Hasbrouck Heights is near the Pascack Valley section of Bergen County. Furthermore, an additional presentation was given on May 22, 2006, at the behest of the Pascack Valley Mayor's Association.</p>
2	Comment noted. See Response to Comment 4239 #1.
3	Comment noted. See Response to Comment 4239 #1.
4	<p>The comment period was extended to July 1, 2006. Comments were accepted for a period of over seven months following the release of the Draft EIS on December 21, 2005, which is substantially longer than the 45 days required. Approximately twenty residents of Pascack Valley were sent post cards notifying them of the release of the Draft EIS and the comment period, including the following public officials: Assemblyman Rooney, Assemblywoman Vandervalk, and Mayor Deutsch.</p>
5	FAA complied with all time periods and other requirements specified by CEQ regulations and FAA Orders.
6	<p>Comment noted.</p> <p>A meeting was held in Hasbrouck Heights on April 6, 2006. Hasbrouck Heights is near the Pascack Valley section of Bergen County. Furthermore, an additional presentation was given on May 22, 2006, at the behest of the Pascack Valley Mayor's Association. While it was not necessary or required by the NEPA process or because of the release of informational data, the FAA did extend the comment period for an additional 30 days to July 1, 2006.</p>
7	Comment noted. See response to previous comment.



Community Board 7

Borough of Queens

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Malba, Queensborough Hill and Whitestone

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Helen Marshall
Borough President

Karen Koslowitz
Deputy Borough President/Community Boards

Mr. Steven Kelley, FAA-NAR
% NESSA Memberg
12005 Sunrise Valley Road, MS-C002
Reston, Virginia 20191

Eugene T. Kelty, Jr.
Chairperson

Marilyn Bitterman
District Manager

May 31, 2006

RE: Air Space Redesign

Dear Mr. Kelley:

Representatives of our board attended a meeting at Borough Hall where a presentation was made regarding Air Space Redesign. As a result, Community Board #7 would like to submit the following comments:

1. **Noise Pollution:** Noise monitoring studies which has been done so far is not aimed towards reducing the noise level in Flushing, College Point and Whitestone areas. The increase in air traffic is bound to increase noise pollution. The finding that increase in noise is insignificant is not acceptable to the community. More "in depth" studies must be done to mitigate the existing noise by diverting the existing flights similar to what has been proposed in the case of Newark.
2. **Air Pollution:** No noticeable study appears to have been made to study the existing air quality, and its future effects. As it is, the residents below the air pattern are experiencing significant air pollution. The increase in air traffic is bound to cause greater health hazards. The health of our residents need to be safe guarded.
3. **Point to Point Flight Path:** At present the landing and take-off is over heavily populated areas of Queens. With the advent of point to point navigation systems, all attempts must be made to force the pilots to flyover the green belt and water areas so that it is environmentally safer for residents living below. No study or findings have been reported in this aspect.

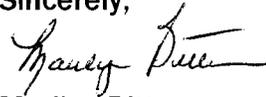
A broader vision study is needed. LaGuardia Airport is saturated and is considered as one of the most unsafe airports in the United States. Attempts are being made to squeeze in additional flights to meet the demands of the industry. There are

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several smaller airports in the metropolitan area – i.e. Westchester, Islip, etc. A master plan must be developed with a vision so that these airports are developed to receive domestic and international traffic.

Such a plan will not only relieve the air traffic in said airports, but will distribute the air and road traffic for the residents of Queens, making it more environmentally friendly, as well as the potential for possible air collisions. In order to achieve this, direction and leadership at the Federal level is needed.

Sincerely,



Marilyn Bitterman
District Manager

c.c. Ranganatha Rao
Robert LoPinto

Response to Comment 4265: Community Board #7, Borough of Queens, District Manager Marilyn Bitterman

Comment Number	Comment response
1	<p>The FAA used analysis requirements described in Order 1050.1E, Environmental Impacts: Policies and Procedures. The Orders characterizes noise increases that are equal to or greater than 1.5 dB within the 65 dB day-night average sound level (DNL) range as a “significant impact”. Furthermore, in consideration of the public response to past air traffic changes, the FAA has identified a threshold of a +/- 5 dB DNL change between 45 to 60 DNL and +/- 3 dB DNL between 60 to 65 DNL to identify significant to moderate levels of impact. The results of the changes in noise that meet this threshold are thoroughly documented in the DEIS.</p>
2	<p>Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.</p>
3	<p>The Preferred Alternative is designed around the widespread availability of RNAV-equipped aircraft. Although the presence of large airports close by means that there is very little that can be done to move the arrival and departure procedures for LGA, RNAV procedures usually cause aircraft to adhere more closely to the designed ground track. Since the ground tracks have already been laid out to take as much advantage as possible of (relatively) non-noise sensitive areas, improved navigation should make these procedures more effective in limiting noise.</p>

Response to Comment 4265: Community Board #7, Borough of Queens, District Manager Marilyn Bitterman

Comment Number	Comment response
4	<p>The FAA strongly disagrees with your assertion that LGA is an unsafe airport. Air traffic activity is largely a function of market demand in our free market economy and the FAA has little authority to control demand. Consequently, air traffic will increase whether or not an airspace redesign is implemented.</p> <p>When examining alternatives to the Proposed Action, the FAA considered the alternative of shifting operations from congested airports to nearby satellite airports. However, this alternative was not carried forward for further consideration for two reasons. The first reason being that all of the NY/NJ Metropolitan Area airports are located within a relatively small geographic area. Regardless of the airport, flights traveling to or from the New York, Philadelphia, Boston, or Washington, D.C. Metropolitan Areas will still be using the same flight routes to traverse the existing en route and terminal airspace structure. Air Traffic Control would still need to manage aircraft through the inefficient airspace and route structure. Second, the use of an airport is determined by aircraft operators and not the FAA. Aircraft operators choose to serve an airport in response to consumer demand for air service. No regulatory mechanism exists for the FAA to redistribute air traffic to satellite airports. Therefore, use of satellite airports was not considered to be a reasonable alternative for meeting the Purpose and Need for the NY/NJ/PHL Airspace Redesign.</p>



COUNTY OF UNION

Air Traffic & Noise Advisory Board

May 26, 2006

BOARD OF CHOSEN FREEHOLDERS

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Chairman

ALEXANDER MIRABELLA
Vice-Chairman

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CHESTER HOLMES

BETTE JANE KOWALSKI

ADRIAN O. MAPP

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DANIEL P. SULLIVAN

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County Manager

M. ELIZABETH GENIEVICH,
C.M.C., M.P.A.
*Deputy County Manager/
Director of Administrative
Services*

ROBERT E. BARRY, ESQ.
County Counsel

NICOLE L. TEDESCHI
Clerk of the Board

Mr. Steve Kelley FAA- NAR
Federal Aviation Administration
C/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, Virginia, 20191

RE: Comment on Draft EIS for NY/NJ/PHL Airspace Redesign

Dear Mr. Kelley:

The Union County Freeholders Air Traffic and Noise Advisory Board (UCATNAB) advises the Union County Freeholders on aviation noise matters. Enclosed are the UCATNAB comments on the Draft Environmental Impact Statement (DEIS) for the NY/NJ/PHL Metropolitan Area Airspace Redesign. Primarily, UCATNAB supports and endorses the May 24, 2006 comments furnished by the New Jersey Coalition Against Aircraft Noise (NJCAAN).

Some highlights:

1. The Union County Freeholders and municipalities oppose the "Modified" and "Integrated Airspace" proposals in their current form due to the high noise impacts. Copies of the Union County Freeholder resolution as well as municipal resolutions for Cranford, Hillside, Elizabeth, Kenilworth, Roselle Park, Scotch Plains, Springfield, Summit, Union, and Westfield are enclosed.
2. The proposal to "fan" Newark Liberty International Airport (EWR) is especially onerous and results in noise impacts throughout Union County with especially high impacts to Elizabeth and municipalities near the airport. The NJCAAN submission contains an audit of the DNL 60 and 65 noise-affected populations calculated from the FAA supplied census noise spreadsheets. This audit is reproduced in Table 1, and shows substantial noise increases for the "Modified" alternative due to "fanning" relative to "No Action." Fanning causes a 22% increase in DNL 65+ impacted population and a 520% increase in DNL 60 - 65 affected population. Similar noise increases occur for the Integrated Airspace alternative due to "fanning."

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<i>DNL Noise Level</i>	2006 No Action		2006 Modified	
	<i>Elizabeth</i>	<i>Richmond</i>	<i>Elizabeth</i>	<i>Richmond</i>
<i>65 or Higher</i>	14,710	0	17,915	0
<i>60 - 65</i>	7146	1	44,333	0
<i>Total</i>	21856	1	62,248	0

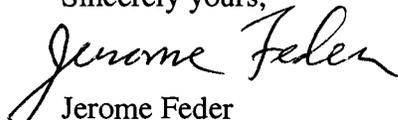
**Table 1
Populations Impacted at 65 and 60 DNL**

Furthermore, the DNL 65 noise impacts of the “No Action” alternative appear to be far higher than would be expected based on past studies, rendering it a poor baseline. The Port Authority of New York and New Jersey (PANYNJ) last attempted to minimize noise-impacted population in 1995. [1] This and previous studies showed that DNL 65 and 60 populations tended to be minimized when aviation traffic was concentrated over a non-noise sensitive area immediately south of EWR, which has Elizabeth on one side, and Richmond on the other, with a balance of impacts on both sides. The 1995 study projected 9800 people would be noise impacted at DNL 65 in 2004. (See attached Exhibit 1 from the PANYNJ study.) The 14,710 shown in Table 1 is 50% higher than this, indicating that something unexpected has happened since 1995 to render current routes much higher in impact than necessary. Aviation traffic and noise are likely lower in 2006 than the PANYNJ projected in 1995, so one would expect that 2006 DNL 65+ impacts to Elizabeth to be well under 9,800 people. The noise-affected population in Elizabeth is subject to environmental justice protection. This mandates reexamination of current routes and search for revisions that minimize overall and environmental justice population noise impacts.

3. Union County was especially impacted by the 1987 Expanded East Coast Plan, and was targeted for noise mitigation in the Congressionally mandated EIS. The movement of LaGuardia arrivals 10 miles south was supposed to be done as part of the Solberg Mitigation. This change was never implemented, yet is present in the Integrated Airspace plus Integrated Control Complex alternative. This specific change is beneficial to Union County and should be implemented.
4. The DEIS does not provide information on expanded use of EWR Runway 29 for large jet departures during simultaneous arrivals on Runways 22. Please provide details, numbers, hours of use, etcetera to inform the residents of Hillside, New Jersey who would be impacted.
5. The search for routing alternatives should be reopened with noise reduction as a joint goal. The Ocean Routing alternative yields dramatic noise reductions and should be explored further.

Thank you for this opportunity to comment.

Sincerely yours,



Jerome Feder
Chairman

¹ Leigh Fisher Associates, “Final Environmental Assessment Modified Departure Procedure for Runways 22L and 22R Newark International Airport,” Report prepared for Port Authority of New York and New Jersey, June 1995.

Table 5-8

SUMMARY OF ESTIMATED NOISE IMPACTS OF ALTERNATIVES
Environmental Assessment of Modified Departure Procedure for Runways 22L and 22R
Newark International Airport
1993 and 2004

	Current Procedure		Alternative 2		Alternative 3		Alternative 4		Alternative 5	
	2.3 DME turn		2.5 DME turn		2.0 DME turn		Straight-out departure		No action	
	1993	2004	1993	2004	1993	2004	1993	2004	1993	2004
Within DNL 65+										
Population	33,100	9,800	33,300	9,900	32,400	14,000	47,000	17,900	34,100	10,100
Dwelling units	11,600	3,370	11,690	3,420	11,250	4,720	16,030	5,910	11,920	3,470
Schools	8	5	8	5	9	5	14	7	8	5
Religious facilities	9	6	9	6	10	6	13	6	9	6
Hospitals	--	--	--	--	--	--	1	--	--	--
Area (sq mi)	18.2	7.0	18.4	7.6	18.1	7.2	16.9	7.1	17.9	7.0
Population with significant decreases in noise levels										
1.5 dB or more within										
DNL 65+	3,300	--	--	--	3,600	--	6,300	1,100	--	--
3.0 dB or more within										
DNL 60-65	6,900	200	800	--	7,800	2,600	9,000	3,100	--	--
Population with significant increases in noise levels										
1.5 dB or more within										
DNL 65+	--	--	--	--	6,600	3,000	25,300	13,000	--	--
3.0 dB or more within										
DNL 60-65	--	--	--	--	--	300	27,300	6,700	--	--

Source: Leigh Fisher Associates, December 1994, based on U.S. Department of Commerce, Bureau of the Census data.

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

RESOLUTION NO. 2006-305
DATE:

3/9/2006

WHEREAS, in December 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing Modified and Integrated Airspace proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain; and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS, the three FAA promoted all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west; and

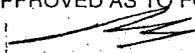
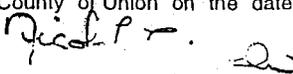
WHEREAS, the most heavily promoted alternative, the so called Integrated Airspace with Integrated Control Center has the largest noise impacts and estimated cost of \$2.5 billion dollars:

NOW, THEREFORE, BE IT RESOLVED that the Union County Board of Chosen Freeholders strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the "fanning" of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED that a copies of this resolution be forwarded to federal and state elected officials representing Union County, with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.

NO SUFFICIENCY OF FURTHER ACTION
[Signature]
3-3-06

RECORD OF VOTE																	
FREEHOLDER	Aye	Nay	Abs	Pass	Res.	Mot	Sec	NP	FREEHOLDER	Aye	Nay	Abs	Pass	Res.	Mot	Sec	NP
ESTRADA	X								SULLIVAN	X							X
HOLMES	X					X			WARD	X				X			
MAPP	X								KOWALSKI VICE-CHAIR	X							
PROCTOR	X								MIRABELLA CHAIRMAN	X							
SCANLON	X																

APPROVED AS TO FORM  COUNTY ATTORNEY	I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Union on the date above mentioned.  CLERK
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**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

RESOLUTION NO. 2006-138

RESOLUTION TO PROHIBIT INCREASED AIRPLANE NOISE OVER CRANFORD

WHEREAS, in December 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing "Modified" and "Integrated Airspace" proposals to redesign New York, New Jersey, and Philadelphia Metropolitan Airspace; and

WHEREAS, all three proposals will implement a "westward fanning out" of south-flow departures from New Liberty International Airport (EWR) moving traffic from non-inhabited industrial areas south of EWR and instead directing it over highly populated residential communities including Cranford, NJ; and

WHEREAS, the goal of the proposals is simply to increase capacity and efficiency of air carriers and does not take into account the harmful effects upon the communities impacted; and

WHEREAS, the projected capacity increases are very small, with two proposals offering less than 1% gain and the third proposal offering mid-single-digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS, the proposals discard previous noise abatement efforts and procedures, add a second layer of air flight over Cranford, and are expected to substantially increase the current airplane noise levels for the more than 23,000 residents of Cranford as well as hundreds of thousands of neighboring residents within our county, as well as the rest of the New York, New Jersey, and Philadelphia metropolitan areas, while benefiting relatively few; and

WHEREAS, the proposed actions would have obvious and significant negative impacts on Cranford residents directly affecting quality of life, property values, air pollution, hearing, and wellbeing; and

WHEREAS, the proposals would negatively impact from 4 to 7.2 times the 45,622 people found impacted by the 1987 Expanded East Coast Plan (EECP) which caused widespread outcry and led Congress to require, through the 1990 Aviation Safety and Capacity Expansion Act, the FAA to perform an EIS and mitigate the noise; and

WHEREAS, the FAA committed in the 1995 final EECP EIS to attempt EECP noise mitigation in a "follow on regional study" and in 2001 they determined that aircraft noise pollution was the strongest and most widespread concern raised by the public, yet failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, the proposed plans would raise environmental concerns for the state and would cost an estimated \$2.5 billion; and

WHEREAS, the FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, numerous surrounding towns, the Union County Board of Freeholders, the New Jersey State Assembly (resolution sponsored by Assemblyman Munoz and supported by Assemblyman Bramnick), U.S. Senators Lautenberg and Menendez, and Governor Corzine are in accordance with our concerns regarding this serious issue impacting residents; and

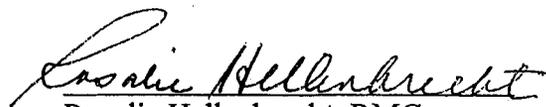
WHEREAS, the New Jersey State Senate Transportation Committee is currently considering a related resolution sponsored by New Jersey State Senators Kean and Scutari; and

WHEREAS, the New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interest of the residents of New Jersey have not been considered and that the proposals no longer promote airplane noise reduction; now therefore

BE IT RESOLVED, that the Township of Cranford strongly opposes the FAA's Modified and Integrated Airspace proposals, especially the proposal's "westward fanning out" of south-flow departures from EWR; and

BE IT FURTHER RESOLVED, that copies of this resolution will be forwarded to the Union County Board of Chosen Freeholders, as well as our State Assemblymen Munoz and Bramnick, State Senator Kean, U.S. Congressman Ferguson, U.S. Senators Lautenberg and Menendez, Governor Corzine, President Bush, and the Administrator of the FAA, with recommendation that they take and/or continue to take all reasonable measures to oppose and prevent implementation of the FAA proposals.

Certified to be a true copy of a resolution adopted by the Township Committee of the Township of Cranford at a meeting held March 28, 2006.


Rosalie Hellenbrecht, RMC
Township Clerk

Dated: 3/29/06

STATEMENT OF MAYOR J. CHRISTIAN BOLLWAGE IN OPPOSITION TO THE DRAFT ENVIRONMENTAL IMPACT STATEMENT PROPOSED BY THE FEDERAL AVIATION ADMINISTRATION

Thursday, February 23, 2006
Elizabeth Public School # 1
250 Broadway
Elizabeth, New Jersey
6:30 pm – 9:00 pm

COMMENTS:

- My name is Chris Bollwage, and I am the Mayor of the City of Elizabeth.
- Tonight, I will deliver my statement in opposition to the Draft Environmental Impact Statement proposed by the Federal Aviation Administration.
- The City of Elizabeth is the fourth largest municipality in the State of New Jersey, with a population of 124,724, according to the 2004 Census estimate.
- The City of Elizabeth is the Union County Seat, home to more than 30 educational institutions, the Jersey Gardens Mall, Trinitas Hospital, Union County College, several senior citizen centers, libraries, and numerous day care and social services facilities.
- Located in close proximity to the entire tri-state area, Elizabeth maintains thriving business districts, and an award-winning Urban Enterprise Zone.
- In addition to its designation as an economic development destination, Elizabeth is also a transportation hub - home to two Rail Stations, which transport riders on the North Jersey Coast Line and the Northeast Corridor Line, Port Newark/Elizabeth, as well as substantial portions of the Newark Liberty International Airport property, including the entire Terminal A and a hub of Terminal B.
- A segment of runways 22 L and R, including the takeoff and landing routes for these runways are also located within the City of Elizabeth.
- The City of Elizabeth is at the heart of the most significantly impacted area of airplane noise in the State of New Jersey, and most likely -- in the entire tri-state area.
- Because of its proximity to Newark Airport, many portions of the City of Elizabeth are already beyond the FAA's maximum threshold of 65 D.N.L. for noise.
- Any increase in airplane noise triggers great concern for the City of Elizabeth.

- In 1995 and 1996, the City of Elizabeth led the fight against the Federal Aviation Administration's plans to deflect the flow of airplane traffic from Staten Island directly over the City of Elizabeth.
- The FAA's routing change at that time unfairly shifted the burden of airplane traffic over the City of Elizabeth. In fact, that "190 degree noise abatement maneuver," which intended to lessen airplane noise over Staten Island, had the opposite effect on the City of Elizabeth.
- Because Staten Island would not share the burden of the airplane noise, the residents of the City of Elizabeth were unfairly and significantly impacted with late night rumblings overhead and window shaking vibrations. These problems, I regret to inform you, continue today.
- In 1995, the FAA demonstrated little regard for the residents of Elizabeth.
- Today, more than a decade later, the FAA has issued its Draft Environmental Impact Statement ("DEIS"), and again has shown a blatant disregard and lack of consideration for the health and quality of life of the residents of Elizabeth.
- According to the FAA, the purpose behind issuing this Draft Environmental Impact Statement is to effectively and efficiently modernize airplane traffic at Newark Airport.
- The FAA's DEIS may seek to increase the efficiency of airspace utilization; however, what the Statement actually increases is the already heightened level of airplane noise, resulting in an adverse effect on the quality of life of Elizabeth's residents, under the guise of modernization and efficiency.
- Included in this most recent Draft Environmental Impact Statement are five proposed plans:
 1. The Future No Action Option
 2. The Ocean Routing Airspace Option
 3. The Modifications to Existing Airspace Alternative Option
 4. The Integrated Airspace Alternative without Integrated Control Complex (ICC) Option, and the
 5. Integrated Airspace Alternative with ICC Option
- What is particularly troubling is that the DEIS, which is several hundred pages long, contains only a few select paragraphs on noise exposure over the City.
- The changes proposed in these plans ignore current noise abatement techniques and disregard the profound negative noise impact on the residents of Elizabeth.
- These proposed plans drastically impact the large urban minority and low income population of the City of Elizabeth.

- The FAA needs to effectively address the measure of environmental justice as it relates to this segment of the population in Elizabeth. Yet, the FAA continues to act in a deplorable fashion by not releasing these measures until the Final Environmental Impact Statement.
- If the FAA has submitted the DEIS under the guise of modernization and efficiency, then it has essentially singled out the Future No Action and Ocean Routing plans as condemned from the start. That, too, is unacceptable.
- The residents of the City call on the FAA to view these two plans as serious options and not just “pie in the sky.”
- In the 1950’s there were several horrific plane crashes that occurred in the City of Elizabeth. In 1951, Miami Airlines C-46 crashed into the Elizabeth River killing 56 people. In 1951, American Airlines Convair crashed into Elizabeth, killing 7 residents and 23 individuals on the plane. In 1952, National Airlines DC-6 crashed in the City of Elizabeth, killing 26 people.
- With critical historical events such as this, why would the FAA subject the City of Elizabeth to increased risk?
- The City does not and will not support plans that severely, deliberately, and adversely impact the residents of the City of Elizabeth.
- With an expected increase of more than 40% in airplane traffic throughout the tri-state area over the next ten years, the residents of the City implore the FAA not to force feed a plan, but rather to work to ensure that a responsible and quality course of action is implemented.
- These critical concerns must be addressed in an effort to remedy the deteriorating quality of life that will result from increased noise pollution.
- The City of Elizabeth is therefore requesting that the FAA release any proposed mitigative and environmental justice remedial measures prior to the issuance of the Final Environmental Impact Statement so that the residents will have an opportunity to review and comment on these measures.
- The millions of dollars the FAA is spending to minimize delays is ridiculous. The minutes saved do not and cannot justify the expense and noise. After all, the FAA is forcing our community to hire an expert at Taxpayer expense for eventual court proceedings in order to protect the City’s interests.
- Environmental justice is for the people living around the airports - not so the FAA and airlines can save a few minutes and fuel.

- I would like to thank Senators Lautenberg and Menendez, Congressman Payne, the Union County Board of Chosen Freeholders and the City Council of the City of Elizabeth for their public support in opposition of any plan furthered by the FAA which would increase airplane noise over the City of Elizabeth.
- Doesn't the FAA think it means something when two U.S. Senators, Members of Congress, and hundreds of thousands of people say you have a bad idea?
- When is the FAA going to start listening and to whom? Obviously the FAA won't listen to our senators, legislators, representatives, and the residents who are directly impacted - so who will it take?
- Will the FAA wait for more disasters to occur, such as the ones in Elizabeth during the 1950's, before the appropriate action is taken?
- The City of Elizabeth will not sit idle while the FAA displays a blatant disregard for the residents of our City and continues to take advantage of an already crucial situation.

--30--

R-06-064

RESOLUTION OPPOSING METRO AIRSPACE RE-DESIGN PROPOSALS

WHEREAS, in December of 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing "Modified" and "Integrated Airspace" proposals to redesign the New York/New Jersey/Philadelphia Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realized in practice; and

WHEREAS, the three FAA promoted proposals all include a "fanning" of south flow departures from Newark Liberty Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 22,000 residents of Hillside and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west; and

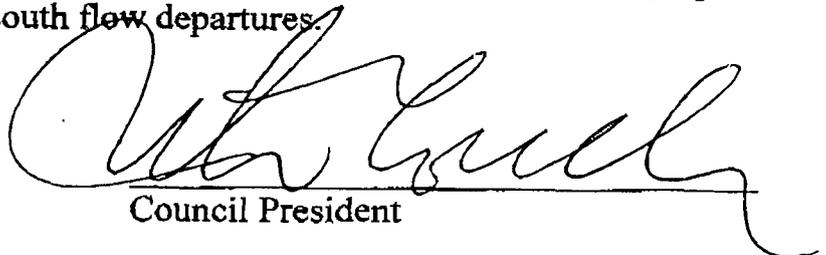
WHEREAS, the most heavily promoted alternative, the so called, "Integrated Airspace with Integrated Control Center" has the largest noise impacts and an estimated \$2.5 billion dollars; and

WHEREAS, simultaneous arrival procedures as proposed in the DEIS would move large turbojet departures to relatively short EWR Runway 29 increasing noise and reducing safety to Hillside.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Hillside strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the fanning of EWR south flow departures that are part of these proposals; and

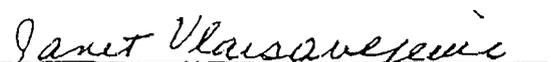
BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Union County Board of Chosen Freeholders, with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.

Adopted: March 14, 2006



Council President

Attest:


Janet Vlasisavljevic, Township Clerk

RESOLUTION

No. 10

Kenilworth, N.J. April 12, 2006

Introduced by Frederick Soos

Adoption moved by same

Seconded by Anthony DeLuca

WHEREAS, in December 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing Modified and Integrated Airspace proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain; and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice, and

WHEREAS, the three FAA promoted all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-Inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west; and

WHEREAS, the most heavily promoted alternative, the so called Integrated Airspace with Integrated Control Center has the largest noise impacts and estimated cost of \$2.5 billion dollars.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Board of Kenilworth strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the "fanning" of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to federal and state elected officials representing Union County, with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.

BOARD OF KENILWORTH	
APR 12 2006	
ROLL CALL	
CLERK	✓
MEMBER	✓

Approved [Signature] Mayor
Date April 12, 2006

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-136-06Date of Adoption MAY 8 2006

A RESOLUTION OPPOSING METRO AIRSPACE REDESIGN PROPOSALS

Factual Contents Certified to by _____

WHEREAS, in December of 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing "Modified" and "Integrated Airspace" proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS, the three FAA promoted proposals all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west; and

WHEREAS, the most heavily promoted alternative, the so called, "Integrated Airspace with Integrated Control Center" has the largest noise impacts and an estimated cost of \$2.5 billion dollars;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Rahway strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the fanning of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Union County Board of Chosen Freeholders, with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals; particularly the "fanning" of EWR south flow departures.

M - Scaturro

S - Brown

Certified to be a true copy of a resolution adopted by the Municipal Council of the City of Rahway at the Regular Meeting held on 5/8/06.

YES: Brown, Janusz, Mione, Rachlin, Saliga, Scaturro, Steinman, Wenson Maier

ABSENT: Jones

Jean D. Lee
City Clerk

RESOLUTION NO. 49-06

BY: COUNCILMEMBER

Rubilla

WHEREAS, on March 2, 2006 Assembly Joint Resolution 88 sponsored by Assemblyman Eric Munoz and Assemblyman John McKeon which opposes NY/NJ/Philadelphia Metropolitan Airspace Redesign proposals of Federal Aviation Administration. was overwhelming approved by the General Assembly and now heads for the Senate for consideration,

WHEREAS, the basic air traffic structure of the New York/New Jersey/ Philadelphia Metropolitan Area airspace was designed and implemented in the 1960's and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, the EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the EECP and mitigate the noise; and

WHEREAS, in the 1995 final Environmental Impact Study, the FAA committed to mitigate noise in a "follow-up regional study"; and

WHEREAS, in 2001, the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public; however, the FAA failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, on December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, the airspace design involves a 31,000 square mile, five-state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, two of the FAA proposals would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, the proposed plans would raise environmental concerns for the State and would cost an estimated \$2.5 billion; and

WHEREAS, the FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, the New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, it is in the best interest of the State to oppose the FAA's proposal to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; now, therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that:

1. This resolution opposes the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals set forth in the Draft Environmental Impact Statement issued on December 20, 2005 by the Federal Aviation Administration.
2. Duly authenticated copies of this resolution shall be transmitted to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of Congress elected from this State, 21 municipalities of Union County, Union County Legislature and the Administrator of the Federal Aviation Administration.

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Roselle Park support AJR88 and urge members of the State Senate and Governor Corzine to approve a similar measure

ADOPTED: March 16, 2006

I hereby certify that the foregoing resolution was adopted by the Council on March 16, 2006



 Doreen Cali, RMC/CMC
 Borough Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
DEIORIO						
BADILLO		✓	✓			
HARMS			✓			
MATARANTE			✓			
ZEGLARSKI			✓			
RUBILLA	✓		✓			
DINARDO			✓			
ON CONSENT AGENDA		✓	YES	NO		

132
84-06

RESOLUTION

WHEREAS, in December 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing Modified and Intergrated Airspace proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace, and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 Residents over the tri-state area and New Jersey, while benefiting relatively few, and

WHEREAS, projected capacity increases are very small, with two proposals offering Less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice, and

WHEREAS, the three FAA promoted plans all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding more noise for adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west, and

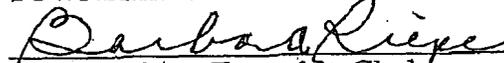
WHEREAS, the most heavily promoted alternative, the so called Integrated Airspace with Integrated Control Center has the largest noise impacts and estimated cost of \$2.5 billion dollars.

NOW, THEREFORE, BE IT RESOLVED that the Township of Scotch Plains opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the "fanning" of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Union County Board of Chosen Freeholders, and to Federal and State elected officials representing Union County, with a recommendation that our State Officials take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.

Dated: April 11, 2006

TOWNSHIP OF SCOTCH PLAINS


Barbara Riepe, Township Clerk

This is to certify that this is a true and exact copy of a resolution adopted on April 11, 2006 by the Township Council of the Township of Scotch Plains.


Barbara Riepe, Township Clerk

RESOLUTION OPPOSING METRO AIRSPACE REDESIGN PROPOSALS**UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD**

WHEREAS, in December of 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing "Modified" and "Integrated Airspace" proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS, the three FAA promoted proposals all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west; and

WHEREAS, the most heavily promoted alternative, the so called, "Integrated Airspace with Integrated Control Center" has the largest noise impacts and an estimated cost of \$2.5 billion dollars,

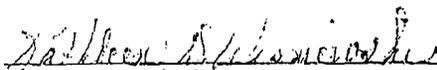
NOW, THEREFORE, BE IT RESOLVED, that the Union County Air Traffic Noise Advisory Board strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the fanning of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Union County Board of Chosen Freeholders, with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.



Mayor/Chairperson, Township Committee

Adopted:
February 14, 2006



Township Clerk

**RESOLUTION OPPOSING
METRO AIRSPACE REDESIGN
PROPOSALS**

March 7, 2006

WHEREAS, in December of 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing "Modified" and "Integrated Airspace" proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace, and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few, and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice, and

WHEREAS, the three FAA promoted proposals all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west, and

WHEREAS, the most heavily promoted alternative, the so called, "Integrated Airspace with Integrated Control Center" has the largest noise impacts and an estimated cost of \$2.5 billion dollars, and

WHEREAS, prior proposals to modify arrival and departure patterns Newark Liberty International Airport would have had a negative affect on the quality of life for Summit residents as well as all residents along the route patterns, and

WHEREAS, reasonable approaches were then taken to address the needs of the Airport and the air transportation industry while limiting any additional negative affects on Summit and the other effected towns.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

1. That it strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the fanning of Newark Liberty International Airport south flow departures that are parts of these proposals.

2

2. That a copy of this resolution be forwarded to the Federal Aviation Administration, Senator's Menendez and Lautenberg, Congressmen Ferguson and Frelinghuysen, Governor Corzine, Senator Kean and Assemblymen Bramnick and Munoz, Union County Board of Chosen Freeholders and all Union County Municipalities.

Dated: March 7, 2006

I, David L. Hughes, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Tuesday evening, March 7, 2006.



City Clerk



Resolution No. 2006-102
Twp. Mtg. March 28, 2006

RESOLUTION

WHEREAS, on March 2, 2006 Assembly Joint Resolution 88 which opposes NY/NJ/Philadelphia Metropolitan Airspace Redesign proposals of the Federal Aviation Administration was overwhelmingly approved by the General Assembly and now heads for the Senate for consideration; and

WHEREAS, the basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960's and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, the EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the EECP and mitigate the noise; and

WHEREAS, on December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, the airspace design involves a 31,000 square mile, five state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, two of the FAA proposals would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, the proposed plans would raise environmental concerns for the State, would cost an estimated \$2.5 billion and all proposals included a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities in Union County rather than directing air traffic over the Atlantic Ocean; and

WHEREAS, the FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, the New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, it is in the best interest of the Township of Union to oppose the FAA's proposal to redesign the New York/ New Jersey/ Philadelphia Metropolitan Airspace.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Township of Union, County of Union, State of New Jersey does hereby oppose the FAA proposed Modified and Integrated Airspace proposals and especially opposes "fanning" of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to all federal and state officials representing Union County and all Union County municipalities.

I, **EILEEN BIRCH**, Township Clerk of the Township of Union, in the County of Union, State of New Jersey, do hereby certify that the above is a true copy of RESOLUTION NO. 2006-102 , passed at a REGULAR TOWNSHIP COMMITTEE meeting of said Township, held on the 28th day of March, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Township of Union, this 28th day of March, 2006.



EILEEN BIRCH,
Township Clerk

Approved as to form by
Daniel Antonelli, Township Attorney

RESOLUTION

2006-143

PUBLIC SAFETY, TRANSPORTATION, AND PARKING COMMITTEE **APRIL 18, 2006**

WHEREAS, in December 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing Modified and Integrated Airspace proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS, the three FAA promoted all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west; and

WHEREAS, the most heavily promoted alternative, the so called Integrated Airspace with Integrated Control Center has the largest noise impacts and estimated cost of \$2.5 billion dollars;

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield Town Council strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the "fanning" of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to federal and state elected officials representing the Town of Westfield with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.

Response to Comment 4272: Jerome Feder, Chairman, Union County Freeholders Air Traffic & Noise Advisory Board

Comment Number	Comment response
1	Comment noted.
2	<p>It is beyond the scope of the EIS effort to provide a detailed comparison between the results of this study and those that may have been conducted a decade earlier. It is certain that previous studies were conducted using different methodologies, models, and census data. Consequently, it is expected that the results would vary.</p> <p>The DEIS clearly indicated that some of the alternatives investigated would have the effect of creating both "significant" and slight to moderate noise increases in and around the City of Elizabeth. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. While noise abatement was not possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five "Preferred Alternative and Mitigation" of the Final EIS.</p>
3	<p>The FAA disclosed the potential environmental impacts for each of the alternatives considered for the Proposed Action. Since the Proposed Action resulted in significant noise impact near EWR, the potential for environmental justice impacts was examined. According to FAA Order 1050.1E, "When FAA determines that a project has significant effects pursuant to NEPA the potential for disproportionately high and adverse effects pursuant to environmental justice must be analyzed." It was determined that the Modifications to Existing Airspace and the Integrated Airspace Alternatives would result in significant noise impacts. Again in accordance with FAA Order 1050.1E, noise impacts are determined by comparing the future condition both with and without (no-action) the proposal and each reasonable alternative. The potential for the significant noise impacts resulting from Modifications to Existing Airspace and the Integrated Airspace Alternatives to disproportionately impact low income or minority communities was examined. It was determined that the significant noise impacts resulted in disproportionate impacts to minority communities near EWR and therefore significant environmental justice impacts. As a result, once the FAA selected the Preferred Alternative, mitigation measures to avoid, minimize, rectify, reduce, eliminate, or compensate for the significant environmental justice impacts were considered. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five "Preferred Alternative and Mitigation" of the Final EIS.</p>
4	Comment noted.
5	<p>On the average day in 2011, 54 aircraft could be expected to depart runway 29 between the hours of 7:00 AM and 1:00 PM local time. Peak hours will be from 8:00-9:00 and 12:00-1:00, when an aircraft will depart every four to five minutes if current traffic patterns hold. The vast majority of aircraft will be Embraer regional jets, with about a 20% mixture of other makes of regional jet and business jets such as Gulfstreams.</p>

Response to Comment 4272: Jerome Feder, Chairman, Union County Freeholders Air Traffic & Noise Advisory Board

Comment Number	Comment response
6	<p>Comment noted. The FAA developed the purpose and need for the airspace redesign, consistent with NEPA regulations, to reflect its mission. According to the Federal Aviation Act of 1958, the FAA's mission includes controlling the use of navigable airspace and regulating civil and military operations in that airspace in the interest of maintaining the safety and efficiency of these operations. Therefore, the purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. Likewise the project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region. NEPA was designed to ensure that environmental considerations are taken into account along with other factors when a Federal action is considered.</p> <p>That said, noise was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.</p> <p>The FAA selected the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative. This alternative was selected because it best met the purpose and need for the Proposed Action. The Ocean Routing Airspace Alternative would not meet the purpose and need for the Proposed Action. However, a variation of the Ocean Routing Airspace Alternative at night is included in the mitigated version of the Preferred Alternative.</p>

Nagendran, Ram

From: blundoj@optonline.net
Sent: Tuesday, June 13, 2006 1:19 PM
To: FAA DEIS
Cc: mayor@rivervalenj.org
Subject: Comment

Mr Kelley,

I am a life long River Vale resident for almost 40 years. My family has been in town for close to 45. I write today to strongly object to the proposed re-routing of air traffic that will effect our area. When I was a child, River Vale still had many elements of a rural setting. Active farms, open space and densely wooded areas were all obvious as you drove through town. In fact many roads were still unpaved.

As it has grown into a full fledged suburban community, the community leaders have been very careful manage development and limit it as much as possible. What is disturbing about your proposal is that I have been made aware that there has been no forum for public input from the Pascack Valley. In River Vale we don't fill a pot hole without checking with concerned neighbors.

I have read that the Pascack Valley is one of the most effected areas of your new plan. How then is it possible that our opinions not be solicited? Please do not insult us by not getting our feedback in a formal and open way, through a meeting in the Pascack Valley.

I understand that the option of ocean re-routing may be least intrusive. I have also heard you say that it is not a viable option because it limits the growth potential. You have said that if you care about the airline industry succeeding, then you will realize this needs to happen. (I heard you speak these words myself.) Well I do care about the success of commerce but not at the expense of our citizens. The Republican, Bush administration must certainly have other alternatives to keep our industries strong.

Another option I have become aware of is to increase the under utilized Stewart Airfield in Upstate New York. Has your study fully researched if using that location may help you achieve your goals in a less disruptive way?

Please continue to research this issue before you damage our quality of life just so the shareholders of airlines can make more money.

Sincerely,

Joseph Blundo
Councilman
River Vale, NJ

Response to Comment 4337: Councilman Joseph Blundo, River Vale, NJ

Comment Number	Comment response
1	Comment noted.
2	<p>Over 400 individuals residing in the Bergen County received direct mail notification of the public meetings. In addition, a copy of the DEIS Executive Summary, was sent directly to the Mayor's office in Hillsdale, NJ in December 2005.</p> <p>Newspaper advertisements, with circulation in the Pascack Valley area, announcing the public meeting locations were run in the following papers: El Diario, The North Jersey Herald News, and the Bergen Record. Public Service Announcements were run in rotation on several stations in Bergen County.</p> <p>A public meeting was held at the Holiday Inn, Hasbrouck Heights, NJ (Bergen County) on April 6th, 2006. This meeting was within a short driving distance from the Pascack Valley. In addition, a meeting was held in Clifton, NJ also within driving distance of the Pascack Valley.</p>
3	Comment noted.
4	FAA considered the alternative of shifting operations from congested airports to nearby satellite airports. This alternative was not carried forward for the reasons described in Section 2.3.2.1 of the DEIS.



BOROUGH OF STATEN ISLAND
COMMUNITY BOARD 3

655-218 Rossville Avenue, Staten Island, N.Y. 10309
Telephone: (718) 356-7900, 7903
FAX: (718) 966-9013

June 9, 2006

Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, Virginia 20191

Dear Mr. Kelley:

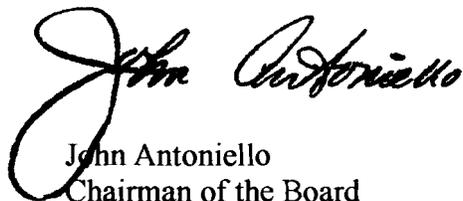
Community Board #3 of Staten Island is opposed to the FAA adoption of the "Ocean Routing Plan". This ill-conceived plan would call for airplanes leaving Newark Airport to fly over Staten Island, not the ocean, at a low altitude. The North Shore of Staten Island has been experiencing the problems of low flying airplanes for decades. Their quality of life has been disturbed over the years.

We understand that this "Ocean Routing Plan" would take airplanes leaving Newark over Staten Island and Raritan Bay right into the paths of airplanes arriving at JFK and LaGuardia Airports. That could be disasterous!

This plan has repeatedly been studied by the FAA and rejected because of various drawbacks, including cost and safety issues. It is a bad plan and should be discarded immediately.

We call upon our elected officials and the FAA to strongly oppose the "Ocean Routing Plan" and assure the residents of Staten Island that this plan will not rear it's ugly head again as it has in the past.

Very truly yours,


John Antoniello
Chairman of the Board


Marie Bodnar
District Manager

004577
1/2

Copy: Senator Charles Schumer
Senator Hillary Clinton
Congressman Vito Fossella
Assemblyman Matthew Mirones
Assemblyman John Lavelle
Assemblyman Vincent Ignizio
Assemblyman Michael Cusick
Borough President James Molinaro
Councilman Michael McMahon
Councilman James Oddo
Councilman Andrew Lanza

Docket No. 906144

JA:MB:jg

**Response to Comment 4577: Community Board #3 of Staten Island, Chairman of the Board
John Antonello and District Manager Marie Bodnar**

Comment Number	Comment response
1	The FAA has identified the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative. This alternative was selected because it best met the purpose and need for the Proposed Action.
2	Comment noted.
3	This is correct. Ocean Routing is not practical when LGA and JFK are open for arrivals.
4	Comment noted. The FAA identified the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative.

CITY OF NEW YORK
PRESIDENT
OF THE
BOROUGH OF STATEN ISLAND



JAMES P. MOLINARO
PRESIDENT

BOROUGH HALL, STATEN ISLAND, N.Y. 10301

June 1, 2006

Mr. Steve Kelley, FAA NAR
c/o Nessa Memberg
12005 Sunrise valley Drive, MS C3.02
Reston, Virginia 20191

Dear Mr. Kelley:

In response to the FAA's request for comments for the December, 2005, *New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Draft Environmental Impact Statement (DEIS)*, below are my comments.

For the past 16 years, the Staten Island Borough President's office has been fighting with the FAA on two inter-related issues:

- 1) the FAA refusing to admit that airplanes departing from New Jersey's Newark Airport Runways 22 L/R fly over Staten Island, and
- 2) that specifically the northwest section of Staten Island, as a result of departing aircraft from another state, suffers from a severe airplane noise problem.

This office has participated in public meetings and hearings in New York and New Jersey for over 15 years, even testifying twice in Washington, D.C., before a House of Representatives Aviation Subcommittee. Throughout this time period, constructive efforts on Staten Island's part to effectuate changes that would both safely simplify Runway 22L/R departure procedures *and* reduce airplane noise for Staten Island were typically thwarted by the FAA, caving in to the political demands from New Jersey that there be no changes whatsoever.

As early as 1997, we were informed by the FAA about a proposed airspace re-design initiative that would institute beneficial changes in the very near future. We waited almost two years just for the pre-scoping workshop meetings to occur. It took another two years for the next step, the formal scoping meetings, to occur. Now, five years later, we finally have this draft EIS, and a potential date for implementation of the airspace re-design in 2011.

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In essence, and if an airspace re-design goes through, Staten Island will have waited almost a generation for any positive quality of life change to occur.

But the purpose of this letter is not to summarize the past; instead, it is to comment on the present, this proposed airspace re-design masterplan. For the most part, there is much good news for Staten Island in the document because the FAA has come to the conclusion that, with regard to Newark Airport, that airport's flight management problems are based on a horrendously inefficient, almost 50-year old system of operations. Indeed, over the past 16 years, Staten Islanders have stated at every possible opportunity what was so obvious to the air traffic controllers at Newark's control tower: present day Runways 22 L/R departures - the departure runways predominantly used at the airport - are hindering efficiency and creating safety issues where there should be none. And that is why I now feel vindicated by this airspace re-design masterplan because discounting (1) the *Future No Action*, and, (2) the ridiculous *Over-the-Ocean* proposals, the remaining three options clearly require major changes with Runways 22 L/R departures, specifically, right after takeoff.

Why do I concentrate solely on Newark's Runways 22 L/R? Because it is in how they are utilized that remains the scourge of northwestern Staten Island. My constituents know and live everyday with what goes on with Runways 22 L/R operations, something that the FAA and the present DEIS choose to ignore: that for Staten Island, when present-day flights depart Runways 22 L/R, instead of going straight out as the runways were designed for, the planes make a sharp 30-degree turn to the left to a heading of 190-degrees to then fly directly over northwestern Staten Island, at which point, sometimes as far as six to eight nautical miles from Newark Airport, the plane turns back to the right to continue onto its original point of destination.

If this is what typically happens everyday, weather permitting, why no mention of it in the masterplan? Indeed, by not describing this operation, wouldn't any non-Staten Island DEIS reader question why, then, did Staten Island - *the only New York City location* - have two noise measurement locations for this airspace redesign masterplan?

So, on the one hand Staten Island does not exist, yet on the other we are part of noise measurements from overflying aircraft. And this brings me to my next point of criticism: Staten Islanders have been asking for 16 years for the implementation of a straight-out Runways 22 L/R departure procedure that air traffic controllers agree is the most common sense and much safer utilization of those runways. We weren't even given credit for proposing this idea. And while this common sense procedure was continuously denied, what did Staten Island have to suffer through and have to read about in the DEIS? A proposal that I thought was ridiculed into oblivion: the *Over-the-Ocean* routing proposal from NJCAAN.

Why does the FAA keep giving credence to this ridiculous proposal? I call this proposal ridiculous because even the FAA, within four pages into the DEIS (Executive Summary, page ES-4) states that *...Although it was apparent that the Ocean Routing Airspace Alternative would not meet the Purpose and Need, the FAA elected to include this alternative for a detailed environmental analysis due to the long standing concerns of the NJCAAN...*

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Where is the similar sentiment for the long standing concerns of Staten Islanders?

Instead, Staten Island concerns are inferred to such a degree that we have to dig around this lengthy masterplan to extricate any mention whatsoever that we exist. I truly do want to believe that the re-design will be the first positive and significant change for my constituents. But I remain skeptical simply because of (1) continuous FAA inconsistencies in this document, and, most importantly, (2) not clearly explaining how implementation of the re-design will actually occur. For example:

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- Page 1-25, under **Implementation**- *The various components of the Proposed Action are expected to be implemented in phases beginning in 2006. How will this be done? FAA always explained to Staten Island that no airspace redesign, such as changes in departure procedures, can occur without completing the EIS process. We are still in the DEIS stage. So what is it that the FAA can do in 2006? Will the EIS be completed by the end of this year?*
- Page 2-9, under **Ocean Routing Concept** - *Why does the FAA never answer for the sake of clarity to all readers one basic question: how will the planes get to Raritan Bay? There no simulated flight paths to show what such a flight looks like directly after liftoff. If the planes fly straight out from Runways 22 L/R, Staten Island has no problem with this concept. But the FAA does not describe how the planes will get from the end of the runway to Raritan Bay! Why is it so hard to state that the planes will either fly over Staten Island or fly straight out over New Jersey? Or could the reason for FAA's silence on this be inferred from the following, in their own words: the Ocean Routing Concept's stated purpose is not the FAA's Purpose and Need but ... to reduce noise impacts on the citizens of New Jersey... ?*
- Page 2-18, under all **Future No Action Airspace Alternatives** - *Flights departing EWR on Runway 22R make an initial turn to the left, then head southwest turning prior to Linden, NJ and continue turning back to the north....* Again, why is there no mention that where the planes are actually turning towards and going over is Staten Island and not, as implied, New Jersey? Furthermore, why is there no discussion as to why this departure system was started in the first place?

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- When reading over and over again FAA’s criticism of **Over the Ocean Routing** –

...does not result in a reduction in delay. In fact delays substantially increase... (p. 2-64); ... negatively impacts the balance of controller workload... (p.2-66); ... has the potential to reduce both user access and the ability to meet system demands... (p.2-67); ... does not result in expedited arrivals or departures. In fact the EWR westbound departures fly further because they initially proceed over the ocean... (p. 2-68); ... had the largest time below 18,000 feet... results in the largest increase to route length... the only alternative that results in an increase in block time when compared to the Future No Action... (p.2-69); ... results in a reduction in airspace flexibility because all routes to the west of EWR are removed... (p.2-70); ... decreases throughput...(p.2-71).

shouldn’t all these negatives finally end all considerations of this “option” once and for all?

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- Page 3-14, under **Table 3-4** - Why is there no information about Staten Island (a/k/a Richmond County), an area directly impacted by Newark Airport traffic? FAA ignores mentioning Staten Island here, yet under the background noise measurements section, two Staten Island locations are chosen. Why the inconsistency?

11

- Page 3-24, under **Table 3.11** - within the 16 site locations, and of the two Staten Island locations,

- location 7a had the second highest of all 16 Phase I measured DNLs;
- location 7B had the third highest of Phase II measured DNLs;
- location 7a’s average measured DNL was the highest overall;
- location 7b’s ranked fourth highest overall

Doesn’t this clearly show that Staten Island is impacted by airplane noise?

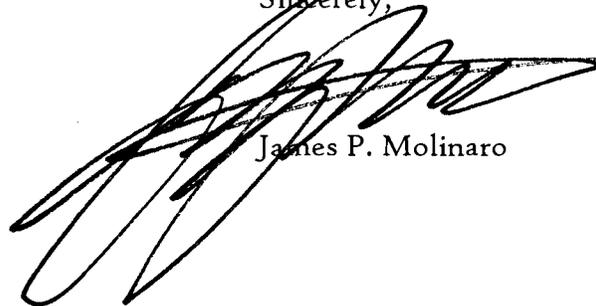
- I. Page 3-24, under **Table 3.12** - even though the FAA does not describe what happens to Staten Island under the Runways 22 L/R takeoffs, this table states that, of the aircraft event noise correlation, both Staten Island locations had the highest correlations. Furthermore, even when compared with a New Jersey location that would be impacted by Newark Airport air traffic - in this case, Carteret - Staten Island’s location 7a had **more than double** the number of aircraft event noise correlations: 308, compared to Carteret’s 149. Furthermore, for locations 7a and 7b: they both placed second and third highest in *Aircraft LAMAX Range (dBA)*; had the top two positions in *Aircraft DNL*; and in the *Total Site DNL*, location 7a had the highest, and location 7b had the third highest. *Question: Doesn’t this indicate that there is a severe aircraft noise problem on Staten Island?*

- II. Page 4-12, under PM-06EWR-A - For the first time within this document, that is, well over 200 pages into the draft EIS, the FAA finally states that the proposed *Modifications to Existing Airspace Alternative* - and for all others thereafter - routing changes is from 190 degrees to 240 degrees - without stating that Runway 22 is at a heading of 220 degrees to begin with! 12
- III. Page 4-19, under PD-06EQR-A - why is there no explanation given as to how, under the Over-the-Ocean routing, airplanes will proceed south from the airport to get to Raritan Bay and the ocean? Nothing is mentioned here and yet, under item PD-06EWR-D on page 4-20, FAA states that there will be an estimated increase in noise occurring south of Newark and over Staten Island by the new departure routes off of Runways 22 L/R. Again, inconsistencies with presenting info and facts. 13
- IV. And the final inconsistency: On page 4-73, almost 300 pages into the draft EIS, it states that at the two Staten Island noise monitoring sites ... only Sites 7a and 7b exhibit any noteworthy changes in total noise with any of the project alternatives. This is to be expected since these two sites were generally the closest (Staten Island near the EWR south departure route) to any major airport activity. Thus the total noise picture at these sites would be expected to have a larger component from aircraft noise. 14

There it is - finally the FAA states that Staten Island has a large component from aircraft noise.

As I stated earlier, I want to believe that the future will be getting quieter for my constituents - but after 16 years, I still have my doubts. And of the airspace re-design proposals in this DEIS, I cannot support the *Future No Action* and the truly foolish *Over the Ocean* route. 15

Sincerely,



James P. Molinaro



CITY OF LONG BEACH

1 WEST CHESTER STREET
LONG BEACH, N.Y. 11561

May 30, 2006

To: Mr. Steve Kelley, FAA
From: Damian Sciano, Chairman, Long Beach, NY Planning Advisory Board
Subject: Comments on NY Metro area airspace redesign

Dear Mr. Kelley,

I wanted to thank you for taking the time to speak with me at the March 13th 2006 informational meeting at Lawrence Middle School. I am formally providing my comments to you today as both the Chairman of Long Beach, New York's Planning Advisory Board and a resident of Long Beach, New York. Long Beach is currently inundated from both take offs and landings at JFK airport (many times simultaneously) despite the availability of ocean and bay routing availability. I would like to request a meeting with decision makers at the FAA and Port Authority to discuss ways to improve our current situation and ways to utilize the airspace redesign to radically improve our situation, primarily by sending takeoffs over the open ocean and having landings track the empty Reynold's Channel just north of us. In the meantime, I have the following comments regarding the current airspace redesign:

- The FAA's fundamental assumption that allowing the NY/NJ/PHL airports to expand to over 50% of current capacity (70% at JFK) as the "do nothing" scenario is, with all due respect, irresponsible from both a public safety and an environmental standpoint. The "do nothing" scenario should depict operations as they are today and not take for granted that a 70% increase in movements will meet environmental and safety standards.
- With the New York metro area out of compliance or in violation of numerous EPA mandates, it is unconscionable that JFK airport, a major source of emissions, is being allowed to expand at all let alone with no legitimate environmental review.
- Taxpayer and homeowner subsidies to the airline industry should be eliminated because they artificially lower ticket prices and drive up volume: The airline industry is periodically subsidized by tax dollars in the form of bail outs and (potentially) pension funding. In addition, airlines benefit from free air rights given at the expense of the ever increasing amount of communities they fly over and the ever increasing amount of times they do this. While this change may be required at a higher level than this DEIS can achieve, it should nonetheless be explained as the driver for throughput growth.
- Long Beach, NY can significantly benefit from more considerate placements of flights over the ocean (primarily departures from 13 R and L or 22 R and L or 31R and 31L) that send flights out to sea as fast as possible rather than allow them to track the island (and residents) of Long Beach. This can be achieved immediately through control tower and pilot awareness training. I am happy to provide more details.

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Same as 4173 with petition enclosed.

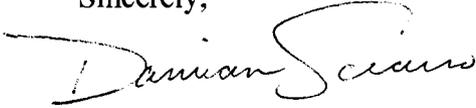
Re: email 4173

10/14
(12 back to back)

- Long Beach, NY can significantly benefit from more considerate landing patterns on the flights that come directly over our entire island. I am happy to provide more details.

I will also send you, via postal mail, a petition with 137 from Long Beach and Lido Beach residents indicating they want to see “immediate and significant reduction of air traffic over the City of Long Beach.” I look forward to hearing back from you and setting up a meeting. Thanks for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Damian Sciano". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Damian Sciano
453 W. Beech Street
Long Beach, NY 11561
(516) 889-3156
damians@optonline.net

I, the undersigned, petition the immediate and significant reduction of air traffic over the City of Long Beach, New York in consideration of the significant safety, noise and health benefits it will provide.

Name	Address	Signature	e-mail address*
Randy Rabinowitz	62 Reynolds Dr Long Beach, NY 11561		
Louise Malone	15 Vinton St Long Beach, NY 11561	Louise Malone	
Stanley Skocron			
Lois P. Johnson	1424 BELLEN ST Long Beach, NY 11561	Lois Johnson	
Ford, Julia	445 E Olives St Long Beach, NY 11561		
Kleshnik, Francis	2 Pichard St Long Beach, NY 11561		
María Fernandez	143 Waverly Pl Long Beach, NY 11561	María Fernandez	
Mary McCarthy	1 Pinehurst St Long Beach, NY 11561	Mary McCarthy	
Jeanne Pais	531 E. HARRISON ST Long Beach, NY 11561		
Wanda Setteline			
MOUR	410 E BROADWAY Long Beach, NY 11561	J. Mour	
Patricia			
Nana Prissman	130 Belmont Ave Long Beach, NY 11561	Nana Prissman	
Harriet Suppel	100 Oswego Ave Long Beach, NY 11561	Harriet Suppel	
BARBARA SILVERS	860 E. B. WAY - 3E Long Beach, NY 11561	Barbara Silvers	
William J. White	70 Mineola Blvd AVE Long Beach, NY 11561	William J. White	
PATRICIA B. WHITE	70 PINEOLA AVE Long Beach, NY 11561	Patricia B. White	
Ruth (Dana) L.	15 W OLIVE ST Long Beach, NY 11561	Ruth (Dana) L.	
Bella Marcovici	216 LARSON AVE W Long Beach, NY 11561	Bella Marcovici	
Doris E. Aguerre		Doris E. Aguerre	

*NOTE: If you include your e-mail address, we may contact you periodically about air traffic issues

I, the undersigned, petition the immediate and significant reduction of air traffic over the City of Long Beach, New York in consideration of the significant safety, noise and health benefits it will provide.

Name	Address	Signature	e-mail address*
T. Scognamiglio	525 E. Harrison St		
Maree C. Ferrieste	65 Trenton Ave		
ENITA SANDOZ	L B M C		
M. Primavera			
Ny. Draisin	370 W. Broadway		
Jean M. Pano	60 Mohawk/EAR		
Cathy Surup	217 NY Ave		
S. MIRCHIN	LONG BEACH ⁷⁵⁰ W BWAY		
Victoria Bunche			
TEH RYAN	370 W. BWAY		
Peggy Ryan	370 W. BWAY		
Ruth Stuts	99 Barnes St		
Barbara Proyer	2 Technic Rd		
Rose Meyer	75 Newport Rd		
Yvonne Bird	4453 BAWY		
Teresa Bekasik	4394 BWAY		
Miriam Roth	854 E Bay		
C. Hay	454 Silver La Besko		

*NOTE: If you include your e-mail address, we may contact you periodically about air traffic issues

I, the undersigned, petition the immediate and significant reduction of air traffic over the City of Long Beach, New York in consideration of the significant safety, noise and health benefits it will provide.

Name	Address	Signature	e-mail address*
MARIE FERRANTE	65 TRENTON AVE. Long Beach, NY 11561	Marie C. Ferrante	
JUDITH ROMERO	410 W. PARK AVE Long Beach, NY 11561	Judith Romero	
PATRICIA PISERA	522 Shore Rd Long Beach, NY 11561	Patricia A. Pisera	
ELIZABETH FALLON	600 SHORE RD Long Beach, NY 11561	Elizabeth Fallon	
JOSEPH FOX	750 LIDO BLVD Long Beach, NY 11561	Joseph Fox	
RONALD PEGGARDEN	421 W Beach St Long Beach, NY 11561		
Quell Address: MUEL HADDEE	935 MARGINAL RD Long Beach, NY 11561		
TIM EVICOTT	130 Coolidge Ave Long Beach, NY 11561	Timothy J. Evicott	
JASIE EVERETT	130 Coolidge Ave Long Beach, NY 11561	Jasie Everett	
SOPHIE P. McADAM	1 Armour St Long Beach, NY 11561	Sophie P. McAdam	
Arlene L. Lefebvre	144 Rowley St Long Beach, NY 11561	Arlene Lefebvre	
MAX ROSEN	233 Lagoon Dr Long Beach, NY 11561	Max Rosen	
MARGIE PARKER	25 ARMOUR ST. Long Beach, NY 11561	Margie Parker	
Rhoda Farash	450 Shore Rd Long Beach, NY 11561	Rhoda Farash	
MORRIS GILBERT	450 Shore Rd Long Beach, NY 11561		
Awa Kubany	150 W 96th Ave Long Beach, NY 11561		
Idelen J. Kichey	740 E. PARK Long Beach, NY 11561	Idelen J. Kichey	
John J. Kichey	" " " Long Beach, NY 11561	John J. Kichey	
	Long Beach, NY 11561		
	Long Beach, NY 11561		

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I, the undersigned, petition the immediate and significant reduction of air traffic over the City of Long Beach, New York in consideration of the significant safety, noise and health benefits it will provide.

Name	Address	Signature	e-mail address*
Frances Haller	10 W. Purdy St & E		
J. Lewis	175 W. B'WAY #2D		
	565 Kennedy Rd		
Oscar Feliciano	67 West End Ave		
Rudy Gilberti	644 Rose Blvd		
Mary Kennedy	464 Lafayette Bl	M Kennedy	
Dolores Jay	30 Marina Rd		
Samantha Languin	123 Wilson Ave.	Samantha Languin	Sain 4100 201
Ruth Newman	325 E Hudson St.		
	Times		
HORRAINE WEINBERG	411 NEPTUNE		
Anne Keene	251 Wall Ave.		
Ellad Guinty	Manhwa Hotel		
Mary Wynn			
Alexandra Karafinas			
Sharon Post			
Edith Shetlow			
Nicole J. Menno	563 Magnolia Blvd	Nicole J. Menno	

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Name	Address	Signature	e-mail address*
Lois Gates	32 Nantwick St Lido Beach NY 11561	Lois Gates	
Meri Hart	13 Nantwick St Lido Beach NY 11561	Meri Hart	
May Walquist	8 Nantwick Lido Beach NY 11561	May Walquist	
Angela Berner	11 Nantwick Lido Beach NY 11561	Angela Berner	
21 Nantwick	PEARL COLTR Lido Beach NY 11561	PEARL COLTR	
Rhonda Gunther	24 Nantwick St Lido Beach NY 11561	Rhonda Gunther	
PHYLLIS ZABANO	51 NANTWICK Lido Beach NY 11561	PHYLLIS ZABANO	
Kevin Clune	1 Nantwick Lido Beach NY 11561	Kevin Clune	
VICTORIA LONGWORTH	100 NANTWICK ST. Lido Beach NY 11561	VICTORIA LONGWORTH	
Gloria Waldman	56 " Lido Beach NY 11561	Gloria Waldman	
Steven Kelly	Lido Beach NY 11561	91 Nantwick St	
	Lido Beach NY 11561		
	Lido Beach NY 11561		
	Lido Beach NY 11561		
	Lido Beach NY 11561		
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	Lido Beach NY 11561		

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Name	Address	Signature	e-mail address*
Julia Kappel	54 ROYAL ST Lido Beach NY 11561	Julia Kappel	
GLORIA KAPPEL	24 ROYAL ST Lido Beach NY 11561	Gloria Kappel	
Sharon Popper	65 ROYAL ST Lido Beach NY 11561	Sharon Popper	pspopper@optonline.net
Philip Popper	65 ROYAL ST Lido Beach NY 11561	Philip Popper	pspopper@optonline.net
William	11 ROYAL ST Lido Beach NY 11561	William	
William	11 ROYAL ST Lido Beach NY 11561	William	
Concetta	11 ROYAL ST Lido Beach NY 11561	Concetta Lucchese	
NORMA HERMAN	49 ROYAL ST Lido Beach NY 11561	Norma Herman	
James Herman	49 ROYAL ST Lido Beach NY 11561	James Herman	
Liz Barouch	33 ROYAL ST Lido Beach NY 11561	Liz Barouch	
Michael	Lido Beach NY 11561	25 ROYAL ST. LIDO 11561	
Bernice	19 ROYAL Lido Beach NY 11561	19 ROYAL ST Lido Beach	Bernice Rame
Amy Posner	2 ROYAL Lido Beach NY 11561	Amy	
	Lido Beach NY 11561		
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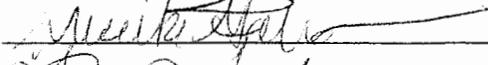
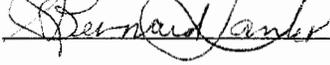
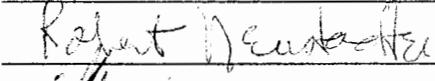
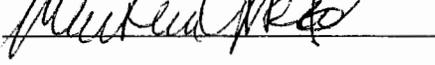
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Name	Address	Signature	e-mail address*
<u>S. Perfante</u>	<u>46 Leamington St</u>	<u>Lido Beach NY 11561</u>	<u>Sharon Perfante</u>
<u>L. Gilbert</u>	<u>55 Leamington St</u>	<u>Lido Beach NY 11561</u>	<u>Laura M. Gilbert</u>
<u>M. Wesson</u>	<u>66 Leamington St</u>	<u>Lido Beach NY 11561</u>	<u>M. Wesson</u>
<u>J. Stabodskay</u>	<u>36 Leamington St</u>	<u>Lido Beach NY 11561</u>	<u>←</u>
<u>J. Garamuth</u>	<u>26 Leamington St</u>	<u>Lido Beach NY 11561</u>	<u>Gordon Garamuth</u>
<u>Jeffrey Fenlon</u>	<u>16 Leamington</u>	<u>Lido Beach NY 11561</u>	<u>Jeffrey Fenlon</u>
<u>W. Wloken</u>	<u>25 Leamington</u>	<u>Lido Beach NY 11561</u>	<u>←</u>
<u>ZABINSKY</u>	<u>3 LEAMINGTON</u>	<u>Lido Beach NY 11561</u>	<u>Julian Zabinski</u>
<u>Carvalho</u>	<u>1 Leamington</u>	<u>Lido Beach NY 11561</u>	<u>Michael Carvalho</u>
		<u>Lido Beach NY 11561</u>	
		<u>Lido Beach NY 11561</u>	
		<u>Lido Beach NY 11561</u>	
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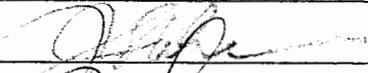
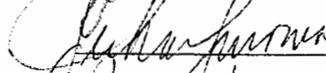
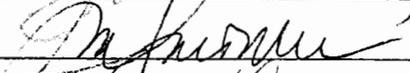
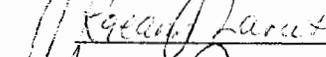
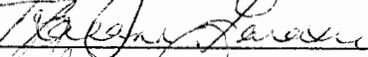
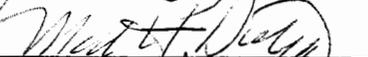
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Name	Address	Signature	e-mail address*
MARK-ALYSA Goldsmith	34 Luchow St Lido Beach NY 11561		
MARK -	34 Luchow St Lido Beach NY 11561		
Zander	15 Luchow St Lido Beach NY 11561		
L. STANIS	24 Luchow St Lido Beach NY 11561		
R. Neustadter	32 Luchow St Lido Beach NY 11561		
S. Shai	48 Luchow St Lido Beach NY 11561		
G. MAYERSON	46 Luchow St Lido Beach NY 11561		
Beek	25 Luchow St Lido Beach NY 11561		
	Lido Beach NY 11561		
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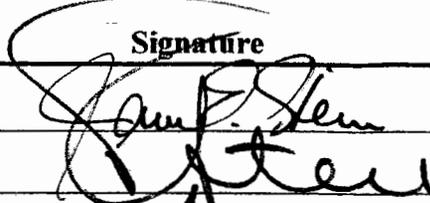
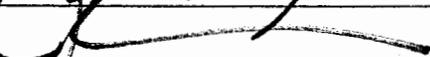
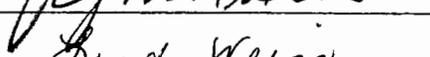
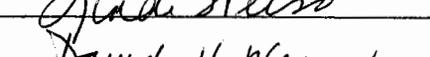
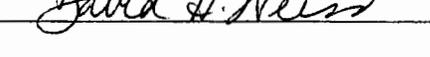
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Name	Address	Signature	e-mail address*
Gloria Bourque GLORIA BOURQUE	22 BATH ST Lido Beach NY 11561		GLOKIA B22@ATT.NET
	Lido Beach NY 11561		
	19 Biscuit St Lido Beach NY 11561		JWNDE@aol.com
	495 Lido Lido Beach NY 11561		FELIX 495@optonline.net
	6 Kensington Lido Beach NY 11561		toygal@optonline.net
ADELINE QUINN	1 OCEAN BLVD Lido Beach NY 11561		ADDIBLIUU@OPTONLINE.NET
MARK DIROLF	333 Lido Beach Lido Beach NY 11561		M DIROLF 333@aol
Mike Fichtelman	420 Lido Lido Beach NY 11561		mikesst@optonline.net
	Lido Beach NY 11561		
	Lido Beach NY 11561		
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Name	Address	Signature	e-mail address*
Jane Stein	63 Bath St Lido Beach NY 11561		
RICK STEIN	63 BATH ST Lido Beach NY 11561		
H. HANON	33 Bath St Lido Beach NY 11561		
P. Harvey	33 Bath St Lido Beach NY 11561		
D. Guzzo	38 Bath Lido Beach NY 11561		
J. Guzzo	" Lido Beach NY 11561		
J. Thornton	17 Bath St Lido Beach NY 11561		
Gude Weiss	45 Bath St Lido Beach NY 11561		
David H. Weiss	45 Bath St Lido Beach NY 11561		
	Lido Beach NY 11561		
	Lido Beach NY 11561		
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Response to Comment 4580: Damian Sciano, Chairman, Long Beach, New York Planning Advisory Board

Comment Number	Comment response
1	Comment noted. Public meetings regarding the DEIS were held in Hempstead, NY and on Howard Beach, NY on 3/14/06 and 5/2/06 respectively. Long Beach lies along the extended centerline of runway 13R/31L. There is very little that can be done to move aircraft away from Long Beach.
2	The FAA is required, under NEPA, to disclose the potential environmental effects of a proposed project in the context of a No Action condition. Air traffic activity is largely a function of market demand in our free market economy and the FAA has little authority to control demand. Consequently, it is reasonable and necessary to assume that the future No Action conditions will include market driven growth in air traffic.
3	Physical improvements to JFK are beyond the scope of this study. NEPA requires environmental review for all improvements that require a Federal action. Natural growth of air traffic driven by market demand is not a Federal action.
4	This issue is outside the context of this study.
5	Based on the diagrams provided in the presentation "Cultivating our OASIS", the proposed flight paths rely on curved approaches for arrivals and extended single-heading departures. These are not used today for reasons of safety and efficiency.
6	Long Beach can only benefit if the airspace is changed to move the noise over other communities. It has been a longstanding policy of the FAA to avoid shifting noise from one community to another solely for noise abatement purposes. However, if it is necessary to shift noise from one community to another because of aviation operational needs, then an environmental review must be completed to disclose the purpose and need, and the associated impacts to the public, as is the case here with the FEIS.
7	Comment noted.



COUNCIL

Andrew J. Reilly
Chairman

Linda A. Cartisano
Vice Chairman

Mary Alice Brennan
Michael V. Puppio, Jr.
John J. Whelan

Delaware County Council
Government Center Building
201 W. FRONT STREET
MEDIA, PENNSYLVANIA

AREA CODE 610-891-4270
FAX NUMBER 610-892-9788
www.co.delaware.pa.us

June 15, 2006

Ms. Marian Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, Southwest
Washington, DC 20591

Dear Ms. Blakey:

Delaware County Council would like to request that the public comment period for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project be extended from July 1, 2006 to September 1, 2006.

While the FAA published the Draft Environmental Impact Statement in December 2005, information on noise impacts was not placed on the FAA's website until March 2006. Furthermore, the FAA did not notify the Delaware County municipalities affected by noise increases about this project, the availability of the draft DEIS, the comment period, or the public meetings.

The additional time period will permit the County of Delaware to more thoroughly analyze the noise impact data and to notify the affected municipalities, so that they understand how the project will impact their residents. The recent extension of the comment period to July 1 is insufficient.

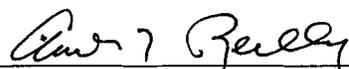
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Ms. Marian Blakey
June 15, 2006
Page 2

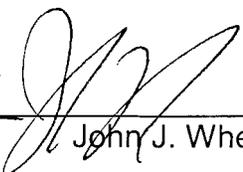
Very truly yours,



Andrew J. Reilly
Chairman



Linda A. Cartisano
Vice Chairman



Mary Alice Brennan

Michael V. Puppio, Jr.

John J. Whelan

Cc: Congressman Curt Weldon
Senator Rick Santorum
Senator Arlen Specter
Steve Kelley, FAA
Nessa Memberg, FAA

Response to Comment 4586: Delaware County Council

Comment Number	Comment response
1	<p>Comment noted. The comment period for the DEIS was over six months, the FAA has more than met CEQ requirements for providing an adequate review period.</p>
2	<p>The DEIS, published in December 2005, was complete and adequate. The noise grid points referred to by the commenter were released as an interpretive supplement to noise information already modeled and published in the document. These grid points allowed any resident in the five-state Study Area to log on to a website and find noise grid point information for his/her census tract/block. This information was for public disclosure and individual interpretation purposes only; it went well above and beyond any noise data required for a NEPA analysis in an EIS. The noise analysis provided in the EIS is the information upon which the FAA will make its decisions related to alternatives and for comparison with any noise mitigation strategies proposed in the FEIS.</p> <p>In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact and meeting information was mailed directly to the Office of the Chairman, Delaware County Council in order to provide relevant project information to a local centralized agency with county oversight. This newsletter was also mailed to over 200 individual residents and public officials of Delaware County. Also, a postcard identifying the specific public meeting locations was mailed out in February, 2006 also to the Delaware County Council as well as 214 Delaware County residents and public officials.</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run in rotation on the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p>



Andrew J. Spano
County Executive

June 22, 2006

Mr. Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Dear Mr. Kelley:

I am writing as the Chief Elected Official of Westchester County to state my great concern over both the content and the adequacy of the Draft Environmental Impact Statement (DEIS) regarding the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign.

As you are aware, the primary purpose of the DEIS under the National Environmental Policy Act is to provide interested and affected parties adequate information upon which to fairly evaluate and make informed comments about a proposed action. As it concerns the potential noise impacts on hundreds of thousands of interested and affected people in Westchester, this draft utterly fails to achieve that goal.

For that reason I have no alternative other than to strongly oppose the recommended "2011 Integrated Airspace Alternative Variation with Integrated Control Complex (ICC)," and to urge you to prepare a Supplemental DEIS clarifying the relevant issues. Implementing the alternative without the supplemental DEIS would violate your own procedures and thus make your action invalid.

As both the area government and the sponsor of the Westchester County Airport, Westchester has a long history of cooperative effort with the aviation industry and the FAA to minimize noise impacts of air traffic. The extensive noise monitoring effort managed by the airport and the airport-sponsored noise abatement procedure program are evidence of that commitment. The data provided by the monitoring system and the continued reduction of the airport's noise contours testify to its success.

Now, precipitous reassignment of air traffic without the legally required level of review is unacceptable and could undo decades of hard work and good will.

Our analysis of the limited data indicates that the proposed re-direction of aircraft leaving the County Airport will have significant impact on a portion of the Village of Rye Brook and on the corridor of communities beginning at Hawthorne and running northeast through Pleasantville, Briarcliff, Ossining, Croton, Buchanan and parts of the City of Peekskill. It will have potentially significant impacts on the City of Yonkers, Scarsdale, and Hastings-on-Hudson.

Office of the County Executive

Michaelian Office Building
White Plains, New York 10601

Telephone: (914)995-2900 E-mail: ceo@westchestergov.com

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1 8 12

Mr. Kelley
June 22, 2006
Page 2

Incredibly, it appears that many of the aircraft departing HPN will now be routed directly over the nuclear power plant at Indian Point, a possibility we view as a significant security risk that is not acceptable and must be avoided.

6

Because of our grave concern, I directed the firm of Harris Miller Miller & Hanson, airport noise consultants, to review the DEIS. Enclosed is their memorandum identifying in detail the deficiencies of the DEIS with regard to our community. I have also enclosed for your information a brief description of the County's historical and ongoing commitment to noise abatement. They deserve your serious review and appropriate follow up action in the form of a Supplemental Statement.

7

8

I look forward to your prompt reply.

Sincerely,



Andrew J. Spano
County Executive

AJS:ST:mt

Enclosures

cc: Honorable Members, Westchester County Federal Delegation

HARRIS MILLER MILLER & HANSON INC.

77 South Bedford Street
Burlington, MA 01803
Tel. (781) 229-0707
Fax (781) 229-7939

MEMORANDUM

To: Robert Funicello, Westchester County
From: Ted Baldwin
Date: June 8, 2006
Subject: Review of New York / New Jersey / Philadelphia Metropolitan Airspace Redesign
Draft Environmental Impact Statement with Respect to Westchester County Airport
Reference: HMMH Project 301630

1. INTRODUCTION

This memorandum summarizes the Harris Miller Miller & Hanson Inc. (HMMH) review of the New York / New Jersey / Philadelphia Metropolitan Airspace Redesign Draft Environmental Impact Statement (DEIS). HMMH conducted this review on behalf of Westchester County, New York



1.1 Purpose of Review

HMMH's primary purpose is to provide input for the County to consider in commenting on the DEIS.

1.2 Scope of Review

We focused our review of the DEIS documentation on sections addressing noise issues related to the DEIS "2011 Integrated Airspace Alternative Variation with Integrated Control Complex (ICC)" as they pertain to the Westchester County and to Westchester County Airport (HPN) operations. *All of the changes in noise values presented and discussed in this memorandum are in reference to that alternative to the "no-action" alternative for 2011, unless explicitly noted otherwise.*

We briefly reviewed the other alternatives for both the 2006 and 2011 study years and did not find any indication of dramatic changes in HPN operations or changes in other aircraft operations within Westchester County or the neighboring areas of Fairfield County, CT.

We have not prepared an exhaustive, section-by-section evaluation or commentary.

1.3 Basis of Review

HMMH based this review on DEIS document, appendices, other supporting material posted on the DEIS website¹, and the firm's previous experience assisting on noise-related issues at HPN. We have not conducted any independent data collection or analysis. Our review of noise values was limited to the aircraft noise levels presented in the DEIS and supporting material. We have not considered the relationship between ambient and aircraft noise.

1.4 Recommendations

Throughout the memorandum, we have italicized major observations and recommendations. On a general level, we recommend that the County request that the FAA provide:

- Detailed descriptions of HPN-related operations under the proposed action and non-action alternatives, including runway use, and flight track geometry and use rates, and other assumptions.
- Results of all noise modeling conducted in preparing the DEIS, including the 5,000 foot grid spacing and 500 foot grid mentioned in the documentation (Appendix E), but for which documentation or results are not reported.
- Additional noise modeling results for a denser set of points to identify possible noise impact at locations between census block centroids, in particular in the vicinity of the 55 dB DNL and higher contours at HPN. In "Area A" discussed in Section 3.3 of this memorandum, we recommend a

¹ http://www.faa.gov/airports_airtraffic/air_traffic/nas_redesign/regional_guidance/eastern_reg/nynjphl_redesign/dei_statement/

100-foot grid spacing, because the change in exposure at the single analysis location in that area is at the brink of significant impact and there are very few noise modeling locations in this area.

- * Noise Impact Routing System (NIRS) study(ies) used to develop the noise values, which provide a complete description of modeling assumptions for the no-action and proposed action alternatives.

2. PRIMARY CONCLUSIONS

The following paragraphs summarize our primary comments; Section 3 presents detailed discussion.

Predicted Changes in Noise Exposure Are Likely To Be Highly Detectable

The DEIS does not predict changes in noise exposure in Westchester County that would exceed FAA criteria for significant or slight-to-moderate impact. (Section 3.1 summarizes of those criteria.)

However, many of the predicted changes are within one decibel, or even as little as three tenths of a decibel, of the criteria, including the criteria for significant impact. *Based on our experience at HPN and other airports, we believe that the changes in operations and exposure are likely to be highly noticeable to residents of the County and areas in the vicinity of HPN, and likely to result in highly negative feedback to the County.*

Actual Changes in Exposure May Exceed FAA's Threshold of Significance

The DEIS noise-prediction approach is not accurate enough to predict noise exposure with an accuracy of one-decibel or less for all noise-sensitive locations. Minor improvements in the precision of modeling assumptions (such as runway use, fleet mix, flight tracks, or specific analysis location) would result in identification of significant impact within the County and vicinity of HPN. At one analysis location, under the approach to Runway 34 at HPN, in the vicinity of the Belle Fair development, the predicted change in exposure is within two tenths of decibel of the FAA's threshold of significance. *The predicted change in exposure at that location could exceed the threshold of significance with very minor adjustments in modeling assumptions or there could be significant impact at nearby locations that were not specifically modeled.*

The Operational Changes under Consideration Would Require Westchester County to Reevaluate and Revise its Noise Abatement Program, Noise Monitoring Locations, and Noise Contours

The information available in the DEIS indicates that the proposed flight routes, particularly for departures, would be inconsistent with existing noise abatement departure flight tracks that lead aircraft over unpopulated or less-densely populated, areas during initial climb-out from the airport. The new routes would lead aircraft over more densely populated areas, requiring reassessment of existing noise abatement procedures. The new routes also would lead aircraft over areas where existing Remote Monitoring Terminal (RMT) locations do not provide adequate coverage; the County would have to reassess the existing locations, and consider moving and possibly adding RMTs. The changes in exposure also would make the most recent noise contours out-of-date, and require preparation of an updated noise study.² *These costly actions would be required to maintain the County's commitment to a responsive and effective noise compatibility program at HPN.*

DEIS Documentation is Insufficient to Thoroughly Review the Proposed Action

The DEIS documentation is not sufficiently detailed to fully understand potential noise-related impacts in the vicinity of HPN. For example, the documentation does not identify the extent to which predicted changes in exposure are associated with modified operations at HPN or other airports, and modeling assumptions are not described completely, even at the basic level of runway use. The text in Appendix C provides a general description of the Integrated Airspace Alternative Variation with ICC alternative, but the figures in Appendices C and E are at too small a scale, on a map lacking useful landmarks (such as the reservoir or major roads), such that it is not possible to fully understand the proposed changes within the vicinity (approximately five to ten miles) of HPN. *The fundamental*

² HMMH assisted TAMS Consultants, Inc. to prepare the 2002 "Westchester County Airport Aircraft Noise Study" that presented noise contours for 1999 and 2005.

implication is that the DEIS fails to achieve its primary objective; i.e., to provide interested and potentially affected parties with sufficient information, in a clear and comprehensible format, to comment on potential impacts in an informed manner.

Westchester County Should Request That FAA Provide Further Documentation

The preceding conclusions, and other issues raised by our review of the DEIS provide ample justification for you to request that the FAA provide further documentation and conduct additional analysis of the proposed action and changes in activity over the County. *The deficiencies justify preparation of a supplemental DEIS, to ensure that interested parties have the time and materials necessary to prepare thorough informed comments.*

3. DISCUSSION

This section summarizes HMMH's major observations in somewhat greater detail, with the purpose of providing sufficient information to defend our major conclusions and support the County in preparation of comments on the DEIS. The discussion includes three primary elements:

- Summary of "impact categories" that FAA used in the noise analysis, including a brief description of the major noise terminology used in the DEIS.
- A discussion of the noise analysis locations used in the DEIS.
- Graphical summaries of changes in noise exposure, based on detailed data from the DEIS website, and discussion of major HMMH observations.

Once again, all of our observations address the "2011 Integrated Airspace Alternative Variation with Integrated Control Complex (ICC)," compared to the 2011 "no-action" alternative.

3.1 FAA Categories of Impact

The DEIS follows FAA standard practice³ and considers noise impact in three categories that consider incremental increases in Day-Night Average Sound Level (DNL)⁴ over threshold values:⁵

- Significant Impacts: 1.5 DNL minimum increase resulting in 65+ DNL noise exposure, or 1.5 DNL minimum increase where noise exposure already exceeds 65 DNL
- Slight to Moderate: 3 DNL minimum increase resulting in noise exposure between 60 and 65 DNL, or 3.0 DNL minimum increase where noise exposure is already between 60 and 65 DNL
- Slight to Moderate: 5 DNL minimum increase resulting in noise exposure between 45 and 60 DNL, or 5 DNL minimum increase where noise exposure is already between 45 and 60 DNL

3.2 Noise Analysis Locations Used in the DEIS

Practical requirements dictate that the analysis approach used to evaluate changes in exposure in the large geographic areas affected by airspace changes is less precise than in airport-specific studies. Modeling assumptions (e.g., fleet mix, flight track geometry, runway use, etc.) are generally less detailed than those developed for preparation of noise contours. It is worth noting that the DEIS documentation is not detailed enough for us to understand the extent to which HPN activity was

³ FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," defines the agency's impact assessment requirements.

⁴ FAA has adopted DNL as the noise measure to be used in impact assessments. DNL describes cumulative noise exposure from individual source categories (such as aircraft operations) or from multiple sources (up to all sources at a). In simple terms, DNL represents the steady-state noise level that would provide the same cumulative exposure as the actual time-varying noise over the period of interest, with one important adjustment - all noise between 10 pm and 7 am is counted ten times, to reflect the added annoyance of noise during that sensitive period. Because of this adjustment, DNL always must be calculated for some number of days. Standard practice in aviation noise studies is to consider the DNL for a full calendar year, to take into account seasonal variation in airport activity, weather, etc. This memorandum considers calendar year 2011 DNL.

⁵ These three impact category definitions are quoted directly from Section ES.6.1 (page ES-11) of the DEIS.

simplified in the noise modeling; the model inputs might have been as detailed as those used in preparing noise contours or they might have been highly simplified. *Westchester County should request that the FAA describe the HPN modeling assumptions in detail, to permit full evaluation of the implications of simplifying assumptions.*

The DEIS did provide information on the analysis locations in Westchester County and the vicinity of HPN; from that information we know that the density of analysis locations is much lower than that used in plotting contours. Therefore, the noise analysis risks overlooking areas where impacts might exceed FAA impact criteria and even rise to “significant.”

In airspace noise assessments, FAA starts the list of analysis locations with the geographic centers of census blocks (“population centroids”) and adds locations of specific interest, such as historic sites and discrete sensitive land uses, such as schools and parks. The analysis locations in the vicinity of HPN appear to be limited to population centroids.



There are only about a dozen reported analysis locations within the 55 dB DNL exposure area around HPN. That area is approximately four times the larger than the area encompassed by the 65 dB DNL contour, which normally is the outer boundary shown in noise contours. It would be impossible to draw contours of any value with only 12 data points, let alone with the few that would fall within the 65 dB exposure area.

While lower analysis densities are common in airspace studies, it is worth noting that the DEIS calculated exposure for 5,000-foot grid spacing over the entire study area and for 500-foot grid spacing around major airports. However, these results are not reported. *Westchester County should request that the FAA provide this more detailed information, to permit assessment of all analysis results. As discussed in the following section, the available exposure results also suggest that changes in exposure at some locations are so close to impact thresholds that minor shifts in analysis locations or changes in modeling assumptions would result in slight-to-moderate or even significant impact. These “near misses” justify a request from the County for more detailed local analysis.*

HMMH observed that some Census block locations reported in the DEIS website disagree with locations downloaded from the Census Bureau.⁶; in some cases the differences range from several hundred feet to over a quarter mile. For example the point identified in the DEIS online noise tables as New York, Westchester, 123.03,9027, latitude 41.08645, longitude -73.72542, and a population of 19, has a Census location of 41.087487, -73.723343. These two locations differ by over 680 feet, well beyond reasonable rounding differences. Moreover, as discussed in the following section, variation in modeling location might lead to exceedance of impact criteria.

3.3 Graphical Summaries of Changes in Noise Exposure

The DEIS did not identify noise impacts in any of the three FAA impact categories, in Westchester County or the vicinity of HPN. To obtain a greater understanding of changes in exposure in the area, HMMH evaluated detailed noise values available on the DEIS website for analysis locations used in the study.

The two appended figures distill the critical results of our review. The first figure depicts *absolute changes in DNL* in nine categories for the 2011 Integrated Airspace Alternative Variation with ICC to the 2011 “no-action” condition. The second figure presents *changes in DNL relative to impact assessment criteria*. Specifically, it shows locations that meet one aspect of the impact criteria and are within one decibel of the other, or that are within one decibel of meeting both criteria for significant impact.

The first figure outlines seven areas of particular interest; the second figure outlines three of them. These areas and their significance are described below. These areas start south of HPN and continue clockwise.

⁶ From http://www2.census.gov/census_2000/datasets/redistricting_file--pl_94-171/ and interpreted using the FAA’s integrated Noise Model.

HARRIS MILLER MILLER & HANSON INC.

Memorandum to: Robert Funicello, Westchester County
Review of Airspace Redesign Draft Environmental Impact Statement

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- * Area A is almost directly under the extended centerline of Runway 16/34, to the southeast of the airport. It appears to be in the southern corner of the Belle Fair development.

This area encompasses one analysis location where the DEIS data indicate the DNL would increase by 2.7 decibels (dB), compared with the 2011 no-action alternative, and, result in an aircraft-related DNL of 64.8 dB⁷. Therefore, the change in exposure at this location would be within tenths of a decibel of creating a significant impact. Modest refinements in modeling assumptions or a slight shift in the analysis location would almost certainly yield a significant impact in this area. The DEIS documentation does not provide sufficient detail to understand the reason for this change in exposure. *This change in exposure on the brink of significance clearly merits more detailed analysis and documentation of the causative factors. The FAA should investigate additional locations in this area to identify locations of potentially significant or light to moderate impact. Residents in this area would likely respond in a strong negative fashion.*



- * Area B is a roughly triangular area with corners in Yonkers, Hastings-On-Hudson, and Scarsdale (at its border with the southern end of White Plains). The DEIS predicts changes in exposure of approximately 1.5 to 2.9 dB in this area. These changes may be due to revised operations at other airports. However, the documentation provides no basis for determining the specific contributing factors. *The County should request an explanation, to obtain an understanding of the factors affecting residents in the jurisdiction.*
- * Areas C and D appear to be related. Area C is west of the airport, running from White Plains and Valhalla to Tarrytown and the Hudson River. This area is under the existing corridors for departures on both Runway 16 and 34 (turns to 320° and 295°, respectively)⁸. The DEIS predicts 1.5 to 4.9 dB *decreases* in exposure in this area. Area D runs northwest from Kensico Reservoir to Tomkins Cove and Jones Point. The DEIS predicts DNL increases of at least 1.5 to 8 dB in this area. To the best of our understanding, the airspace changes would shift Runway 34 departures from Area C to Area D; departures on Runway 34 would make a slight dogleg to the west over Rye Lake then proceed up Area D; Runway 16 departures would make a 180 ° right-hand turn and also proceed up this area.⁹

This change is not documented in text of the DEIS and is only described briefly in the appendices and noise analysis. Figure 8-47 in Appendix C indicates that Runway 34 departures would turn left initially to 295°, but would then turn right a to heading of approximately 330° to 350° before crossing the northern shoreline of the Kensico Reservoir. In summary, this change moves Runway 34 departures from flying between RMTs 8 and 10 to somewhere between RMTs 10 and 5. With regard to Runway 16 departures, Appendix E, Attachment C-109 presents a figure depicting the changed route, but the scale is too small to make an adequate assessment.

As shown in the second figure, predicted changes in DNL at the orange-colored analysis locations in the Pleasantville, Thornwood, and Hawthorne area are very close to the FAA's slight to moderate (five decibel increase / 45 DNL impact) criterion. There are six locations, representing 457 people, within three tenths of a decibel and 99 additional locations, representing 3,834 people, within one decibel of the criterion. The DEIS data also predicts the yellow-colored locations between Pleasantville and Crotonville will be within five-decibels of this criterion (a five-decibel increase is predicted and the total aircraft exposure will be 40 dB DNL or greater). *Based on our experience at HPN and other airports, we believe that the changes in operations and exposure in these areas are likely to be highly noticeable to residents of the County and areas in the vicinity of HPN, and likely to result in highly negative feedback to the County. The changed procedures justify a request from the County to the FAA for additional documentation and analysis.*

⁷ This location is within Westchester County and is identified as Census Tract 83.02, Census Block 9013, latitude 41.04993, longitude -73.69322, with a Census 2000 population of 38 people.

⁸ This procedure is currently called the "Westchester One Departure"

⁹ There are a couple of 1.5 to 2.9 dB increases shown immediately southwest of the airport, on the west side of I-684 and east of Area C that most likely are the result of the Runway 16 departures flying northwest abeam of the airport.

HARRIS MILLER MILLER & HANSON INC.

Memorandum to: Robert Funicello, Westchester County
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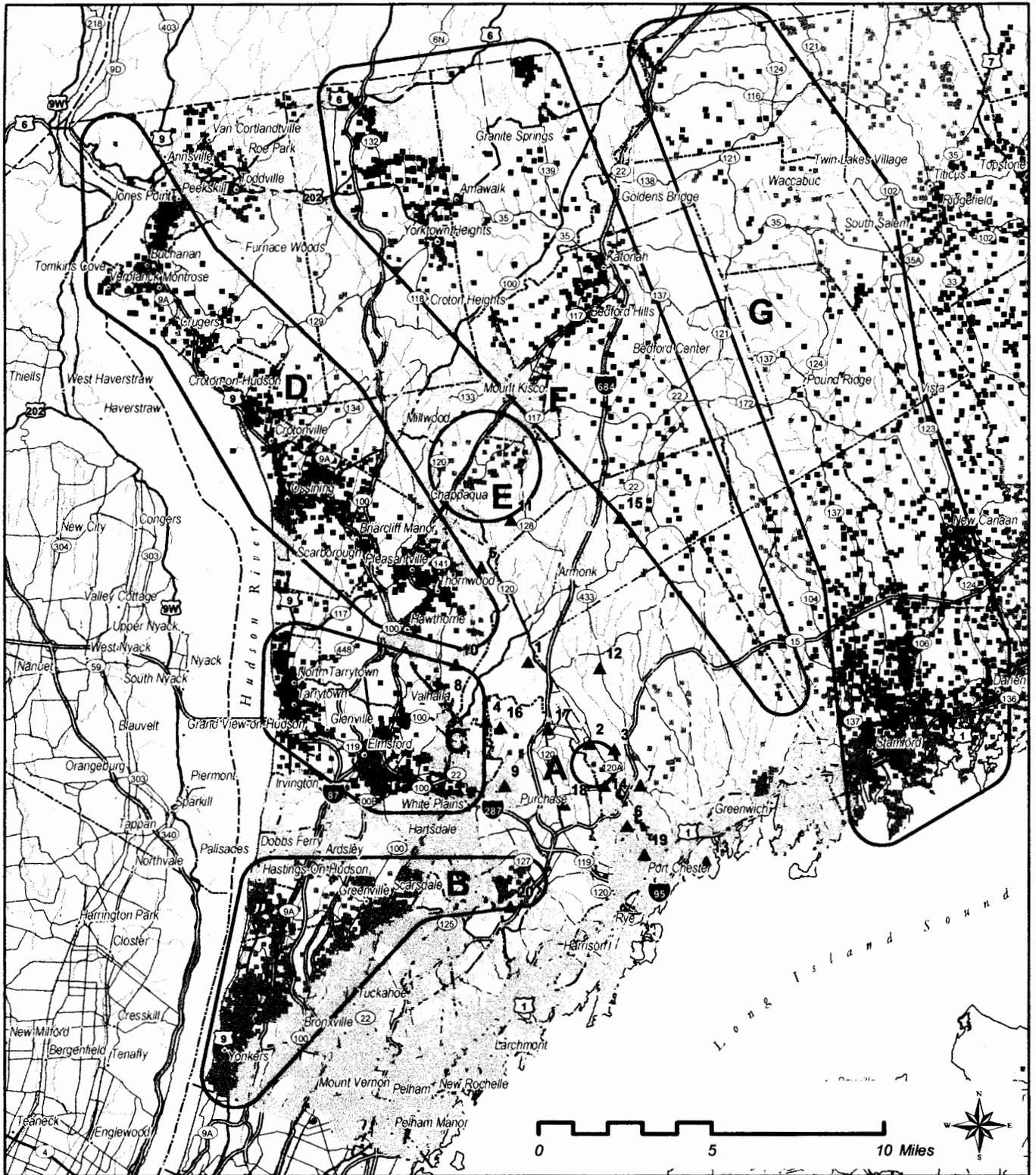
- Area E runs from Chappaqua to Mount Kisco, and includes predicted DNL increases in the 1.5 to 2.9 dB range. It appears to be under the easterly loop proposed for Runway 34 departures; the increases may be the result of that new procedure. There is no other evidence of change in exposure at DEIS analysis locations due to this turn; however, as mentioned previously, the absence of change may be an artifact of the relatively dispersed analysis locations. HPN has recently experienced growth in scheduled passenger operations to southern destinations, which appear to be the primary destinations assigned to this route.

The body of the DEIS does not discuss this loop. Appendix C provides a brief description, and Appendices C and E provide some graphics, but they are at too small a scale to understand the exact flight path near HPN. Appendix C and E also show that some aircraft currently fly a procedure very similar to the proposed loop. We have not seen this procedure in our work at the airport.



It is our understanding that HPN has experienced a recent increase in scheduled departures to southerly destinations. The DEIS documentation does not provide the number of operations or associated destinations modeled on this route, so it is not possible to review assumptions regarding its proposed use, in the context of that increase. *Once again, this unfamiliar procedure is very likely to be noticeable and annoying to residents. The County should request that the FAA provide adequate documentation to understand its purpose and anticipated use.*

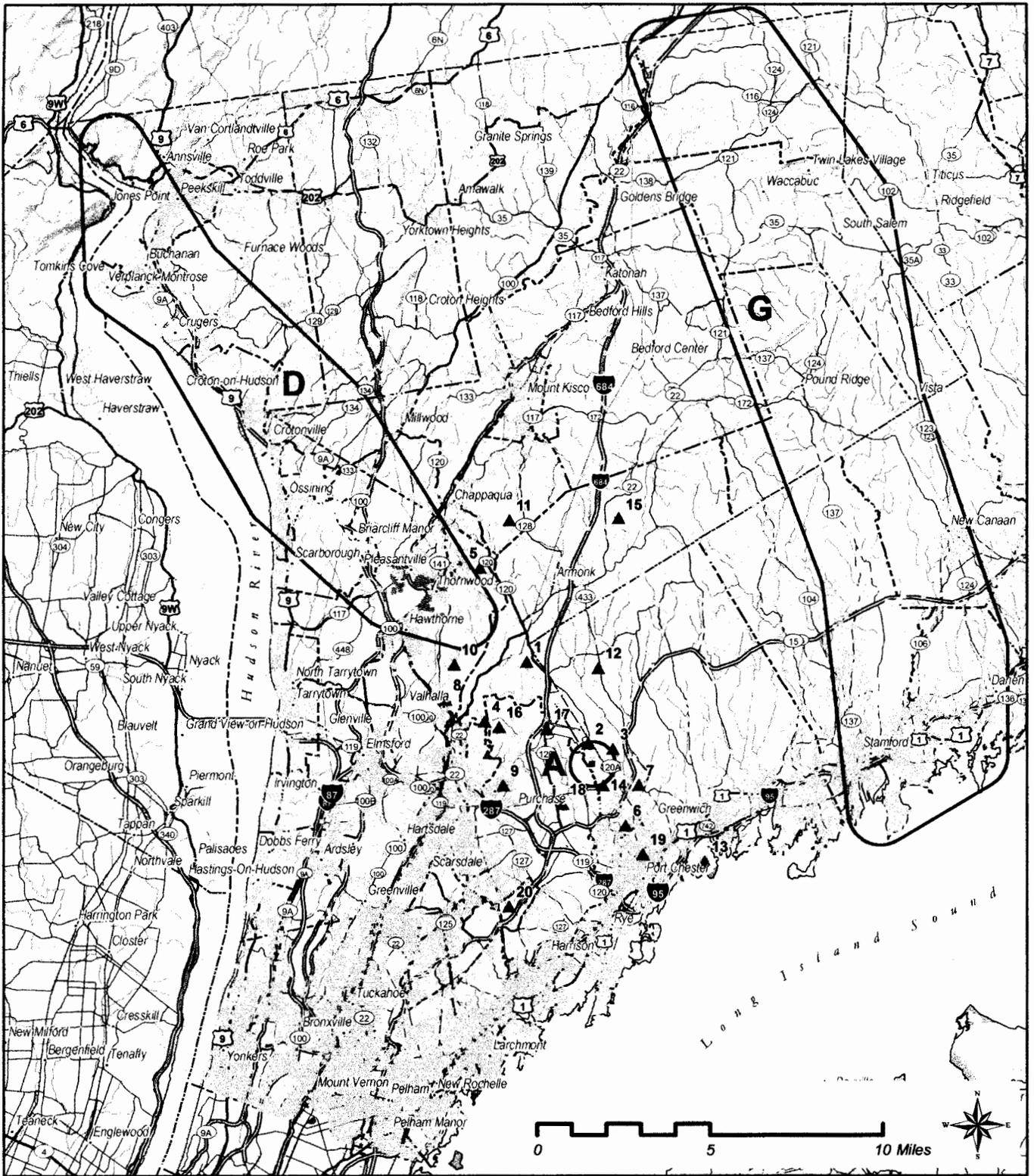
- Areas F and G also appear to be related. Area F seems to be under the downwind leg for the existing "Sound Visual Approach." It appears from the DEIS (although the documentation is not absolutely clear) that these approaches would be shifted to the east, over Area G. As shown in the second figure, the DEIS predicts that the shift in traffic will increase levels between Pound Ridge and Stamford, CT by five decibels or more, with aircraft noise associated with the proposed action at levels of 40 dB DNL or greater. *Once again, this unfamiliar procedure is very likely to be noticeable and annoying to residents.*



- < -8
 - -7.9 to -5
 - -4.9 to -3
 - -2.9 to -1.5
 - -1.4 to 1.4
 - 1.5 to 2.9
 - 3 to 4.9
 - 5 to 7.9
 - >= 8
- ▲ RMT Locations
 - Municipal Boundary

Westchester County Airport
 Analysis of New York/New Jersey Philadelphia Metropolitan Area
 Airspace Redesign Draft Environmental Impact Statement
 2011 Integrated Airspace Alternative Variation with ICC
Absolute Change in DNL from 2011 No Action

Data Sources: Federal Aviation Administration (FAA), Westchester County Airport, Westchester County Geographic Information Systems (WCGIS), Environmental Systems Research Institute, Inc. (ESRI).



Alternative is greater than or equal to 40 dB DNL (≥ 40) and increases 5 dB or greater compared to No Action.

◉ Alternative is between 44 dB DNL and 45 dB DNL (≥ 44 and < 45) and increases 5 dB or greater compared to No Action, or Alternative is greater than or equal to 45 dB DNL or greater (≥ 45) and increases 4 dB or greater compared to No Action.

■ Alternative is greater than 64 dB DNL and increases 2.7 dB or greater compared to No Action.

Other modeling locations that do not have these increases.

▲ RMT Locations

--- Municipal Boundary

Data Sources: Federal Aviation Administration (FAA), Westchester County Airport, Westchester County Geographic Information Systems (WCGIS), Environmental Systems Research Institute, Inc. (ESRI).

Westchester County Airport

Analysis of New York/New Jersey Philadelphia Metropolitan Area
 Airspace Redesign Draft Environmental Impact Statement
 2011 Integrated Airspace Alternative Variation with ICC

Change in DNL Relative to Criteria



HARRIS MILLER MILLER & HANSON INC.

Westchester County's Commitment to Airport Noise Abatement

The County of Westchester has for many years been very concerned about noise and other environmental impacts caused by its Airport. Beginning in 1998 the County increased significantly its efforts to reduce noise and other Airport related environmental impacts. The Westchester County Airport Noise Office was expanded to a full Environmental Department. One of the first ISO 14001 certified Environmental Management Systems (AEMS) to be instituted at a US airport was certified at the Westchester County Airport (HPN). In addition the Westchester County Airport has taken manifold actions, at a cost of millions of dollars in Airport revenues, to identify, evaluate, avoid and, where unavoidable, mitigate the Airport's environmental impacts.

As part of this extensive effort to protect the public from noise and other environmental impacts, in 2002 the County completed the *Westchester County Airport Aircraft Noise Study*, (TAMS Consultants, Inc. and Harris Miller Miller & Hanson, Inc.), available online at <http://www.westchestergov.com/airport/> (HPN 2002 Noise Study). This comprehensive study identified existing and likely future noise impacts resulting from aircraft operations at HPN documented updated aircraft noise contours and discussed their significance.

Prior to the completion of the HPN 2002 Noise Study, the County had completed an evaluation of its noise monitoring system, including the monitoring locations, operating parameters, and overall performance (HMMH, 2000). This study had two principal objectives:

- To ensure that the number and location of permanent noise monitors provides appropriate geographic coverage of areas affected by noise from HPN operations.
- To ensure that the County's Airport Noise and Operations Monitoring System (ANOMS) noise event detection parameters are set in a manner that will maximize the detection of aircraft noise events and, therefore, measure the contribution of aircraft to overall noise exposure.

The noise monitoring system study also had a third, non-technical, but equally important objective:

- To provide opportunities for the public to understand the basis for selecting monitor locations, and to suggest new or relocated sites for consideration.

Public input at the time fell into two principal areas:

- There was concern that there were gaps in the overall geographic coverage of the permanent noise monitors, which might cause the system to miss operations or fail to address noise sensitive areas of interest.
- There was concern that some existing monitors may be in areas where high background

levels limit the system's ability to detect aircraft events or cause the system to reflect non-aircraft exposure levels that are not reasonably representative of residential areas. In most instances, high background levels are associated with street traffic, since several existing monitors are located in the shoulder of relatively busy roads.

Thereafter, the County implemented the noise monitoring system study's recommendations, which included:

- Addition of six new noise monitors to provide comprehensive geographic coverage.
- Relocation of six existing noise monitors to address current site problems, such as unacceptably high non-aircraft noise levels.
- Confirmation of the locations of the eight remaining existing monitors.
- Implementation of an enhanced "floating noise threshold" capability that will improve the system's ability to identify the maximum number of events by lowering the discrimination threshold during time periods when non-aircraft noise levels are low, such as at night.

The completion of the HPN 2002 Noise Study and the implementation of the recommended noise monitoring system improvements have dramatically improved the understanding of HPN's noise impacts by the County government and the public. The County has improved its ability to manage the Airport to reduce noise impacts through the Airport's noise abatement program, implemented as part of the AEMS. Just as important, it has increased the public's understanding of and confidence in the government's willingness to do as much as possible to reduce noise. Based upon the favorable comments received from the public at monthly meetings of the Westchester County Airport Advisory Board, and the significant reduction in noise complaints received by the HPN Environmental Department, it is clear these efforts to understand noise impacts caused by the Airport and mitigate those impacts is working.

Response to Comment 4938: County Executive Andrew J. Spano, Westchester County

Comment Number	Comment response
1	The FAA strongly disagrees with your assertion that the DEIS was inadequate. The DEIS, published in December 2005, was complete and adequate. Based on the requirements set forth under NEPA and FAA Order 1050.1E, the DEIS adequately addressed the noise and other environmental impacts on all areas within the project Study Area. Noise impacts in particular were rigorously evaluated and noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative.
2	According to CEQ Regulations Section 1502.9b, Final EISs shall respond to comments and the agency shall discuss at appropriate points in the Final EIS any responsible opposing view which was not adequately discussed in the Draft EIS and indicate the agency's response to the issue raised. The FAA prepared its Final EIS and responded to comments and opposing views received on the Draft EIS. According to CEQ Regulations Section 1502.9c, agencies shall prepare supplements to either Draft or Final EISs if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or (2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. The FAA has not made substantial changes in the proposed action, nor are there significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. Therefore, a supplement DEIS is not required.
3	Comment noted.
4	The DEIS is legally sufficient. It was prepared in accordance with CEQ regulations and FAA Order 1050.1E.
5	As the commenter notes, there are some route changes at a distance from HPN. These flight route changes occur beyond the HPN noise abatement procedures and beyond the extent of the HPN 2005 60 DNL noise contour as published in HPN's 2002 Aircraft Noise Study. The EIS provides detailed discussions regarding the changes in noise levels that meet FAA's thresholds of reportability. These discussions include the identification of the cause and/or contributing factors to the changes depicted for each alternative. The changes identified in the comment are below FAA's thresholds of reportability and thus are not discussed in detail. Information beyond FAA's thresholds of significance and reportability was provided by FAA in the form of the supplemental data in the noise spreadsheets published on the project web site. This data goes beyond the typical level of disclosure and provides noise exposure levels for each Census Block within the Study Area. In all cases where the change in noise level exceeds FAA's threshold of significance, the impacts are mapped, described, and tallied in the DEIS document.
6	The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.
7	Comment noted, the analysis from HMMH was reviewed and responses to their comments are included in the FEIS. See responses to Comment Letter 4976.
8	See responses to comment 4938 #1 and #2.

Response to Comment 4938: County Executive Andrew J. Spano, Westchester County

Comment Number	Comment response
Other	The memo attached to this comment letter was later revised and resubmitted. See comment #4976.

Nagendran, Ram

From: Margaret Gelardo [mgelardo@mtpleasantny.com]
Sent: Thursday, June 29, 2006 4:49 PM
To: FAA DEIS
Subject: FW: Comments on: New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Draft Environmental Impact Statement (DEIS)
Attachments: LetterKelleyJune 27-06.doc

-----Original Message-----

From: Margaret Gelardo
Sent: Tuesday, June 27, 2006 11:24 AM
To: 'faa.deis@nge.com'
Cc: 'jv1@westchestergov.com'
Subject: Comments on: New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Draft Environmental Impact Statement (DEIS)

See attachment below.

Margaret Gelardo

Town of Mount Pleasant, Supervisor's Office

Direct: 914-742-2300, Fax: 914-769-3155

mgelardo@mtpleasantny.com

005180
1/2

June 27, 2006

Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Re: Draft Environmental Impact Statement (DEIS)
regarding the New York/New Jersey/Philadelphia
Metropolitan Area Airspace Redesign

Dear Mr. Kelley:

The DEIS does not adequately address the noise impacts on surrounding communities, the impacts of airborne contaminants upon the New York City water supply in the Kensico Reservoir and potential security issues created by flights over the nuclear power plant at Indian Point. I urge that a Supplemental DEIS be prepared addressing these issues.

Redirection of aircraft under the "2011 Integrated Airspace Alternative Variation with Integrated Control Complex" will have a significant impact on communities in the town of Mount Pleasant including Hawthorne, Pleasantville and Briarcliff Manor. This includes both noise level impacts in these residential areas and potential increase in jet fuel contaminants falling into the Kensico Reservoir. Also, the potential security issues raised by the rerouting of flights over Indian Point pose unacceptable risks, which must be avoided.

These significant issues must be reviewed. The impacts are substantial and the proposed reassignment of air traffic at Westchester County Airport should be rejected.

Very truly yours,

Robert F. Meehan

RFM:mg

Response to Comment 5180: Robert F. Meehan, Supervisor, Town of Mount Pleasant (by Margaret Gelardo)

Comment Number	Comment response
1	Based on the requirements set forth under NEPA and FAA Order 1050.1E, the DEIS adequately addressed the noise and other environmental impacts on all areas within the project Study Area. In addition, the supplemental data in the noise spreadsheets published on the project web site goes beyond the typical level of disclosure.
2	Air quality studies focused on particulate matter (commonly referred to as soot) have been conducted at Chicago O'Hare International Airport, Boston Logan International Airport, and Cincinnati/Northern Kentucky International Airport. The referenced studies have found that soot and other deposits under flight paths are more closely related to general urban pollutants, motor vehicle exhaust, and soot from burning non-aviation heavier fuels, such as fuel oil. Specifically, the studies concluded that components of soot are more the result of regional background pollution rather than jet fuel or aircraft engine exhaust. The underlying data base for aircraft particulates is not extensive and the FAA is working with the aviation community, including the Society of Automotive Engineers, the International Civil Aviation Organization, and NASA to develop methods and procedures for measuring aircraft engine particulate emissions. The primary exhaust emissions from jet aircraft engines are oxides of nitrogen, hydrocarbons, carbon monoxides, and smoke, all of which are measured during the FAA's engine certification process. Engine exhaust emission levels are measured and regulated as prescribed in 14 CFR part 34. The regulations apply to all civil aircraft that are powered by gas turbine engines including turboprop, turbofan, and turbojet engines.
3	The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.
4	Mount Pleasant, Hawthorne, Pleasantville, and Briarcliff Manor will not receive significant noise impacts from the Integrated Airspace Alternative Variation with ICC. The Federal Aviation Administration (FAA) in Orders 1050.1E, Environmental Impacts: Policies and Procedures, and 5050.4A, Airport Environmental Handbook, characterizes noise increases that are equal to or greater than 1.5 dB within the 65 dB day-night average sound level (DNL) range as a "significant impact". Furthermore, in consideration of the public response to past air traffic changes, the FAA has identified a threshold of a +/- 5 dB DNL change between 45 to 60 DNL and +/- 3 dB DNL between 60 to 65 DNL to identify significant to moderate levels of impact.
5	The Preferred Alternative would not induce operations and would reduce delay. Therefore, air pollutants emissions would be less with the Preferred Alternative than the Future No Action Airspace Alternative. See response to comment 5180 #2.
6	See response to comment 5180 #3.
7	Comment noted.

Nagendran, Ram

From: sicb1 [sicb1@si.rr.com]
Sent: Thursday, June 29, 2006 5:24 PM
To: FAA DEIS
Subject: NY/NJ/PHL Airspace redesign DEIS

29 June 2006

Ms. Marion Blakey, Administrator
Federal Aviation Administration
800 Independence Avenue SW
Washington, D.C. 20591

Dear Ms. Blakey:

On behalf of Community Board 1, which represents the areas most impacted by Newark-Liberty International Airport, I thank you for agreeing to extend the comment period for the NY/NJ/PHL Metropolitan Airspace Redesign DEIS.

Community Board 1 requests you remove the "oceanic" option from the DEIS. This option will create an unsafe intrusion into JFK and LaGuardia flight paths; will seriously harm the regional economy; and, most importantly, will make life miserable for the people in our communities.

Aircraft noise is very bad right now and I urge you to put a stop to the "oceanic" option to ensure that any flight path change will make life better, not worse, for our Borough.

As always, Administrator Blakey, I thank you for your concern for and interest in our communities.

Yours truly,

Sean Sweeney, Chairman

Response to Comment 5187: Sean Sweeney, Chairman, Community Board 1

Comment Number	Comment response
1	Comment noted.
2	Comment noted.
3	Comment noted.



CITY OF RYE

1051 BOSTON POST ROAD RYE, NY 10580-2996
TEL: (914) 967-5400 FAX: (914) 967-4604

June 30, 2006

By: Mail and email to faa.deis@ngc.com

Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Dear Mr. Kelley:

I am writing as City Manager of the City of Rye in Westchester County to express Rye's concerns regarding the content and the adequacy of the Draft Environmental Impact Statement (DEIS) regarding the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign.

We share the concern of other communities on Long Island Sound that air traffic routes over land should not be increased and that flight paths for LaGuardia Airport utilize waterbodies rather than fully developed residential areas. Airport and flight path impacts, especially noise, on residential areas should be minimized to the fullest extent possible.

The documents currently provided do not adequately address these issues nor provide affected communities with full information. Given the need for more information a supplemental DEIS should be provided before any FAA action is taken.

Thank you in advance for taking the time to find solutions that will minimize noise impacts to communities in Westchester and the metropolitan area. Thank you for providing the time to pursue a supplemental DEIS.

Very truly yours,

O. Paul Shew
City Manager

cc: Mayor and City Council Members

005231

Response to Comment 5231: City Manager O. Paul Shew, City of Rye, New York

Comment Number	Comment response
1	<p>The LDA approach to LGA runway 22, over the water, is anticipated to be used as often as weather and aircraft equipment permit. RNP approach and departure procedures may be able to increase usage of the LDA approach to LGA runway 22, but because of the proximity of the JFK ILS approach to 22L airspace design alone can not.</p>
2	<p>The DEIS was complete and adequate. According to CEQ Regulations Section 1502.9b, Final EISs shall respond to comments and the agency shall discuss at appropriate points in the Final EIS any responsible opposing view which was not adequately discussed in the Draft EIS and indicate the agency's response to the issue raised. The FAA has prepared its Final EIS and responded to comments and opposing views received on the Draft EIS. According to CEQ Regulations Section 1502.9c, agencies shall prepare supplements to either Draft or Final EISs if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or (2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. The FAA has not made substantial changes in the proposed action, nor are there significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. Therefore, there are no reasons for the FAA to prepare a supplement.</p> <p>The commenter does not say what the deficiencies are, but does refer to the over water routes at LGA. Discussion of these issues can be found in Chapter Two, Alternatives or see response to comment 5231 #1 for explanation of why over water routes can not be used.</p>



OFFICE OF THE TOWN ATTORNEY
TOWN OF RYE
10 PEARL STREET
PORT CHESTER, NEW YORK 10573

(914) 939-2000
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MONROE Y. MANN
TOWN ATTORNEY

CAROLYN H. MANN
DEPUTY TOWN ATTORNEY

June 30, 2006

Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Dear Mr. Kelley,

I write you on behalf of the Supervisor, Town Council and the Town of Rye, regarding the proposed new flight plan for take-offs at Westchester Air;port. If adopted, it would adversely affect our municipality and all its inhabitants. The rerouting would bring new noise patterns to our Town. In addition, the planes would be flying directly over Indian Point, and that alone is evidence that the plan must be redrawn.

Accordingly, we believe that a Supplemental Draft Environmental Impact Statement must be done. The procedure must be corrected, in view of the impact as to how the present plan would seriously affect this entire area.

Sincerely,

Monroe Yale Mann
Town Attorney
cc: County Executive, Westchester County

005232

Response to Comment 5232: Monroe Yale Mann, Town Attorney, Town of Rye, New York

Comment Number	Comment response
1	Comment noted.
2	The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.
3	The DEIS, published in December 2005, was complete and adequate. According to CEQ Regulations Section 1502.9b, Final EISs shall respond to comments and the agency shall discuss at appropriate points in the Final EIS any responsible opposing view which was not adequately discussed in the Draft EIS and indicate the agency's response to the issue raised. The FAA has prepared its Final EIS and responded to comments and opposing views received on the Draft EIS. According to CEQ Regulations Section 1502.9c, agencies shall prepare supplements to either Draft or Final EISs if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or (2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. The FAA has not made substantial changes in the proposed action, nor are there significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. Therefore, there are no reasons for the FAA to prepare a supplement.



TOWN OF OSSINING

The Volunteer Spirited Town

16 CROTON AVENUE
OSSINING, N.Y. 10562

PHONE: 914-762-6000 FAX: 914-762-0833

www.townofossining.com

John V. Chervokas
Supervisor

Martha L. Dodge
Council Member

Geoffrey J. Harter
Council Member

David R. Krieger
Council Member

Northern Wilcher
Council Member

June 26, 2006

Steve Kelley, FAA-NAR
c/o FAA-NAR
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Dear Mr. Kelley:

The FAA proposal to re-route aircraft taking off from the Westchester County Airport is patently flawed. The noise impact upon hundreds of thousands of residents is reason alone to reconsider the proposal, but rerouting so that aircraft would fly over Indian Point nuclear reactors is unacceptable. I join County Executive Spano and my municipal colleagues in calling for a Supplemental Draft Environmental Impact Statement. The 36,000 residents of our town deserve a review of your plan.

joy,

John V. Chervokas
Supervisor, Town of Ossining

005233

Response to Comment 5233: John V. Chervokas, Supervisor, Town of Ossining, New York

Comment Number	Comment response
1	Comment noted.
2	<p>The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.</p>
3	<p>The DEIS, published in December 2005, was complete and adequate. Based on the requirements set forth under NEPA and FAA Order 1050.1E, the DEIS adequately addressed the noise and other environmental impacts on all areas within the project Study Area. Noise impacts in particular were rigorously evaluated and noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative.</p> <p>According to CEQ Regulations Section 1502.9b, Final EISs shall respond to comments and the agency shall discuss at appropriate points in the Final EIS any responsible opposing view which was not adequately discussed in the Draft EIS and indicate the agency's response to the issue raised. The FAA has prepared its Final EIS and responded to comments and opposing views received on the DEIS. According to CEQ Regulations Section 1502.9c, agencies shall prepare supplements to either Draft or Final EISs if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or (2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. The FAA has not made substantial changes in the proposed action, nor are there significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. Therefore, there are no reasons for the FAA to prepare a supplement.</p>
4	<p>A newsletter announcing the availability of the Draft EIS and subsequent public meeting locations was mailed directly to residents and public officials of Westchester County, NY in December of 2005. In addition, a postcard containing all meeting locations was mailed directly to residents of Westchester County, NY in February, 2006. Both of these mailings contained information on where and how to obtain copies of the DEIS. The FAA provided more than six months to review and submit comments on the DEIS.</p> <p>A public meeting was held in White Plains, NY to discuss the airspace redesign and the DEIS. White Plains is located approximately 10 miles from Ossing, NY. Separate advertisements announcing the public meeting locations were run on different dates in the Journal News, which has circulation in Westchester County. Public service announcements also listing the meeting location in White Plains were run in rotation on the following stations: WFAS, WVOX, WGCH and WXPB.</p>



June 27, 2006

ROBERT F. MEEHAN
Supervisor

Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Re: Draft Environmental Impact Statement (DEIS)
regarding the New York/New Jersey/Philadelphia
Metropolitan Area Airspace Redesign

Dear Mr. Kelley:

The DEIS does not adequately address the noise impacts on surrounding communities, the impacts of airborne contaminants upon the New York City water supply in the Kensico Reservoir and potential security issues created by flights over the nuclear power plant at Indian Point. I urge that a Supplemental DEIS be prepared addressing these issues.

Redirection of aircraft under the "2011 Integrated Airspace Alternative Variation with Integrated Control Complex" will have a significant impact on communities in the town of Mount Pleasant including Hawthorne, Pleasantville and Briarcliff Manor. This includes both noise level impacts in these residential areas and potential increase in jet fuel contaminants falling into the Kensico Reservoir. Also, the potential security issues raised by the rerouting of flights over Indian Point pose unacceptable risks, which must be avoided.

These significant issues must be reviewed. The impacts are substantial and the proposed reassignment of air traffic at Westchester County Airport should be rejected.

Very truly yours,

Robert F. Meehan

RFM:mg

005234

Response to Comment 5234: Robert F. Meehan, Supervisory, Town of Mount Pleasant

Comment Number	Comment response
1	<p>The DEIS, published in December 2005, was complete and adequate. Based on the requirements set forth under NEPA and FAA Order 1050.1E, the DEIS adequately addressed the noise and other environmental impacts on all areas within the project Study Area. Noise impacts in particular were rigorously evaluated and noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative.</p> <p>According to CEQ Regulations Section 1502.9b, Final EISs shall respond to comments and the agency shall discuss at appropriate points in the Final EIS any responsible opposing view which was not adequately discussed in the Draft EIS and indicate the agency's response to the issue raised. The FAA has prepared its Final EIS and responded to comments and opposing views received on the Draft EIS. According to CEQ Regulations Section 1502.9c, agencies shall prepare supplements to either Draft or Final EISs if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or (2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. The FAA has not made substantial changes in the proposed action, nor are there significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. Therefore, there are no reasons for the FAA to prepare a supplement.</p>
2	<p>Mount Pleasant, Hawthorne, Pleasantville, and Briarcliff Manor will not receive significant noise impacts from any of the alternatives considered for Airspace Redesign. The Federal Aviation Administration (FAA) in Orders 1050.1E, Environmental Impacts: Policies and Procedures, and 5050.4A, Airport Environmental Handbook, characterizes noise increases that are equal to or greater than 1.5 dB within the 65 dB day-night average sound level (DNL) range as a "significant impact". Furthermore, in consideration of the public response to past air traffic changes, the FAA has identified a threshold of a +/- 5 dB DNL change between 45 to 60 DNL and +/- 3 dB DNL between 60 to 65 DNL to identify significant to moderate levels of impact.</p>
3	<p>The Proposed Action is not expected to negatively impact air quality. The total number of aircraft operations would not differ between the Future No Action Airspace Alternative and the other Airspace Redesign Alternatives. Air quality studies focused on particulate matter (commonly referred to as soot) have been conducted at Chicago O'Hare International Airport, Boston Logan International Airport, and Cincinnati/Northern Kentucky International Airport. The referenced studies have found that soot and other deposits under flight paths are more closely related to general urban pollutants, motor vehicle exhaust, and soot from burning non-aviation heavier fuels, such as fuel oil. Specifically, the studies concluded that components of soot are more the result of regional background pollution rather than jet fuel or aircraft engine exhaust. The underlying data base for aircraft particulates is not extensive and the FAA is working with the aviation community, including the Society of Automotive Engineers, the International Civil Aviation Organization, and NASA to develop methods and procedures for measuring aircraft engine particulate emissions. The primary exhaust emissions from jet aircraft engines are oxides of nitrogen, hydrocarbons, carbon monoxides, and smoke, all of which are measured during the FAA's engine certification process. Engine exhaust emission levels are measured and regulated as prescribed in 14 CFR part 34. The regulations apply to all civil aircraft that are powered by gas turbine engines including turboprop, turbofan, and turbojet engines.</p>

Response to Comment 5234: Robert F. Meehan, Supervisory, Town of Mount Pleasant

Comment Number	Comment response
4	The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.
5	Comment noted.



TOWN OF NEW CASTLE

200 South Greeley Avenue, Chappaqua, New York 10514 • (914) 238-4771 • Fax (914) 238-2354 • town.new-castle.ny.us

Supervisor

Janet L. Wells
(914) 238-7281

June 30, 2006

Council Members

Barbara S. Gerrard
Deputy Supervisor
Elise Kessler Mottel
John V. Buckley
Robin Stout

Mr. Steven Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Dear Mr. Kelley:

Town Administrator

Gennaro J. Faiella
(914) 238-4742

On behalf of the residents of New Castle, the Town Board strongly objects to the Federal Aviation Administration's proposal to re-route departing flights from the Westchester County Airport over the west end of Town for the following reasons:

Deputy Administrator

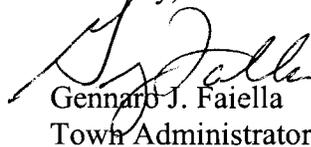
Penelle M. Paderewski
(914) 238-7261

1. It is predicted that changes in the noise levels that residents will experience may potentially be greater than the report indicates and in some cases exceed the FAA's threshold of significance. Until a thorough analysis is made accounting for all the variables that will contribute to higher decibel levels, the FAA should refrain from making any determination on flight changes.
2. The proposed action will have an impact on Westchester County's noise abatement program, requiring the County to modify its testing locations and possibly add additional testing sites. The cost and impact of these requirements should be evaluated and accounted for as part of a further analysis. It is unacceptable for the FAA to propose flight path changes that will require county residents to incur additional monitoring costs.
3. The proposed changes re-route aircraft over more densely populated areas along the shoreline of the Hudson and over the Indian Point Power Plant. According to the Harris Miller Miller & Hanson Inc report, the discussion of this change is not documented in the text of the DEIS but only described briefly in the appendices and noise analysis. The impacts and risk associated with increasing air traffic over a more densely populated areas should be fully investigated and assessed, with input from first responders in each of the municipalities affected.

4. The Town of New Castle did not receive a copy of the FAA's New York/ New Jersey/ Philadelphia Metropolitan Airspace Redesign Draft Environmental Impact Statement, which it should as an interested agency impacted by the decisions that could be forthcoming from the determinations made as a result of the document. The Town only received via e-mail the Harris Miller Miller & Hanson Inc memorandum and was provided insufficient time to respond. It is therefore requested that all municipalities affected by the proposed change be provide a full copy of the DEIS and an adequate time period to respond in greater detail.

For the reasons mentioned above, the Town of New Castle would like the record to reflect their opposition to the proposed plan and request the FAA complete a through analysis of the impact that the proposed changes will have on residents living under the realigned flight paths.

Sincerely,



Gennaro J. Faiella
Town Administrator

CC Town Supervisor
Town Board
Town Attorney Clinton Smith
Senator Hillary Clinton
Senator Charles Schumer
Assemblywoman Nita Lowery
County Executive Andrew Spano
Commissioner Larry Salley

Response to Comment 5235: Gennaro J. Faiella, Town Administrator, Town of New Castle

Comment Number	Comment response
1	Comment noted.
2	The DEIS noise modeling approach is indeed accurate and detailed enough to evaluate the noise exposure changes associated with each of the proposed alternatives. The noise analysis approach follows the current state-of-the art practices and FAA's current policy. In addition, the supplemental data in the noise spreadsheets published on the project web site goes beyond the typical level of disclosure and provides extensive detail for each Census Block within the Study Area. In all cases where the change in noise level exceeds FAA's threshold of significance, the impacts are mapped, described, and tallied in the DEIS document.
3	The proposed departure flight routes associated with the Integrated Airspace Alternative Variation with ICC do not change the current noise abatement procedures at HPN which specify an initial departure heading to be followed in both directions of flow. The modifications in departure routes referred to by the commenter occur beyond the initial departure headings and beyond the extent of the 2005 60 DNL noise contour published by HPN in their 2002 Aircraft Noise Study. Consequently, it is not at all clear that all of the testing locations and addition additional testing sites mentioned in the comment would necessarily be incurred. Furthermore, FAA does provide funding assistance for airport-specific noise studies under the 14 CFR Part 150 program.
4	The DEIS noise analysis is thoroughly documented in Chapters 3 and 4 and is supported by further detail in appendices. Environmental impacts have been evaluated in accordance with NEPA requirements and FAA Order 1050.1E. Safety is the utmost concern of the FAA, and has been a priority throughout the Airspace Redesign Process. The Airspace Redesign Project addresses many safety-related inefficiencies and will contribute to enhanced safety in light of growing traffic.
5	<p>A newsletter announcing the availability of the Draft EIS and subsequent public meeting locations was mailed directly to residents and public officials of Westchester County, NY and the Town Supervisor of North Castle, NY in December of 2005. In addition, a postcard containing all meeting locations was mailed directly to residents of Westchester County, NY in February, 2006. Both of these mailings contained information on where and how to obtain copies of the DEIS. A copy of the DEIS was also made available at the White Plains Public Library.</p> <p>A public meeting was held in White Plains, NY to discuss the airspace redesign and the DEIS. Separate advertisements announcing the public meeting locations were run on different dates in the Journal News, which has circulation in Westchester County. Public service announcements also listing the meeting location in White Plains were run in rotation on the following stations: WFAS, WVOX, WGCH and WXPB.</p>
6	Comment noted. The FAA completed the DEIS in accordance with NEPA and the analysis requirements and standards of the Council of Environmental Quality regulations and the FAA. The FAA feels that the DEIS discloses the potential environmental impacts of the Proposed Action and its alternatives and presents them in an objective manner.

VILLAGE OF
BRIARCLIFF MANOR
www.briarcliffmanor.org



1111 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, N.Y. 10510
TELEPHONE: (914) 941-4800
FAX: (914) 941-4837

June 28, 2006

Mr. Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Dear Mr. Kelley:

I am writing to you on behalf of the Board of Trustees and all of the residents of Briarcliff Manor to voice concern regarding the both the content and the adequacy of the Draft Environmental Impact Statement (DEIS) regarding the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign. It has been brought to the attention of the Board of Trustees and the public in a June 23, 2006 newspaper article that the FAA is in the review process of redesign of the metropolitan airspace in the New York City region. The Village is also aware of the concern voiced by County Executive Andrew Spano in a letter to you dated June 22, 2006.

Pursuant to the National Environmental Policy Act, a Draft Environmental Impact Statement is to provide interested and affected parties adequate information upon which to fairly evaluate and make informed comments about a proposed action. The DEIS does not provide adequate information concerning the potential noise impacts on residents of Briarcliff Manor, Westchester County or the impacted communities in the Westchester County region, which includes hundreds of thousands of people.

Based upon this lack of information for Briarcliff Manor to make an informed decision regarding noise and the impact of the redesign on the residents of our Village, I must oppose the recommended "2011 Integrated Airspace Alternative Variation with Integrated Control Complex (ICC)," and I further urge the FAA to prepare a Supplemental DEIS that provides adequate information regarding the noise impacts of the redesign.

Westchester County has worked cooperatively with the FAA, the aviation industry and the communities surrounding the Westchester County airport in an effort to minimize the noise impacts of air traffic. Included in the cooperative efforts to minimize noise impacts is the extensive noise monitoring effort managed by the airport and the airport-sponsored noise abatement procedure program. The data provided by the monitoring system and the continued reduction of the airport's noise contours testify to its success. Based upon the information that the Village has received, the reassignment of air traffic will significantly increase the noise levels at the airport and for those communities in the area of the redesign, which will undo decades of effort.

005236
182

Mr. Steve Kelley, FAA-NAR

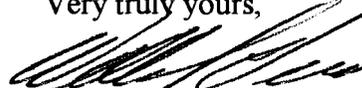
June 28, 2006

Page 2

In addition to the noise impacts of the redesign, it is inconceivable to Briarcliff Manor that the FAA is actually considering the routing of aircraft departing the airport directly over the nuclear power plant at Indian Point. It is the position of the Village that the re-routing over Indian Point is both a security risk and a potential hazard to a large population residing and working in the general vicinity of the plant.

Thank you for taking into consideration the concerns of the Village of Briarcliff Manor, as well as the concerns of Westchester County voiced by County Executive Andrew Spano.

Very truly yours,



William J. Vescio
Mayor

WJV:mb

C: Honorable Senator Hillary Clinton; Honorable Senator Charles Schumer; Honorable
Congresswoman Nita Lowey; Honorable County Executive Andrew Spano

Response to Comment 5236: Mayor William J. Vescio, Village of Briarcliff Manor

Comment Number	Comment response
1	The FAA disagrees with the commenter, the DEIS was complete and adequate. Based on the requirements set forth under NEPA and FAA Order 1050.1E, the DEIS adequately addressed the noise and other environmental impacts on all areas within the project Study Area. Noise impacts in particular were rigorously evaluated and noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative.
2	According to CEQ Regulations Section 1502.9b, Final EISs shall respond to comments and the agency shall discuss at appropriate points in the Final EIS any responsible opposing view which was not adequately discussed in the Draft EIS and indicate the agency's response to the issue raised. The FAA has prepared its FEIS and responded to comments and opposing views received on the DEIS. According to CEQ Regulations Section 1502.9c, agencies shall prepare supplements to either Draft or Final EISs if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or (2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. The FAA has not made substantial changes in the proposed action, nor are there significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. Therefore, there are no reasons for the FAA to prepare a supplement.
3	Briarcliff Manor will not receive significant noise impacts from the Integrated Airspace Alternative Variation with ICC. The Federal Aviation Administration (FAA) in Orders 1050.1E, Environmental Impacts: Policies and Procedures, and 5050.4A, Airport Environmental Handbook, characterizes noise increases that are equal to or greater than 1.5 dB within the 65 dB day-night average sound level (DNL) range as a "significant impact". Furthermore, in consideration of the public response to past air traffic changes, the FAA has identified a threshold of a +/- 5 dB DNL change between 45 to 60 DNL and +/- 3 dB DNL between 60 to 65 DNL to identify significant to moderate levels of impact.
4	The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.



Township of Ridley

BOARD OF COMMISSIONERS

ROBERT J. WILLERT
President
Seventh Ward Commissioner

MARGARET A. KEEGAN
Vice President
Second Ward Commissioner

FIORE PETICCA
First Ward Commissioner

SHERI L. ZUPPO
Third Ward Commissioner

DAVID J. WHITE
Fourth Ward Commissioner

EDMOND J. PISANI
Fifth Ward Commissioner

JAMES J. PENTMALL
Sixth Ward Commissioner

PETER T. MACINNIS
Eighth Ward Commissioner

JOSEPH A. DICOSTANZO
Ninth Ward Commissioner

OFFICERS

ANNE E. HOWANSKI
Township Manager

ROSEANNA M. CZWALINA
Treasurer/Tax Collector

CHRISTOPHER M. BETZLER
Controller

PETER J. ROHANA, JR., ESQ.
Solicitor

CHARLES J. CATANIA, SR., P.E.
Engineer

June 28, 2006

Steve Kelly
FAA-NAR
c/o Ms. Nessa Memberg
12005 Sunrise Valley Road
MS C3.02 Stop
Reston, VA 20191

Dear Mr. Kelly:

The Township of Ridley is very much concerned with the Federal Aviation Administration (FAA) proposal on the recently released Draft Environmental Impact Statement for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign currently under consideration for public review and comments. Our representatives attended all duly advertised meetings and at no time did the presentation address the calculated noise exposure levels. This rerouting of departing flights from the Delaware River will have an adverse environmental impact on our residents and surrounding schools as the area where you propose to reroute aircraft is a heavily populated area and will affect the quality of life of our residents and those in the surrounding communities. The minimum time saved in your proposal simply cannot justify the significant impact on our residents, schools, nor the potential hazard to wildlife and aircraft flying over the John Heinz Wildlife Refuge.

The enclosed report from Tinicum Township represents the views of the surrounding communities and supports our request to approve the "Future No Action Airspace Alternative".

I would appreciate hearing from you as matters develop.

Sincerely,

Robert J. Willert
President, Board of Commissioners

RJW:pb
Enclosure

005237

Response to Comment 5237: Robert J. Willert, President, Board of Commissioners, Township of Ridley

Comment Number	Comment response
1	The calculated noise exposure levels and the noise changes associated with each alternative were presented at each of the 30 public meetings held throughout the Study Area from February through the end of April 2006. These materials were available in the DEIS, on FAA’s website, and at the meetings in Wilmington, DE on 3/28/06 and the meeting in Ridley Park, PA on 3/30/06. Additionally, people from the project team were available to answer questions and provide information.
2	Comment noted. Upon receipt of public and agency comments, the FAA selected a Preferred Alternative and designed mitigation to minimize the environmental impacts to the extent possible. Routing departures from PHL over the Delaware River is included as a mitigation measure. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
3	The “minimum time” saved is an average over a large number of flights and can equate to a significant cost benefit. It is difficult to assess the value of noise exposure, but the efficiency benefit to users of the aviation system is large. For the importance of the minutes saved, see the section “Interpreting Average Delay” in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS. It should be noted that the FAA has included mitigation for the Preferred Alternative to reduce, where possible, the environmental impact of the Proposed Action. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS. Prior to mitigation of the Preferred Alternative there were reportable (slight to moderate in the 45 to 60 dB range) noise changes for the John Heinz Wildlife Refuge however with the proposed mitigation there are no reportable noise changes. Additionally, with mitigation the Preferred Alternative reduces overflights of the Refuge.

MARY McFALL HOPPER
President
JOHN PURCELL
Vice President
PERRY ARTESE
ROBERT BOLAND
ALEX RAHN
GEORGE WOLHAFF
MICHAEL WRIGHT

HENRY A. EBERLE, JR.
Mayor

Borough of Ridley Park

COUNTY OF DELAWARE, PA

Council Chamber

105 EAST WARD STREET
RIDLEY PARK, PENNSYLVANIA 19078
610-532-2100 • FAX: 610-532-2447
www.ridleyparkboro.org

ROBERT J. POOLE
Borough Manager

June 28, 2006

COMMITTEE
PERRY ARTESE
Community Resources
ROBERT BOLAND
Public Safety
MARY McFALL HOPPER
Personnel
JOHN PURCELL
Planning/Buildings
ALEX RAHN
Finance/Public Relations
GEORGE WOLHAFF
Public Works/Parks/Rec
MICHAEL WRIGHT
Land Development

Ms. Marian Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, Southwest
Washington, DC 20591

Re: New York/New Jersey/Philadelphia Metropolitan Airspace Redesign
Project

Dear Ms. Blakey:

On behalf of the Mayor and Borough Council of Ridley Park, I am writing to request a 60-day extension to the comment period for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project.

Ridley Park Borough was not notified about this project, about the availability of the draft Environmental Impact Statement, about the public meeting held in Ridley Township, or about the public comment period. We find this objectionable because Ridley Park Borough would be subject to significant noise increases if the FAA implements this proposal.

We request an extension of the public comment period to at least September 1, 2006 so that we can better understand how the proposal will impact our residents. We also ask the FAA to begin a meaningful dialogue with impacted communities so that we can achieve aviation efficiencies that do not negatively impact airport neighbors.

Sincerely,



John Purcell
Council Vice President

cc: Congressman Curt Weldon
Senator Rick Santorum
Senator Arlen Specter
Steve Kelley, FAA
Nessa Memberg, FAA

005238

Response to Comment 5238: John Purcell, Council Vice President, Borough of Ridley Park, PA

Comment Number	Comment response
1	Comment noted. The comment period was extended by 30 days to July 1, 2006.
2	<p>In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact and meeting information, was mailed directly to the Office of the Mayor of Ridley Park, PA. This newsletter was also mailed out to over 200 individual residents and public officials of Delaware County. Also a postcard identifying the specific public meeting locations was mailed out in February, 2006 to the Mayor of Ridley Park, PA, as well as 214 residents and public officials</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA where published two weeks prior in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run in rotation on the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p>
3	The DEIS clearly indicated that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. It should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered for all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
4	<p>Comment noted. The comment period encompassed a period of over six months. If the Borough of Ridley Park did not receive the DEIS the Borough should have requested a copy earlier given the notices and publicity.</p> <p>As for working with the community, the FAA participated in a public hearing of the Aviation Sub-Committee in October 2006 and a briefing to the same committee in March 2007 in Delaware County and a public meeting in February 2007 in Ridley Township.</p>



Borough of Eddystone

June 30, 2006

Steve Kelley,
FAA-NAR,
c/o Ms. Nessa Memberg,
12005 Sunrise Valley Rd.,
MS C3.02 Stop,
Reston, VA 20191

RE: NY / NJ / PHL Airspace Redesign

Dear Mr. Kelley:

The purpose of this letter is to address comments on behalf of the residents of Eddystone Borough concerning the Federal Aviation Administration (FAA) proposal of the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign. This redesign is currently under consideration for public review and comments.

Upon our review of the referenced document, Eddystone Borough Council is urging that the Philadelphia International Airport, and the FAA, consider the FUTURE NO ACTION AIRSPACE ALTERNATIVE and require that all departing flights remain over the Delaware River, not the surrounding Delaware County Communities.

General comments

1. The implementation of the referenced concept will not only place the viability of Eddystone Borough at risk, but will create undue hardship affecting the quality of life and health and welfare of all surrounding Communities.
2. Air traffic control procedural changes associated with the proposed airspace redesign will have the potential to impact our environment, create an adverse effect on all of our lives and will have a significant impact on our noise sensitive areas i.e. schools, hospitals and libraries.
3. Flight delays are occurring at Philadelphia International Airport (PHL) due to the growth of the Atlantic City Resorts. These PHL delays will be decreased upon completion of the Atlantic City International Airport (ACY) expansion project. Additionally, ACY provides for preferred Oceanic flight patterns.

005239

4. Delays at PHL International need to be addressed initially from an operational standpoint vs. a flight pattern perspective. Airline Flight Schedules should be adjusted in order to reflect increased operational time such as additional safety precautions.

Eddystone comments and concerns:

Safety concern - The present flight departure out of PHL is considered to be a safe (minimal turning at low altitudes) pattern. The Eddystone Borough feels that aggressive, abrupt, large angle turning at lower altitudes creates early and aggressive plane maneuvering, thus creating an increased complexity and decrease in safety.

Safety concern - The Borough of Eddystone, and Ridley Township, both have structures exceeding a height of 200 feet. These structures do not have required identification lighting, as they currently reside in a non-FAA flight path. Multiple utility-owned high voltage 230 kV structures are nearly impossible to add identification lights.

Safety comment - The present PHL FAA flight patterns appropriately direct traffic over many (including Eddystone) non-residential zoned locations along the Delaware River. The FAA should continue to keep the current flight pattern in attempts to avoid high-density residential areas. This commitment to communities, as identified in the FAA DEIS congress report dated 6/12/06, should be maintained.

The following is a list of the important issues that the FAA must address concerning the proposed departures from PHL:

- Impact on the local communities and Delaware County at large
- Quality of life and quiet enjoyment of resident's property
- Livability within the Community
- Fear of low flying planes over our homes and schools
- Growing anxiety over a potential catastrophe arising from an airport mishap
- Adverse environmental impact throughout the Communities
- Noise and sound pollution
- Air quality and potential impact on the water supply
- Adverse impact on vegetation, wildlife and other natural resources
- Loss of new economic development in the impacted areas
- Decrease in property values that this concept is likely to cause

Eddystone is definitely against the FAA proposed **NY / NJ / PHL Airspace Redesign** diverting air traffic over the densely populated Delaware county area. Eddystone strongly supports the **FUTURE NO ACTION AIRSPACE ALTERNATIVE.**

Sincerely,


Thomas Orio
Eddystone Borough Council President


Brian Lauer
Eddystone Borough Sec./Treasurer

Response to Comment 5239: Tomas Orio, Eddystone Borough Council President, and Brian Lauer, Eddystone Borough Secretary/Treasurer

Comment Number	Comment response
1	<p>Comment noted. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA selected the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative. This alternative was selected because it best met the purpose and need for the Proposed Action. Routing departures from PHL over the Delaware River is included as a mitigation measure. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p>
2	<p>The FAA recognizes the quality of life issues impacted by aviation activities. The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet their responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated operational and environmental impacts. Upon receipt of public and agency comments, the FAA selected a Preferred Alternative (Integrated Airspace Alternative Variation with ICC) and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS. With mitigation applied to the Preferred Alternative there are no reportable noise changes to Eddystone Borough.</p>
3	<p>The DEIS clearly indicates that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in areas immediately west and northwest of PHL. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. Noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives for all areas experiencing noise increases due to the Preferred Alternative for all the areas of reportable noise increases and beyond. See response to comment 5239 #2.</p>
4	<p>Comment noted. Actually, the expansion of Atlantic City International Airport may offload some demand from Philadelphia International Airport but it will tend to put more aircraft into PHL airspace. The expanded efficiency of PHL departure airspace will be beneficial to ACY traffic as well. The aviation forecasts used in the operational and environmental analyses take this into account.</p>
5	<p>After airline deregulation flight scheduling is determined by aircraft operators and not the FAA. Aircraft operators choose to serve an airport in response to consumer demand for air service. The EIS considered congestion management in section 2.3.3 and determined that it was not a viable alternative as it would not solve the operational efficiencies of the existing airspace.</p>
6	<p>The FAA agrees that it is preferable to limit maneuvering requirements at low altitudes. When the tower can issue a heading for the aircraft to use once it becomes airborne, it simplifies the departure operation. Runway headings are widely used in the Preferred Alternative. When the heading off the runway corresponds to the direction to the departure fix, later abrupt turns are less necessary.</p>
7	<p>Aeronautical studies are conducted on all objects exceeding 200 feet; if necessary they are lighted in accordance with FAA Standards. Objects in a new approach and/or departure path are considered when detailed approaches/departures are formulated and published in accordance with FAA Order 8260.3B, United States Standard for Terminal Instrument Procedures.</p>

Response to Comment 5239: Tomas Orio, Eddystone Borough Council President, and Brian Lauer, Eddystone Borough Secretary/Treasurer

Comment Number	Comment response
8	Comment noted. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS. With mitigation applied to the Preferred Alternative there are no reportable noise changes to Eddystone Borough.
9	The FAA has disclosed potential impacts associated with the alternatives considered for the Proposed Action in accordance with CEQ and FAA's Order 1050.1E, Environmental Impacts: Policies and Procedures. The FEIS provides mitigation measures designed to reduce the noise impacts associated with the Preferred Alternative. Air quality would benefit as a result of the Preferred Alternative and no impacts are expected to water supply, vegetation, and other natural resources. The FEIS includes additional information on potential impacts to National Wildlife Refuges and avian species. The FAA acknowledges quality of life issues impacted by aviation activities however the FAA is not responsible for analyzing subjective impacts such as fear of low flying planes and anxiety related to potential catastrophe. FAA will never implement an airspace design that sacrifices safety.
10	Comment noted.



Township of Springfield
DELAWARE COUNTY, PA

50 POWELL ROAD, SPRINGFIELD, PA 19064

OFFICES 610-544-1300 POLICE 610-544-1100 HIGHWAY 610-543-2837 FAX 610-544-3012

EIN NO. 23-6004592

Commissioners

THOMAS V. MAHONEY
President

THOMAS J. MCGARRIGLE
Vice President

JAMES J. DEVENNEY
ANTHONY J. GROSSO
LEE J. JANICZEK, Ed.D.
PAUL J. WECHSLER
ROBERT McANDREWS

MICHAEL LeFEVRE
Township Manager

MARGARET A. YOUNG
Treasurer

JAMES J. BYRNE, JR., Esq.
Solicitor

June 28, 2006

Mr. Steve Kelley
FAA Redesign
c/o Nessa Memberg
12005 Sunrise Valley Road
Reston, VA 20191

Re: NY/NJ/PHL Airspace Redesign Draft Environmental Impact Statement

Dear Mr. Kelley:

Springfield Township officials recently became aware of the released draft of the Environmental Impact Statement for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project under consideration for public review and comment.

In addition to a No Action Option, there are three alternatives under serious consideration by the FAA: Modifications to existing airspace, Integrated airspace with integrated control complex, and Integrated airspace without integrated control complex.

After a review of the referenced documents, the Springfield Township Board of Commissioners are urging the FAA consider the No Action Option, as the three alternatives present major noise and air pollution problems for the communities in Delaware County. All departing flights from the Philadelphia International Airport should remain over the Delaware River and not be permitted to fly over the John Heinz National Wildlife Refuge and surrounding Delaware County communities.

Springfield Township officials are vehemently opposed to the three alternatives under consideration, as part of the Airspace Redesign Project. Each will adversely impact the residential character of Springfield Township, as well as the surrounding communities. Some of our specific concerns associated with this project include:

1. Increase noise and sound pollution
2. Increase in the emission level of air pollutants
3. Adverse effect on the residential parks, open space and refuges (John Heinz Refuge)
4. Decrease in property values
5. Safety issues associated with low flying planes

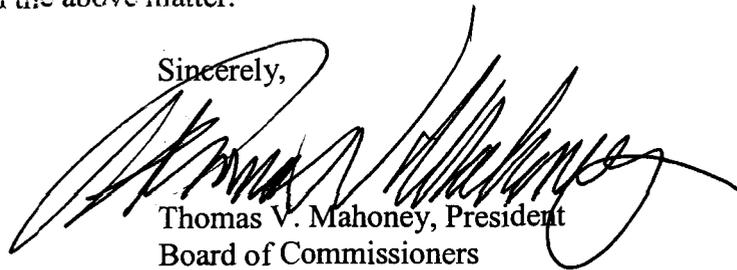
005240
182

Mr. Steve Kelley
FAA Redesign
c/o Nessa Memberg
June 28, 2006
Page Two

In light of the above, it is the position of the Springfield Township Board of Commissioners that the adverse impact of the Airspace Design Project greatly outweighs any savings attributed to changing flight patterns and the Future No Action airspace alternative be adopted.

Thank you for your consideration in the above matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas V. Mahoney', written over the typed name and title.

Thomas V. Mahoney, President
Board of Commissioners

TVM:dmr

cc: Congressman Curt Weldon
Senator Rick Santorum
Senator Arlen Specter
Michael Puppio, Delaware County Council

**Response to Comment 5240: Thomas V. Mahoney, President, Board of Commissioners,
Township of Springfield, PA**

Comment Number	Comment response
1	The FAA has selected the Integrated Airspace variation with ICC as the Preferred Alternative. This alternative was selected because it best met the purpose and need for the Proposed Action. The FEIS provides mitigation measures designed to reduce the noise impacts associated with the Preferred Alternative. Air quality would benefit as a result of the Preferred Alternative.
2	The current two-heading airspace design is a major impediment to the efficient flow of aircraft out of Philadelphia. Changing the runway departure headings is critical to making PHL a more efficient airport. It is recognized that the most operationally-efficient headings have adverse impacts on the communities to the west of PHL. In the mitigated version of the preferred alternative, the number of headings has been reduced to maximize use of the river with a small impact on operational efficiency. Prior to mitigation of the Preferred Alternative there were reportable (slight to moderate in the 45 to 60 dB range) noise changes for the John Heinz Wildlife Refuge however with the proposed mitigation there are no reportable noise changes. Additionally, with mitigation the Preferred Alternative reduces overflights of the Refuge.
3	Comment noted.
4	The DEIS clearly indicated that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. In the DEIS the Springfield Township area would be exposed to slight to moderate noise increases. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
5	The Preferred Alternative would reduce delay thereby reducing fuel burn and emissions. The FEIS provides a fuel burn analysis, Appendix R, which discloses the potential for fuel burn reduction with the Preferred Alternative.
6	The FEIS provides additional analysis regarding the John Heinz National Wildlife Refuge and other 4(f) sites.

**Response to Comment 5240: Thomas V. Mahoney, President, Board of Commissioners,
Township of Springfield, PA**

Comment Number	Comment response
7	<p>The property value impacts of aviation noise have been studied on multiple occasions with publication of study results beginning in the mid 1970s, to-date there is still no definitive answer. For individuals who might work at (or near) the airport or who use the airport for travel, the benefits of proximity can be reflected in residential property values. Because it is possible for an airport to have both negative and positive effects on property values, the net effect can be negative or positive. Separation of aviation noise from other noise emitters has always been at issue for determining a specific property value impact due to aviation noise. Some studies have found that impact due to aviation noise is negligible while others have found the impact to be upwards of 10 percent. A 2003 study by J. Nelson, Department of Economics, Pennsylvania State University entitled Meta-Analysis of Airport Noise and Hedonic Property Values: Problems and Prospects found that the “cumulative noise discount in the U. S. is about 0.5% to 0.6% per decibel at noise exposure levels of 75 dB or less”. For this study 20 hedonic property value studies are analyzed, covering 33 estimates of the noise discount for 23 airports in Canada and the United States.. Nelson, Jon P: Aircraft Noise and the Market for Residential Housing: 50/78/24, Sept. 1978 (Available from NTIS as PB 297 681). Specifically, at DNL above 65 dB, the effect is about 1% per additional dB; at DNL between 60 and 65 dB, the effect is about 0.5% per additional dB; below 55 dB DNL, no effect has been measured. Nelson, Jon P., “Hedonic Property Value Studies of Transportation Noise: Aircraft and Road Traffic”, Proceedings of the International Symposium on Hedonic Methods in Real Estate, Geneva, Switzerland, June 2007.</p>
8	<p>The FAA would not consider an alternative that is unsafe.</p>
9	<p>Comment noted.</p>

Borough of Sharon Hill

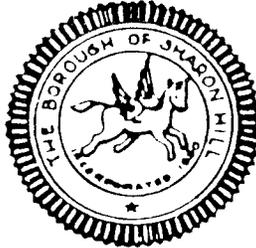
250 Sharon Avenue
Sharon Hill, PA 19079

DELAWARE COUNTY
PENNSYLVANIA 19079

PHONE: (610) 586-8200
FAX: (610) 586-3991

Web Site:
www.sharonhillboro.com

ROBERT J. O'NEILL, Mayor
WILLIAM H. SCOTT, Borough Mgr.
RICHARD C. TINUCCI, ESQ.
Borough Solicitor



June 29, 2006

COUNCIL MEMBERS
JOSEPH BOTTA, PRES.
JOSEPH WHITE, V. PRES.
JOSEPH J. KELLY
JAMES VILLARE
SCOTT MacNEIL
JOHN SCANLAN
FAITH THOMAS

Ms. Marian Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, Southwest
Washington, DC 20591

Dear Ms. Blakey:

We are writing to request a 60-day extension to the comment period for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project.

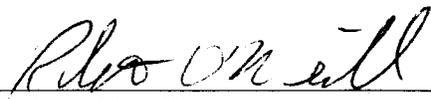
The Borough of Sharon Hill was not notified about this project, about the availability of the draft Environmental Impact Statement, about the public meeting held in Ridley Township, or about the public comment period. We find this objectionable because the Borough of Sharon Hill would be subject to a 26% noise increases if the FAA implements this proposal. There could also be a decrease in property values, which would be a loss to our tax base by devaluation.

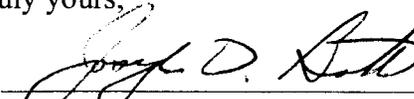
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We request an extension of the public comment period to at least September 1st so that we can better understand how the proposal will impact our residents. We also ask the FAA to begin a meaningful dialogue with impacted communities so that we can achieve aviation efficiencies that do not negatively impact airport neighbors.

2

Very truly yours,


Robert O'Neill, Mayor


Joseph Botta, Council President

Cc: Congressman Curt Weldon
Senator Rick Santorum
Senator Arlen Specter
Steve Kelley, FAA
Nessa Memberg, FAA
Andy Reilly

005240

**Response to Comment 5241: Mayor Robert O’Neill and Council President Joseph Botta,
Borough of Sharon Hill, Pennsylvania**

Comment Number	Comment response
1	<p>The minimum comment period required is 45 days per 40 CFR 1506.10(c). The comment period for this project was originally five months long. The comment period was subsequently extended by an additional month for a total of six months, well above the minimum requirement.</p> <p>In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact information, was mailed directly to the Office of the Counsel President, Borough of Sharon Hill, PA, along with 200 residents and public officials of Delaware County, PA. In addition, a postcard identifying the specific public meeting locations was mailed out in February, 2006 also to residents of Delaware County. Both of these mailings contained information on where to obtain a copy of the DEIS, as well as public meeting locations in the area.</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run in rotation on the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p> <p>The property value impacts of aviation noise have been studied on multiple occasions with publication of study results beginning in the mid 1970s, to-date there is still no definitive answer. For individuals who might work at (or near) the airport or who use the airport for travel, the benefits of proximity can be reflected in residential property values. Because it is possible for an airport to have both negative and positive effects on property values, the net effect can be negative or positive. Separation of aviation noise from other noise emitters has always been at issue for determining a specific property value impact due to aviation noise. Some studies have found that impact due to aviation noise is negligible while others have found the impact to be upwards of 10 percent. A 2003 study by J. Nelson, Department of Economics, Pennsylvania State University entitled Meta-Analysis of Airport Noise and Hedonic Property Values: Problems and Prospects found that the “cumulative noise discount in the U. S. is about 0.5% to 0.6% per decibel at noise exposure levels of 75 dB or less”. For this study 20 hedonic property value studies are analyzed, covering 33 estimates of the noise discount for 23 airports in Canada and the United States.. Nelson, Jon P: Aircraft Noise and the Market for Residential Housing: 50/78/24, Sept. 1978 (Available from NTIS as PB 297 681). Specifically, at DNL above 65 dB, the effect is about 1% per additional dB; at DNL between 60 and 65 dB, the effect is about 0.5% per additional dB; below 55 dB DNL, no effect has been measured. Nelson, Jon P., “Hedonic Property Value Studies of Transportation Noise: Aircraft and Road Traffic”, Proceedings of the International Symposium on Hedonic Methods in Real Estate, Geneva, Switzerland, June 2007.</p>
2	<p>Comment noted. The comment period encompassed a period of over six months. If the Borough of Sharon Hill did not receive the DEIS the Borough should have requested a copy earlier given the notices and publicity.</p> <p>As for working with the community, the FAA participated in a public hearing of the Aviation Sub-Committee in October 2006 and a briefing to the same committee in March 2007 in Delaware County and a public meeting in February 2007 in Ridley Township.</p>

Borough of Glenolden

36 E. BOON AVENUE
DELAWARE COUNTY
PENNSYLVANIA 19036

Phone: (610) 583-3221

Fax: (610) 583-2040

Kenneth Pfaff, Council Vice President
Edward Kerstetter, Councilman
Gerald Quinn, Councilman
Gerald McGettigan, Councilman
Kevin McGarvey, Councilman
William Kelly, Councilman
Brian H. Hoover, Borough Manager

June 26, 2006

Ms. Marian Blakey, Administrator
Federal Aviation Administration
800 Independence Avenue, Southwest
Washington, DC 20591

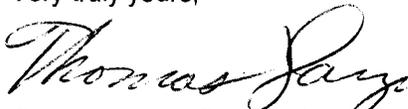
Dear Ms. Blakey,

We are writing to request a 60-day extension to the comment period for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project.

Glenolden Borough was not notified about this project, about the availability of the draft Environmental Impact Statement, about the public meeting held in Ridley Township, or about the public comment period. We find this objectionable because Glenolden Borough would be subject to significant noise increases if the FAA implements this proposal.

We request an extension of the public comment period to at least September 1st so that we can better understand how the proposal will impact our residents. We also ask the FAA to begin a meaningful dialogue with impacted communities so that we can achieve aviation efficiencies that do not negatively impact airport neighbors.

Very truly yours,



Thomas Danzi, Council President

Cc: Congressman Curt Weldon
Senator Rick Santorum
Senator Arlen Specter
Steve Kelley, FAA
Nessa Memberg, FAA

005242

Response to Comment 5242: Thomas Danzi, Council President, Borough of Glenolden, Pennsylvania

Comment Number	Comment response
1	The comment period was extended by 30 days to July 1, 2006 for a total of over six months..
2	<p>In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact and meeting information was mailed directly to the Office of the Chairman, Delaware County Council in order to provide relevant project information to a local centralized agency with county oversight. This newsletter was also mailed out to over 200 individual residents and public officials of Delaware County. Also a postcard identifying the specific public meeting locations was mailed out in February, 2006 to the Delaware County Council as well as 214 residents and public officials</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk, all with circulation in Delaware County. In addition Public Service Announcements were run in rotation at the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p>
3	The DEIS clearly indicated that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. It should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered for all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.
4	<p>Comment noted. The comment period encompassed a period of over six months.</p> <p>As for working with the community, the FAA participated in a public hearing of the Aviation Sub-Committee in October 2006 and a briefing to the same committee in March 2007 in Delaware County and a public meeting in February 2007 in Ridley Township.</p>

INCORPORATED

VILLAGE OF GARDEN CITY
351 STEWART AVENUE
GARDEN CITY, N.Y. 11530-4528



GERARD P. LUNDQUIST
MAYOR
TRUSTEES

PETER A. BEE
JOHN L. MAUK
JOHN J. WATRAS
ROBERT J. ROTHSCHILD
NICHOLAS P. EPISCOPIA
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TELEPHONE (516) 465-4000

FAX (516) 742-5223

June 29, 2006

ROBERT L. SCHOELLE, JR.
VILLAGE ADMINISTRATOR

Mr. Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, Virginia 20191

Dear Mr. Kelley:

This letter responds to the invitation by the Federal Aviation Administrator to comment on the Draft Environmental Impact Statement (DEIS) for the NY/NJ/PHL Metropolitan Airspace Redesign Project.

We understand that at John F. Kennedy International Airport (JFK), only data and statistics relevant to departures and, to a minor extent, arrivals on runways 31 and 13 were addressed. It was also stated that these two runways handle the majority of traffic at JFK. It is further alleged that there are no anticipated changes in approach or departure guidance procedures for runways 22 L/R at JFK or for runways 13/31 or 22/4 at LaGuardia Airport and, therefore, there is no need to consider them in the DEIS.

The Villages of Floral Park, New Hyde Park, Garden City, Franklin Square and Elmont are directly under the flight path of arrivals on JFK runways 22 L/R. However, we can find no reference to any data or statistics regarding the additional number of flights or their interval, which will result from any of the alternative plans presented in this DEIS. Nor was there any comment on the consequences of any route changes, altitude minimums or intervals between flights over those localities. Past procedures may have allowed for an EIS to ignore the consequences of a proposed action because there are no anticipated changes in local approaches. Such a position is not acceptable to us who will be severely impacted but are excluded from consideration by such dismissal. After all, the entire purpose of the redesign project is to increase throughput at all the airports in the region. Thus JFK runways 22 L/R will be included in any increase in arrivals and departures. Approach altitudes and routing alternatives must be addressed in any plan to increase throughput on JFK or LaGuardia runways.

Therefore, we believe that this Draft Environmental Impact Statement must be reconsidered and modified. All relevant information about any changes in activity on JFK runways 22 L/R, including the increased noise from more flights at closer intervals that would ensue from adoption of any of the alternative proposals, must be calculated into the statement before a final decision is made.

Sincerely,

Gerard P. Lundquist
Gerard P. Lundquist
Mayor

GPL:kma

cc: Senator Charles E. Schumer
Senator Hilary Rodham-Clinton
Congresswoman Carolyn McCarthy
Senator Kemp Hannon

005244

Response to Comment 5244: Mayor Gerard P. Lunquist, Village of Garden City, New York

Comment Number	Comment response
1	<p>The commenter is incorrect regarding the notion of limited noise modeling at JFK or LGA. While only the changes from the alternatives were described when describing the alternatives, all of the procedures and all of the traffic was modeled using the appropriate proportions of traffic for each runway and procedure. In fact, the noise modeling at all of the 21 airports in the study included extensive detail and all of their runways according to their long-term usage. Thus, the busiest runways at JFK were modeled with the most traffic while all other runways were modeled with their correct proportion of the long-term average traffic. By including all of the runways at each of the 21 airports in the noise modeling and analysis, the DEIS adequately reports the environmental impacts associated with each alternative.</p>
2	<p>In the DEIS impacts are measured by comparing the no action condition with that of the airspace redesign alternatives. Though more traffic is forecasted to use JFK in 2011, the increase is independent of the airspace design. Nothing in any of the alternatives would change the number of flights using JFK Runways 22L/R or the spacings on final approach. The noise change in your Villages was calculated as part of the noise analysis included in the Draft EIS, in exactly the same way as it was for every other community in the Study Area. Your area is not specifically called out in the noise impacts because the changes in noise were below the thresholds of reportability.</p>
3	<p>All changes to the activity on Runways 22L/R, as well as all other runways at JFK and the 20 other modeled airports have been incorporated into the DEIS noise modeling analysis. The noise analysis approach follows the current state-of-the art practices and FAA's current policy. In addition, the supplemental data in the noise spreadsheets published on the project web site goes beyond the typical level of disclosure and provides extensive detail for each Census Block within the Study Area. In all cases where the change in noise level exceeds FAA's threshold of significance, the impacts are mapped, described, and tallied in the DEIS document.</p> <p>The DEIS clearly indicated that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. It should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative and the FAA considered measures related to all the areas of reportable noise increases and beyond. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>



OFFICE OF THE COUNTY SOLICITOR

COUNTY OF DELAWARE
GOVERNMENT CENTER BUILDING
201 WEST FRONT STREET
MEDIA, PENNSYLVANIA 19063

Phone: 610-891-4074

Fax: 610-891-4816

JOHN P. MCBLAIN
County Solicitor

July 1, 2006

Via Email and U.S. Mail

Mr. Steve Kelley, FAA NAR
Federal Aviation Administration
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Re: County of Delaware, Pennsylvania, Comments on Draft Environmental Impact Statement - New York/ New Jersey/ Philadelphia Metropolitan Airspace Redesign

Dear Mr. Kelley:

The following constitutes the County of Delaware's ("Delaware County" or "County") comments, pursuant to the requirements of the National Environmental Policy Act, 42 U.S.C. § 4321 *et seq.* ("NEPA"), on the Draft Environmental Impact Statement ("DEIS") issued by the Federal Aviation Administration ("FAA") for the New York/ New Jersey/ Philadelphia Metropolitan Airspace Redesign ("Project").¹ These comments are authorized by and should be deemed submitted by the County Council of the County of Delaware, the elected governing body of the County.

Delaware County is located in the Commonwealth of Pennsylvania, directly Southwest of the City of Philadelphia. The County is comprised of 49 municipalities, and has a population of approximately 550,000, the fourth most populous county in the Commonwealth of Pennsylvania. A majority of the land mass comprising the Philadelphia International Airport is actually located in Delaware County, including the international terminal and almost the entirety of the runways.

The County will be adversely affected by the Project as it will result in an overall drastic increase in the noise exposure level to County businesses, public facilities, schools and residents. For example, some portions of Delaware County will suffer a decibel increase in the range of 600-925%.

¹ The County of Delaware joins in and incorporates the comments submitted by the New Jersey Citizens Against Noise ("NJCAAN"). NJCAAN's comments are attached hereto and incorporated herein as Exhibit "A."

005245
Comment - 5
exhibit A - 55 (NJCAAN Ltr)
exhibit B - 2 = 62 pgs

I. THE DEIS PROCESS HAS PRECLUDED MEANINGFUL PUBLIC PARTICIPATION

Although Delaware County is the situs of the Philadelphia International Airport and is adversely affected by the Project, there was little or no effort to solicit any real or meaningful participation from the elected officials or planning personnel from Delaware County's government or any local government and planning agencies. No government officials, planning agencies, environmental groups or historical groups from Delaware County were consulted during the pre-scoping and scoping process. No pre-scoping meetings were held in Delaware County and only one scoping meeting was held in the County. Only one, sparsely attended, public workshop was held in the County. That meeting was held barely one week after the FAA released the Noise Impact Data, hardly sufficient time for any sort of analysis by interested members of the public, let alone careful analysis which would enable local residents to understand the adverse impact of the project. Moreover, the materials presented at that meeting were vague and did not disclose the Project's true environmental impacts.

As further example of the effective exclusion of the County's public from participation in the Project, the Delaware County government was not even provided with a hard copy of the DEIS. When the County sought such hard copy, the County experienced difficulties in obtaining a copy of the DEIS. Repeated calls to the 1-800 number listed in the notice of availability were not answered. The undersigned was advised by an employee of the FAA that generally hard copies of the DEIS "are not provided to the public, because they are too expensive." The County encountered further difficulty in accessing and downloading the electronic version of the DEIS, and even further difficulty and delay in obtaining a hard copy of the DEIS. Moreover, the DEIS, which is a required public information document, is written in such highly complex technical terms that it is virtually impossible for a lay reader to understand the nature of the Project and its impacts.

II. THE PROJECT WILL NOT ACHIEVE ITS STATED PURPOSE AND NEED.

The DEIS's stated purpose is to "increase the efficiency and reliability of the airspace structure and the ATC system." The stated need is to "accommodate growth while maintaining safety and mitigating delays, and to accommodate changes in the types of aircraft using the system." [Ch. 1, p. 1-21].

First, as to the Project's stated purpose, the DEIS identifies a number of efficiency and reliability issues the Project is designed to alleviate. However, the DEIS does not contain any data or explanation demonstrating that the DEIS will actually resolve these issues. Also, many of the inefficiencies identified in the DEIS, such as in-trail restrictions [Ch. 1, p. 1-21] are common to the National Airspace System and it is not clear how the Project will resolve these issues.

Second, the DEIS has not established that the basis on which this Project is purportedly needed, *i.e.*, growth, has actually occurred, or how the Project will accommodate that growth. Specifically, the DEIS demonstrates that there has been a reduction in operations since 2000. For this reason, the DEIS' selection of a pre-2001 base year results in inflated modeling and constitutes a fatal flaw. The DEIS modelling is also flawed where: (1) at least 119 airports, or 80% of the region's airports, were excluded from the DEIS; (2) over-flight aircraft and en-route aircraft were excluded from the analysis; and (3) general aviation and military aircraft were excluded from the analysis. Based on these errors, among others, the resulting DEIS projections are inflated.

Third, DEIS does not address the major causes of delay in the Project area. For example, weather, which is unavoidable, is a major cause of delay in this airspace, and it is unclear how the Project will reduce these delays. Airline scheduling practices and sequencing, en route, and in trail restrictions are also major causes of delay in the Project area airspace that will not be resolved by the Project.

III. THE DEIS ALTERNATIVES ANALYSIS IS DEFICIENT.

Generally, the DEIS does not provide enough data, or provides misleading data, to evaluate the DEIS alternatives. The Project's impacts are impossible to ascertain because the DEIS is vague in describing routes, altitudes and numbers of operations on those routes. Also, changes to major traffic flows are shown only to just beyond the gates/posts.

Moreover, the DEIS does not address all reasonable alternatives, such as improvements in airport infrastructure and the cumulative benefits of congestion management alternatives or technology advancements.

IV. THE DEIS FAILS TO ANALYZE THE PROJECT'S NOISE IMPACTS.

The modification of air traffic routes will move the noise and aircraft over-flight impacts throughout the study area if implemented. The DEIS analysis fails, however, to consider the full scope of the Project's noise impacts, and entirely fails to offer any mitigation for those impacts that are identified.

The DEIS does not provide data sufficient to enable evaluation of the Project's noise impacts. Altitudes are unspecified, the number of aircraft using each flow are unspecified, and the location of flight tracks are not disclosed in sufficient detail. The DEIS also fails to provide any information about the Project's gates and posts.

Moreover, Delaware County will be adversely affected by the Project's noise impacts. The Project will almost certainly result in a drastic overall increase in the noise exposure levels

throughout Delaware County. For example, some portions of the County could suffer a decibel increase up to 900%. *See Percentage Change in Calculated Noise Exposure Levels*, prepared by the County of Delaware Planning Department for the Delaware County Council, attached hereto as Exhibit "B." Our analysis shows that of the more than half million residents of Delaware County, approximately 84% will experience a negative noise impact as a result of the project. Approximately 21% of the County's residents would experience a negative impact of more than 150%, with some areas of the County experiencing negative noise impacts of up to 925%!

The DEIS completely fails to perform any cumulative analysis of the impact of this Project and the proposed projects for runway expansion and/or redesign at Philadelphia International Airport. For example, currently proposed separate from this Project is the expansion of Runway 17-35 at Philadelphia International Airport, which would allow for the use of larger, regional jets on that runway. These jets will fly over the Eastern and Northern parts of the County. Yet, there was no analysis performed of the impact of that project (and any concurrent negative noise impact) together with this Project, or the development of any cumulative impact studies.

NEPA requires that an EIS contain a discussion of the steps that can be taken to mitigate a proposed project's adverse environmental impacts. Notwithstanding this NEPA mandate, the DEIS offers no mitigation. Instead, the DEIS states, "[a]ny mitigation measures will be developed upon receipt of public and agency comments regarding the Draft EIS." [ES-18]. For this reason alone, the DEIS is inadequate.

V. THE DEIS IGNORES THE PROJECT'S CONNECTED ACTIONS.

The Project is designed to accommodate growth in the NY/NJ/PHL region, but does not evaluate either the groundside or non-jurisdictional airspace actions that will be necessary to accommodate such growth.

VI. THE DEIS FAILS TO ANALYZE THE PROJECT'S AIR QUALITY IMPACTS.

The DEIS does not analyze the Project's air quality impacts. However, the Project is designed to increase efficiency to handle an increase in operations of 223,000 in the next five years. This projected increase in air traffic will lead to a corresponding increase in ground traffic and therefore will result in air quality impacts that remain unanalyzed in the DEIS.

VII. THE DEIS FAILS TO ANALYZE THE EFFECT OF ANY AIRCRAFT ACCIDENT.

The stated preferred alternatives would reroute air traffic over a substantially greater population, causing jet liners to fly through the heart of Delaware County. As a result, many more families will be exposed to the possibility of an aircraft disaster. Burning jet fuel and aircraft debris

Mr. Steve Kelley, FAA NAR
July 1, 2006
Page 5

may strike a higher number of citizens and property. There has seemingly been no consideration in the DEIS of the environmental and other impacts of this possibility.

VIII. THE DEIS DOES NOT ANALYZE THE PROJECT'S IMPACTS ON THE JOHN HEINZ NATIONAL WILDLIFE REFUGE.

The John Heinz National Wildlife Refuge is located in Philadelphia and Delaware Counties, Pennsylvania, approximately 1 mile from the Philadelphia International Airport. The refuge was established by an act of Congress in 1972 to protect the last 200 acres of freshwater tidal marsh in Pennsylvania. The refuge is a resting and feeding area for more than 280 species of birds, in addition to, *inter alia*, a wide variety of fox, deer, muskrat, turtles, fish, frogs, wildflowers and plants.²

The DEIS, however, entirely fails to analyze the Project's impacts on the John Heinz National Wildlife Refuge. Absent such analysis, the DEIS is inadequate.

VII. CONCLUSION.

For the reasons stated above, the DEIS is inadequate in its entirety, and therefore fails to comply with NEPA.

The County of Delaware thanks the FAA for the opportunity to comment on this DEIS.

Sincerely,



John P. McBlain
Solicitor

cc: Delaware County Council
Marianne Grace, Executive Director
Hon. Curt Weldon
Hon. Robert Brady
Hon. Arlen Specter
Hon. Rick Santorum

² Source: United States Fish and Wildlife Service,
www.fws.gov/northeast/heinz/welcome.htm

Exhibit “A”

RUTGERS ENVIRONMENTAL LAW CLINIC

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May 24, 2006

BY ELECTRONIC AND OVERNIGHT MAIL

Steve Kelley
Federal Aviation Administration
FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, Virginia 20191

Re: Comments on the Draft Environmental Impact Statement for the
New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign

Dear Mr. Kelley:

Please accept these comments on behalf of New Jersey Citizens Against Airport Noise ("NJCAAN") regarding the Draft Environmental Impact Statement ("DEIS") issued in December 20, 2005, by the Federal Aviation Administration ("FAA") for the New York, New Jersey, and Philadelphia Metro Airspace Redesign Project ("Airspace Redesign"). These comments incorporate the attached exhibits, references, and Appendix.

NJCAAN is a broad based coalition of noise organizations and individuals representing thousands of citizens throughout the State of New Jersey who seek quieter skies. New Jersey citizens formed NJCAAN in response to extensive aircraft noise problems, which remain largely unresolved, that were caused by the last major FAA redesign, the 1987 Expanded East Coast Plan ("EECP"). While we recognize that the FAA's proposed Airspace Redesign includes the greater metropolitan area of New York, New Jersey and Philadelphia, our comments focus mainly on issues that specifically affect citizens of New Jersey.

The FAA's preferred alternative is projected to increase aircraft noise for 332,000 residents in the metropolitan area, while decreasing it for only 68,000. The particularly onerous procedures of the preferred alternative include fanning departures at Newark and Philadelphia Airports and reducing overall aircraft altitudes. Given the negligible benefits and significant noise impact, NJCAAN opposes the project and believes that the agency needs to go back to the drawing board and develop a plan that better serves the public interest.

The DEIS fails to meet the FAA's obligations under the National Environmental Policy Act, 42 U.S.C. § 4332 et seq. ("NEPA") to analyze the full environmental affects of the proposed action. The DEIS does not provide a "full and fair discussion" of the proposed action's adverse impacts on New Jersey citizens, does not adequately provide all data and information relevant to

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Acting Director

Julia LeMense Huff, Esq.**
Staff Attorney

Richard Webster, Esq.+
Staff Attorney

* Admitted in New Jersey Pursuant to 1:21-3(c) + Also admitted in New York

the issues raised by the proposed action, and does not adequately explore or objectively evaluate all reasonable alternatives.

NJCAAN notes that the incompleteness of the data was only partly addressed by the FAA's posting of certain noise impact spreadsheets on its website in mid-March, in response to requests from Congressman Ferguson but without any additional notice to the public; at a minimum, NJCAAN requests that the FAA extend the comment period by the delay, which was nearly 90 days after the data should have been available with the rest of the DEIS.

One great defect of the DEIS is that it fails to consider the cumulative impact of allowing even more air traffic on top of the 20-25% increase in air traffic over the last 20 years. The FAA's proposals layer more flight patterns (and aircraft traffic) over densely populated residential communities in order to support growth. The FAA's broadest concept also reduces aircraft altitudes—an issue widely opposed by the public and area elected officials. Despite quieter aircraft introduced over this time frame, the public can expect increased air noise with the industry's future growth under the FAA's proposals.

Another glaring defect is that the FAA refused to conduct any analysis of impacts on air quality, despite the fact that the project is intended, and likely will, increase air traffic and thus emissions of air pollutants. In short, the DEIS was developed in secret with the airline industry to the exclusion of the public, and reflects the goals and priorities of that industry rather than citizens.

To address these deficiencies over the long-term, the FAA should reopen route development to seek and examine additional or altered versions of the alternatives and to undertake a compliant environmental analysis that will (1) include reduction of aircraft noise as a purpose of the Airspace Redesign, (2) correct for identified deficiencies in the data, assumptions and modeling used, (3) revise its estimates and assumptions to conform to realistic projections, (4) make all relevant data, assumptions and modeling available to the public on a contemporaneous basis, and at the same time and on the same terms they are made available to aviation industry groups, (5) evaluate the independent components of the Integrated Airspace alternatives, which bundle together actions that could be taken on a more incremental and less harmful basis and (6) evaluate alternatives with a view towards reducing the cumulative impacts of noise, air quality and other environmental impacts.

I. APPLICABLE PRINCIPLES OF ENVIRONMENTAL ANALYSES

An environmental impact statement ("EIS") is "an action-forcing device to insure that the policies and goals" of NEPA are "infused into the ongoing programs and actions of the Federal Government." 40 C.F.R. § 1502.1; see NEPA § 102(2)(C), 42 U.S.C. § 4332(2)(C). The statutory policies of NEPA are to force federal agencies to consider the long-term environmental impacts of actions before making irreversible commitments of public resources. *Id.* § 4331(C). These policies are reflected in the Council on Environmental Quality's more detailed regulations at 40 C.F.R. §§ 1500 et. seq., which are, in turn, implemented through the FAA's Order 1050.1E to ensure that the agency complies with NEPA and other environmental laws, regulations and

executive orders when it assesses proposed major agency actions. FAA Order 1050.1E, Chg. 1 (2006).

An EIS must adequately inform the agency decision maker and the public of the significant environmental impacts of a proposed federal action by providing a “full and fair discussion” of those impacts, as well as “the reasonable alternatives which would avoid or minimize adverse impacts.” 40 C.F.R. § 1502.1; see NEPA § 102(2)(C), 42 U.S.C. § 4332(2)(C). An EIS “shall be analytic” and discuss environmental impacts “in proportion to their significance,” including direct, indirect and cumulative impacts. See 40 C.F.R. §§ 1502.2(a),(b), 1502.16(a),(b), 1508.25(a)(2),(c). Cumulative impacts are the “results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.” Id. § 1508.7. As with any administrative action, an EIS “shall be supported by evidence that the agency has made the necessary environmental analyses.” Id. § 1502.1. An EIS must identify the methodologies and sources used and identify where information is incomplete or unavailable. 40 C.F.R. §§ 1502.24, 1502.22.

“[T]he heart of the environmental impact statement” is the discussion of alternative methods to achieve the purpose of the proposed action, which must “[r]igorously explore and objectively evaluate all reasonable alternatives,” including identification of the agency’s preferred alternatives, an “alternative of no action” and even alternatives not within the agency’s jurisdiction. 40 C.F.R. § 1502.14. The agency must use this section to “present the environmental impacts of the proposal and the alternatives in comparative form . . . providing a clear basis for choice among [the] options.” Id. This section must contain a “sufficient discussion of . . . opposing viewpoints to enable [the agency] to take a hard look at the environmental impacts of the [proposed action] and its alternatives, and to make a reasoned decision.” *Custer County Action Assn. v. Garvey*, 256 F.3d 1024, 1041 (10th Cir. 2001).

The hard look requirement means that agencies must “rigorously explore and objectively evaluate all reasonable alternatives,” 40 C.F.R. § 1502.14(a), and must “[d]evote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.” Id. § 1502.14(b). The attention to each alternative must be sufficient to allow the ultimate decision maker to “remain open to reconsidering any or all aspects of the proposed action” as the favored alternative. *Citizens Concerned About Jet Noise, Inc. v. Dalton*, 48 F. Supp. 2d 582, 607 (E.D. Va. 1999), *aff’d*, 217 F.3d 838 (4th Cir. 2000). In summary, the “selection and discussion of alternatives” must be sufficient to “foster informed decision-making and informed public participation.” *Westlands Water District v. U.S. Dept. of the Interior*, 376 F.3d 853, 868 (9th Cir. 2004).

Finally, an EIS must discuss measures to mitigate the impacts that cannot be avoided through the use of an alternative to the chosen alternative. 40 C.F.R. §§ 1502.14(f), 1502.16(h). The DEIS defers all discussion of mitigation measures to the FEIS. DEIS § ES.7, p. ES-18. Please explain the reason for this omission, how discussion of mitigation measures at the late date of an FEIS will allow for public discussion of those measures, and the agency’s plan for public participation regarding the mitigation measures in the proposal.

II. THE HISTORY OF AIRCRAFT NOISE ISSUE IN NEW JERSEY AND OF THE AIRSPACE REDESIGN PROJECT

Neither the latest version of the Airspace Redesign nor the DEIS can be considered in a vacuum. Both must be considered against the backdrop of significant increases in noise pollution that have occurred in many areas of New Jersey and inadequate efforts by the FAA to control noise affects. The FAA's inability to control past and existing noise impacts must be addressed before it can consider adding still more aircraft noise to the crowded New York, New Jersey and Philadelphia metropolitan area.

Indeed, the FAA initiated the Airspace Redesign in 1998, accompanied by requirements, promises and commitments to yield noise mitigation benefits in response to the negative effects of previous route changes, noise problems, and unsuccessful mitigation efforts on the citizens of New York and New Jersey. Moreover, environmental studies of previous, similar changes within New Jersey have concluded that the public's tolerance for aircraft noise is much lower than the default noise contour lines used in the current DEIS. Prior environmental studies have analyzed and rejected procedures with significant adverse environmental impacts that are now included as major components of the FAA's preferred alternatives.

A. Aircraft Noise, Its Affects on Public Health and Regulatory Criteria

Sound pressure levels are typically reported in terms of the number of decibels (dB), which is a logarithmic scale. As a rule of thumb, a 6-10 dB increase is experienced as a doubling of loudness; in our daily lives, 45-50 dB represents the background levels of a quiet suburban area, 60 dB is the level of conversation at five feet and 70 dB is the sound of a vacuum cleaner at 3 feet away that will drown out the conversation. See DEIS, App. E, Fig. E-3. Most commercial aircraft operate at levels of 65 to 95 dB when measured at a distance of 3 to 5 nautical miles. The DEIS reports interference with conversation at 60 dB. *Id.* p. 12. Although this is reported as indoor conversation interference levels, no reason is given to distinguish outdoor conversation, and indeed the DEIS does not at all discuss interference when people are out-of-doors, which is precisely when laypeople experience the worst interference from aircraft noise. Please explain this discrepancy.

Airplane noise regulations refer to a further extrapolation from the dB called the day-night average sound level, or DNL, which is defined as "the 24-hour average sound level, in decibels, for the period from midnight to midnight, obtained after the addition of ten decibels to sound levels for the periods between midnight and 7 a.m., and between 10 p.m., and midnight, local time." 14 C.F.R. § 150.7.

The FAA has promulgated noise compatibility regulations at 40 C.F.R. Part 150 to govern the activities of airport operators, and should look to these regulations to guide its own programmatic activities, or justify departures from the regulations. Among other things, the FAA regulations provide for the preparation of noise exposure maps that depict airports, contours of various projected noise levels, and the surrounding area. See generally 40 C.F.R. §§ 150.21, A150.101(e). The preparation of noise contour maps is supposed to be an open process,

with the airport operator providing an opportunity for the public, government officials, regular aeronautical users, and others to submit their views, data and comments concerning the correctness and adequacy of draft exposure maps and forecasts of airport operations. *Id.* § 150.21(b). All computer models used to create noise contours must be in accordance with regulatory criteria. 14 C.F.R. §§ 150.9(c), 161.9(b). Noise contours are set for 65 DNL except where “[l]ocal needs or values may dictate further delineation based on local requirements or determinations.” 40 C.F.R. § A150.101(d). (A similar policy applies to the FAA’s DEIS, where “the responsible FAA official will determine the appropriate noise assessment criteria based on specific uses in the area.” Order 1050.1E § 11(8).) In California, for example, the FAA measures aircraft noise using the Community Noise Equivalent Level. *Id.*, App. A, § 14.1, p. A-60. And the Part 150 criteria may be inadequate to evaluate the noise impact on properties of unique significance such as national parks, national wildlife refuges and to wildlife, which require specific impact studies. *Id.*, App. A, § 14.4b, p. A-62. The FAA’s regulations encourage the use of supplemental noise analysis where problems are identified. *Id.*, App. A, § 14.5b, p. A-64.

These regulatory criteria require noise analysis to estimates of number of people within each noise contour, 14 C.F.R. § A150.101(e)(8), as well as the location of noise sensitive public buildings such as schools, hospitals, healthcare facilities, and properties eligible for inclusion in the National Register of Historic Place. 40 C.F.R. § A150.101(e)(6). In addition, noise contour maps are to reflect negative impacts (i.e., “substantial, new noncompatible use”) in any area where changes cause an increase in the yearly day-night average sound level of 1.5 dB or greater. 40 C.F.R. 150.21(d).

While NJCAAN does not believe that the Part 150 regulations capture all intrusive noise impacts, and that the default 65 DNL contour is particularly indefensible and contrary to real-world experience and data from prior New Jersey airspace changes, NJCAAN does believe that the FAA’s analysis should, at a minimum, meet the standards it requires of airport operators. The use of “significance” thresholds of 5 dB instead of 1.5 dB, the secrecy in which DEIS’s noise projections were developed, and the other failures below, fall short of these minimal standards.

B. 1950 through 1987: Safety Issues and Early Studies of Noise Impacts

In the 1950s, the City of Elizabeth in Union County, New Jersey closed Newark Airport (now Newark Liberty International Airport) (“EWR”) for almost a year, following three aircraft crashes within a short time frame. The FAA reoriented the main runways of EWR, so that aircraft did not immediately fly over Elizabeth after take-off, and changed the flight pattern to require south flow departing aircraft to turn left 30 degrees to a 190 degree heading immediately after departure to avoid portions of that city. EWR continues to use the 190 degree heading turn procedure to this day.

During this time there were no reported widespread noise complaints in New Jersey, but there were some noise complaints in Staten Island. In 1987, Landrum and Brown completed a study for The Port Authority of New York and New Jersey (“Port Authority”) to determine

whether a new departure procedure for EWR Runway 22 might reduce noise impacts to Staten Island without increasing impacts on New Jersey and, in particular, the communities surrounding EWR. (PA87) The study formulated and examined twenty-three alternate departure procedures for noise impact. Based on the results of the first 14 departure scenarios, the study determined that initial departure headings other than 195 degrees, 190 degrees or 185 degrees would result in increased noise impacts on Elizabeth. The study rejected departure headings smaller than 180 degrees due to resulting excessive affects on Staten Island residents, and rejected departure headings greater than 195 degrees due to excessive impacts on residents of Elizabeth. The study also rejected a "straight out" departure because of projected major impacts on other areas of New Jersey. The study concluded that the 190 degree heading, plus a fan marker based turn identifying when Elizabeth had been passed, was a safe, flyable solution that would reduce noise impacts on areas of dense population.

In a change initiated by the Port Authority, the FAA subsequently changed this fan marker strategy to a turn at 3 miles from the new EWR distance measuring equipment, so that planes could fan out at an earlier point, starting their turns 3 miles from the new EWR distance measuring equipment rather than at the former fan marker strategy when past Elizabeth

C. 1987: The Expanded East Coast Plan

In 1987, the FAA implemented the Expanded East Coast Plan ("EECP"), which it intended to reduce aviation delays by increasing airspace capacity and relieving traffic "bottlenecks." The FAA chose to meet these goals by creating additional air routes – highways in the sky – and revising others to accommodate the growing air traffic around the New York metropolitan area's three major airports: LaGuardia, John F. Kennedy, and Newark. These additional routes caused major noise impacts to New Jersey residents, including some who lived 30 to 40 miles from Newark Airport. The FAA had not conducted any prior environmental analysis of the EECP.

D. 1987 through 1995: Response to the EECP

Public reaction was swift and unfavorable, with some 5,700 broadly distributed noise complaints documented within the first 16 months. Within a short period of time the New Jersey Congressional Delegation requested that the Government Accounting Office investigate the matter and why the FAA had not prepared an EIS. The GAO recommended that the FAA prepare an Environmental Assessment ("EA") of the EECP and examine the effects of future FAA airspace changes. (GAO)

Also in response to the EECP, in 1988 the consulting firm of Harris, Miller, Miller and Hanson ("Harris") issued a report commissioned by the Port Authority on noise impacts of the EECP. (HAR88) That report announced significant public outcry in areas subject to less than 55 DNL and mostly below 50 DNL. Some of the areas with strong negative reaction were affected by noise increases as small as 2 DNL. For example, the Town of Cranford initially experienced a 5 decibel increase in DNL from 52 to 57 DNL and had one of the most extensive localized reactions with both petitions (1600 people) and 300 complaints.

In 1990, the FAA revised EWR south flow departure procedures to mitigate noise in response to complaints about increased noise over Cranford, New Jersey. The revised procedures turned aircraft back to a 220 degree heading after passing over Elizabeth, and directed aircraft with western destinations over an industrialized corridor 3 to 8 miles south of EWR before distributing them to westerly navigation way-points. The FAA monitored flight tracks to ensure that the controllers were, in fact, reasonably distributing the noise.

These adjustments helped to mitigate noise for Cranford, but resulted in a sharp increase in noise for Scotch Plains and other communities west of the airport. The outcry from Scotch Plains citizens caused the Port Authority to request a supplemental Harris report, which was completed in 1990. (HAR90) As a result of subsequent airspace changes to relieve Cranford, Cranford noise was reduced, but then other communities such as Scotch Plains, Fanwood and Westfield. Scotch Plains subsequently became one of the most prominent source of noise complaints and efforts to obtain noise mitigation. After changes to relieve Cranford, the Harris study (HAR90, p. 21) showed the following ranking among the towns that it examined:

Table One
Noise Levels and Changes in EECF Affected Areas

	1986	1988	1990	Change in DNL since Pre-EECP
Long Valley	42	49	49	+7
Scotch Plains	46	46	51	+5
Tewksbury	n/a	47	47	+5
Denville	45	49	49	+4
Allendale	42	46	46	+4
Mendham	45	47	47	+2
Short Hills	53	55	55	+2
Cranford	52	57	53	+1

NJCAAN notes that all noise affects were below 60 DNL, almost all below 55 DNL and most below 50 DNL. Based on the FAA's nomenclature in the DEIS, the latter, by virtue of being in the lower part of the 45-60 DNL range, would be deemed "slightly impacted," contrary to the actual experience of those towns. This discrepancy between experience and the FAA's noise impact models indicates failure on the part of the agency to appropriately adapt its methodology and criteria to account for actual public experience in general and to the EECF in particular, which may be caused by the introduction of noise into suburban and rural areas with low ambient sound levels, the presence of noise at a distance from the nearest major airport where there is not a public expectation of noise, the fact that the noise is newly introduced and not present when individuals moved into the area, and the very large number of people affected,

and the fact that the FAA criterion for noise impact is the same in rural areas as it is over Manhattan and does not take into account the scale of the change or other factors. Please explain why the FAA decided not to adopt more sensitive noise maps (including changes of 1-2 DNL) in light of these experiences and concerns, and the reasons the agency adopted criterion that it did.

In 1993, New Jersey Citizens for Environmental Research and NJCAAN proposed an ocean routing plan to the FAA. This is the alternative studied but rejected in the current DEIS.

The continuing broad outcry throughout the affected region caused Congress to require the FAA to prepare an EIS on the effects of the EECF and to search for mitigation measures. In 1995 the FAA issued its FEIS for the EECF. In the 1995 FEIS, the FAA admitted that it would not fully comply with the mandate to mitigate EECF noise by pointing out that this might delay benefits of partial mitigation that might be accomplished immediately:

The FAA does not believe that the public interest would best be served by potentially delaying relief that could be implemented in the near future. Instead, the FAA proposes to complete the current EIS process, to expedite any potential noise relief actions for some affected communities, and to develop possible mitigation strategies as a part of a *follow-on regional study*.

(FAA95, p. iv) (emphasis added). The “follow on regional study” is the Airspace Redesign. The FAA partial solution in 1995 was the so-called “Solberg Mitigation,” which provided relief to the most heavily EECF affected areas by rerouting some traffic north and south of EWR. Implementation of the Solberg Mitigation entailed moving LaGuardia arrivals 10 miles to the south to allow for the wider dispersal of traffic. The FAA omitted this feature, and as a result, never even fully implemented the Solberg mitigation, denying even the partial relief that it promised in the 1995 EIS.

At the same time the FAA was attempting to fix the EECF, the Port Authority was separately trying to change EWR procedures to address noise sensitivity in the region. At the urging of the Port Authority, the FAA then changed the EWR turn point from 3.0 miles to 2.3 miles to provide some noise relief for Staten Island residents. Elizabeth residents and New Jersey noise activists objected to the change, since it produced increased noise from aircraft flying shorter distances on more direct paths over their homes. The Port Authority issued an Environmental Assessment (EA) of the change, and rejected the “straight out” EWR departures (without the 190 degree turn) due to excessive noise impacts on New Jersey. The EA provided “noise grids” with numerical noise values superimposed on enlarged maps of the region west of EWR that were effective in designating change for the public's evaluation. In addition to enabling residents to easily determine the noise impacts of proposed changes to their specific locations, the noise grids also showed that the noise increases causing loud public outcry during experimental trials of a 2 mile turn point were only 1 to 2 dB in areas at 50 DNL. This further reinforced previous conclusions regarding the noise sensitivity of the area.

E. 1999: Environmental Assessment of Noise Impacts at Newark Airport

In 1999, the FAA explored implementing a 260 degree departure heading from EWR following the 190 degree flight segment in an effort to improve operational procedures, and it prepared an Environmental Assessment of that action. (FAA99A) New Jersey residents reacted negatively to the increased noise exposure from the 260 degree turn. The FAA included straight out departures in the assessment, but again rejected the procedure because of sharp increases in aggregate population noise exposure. The FAA stated that it was rejecting the 260 degree turn based on “community concerns, lack of significant operational benefits, lack of significant noise or other environmental benefits, and ongoing safe and efficient movement of air traffic accomplished today using existing procedures.” The 1999 Environmental Assessment made the following strong statement regarding future noise control efforts:

EXECUTIVE SUMMARY

ES.1 BACKGROUND

The Federal Aviation Administration (FAA) is committed to reducing aircraft noise exposure in communities near Newark International Airport (EWR). For more than 30 years, the FAA has been actively working with the airlines, the Port Authority of New York and New Jersey, elected officials, and community groups to identify and implement noise abatement measures. Because the area surrounding EWR has long been densely developed with urban land uses and because the land use pattern is unlikely to change dramatically in the future, noise abatement officials have focused on making adjustments to aircraft operational patterns in the airspace around EWR. Through careful planning, the FAA and its partners have implemented numerous procedures that have resulted in noise benefits for surrounding communities.

The existing noise abatement departure procedure from Runways 22L and 22R (i.e., aircraft taking off to the south on Runways 4R-22L and 4L-22R) was put into effect in 1996. The procedure, referred to as the Newark Six Standard Instrument Departure (SID), specifies that pilots perform an initial left turn after takeoff to a heading of 190° and then a right turn to a heading of 220° upon reaching a distance of 2.3 nautical miles from the DME (distance measuring equipment located on the Airport). Air traffic controllers then instruct pilots to turn to other headings based upon their destinations, whether they be eastbound, southbound, northbound, westbound, or southwest-bound. The procedure was designed to minimize overflights of residential neighborhoods by routing flights over waterways and industrial areas.

(FAA99A; p. ES-1)

F. 1998 through 2006: The Airspace Redesign Is to Address Noise Affects

When it first initiated the Airspace Redesign in 1998, the FAA heralded the project as a joint effort of noise mitigation and aviation efficiency. Early in the scoping process, the FAA recognized that the noise and other environmental impacts of the Airspace Redesign would be significant, and adopted as its working purpose broad goals to reduce noise impacts and delays, to yield faster departure climbs and to economize time and fuel. In 1998, then FAA Administrator Jane Garvey traveled to New Jersey to announce the start of the Metro Airspace Redesign. Garvey met with noise control groups and observed a demonstration of ocean routing. The FAA then made a commitment to pursue both noise reduction and operational improvements, and promoted the Airspace Redesign as an effort to achieve those joint goals. The FAA maintained these goals throughout the early public process. The FAA promoted noise mitigation through increased altitudes and by spreading flight paths or narrowing them where warranted by environmental concerns. As a result, the public reasonably expected that noise mitigation was a key element and purpose of the redesign and that it would receive careful attention.

During the 1999 to 2000 Airspace Redesign pre-scoping process, the FAA advertised noise reduction as one of the project's major goals. The first FAA public newsletter on the redesign (Volume 1) from the pre-scoping period (FAA 99B) lists, "Reduced Environmental Impacts (both air noise and emissions)," as one of the five benefits to the region from the redesign and states that "We are going to look at noise impacts in the communities and minimize them where feasible." In a 1999 presentation to the Newark International Airport Aviation Advisory Committee on the redesign, the redesign Manager presented a slide entitled "Design Goals and Objectives" containing as a listed item: "Incorporate increased noise abatement techniques wherever possible." (Exhibit 1, Slide 7). Consistent with these statements, from 1999 through the date of the DEIS, FAA presentations to members of Congress repeatedly contained a slide entitled "Commitment to the Community," with the following sub-headings: "-Increase altitudes," "-Disperse or Concentrate Tracks, where appropriate," and "-Overfly Less Noise Sensitive Areas, where feasible." See Congressional update slide show, May 5, 2003 or August 18, 2005.

Similarly, the November 4, 1999, in testimony on Air Traffic Departures at Newark International Airport (Exhibit 2) by then FAA Eastern Regional Administrator Arlene Feldman, before the Aviation Subcommittee of the House Transportation and Infrastructure Committee, the agency promised to reduce noise impacts in the area:

As the Administrator (Jane Garvey) testified before you last month, the National Airspace Redesign will be part of the FAA's efforts to improve air traffic management. The goals of the redesign project are: to maintain and improve system safety; improve the efficiency of the air traffic management and reduce delays; increase system flexibility and predictability; and seek to reduce adverse environmental effects on communities in and around our Nation's airports....

* * *

One of our stated goals is to enhance the environment to the degree consistent with safety and efficiency, both with noise abatement and improvements in air quality. Within this context, we intend to fully examine possible revisions to departure patterns at Newark, including an ocean routing concept for day and night traffic, as well as the straight-out departure concept...

* * *

Throughout the redesign project, we will look for every opportunity to reduce the affects of unwanted aircraft noise for the citizens of New Jersey and New York. Indeed, as we move forward with our redesign project, we will take intermediate steps, consistent with NEPA, that may develop during the process provided that they will not adversely affect the safe and efficient management of air traffic to Newark, or to the neighboring airports...

Finally, the FAA specifically includes noise and emissions mitigation in the "Purpose and Need" section of the pre-scoping document published in 2000, as follows:

1.1 Purpose and Need for Airspace Redesign Program

The purpose of the New York/New Jersey Airspace Redesign Project is to increase the efficiency of air traffic flows into and out of the metropolitan area including Philadelphia while maintaining or improving the level of safety and air traffic services that are currently in place.

In response to the airspace issue, the Federal Aviation Administration (FAA) is undertaking a complete redesign of the airspace in the metropolitan area. Some of the benefits of a major redesign include:

- Reduced delays at major airports
- Reduced pilot/controller workload
- Enhanced safety
- *Reduced adverse environmental impacts such as noise and air emissions*
- Enhanced productivity

(DEIS, Appendix M, Section M.2, pp. 1-2) (emphasis added).

It was only in 2001, in the scoping process itself, that the FAA reversed its policy direction and de-emphasized noise reduction as a project goal, as explained below. During the scoping process, the FAA did not describe alternatives other than "no action" and "ocean routing" in any meaningful way. The FAA essentially said it would redesign the airspace,

without providing any details, thereby writing itself a “blank check” scoping definition. Furthermore, the Airspace Redesign involved many individual decisions that could have been made independently. The FAA aggregated all of these into one monolithic system that it calls the Integrated Airspace alternative, thereby obscuring the fact that many independent components of that option (for example, “fanning” of routes, described below) represent poor choices that could not have survived scrutiny on their own against other localized alternative choices.

G. The Current Proposed Action Will Negate Previous Efforts to Address Noise

As explained in greater detail below, the current DEIS includes a “Future No Action” alternative in its alternatives analysis as required by NEPA's implementing regulations promulgated by the Council on Environmental Quality. “No Action” is the basis for measuring change and the potential effects of the other alternatives assessed in the DEIS. The “Ocean Routing Airspace Alternative” proposed by NJCAAN in 1993 as a solution to the negative effects of the EECF is included in the DEIS alternatives analysis, but the FAA gives this plan short shrift. The FAA states “it was apparent that from its inception this alternative did not meet the Airspace Redesign Purpose and Need” and that the FAA only “elected to include this alternative for analysis due to the long standing concerns of the NJCAAN.” DEIS § 2.5.5.5 at 2-37. Despite the FAA's purported attention to “the long standing concerns of the NJCAAN” it fails to adequately address those concerns in the DEIS. *Id.* Although Ocean routing will benefit 119,768 people, while increasing noise for relatively few, the DEIS concludes that ocean routing would reduce departure capacity at EWR and the FAA has rejected the plan for further consideration. The alternatives promoted by the FAA are the Modifications to Existing Airspace Alternative and the Integrated Airspace Alternative, with and without the Integrated Control Complex. The FAA promotes these alternatives as the preferred agency actions to address capacity and delay concerns, notwithstanding the severe environmental impacts that will result from any one of these preferred actions. A key feature of the proposed alternatives is to fan departures from EWR and to tighten separation between planes from five to three miles.

The fanning proposals will negate previous efforts to control noise. The Port Authority and former versions of the FAA have expended years of effort and resources minimizing EWR impacts on surrounding communities. In particular, they have extensively fine-tuned south flow departures through four environmental assessments and impact studies as well as several experimental route trials to reduce noise impacts. Furthermore, the implementation of any of the FAA promoted alternatives would result in elimination of the Solberg Mitigation, thereby negating prior FAA action to satisfy 1990 Congressional mandates to mitigate noise. The cumulative effect of prior assessments and resulting routing implementations has been to keep noise impacts on New Jersey residents somewhat under control in the face of a significant increase in the number of flights.

The FAA is able to justify its preferred alternatives only by downplaying the affects of noise on New Jersey residents. The available data from the earlier Harris reports on the EECF route changes shows that New Jersey residents are affected by noise at levels far below the FAA's default guidelines for predicting and evaluating noise impacts. Once again, the FAA is inaccurately predicting noise impacts using its standard guidelines; these predictions

underestimate real impacts from the EECF and will even more grossly underestimate impacts from the Airspace Redesign, which is a significantly bigger change. Indeed, components of the Proposed Action for EWR south flow departures have been previously investigated and rejected.

Please respond to the following concerns discussed in this section:

1. Please explain how the FAA has evaluated the results of the Landrum and Brown study. How does the agency reconcile the findings in that study with the conclusions reached in the DEIS?

2. Please advise how the FAA included the results of the Harris report in its analysis of the proposed alternatives. How does the agency reconcile the findings in that study with the conclusions reached in the DEIS?

3. How does the DEIS noise prediction methodology produce accurate results for environmentally sensitive areas that suffer noise impacts at levels well below the criteria of that methodology, as shown in other FAA environmental assessments?

4. What mitigation measures does the FAA intend to implement in response to the increased noise impacts from the proposed action, considering the previous vehement reactions to DNL levels anticipated from the proposed action and the FAA's prior commitment to implement mitigation?

5. Please explain how the FAA can continue to promote actions that raise serious compelling community concerns, lack significant operational benefits, and lack any environmental benefits, when the FAA previously rejected major components of the proposed actions for those reasons.

III. THE STATEMENT OF PURPOSE AND NEED IS IMPROPERLY NARROW BECAUSE IT EXCLUDES NOISE CONTROL

As the heart of an EIS is the alternatives analysis, the definition of the overall purpose of the project is the key to circumscribing the number of alternatives to be considered. An EIS "shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." 40 C.F.R. § 1502.13. The EIS "presents the problem being addressed, how the alternatives would resolve the problem, and . . . provides the parameters for defining a reasonable range of alternatives to be considered." FAA Order 1050.1E, Chg. 1 § 506d, p. 5-10.

Given that the description of the project's purpose will circumscribe the analysis, that particular phase of an EIS is susceptible to strategic manipulation by an agency to arrive at a predetermined conclusion. Courts guard against that type of perversion of the NEPA process with close scrutiny of the purpose statement. Thus, "[a]n agency may not define the objectives of its action in terms so unreasonably narrow that only one alternative from among the

environmentally benign [alternatives] in the agency's power would accomplish the goals of the agency's action." *Citizens Against Burlington, Inc. v. Busey*, 938 F.2d 190, 196 (D.C. Cir. 1991).

Congress too is aware that it must guard against strategic manipulation, and will invoke its Constitutional powers to guide agency deliberations. "Where an action is taken pursuant to a specific statute, the statutory objectives of the project serve as a guide by which to determine the reasonableness of objectives outlined in an EIS." *Westlands Water District*, 376 F.3d at 866, citing *City of New York v. U.S. Dept. of Transp.*, 715 F.2d 732, 743 (2d Cir. 1983). In appropriations funding language, the House Appropriations Committee repeatedly instructed the FAA to mitigate noise in the metropolitan area. In the 1997 appropriations bill, the committee instructed the agency to continue to work with the New Jersey public on reducing aircraft noise that resulted from the EECF. In addition, once the Redesign Project commenced, the committee repeatedly included language in appropriations bills instructing the agency to include noise reduction in the project. Finally, in the 2004 Appropriations Bill, the agency instructed the agency to publish a report on the Project including "all planned components and elements of the redesign project, including details on aircraft noise reduction and any ocean routing modeling that has been conducted." Please note that the agency refused to publish this report due in April 2004. (See Exhibit 3 for these references). In addition, Congress has found that "aviation noise management is crucial to the continued increase in airport capacity." 49 U.S.C. § 47521(1).

Yet in the DEIS the FAA identifies the purpose and need for the Airspace Redesign as increasing "the efficiency and reliability of the airspace structure and ATC system, thereby accommodating growth while enhancing safety and reducing delays." DEIS § 1.4.2. at 1-24. These goals cannot be interpreted in isolation, but rather against the history of noise problems in the area, the FAA's failure to conduct noise analyses before the EECF and other noise-producing actions and, most importantly, Congressional enactments identifying aviation noise management as a crucial element of increased airport capacity. More recently, individual Representatives have decried that the FAA has ignored and dismissed the affected communities' noise and environmental justice concerns "in contempt for Congressional directives." Rep. Rodney Frelinghuysen (N.J.-11), Statement to FAA (Parsippany, N.J. April 4, 2006). This rejection is contrary to twelve years of insistence by "the House Appropriations committee . . . that air noise reduction be included as a primary factor in the redesign plan . . . the FAA failed to include the reduction of aircraft noise as a formal goal of [its] regional redesign project." *Id.* "It is clear from the [DEIS] that the . . . FAA ignored New Jersey's main concern for airspace redesign: noise abatement." Congressman Steven Rothman (D-N.J.), Statement to FAA (Hasbrouck Heights, N.J. April 6, 2006). The statement of purpose and need in the Airport Redesign are unreasonably narrow because it purposefully excludes noise reduction and mitigation as one of the purposes of the project. (See Exhibit 5 for copies of all the opposing statements and resolutions)

The DEIS's narrow statement of purpose and need is flawed for additional but related reasons: it ignores the FAA's description of the purposes of the Airspace Redesign during the scoping session and the information that the agency itself collected in that process, as described in greater detail above. The scoping process is required so that an agency can "[d]etermine the

scope and the significant issues to be analyzed in depth in the environmental impact statement” and to “[i]dentify and eliminate from detailed study the issues which *are not significant* . . . narrowing the discussion of these issues in the statement to a brief presentation of why they *will not have a significant effect* on the human environment.” 40 C.F.R. 1501.7(a)(2) and (3) (emphasis added). Moreover, in accordance with CEQ regulations, FAA Order 1050.1E identifies scoping as the process to “solicit input from those interested and affected parties . . . to [d]etermine the scope of analysis required within the EIS [and to] identify and eliminate *insignificant* issues.” FAA Order 1050.1E § 505b(1) and (2) (emphasis added).

Moreover, the DEIS statements are contrary to the Congressional Directives discussed above, and the agency’s own policies and statements. For example, the FAA’s 1976 “Noise Abatement Policy” states that

The Federal Government has the authority and responsibility to control aircraft noise by the regulation of source emissions, by flight operational procedures, and by management of the air traffic control and navigable airspace in ways that minimize noise impact on residential areas, consistent with the highest standards of safety. The federal government also provides financial and technical assistance to airport proprietors for noise reduction planning and abatement activities and, working with the private sector, conducts continuing research into noise abatement technology.

(FAA76). Similarly, the FAA’s “Aviation Noise Policy 2000” document states that the agency’s goals are to

Design prospective air traffic routes and procedures to minimize aviation noise impacts in areas beyond legal jurisdiction of airport operators, consistent with local consensus and safe and efficient use of navigable airspace.

(FAA00B)

Without sufficient explanation of its policy reversal or any mention let alone reconciliation with its earlier position, the FAA drops reduction of noise impacts as a formal purpose of the project in the DEIS. As discussed in further detail below, the alternatives advanced by the FAA in the current DEIS no longer promote noise reduction. In fact, the FAA’s proposed alternatives aggravate a longstanding major complaint about the earlier EECF: that arrivals must travel long distances at low altitudes, resulting in more air and noise pollution than aircraft flying at higher altitudes. For these reasons, the FAA has impermissibly narrowed the scope of the project’s Purpose and Need in violation of specific statutory mandates. See 40 C.F.R. §§ 1501, 1502.

Regarding the Purpose and Need section of the DEIS, please respond to the following questions:

1. Please reconcile the unreasonably limited Purpose and Need of the DEIS, which excludes noise reduction as a stated goal, with the results of the scoping process that identifies noise impact as significant and objectionable?
2. Please explain the reasonableness of discarding noise reduction from the stated Purpose and Need of the proposed action, when National Aviation Noise Policy specifically identifies noise management as crucial to any plan to increase airport capacity. 49 U.S.C. § 47521(a).

IV. THE DEIS IS CHARACTERIZED BY INCONSISTENT, INADEQUATE, INCORRECT AND MISLEADING DATA AND ASSUMPTIONS

An adequate EIS depends upon reliable, adequate and available data that will allow the agency, the public and, if necessary, reviewing courts to must contain “sufficient discussion of the relevant issues and opposing viewpoints to enable [the agency] to take a hard look at the environmental impacts of the [proposed action] and its alternatives, and to make a reasoned decision.” Custer County Action Assn., 256 F.3d at 1041. As with any administrative action, the analyses and conclusions in an EIS must be supported “by substantial evidence in the administrative record, [i]adequate to foster informed public participation and decision-making.” Id. at 1036. “NEPA . . . impose[s] a requirement that the . . . decision maker has sufficient information to accurately compare the environmental effects of the various alternatives.” Citizens Concerned About Jet Noise, Inc., 48 F. Supp. 2d at 595. For the reasons discussed below, the DEIS lacks the requisite factual support in several key areas.

A. The Absence of Supporting Data to Support the FAA’s Conclusion that the Proposed Action Will Significantly Improve Capacity and Decrease Delays

The DEIS includes Table ES.1 to demonstrate capacity and throughput. From Table ES.1, NJCAAN has calculated the projected throughput changes as follows:

Table Two
Capacity of Alternatives Relative to “No Action”
 [Excerpted from DEIS Table ES.1]

	Modif. of Existing	Ocean Routing	Integrated Airspace	Integrated + ICC
Arrival Throughput	0	0	0	+6.7%
Departure Throughput	+4%	-7.1%	+8%	+2.9%

The FAA projects that the proposals advanced in the DEIS will make some progress in

increasing capacity: 6.7% and 2.9% in arrival and departure throughput, respectively. The gains are small given the uncertainty, scope and impacts of the project: (1) there is no data in the DEIS explaining the assumptions behind the projected arrival gains from the Integrated Airspace with Integration of Control Complex ("Integrated + ICC") preferred alternative or that the procedures are feasible, (2) the human cost is a trebled noise increase for 330,000 people and (3) the 2.9% increase in departure throughput includes dropping noise abatement and increasing the population subject to DNL of 65 or higher, contrary to Federal policies directing that noise exposure be minimized, and the departure gains would be much smaller if impacts and environmental justice issues are truly mitigated, (4) the Integrated + ICC preferred alternative is probably the largest and most expensive airspace redesign ever, and any gains that will ultimately be realized are to some extent unpredictable, and (5) other less intrusive measures are more effective in controlling delays. The DEIS relies on these incrementally small increases to demonstrate benefits, but the assumptions on which they are based are not clear to the reader.

First, the DEIS focuses heavily on delays as a metric, since delays have a notable affect on the flying public and are a significant source of additional aviation industry cost. This focus on delays is misleading, however, because it obscures the real purpose of the project, which is solely to increase capacity with little other benefit to the public.

Second, the DEIS assumes a constant applied system traffic level in reaching its conclusion of reduced delays. At a constant applied system traffic level, the capacity improvements shown could modestly reduce delays. Consequently, carriers generally adjust peak hour scheduling and aircraft types to accommodate changes in capacity, as was readily conceded by staffers at the FAA public meetings. When passenger volume decreased between 2000 and 2004 at EWR, carriers switched to smaller aircraft; EWR's status as one of the airports with greatest delays shows that carriers substituted smaller aircraft and maintained operation counts, and were willing to accept the resulting delays. Carriers are not willing to operate with high delays and will reschedule flights and use larger aircraft to prevent them as acknowledged in the following statement from a joint FAA/Port Authority report:

Figure 17 illustrates the delay per operation, or average delays for the various demand levels. The levels of average delay shown for the Do Nothing case at future activity levels, are probably too large for a viable operation. In other words, the delays and cancellations associated with these levels of operations at the existing airport, probably would not be acceptable for a hub operation, preventing the airlines from scheduling to such levels.

(FAA00A, p. 28) Notably, the FAA did not show increased LaGuardia traffic levels for 2011 because it is clear that even modest projected increases would increase delays and result in excessive hours of operation that carriers would adjust scheduling to prevent. In short, under the assumption of constant applied traffic levels, a system currently operating at capacity will show significant delays with associated costs from even a slight traffic increase. This assumption also means that a small increase in capacity from a projected airspace change will bring delays back

down, and this exact scenario underlies the FAA's projection of large cost savings from the Airspace Redesign. However, these savings are based on an unrealistic assumption.

Third, small changes in assumed traffic levels can have a very large effect on delays. The impact of increased traffic levels on delays depends upon the particular situation; one simulation study of simultaneous arrivals at EWR demonstrates the potential effects. (MAS99, MAS00) In that study, when ground operations were included a 10% increase in air traffic caused a 37% increase in average aircraft delay and cumulative delays over 24 hours of 61%, without simultaneous arrivals. When simultaneous arrivals were included, the 10% traffic increase caused a 52% increase in average delays and cumulative delays of 82%. Another demonstration of the potential sharp rise in delays with applied traffic was shown in a joint FAA/Port Authority capacity study at Newark Airport, which showed very sharp increases in delays when attempts were made to push more traffic through the system beyond a certain point. (FAA00B; p. 6, Fig. 4) Please explain how this information affects the DEIS capacity and delay assessments and why the FAA modeling was not adjusted to reflect likely carrier scheduling adjustments in response to increased delays.

Fourth, the gains for the Integrated Airspace + ICC alternative in particular (the rightmost column of Table ES.1) are speculative and depend on what may be unrealistic assumptions. The gain in arrival throughput assumes simultaneous arrivals on the closely spaced main north-south EWR runways, and expected use of shorter EWR cross runway 11/29 for large turbojet departures during peak periods. The DEIS does not provide detailed information on the assumptions surrounding the use of simultaneous arrivals or any further indication as to whether these have been tested and are more than speculative. Simultaneous arrivals potentially increase controller workload. An October 2001 simulation study using professional controllers showed simultaneous arrivals as infeasible using then extant routes, and pointed out unresolved operational considerations. Please explain how the results of this study have been considered by the agency, how the agency's projections depend upon untested assumptions regarding runway management at EWR, and what additional studies have been done to establish the feasibility and gains of simultaneous arrivals.

In a December 20, 2005, report to Congressional Representatives, the FAA admitted that the preferred action of the Integrated Airspace proposals would not make major improvement in capacity or delays due to limitations of current runway capacity in the New York/New Jersey area. Please explain how this information affects the conclusions reached in the DEIS, and how the agency reconciles its earlier statements and promises regarding airspace redesign benefits with the projected small actual achievements.

B. The Projected Capacity Increases Do Not Clearly Show that they Depend on Procedures that Will Increase Noise Impacts

Although the DEIS devotes some discussion to noise impact, the data and tables presented do "not even begin to give the reader a true feel for the magnitude of the problem" created by the proposals advanced by the FAA. See *Davison v. Department of Defense*, 560 F. Supp 1019, 1033 (S.D. Ohio 1982). The Davison Court held an EIS to be deficient based on

tables that it found “could easily mislead the decisionmaker” assessing the environmental impact of noise on sleep disturbance, when “the remainder of the EIS [did] not sufficiently disabuse the reader of that inference.” *Id.* at 1036. Where “important detail [is] buried under mountains of less relevant data” and misleading information fails to provide the reader with a real appreciation of the potential impact of noise on sleep disturbance, an otherwise sufficient EIS is inadequate. *Id.* This substantive requirement is complemented by a “plain language” requirement so that decisionmakers and the public can readily understand the relevant information. 40 C.F.R. § 1502.8. CEQ regulations “impose[] a requirement that an EIS must be organized and written so as to be readily understandable by governmental decisionmakers and by interested non-professional laypersons likely to be affected by actions taken under the EIS.” *Oregon Env'tl. Council v. Kunzman*, 817 F.2d 484, 494 (9th Cir. 1987). The purpose of these requirements is to afford each affected citizen a meaningful opportunity to evaluate and comment upon an agency’s proposed action.

The DEIS fails to set forth relevant information in a clear manner, and improperly buries that information behind unrelated statistics. For example, the projected 2.9% change in departure throughput identified in the DEIS assumes an EWR fanning procedure that entails the dropping of long established noise abatement flight paths developed at EWR. This fanning procedure has extremely high noise impacts. In fact, as previously stated, four earlier EISs and Environmental Assessments discarded fanning in its entirety, or discarded components of the procedure, due to excessive noise impacts. (PA87, PA95, FAA95, FAA99) The DEIS does not adequately identify or evaluate the adverse effects of the fanning procedures advanced by the agency or take into account previous environmental studies that have rejected components of this procedure. The agency furthermore did not explore alternatives to the proposed “fanning” that would minimize noise impacts and environmental justice impacts. Please make clear the real potential for increased noise impact, including sleep disturbance, that will result from the fanning procedures advanced by the FAA.

C. The Noise Modeling Contains Anomalies, Inconsistencies and Other Technical Flaws

Our examination of the DEIS noise modeling results and comparison with spreadsheet data supplied on the FAA’s website in March 2006 showed significant anomalies and inconsistencies that must have affected study conclusions. NJCAAN’s audit was limited in scope, but found sufficient issues to question the integrity and the quality control process for generating the data. The errors found are discussed in detail in Section XI of the Appendix, but are summarized here.

First, the DEIS projects that the number of people that will experience noise impacts for the “Modified” alternative to drop seven-fold between 2006 and 2011 compared to the “No Action” alternative, despite the fact that neither of these two alternatives changes between these two model years and that there are only minor changes to fleet mix and volume. Close review of the census noise spreadsheets supplied by the FAA showed large unexplained variations within the same census blocks projected for 2006 and 2011 even where the alternative and flight paths

stay the same. These discrepancies indicate potential modeling or administrative errors in handling the data. Please explain these variations.

Second, our comparison of the projected Ocean Routing noise impacts against the projected No Action noise impacts shows that the population experiencing noise decrease according to DEIS noise criteria goes from 119,768 in 2006 to 16,166 in 2011. While we would welcome such a sharp drop in noise impacts, we think that these projections are anomalous, especially because there are no changes in these two alternatives and only relatively minor effects of fleet mix and volume changes. This is a glaring anomaly that should have received immediate investigation. When NJCAAN pointed this out to the lead FAA noise contractor, he responded that there must have been a lot of residents just at the FAA threshold that stopped being counted. NJCAAN's review of the census data showed that this was not the case, and that, in fact, aircraft were projected to get inexplicably (and erroneously) noisier by several decibels for the ocean routing scenario, profoundly altering the 2011 results

Third, when NJCAAN used the FAA noise census spreadsheets to check the calculations of noise affected populations we came up with different numbers than the FAA. The differences were sufficient to reverse the conclusion for population affected above DNL 65 for EWR south flow departure "fanning."

Fourth, NJCAAN calculated the populations receiving 1.5 decibel increases at DNL 65 for the Integrated Airspace without the Integrated Control Complex and found them to be 28% higher than shown by the DEIS.

Please institute careful quality control procedures for all data going forward, and examine, correct or explain any anomalies that appear in the results.

D. The DEIS Fails to Present Noise Impact Data at Thresholds and In a Manner that Is Meaningful to the Public

Another example of the DEIS's failure is its inadequate information regarding noise impacts, which are the primary environmental issue of the Airspace Redesign, thereby hindering the lay public's ability to comment meaningfully on the FAA's proposed action. The DEIS fails to inform a large segment of the public about the true implications of the FAA proposed changes.

First, the FAA presents information regarding only three broad categories of noise levels that reflect an enormous range, as shown in Table Two. (The DEIS also presents information in color coded maps along similarly coarse cutoffs.) The FAA's characterization of noise level changes in the 45 – 60 DNL range as "slight to moderate" further misleads the public as to significance of the noise impacts. This characterization also disregards all prior negative public reaction at these levels during the EECF process at much lower decibel levels. Please explain the discrepancy between the FAA's earlier findings regarding noise sensitivity and the representations in the DEIS.

Table Three
DEIS Noise Thresholds for Reporting Change

	Overall Noise Level - Decibels DNL	FAA Threshold for Noting Change (Change in DNL)	Equivalent Actual Noise Change
Most of Aviation Noise Affected Study Area	45 - 60	+ 5	3.16 times
Closer to Airport (several miles)	60 - 65	+ 3	2 times
Airport Immediate Vicinity (1 - 2 miles)	65 or higher	+ 1.5	1.41 times

Second, and even more important, the presentation of thresholds systematically underestimates the public's sensitivity to the relative change in noise levels. The DEIS withholds relevant noise data for most of the study area by using very coarse thresholds, in particular the threshold for most of the study area is 5 decibels, which equals a factor of 3.16 times increase in noise energy. The change could be caused by aircraft flying at lower altitudes or from over-flights increased by the factor in the last column of Table Two or some combination of the two phenomena. Most areas would have to receive an increase in over-flights of at least 216% to be shown as affected on the DEIS noise maps.

The EECF implementation, as well as other flight trials, indicate that residents of noise sensitive areas west of EWR react vehemently to much smaller changes than those shown in the DEIS. The DEIS should inform residents when over-flights in their community might increase by a factor less than 3.2 as a result of proposed changes, so that they could evaluate those smaller yet important changes and comment meaningfully on the DEIS. Thresholds for noting change in the DEIS are smaller closer to the airport, but they are still unreasonably high. Please explain the factual basis for the setting of change thresholds at 5 and 3 dB.

The public has little expertise or understanding of the DNL metric and its implications. The public would more readily understand the meaning of the information presented in the DEIS had the FAA presented the results as a percent or factor change in noise energy, which could be intuitively related to a percent change in number of over-flights. Please explain how the noise threshold levels answers the basic public question, "How will this affect my aircraft noise?" Also, please recalculate projected noise impacts using the total population that will have to live at high noise levels.

E. The DEIS Fails to Fully Portray Total Noise Impacts by Considering Only the Number of People that Will Experience a Change in Noise Levels that Meets the FAA's Arbitrary Thresholds, Rather than the Number of People that Will Have to Live with High Overall Noise Levels

The FAA's arbitrary "threshold" levels for measuring noise impacts lead inexorably to another flaw in the DEIS, namely that the FAA fails to fully portray and often underestimates total noise impacts by focusing only on relative changes rather than overall noise levels. In other words, the FAA presents data on the number of people that it projects will receive a change in noise exposure above its threshold amounts (i.e., greater than 5 dB for most of the study area). In order to understand the true impact it is also necessary to know the number of people that will continue to live with aircraft noise at high levels. In fact, previous environmental assessments of the EWR area, while also providing information on people experiencing change, have focused on presenting and minimizing the total population affected at each DNL level. While it is informative to know the number of people experiencing change at a given threshold, the counts of exposed population at various levels is a better measure of the magnitude of a plan's impact. Please present information on the total population exposure at each noise level as well as the number of people experiencing change.

For example, spreading air traffic may cause large numbers of people to experience increases in noise levels that are at increments below the FAA's proposed 5 dB threshold, while a small number of people may have large decreases above that threshold. In the FAA's proposed test, that combination would indicate favorable results. However, when those same effects are reported as changes in overall noise levels for the entire population, it would show that total population noise exposure would increase, indicating unfavorable results from the action. The DEIS presents the data on noise change in a way that is misleading and not effectively informative.

F. The DEIS Omits Important Census Information on Noise Impacts

The FAA's census block noise data spreadsheets demonstrate noise impacts that are either not shown or are inadequately addressed in the DEIS. The census noise spreadsheets present the projected noise for each alternative for each census block. NJCAAN was able to write spreadsheet programs that ascertained additional impacts from the FAA data that were not presented in the DEIS. These impacts include (1) an increase in the population exposed to noise of 60 DNL or greater in Harrison, New Jersey, and over the McCarter Highway corridor in Newark, (2) an increase in noise impacts in the Hillside, New Jersey, area, and (3) a significant increase in noise impacts in northern Bergen County, New Jersey, and southern Rockland County, New York.

The Harrison/McCarter Highway corridor noise impacts appear to be related to "fanning" northern take-off departures on the main runways (Runway 4L/R) from EWR. The Hillside noise impacts appear to be related to the increased use of the smaller east/west runway (Runway 29) for turbojet departures at EWR. These two impacts escape notice by falling below the FAA's thresholds for measuring change. The FAA allots only a limited discussion of these procedures

in the DEIS in general or to the nature and effects of changes in northern departure procedures and Runway 29 departure usage, and does not provide the reader with sufficient data on these procedures. For the Bergen and Rockland County impacts, the high level of noise effects and actual geographic locations are not adequately displayed. Please provide additional information that would be help understand impacts, including maps showing the DNL contours at 65, 60, 55, 50 and 45 DNL, the populations within these contours, and maps showing noise change for each alternative for ease of comparison similar to those provided in the Leigh-Fisher report (PA95).

G. The DEIS Fails to Provide Information Regarding North Flow EWR Departures

The DEIS gives only very brief treatment of changes to EWR north flow departures, and most readers will likely miss this feature entirely, as there was no separate environmental analysis of these changes. Tables Four and Five give the noise exposure population counts in Essex County for the Modified and Integrated alternatives in 2006 and the Integrated + ICC alternative in 2011 compared to the “No Action” alternative for the respective years, as ascertained by NJCAAN from the FAA’s noise impacts spreadsheets provided separately from the DEIS in March 2006. These impacts are significant but are omitted from the DEIS, which consequently does not show the true magnitude of the project’s total impact.

**Table Four
 Comparison of Airspace Alternative Noise Exposures for Essex County**

	2006 “No Action”	2006 “MOD”	2006 “IC”
DNL 65 or Higher	13, 192	14,067	14,052
60 – 65 DNL	16,352	25,022	24,618
Total	29,544	39,089	38,670

**Table Five
 Integrated Concept + ICC vs. “No Action” Noise Exposure for Essex County**

	2011 “No Action”	2011 “IC + ICC”
65 DNL or Higher	11,701	11,811
60 – 65 DNL	15,954	20,450
Total	27,655	32,261

The DNL 65 and 60 noise exposed populations for the Modified, Integrated Airspace and Integrated + ICC alternatives are universally higher than “No Action.” Since the increases occur for all of the FAA alternatives, they likely attribute to the change in Runway 4 departure procedures. The Modified and Integrated alternatives result in a 6.5% increase in the population exposed to noise levels of DNL 65 or higher, and more than a 50% increase in the population exposed to noise levels of DNL 60 or higher. The FAA’s projection for the Integrated + ICC alternative in 2011 shows a 1% increase in the population exposed to noise levels of DNL 65 or higher and a 28% increase in the population exposed to noise levels of DNL 60 or higher. These

noise increases affect what are likely environmental justice populations and need to be presented and analyzed in the EIS. The Port Authority studied the environmental impacts of various alternatives for north flow departures from Newark Airport to elect a procedure that minimizes impacts, (PA89), yet the FAA inexplicably proposed to reject those procedures. Please reconcile the FAA's proposals with this Port Authority study and explain how the FAA reached a different conclusion.

In addition, due to conflicts with the ILS 6 arrival pattern for Teterboro Airport, this fanning procedure is currently only applicable for north-flow departure traffic during the 10% of the time when ILS 6 is not in use. North-flow departures account for approximately 45% of Newark departure traffic. As a result, the FAA modeled the north-flow fanning for approximately 4.5% of departure volume.

The FAA is in the process of phasing out the Instrument Landing System (ILS) technology as it migrates to an RNAV/RNP (global positioning system) based technology. As a result, the north-flow fanning routes are likely to be used more heavily once ILS is replaced. The FAA does not discuss the cumulative impacts that may result from north-flow fanning and replacement of ILS with RNAV routes for Teterboro Airport. As a result, the agency most likely understated the future noise and emissions impacts from north-flow fanning.

H. The DEIS Fails to Discuss Noise Impacts in Northern Bergen and Southern Rockland Counties

The significant noise impact on northern Bergen and southern Rockland Counties is related to the proposed movement of low altitude holding patterns into the metropolitan area and expanded arrival corridors for Newark Airport for the Integrated + ICC alternative. The DEIS does not identify the locations of the low altitude holding patterns, so that information is not available to the reader. NJCAAN obtained an aviation industry report (an FAA aviation industry marketing piece) from a French air traffic controller internet site, that does identify the holding-pattern locations. (FAA03C, Figure 11) The industry report indicates that the holding pattern locations are over Pennsylvania, just beyond the border of Sussex County, New Jersey, and over southern Rockland County, just beyond the border of northern Bergen County. These holding patterns, together with expanded arrival corridors, would direct more aircraft traffic into the metropolitan area at lower altitudes with significant noise impacts for the Counties of Bergen, Morris, and Sussex, New Jersey

In addition, impacts due to the Runway 22 arrival changes are and extend to a much broader area of Bergen County, New Jersey and Rockland County, New York than the towns of Rutherford and Fairlawn described in the DEIS. NJCAAN analysis of the FAA noise census spreadsheets for Bergen County show 11,284 people would experience noise increases of 10 dB to a level above 45 DNL. *These people will experience a more than a ten-fold increase in noise.* The towns not identified by the agency in the report that would experience a 10 DNL or higher increase in noise include: Ramsey, Pearl River, Montvale, Park Ridge, Woodcliff Lake, Rivervale, Saddle River, Woodcliff Lake, Hillsdale, Montebello, Suffern, Viola, Monsey, Kaser, Chestnut Ridge, and Airmont. NJCAAN found that towns in Northern Bergen County were

largely unaware of the proposed Integrated + ICC alternative, let alone the expected noise impacts from that proposal.

Since the DEIS fails to include the holding pattern locations identified on the industry report, the detailed geographic locations, and the magnitude of impact, the public has an incomplete picture of the project's total environmental impacts, which affects the decision making process. Please provide this missing information.

I. The DEIS Does Not Adequately Assess Sleep Disturbance Data

Sleep disturbance was a major complaint of the EECF and the FAA should address this issue more completely in the DEIS. Courts have consistently focused on insufficient, misleading or inadequately explained information that fails to provide an EIS reader with a real appreciation of the potential impact of noise on sleep disturbance. See *Davison*, 560 F. Supp at 1033; *Citizens Against Burlington, Inc.*, 938 F.2d at 1019. The *Davison* court found that the EIS in that matter “had unreasonably fail[ed] to quantify with some precision the people whom the [new] activity would keep up at night, had unreasonably neglected to discuss whether local residents would become accustomed to the noise, and had unreasonably overlooked the physiological effects of long-term sleep disturbance.” *Davison*, 60 F. Supp at 1033.

The FAA does present data projecting sleep disturbance as a function of sound level, buried in Appendix E at page 13. However, the FAA does not use this information to project the number of people that are likely to experience disturbed sleep as a result of the proposed flight path changes. Given the broad and unprecedented scope of the proposed changes, the FAA should apply the sleep disturbance data to the affected population and provide estimates of the number of people likely to experience disturbed sleep and the degree to which this is likely to be a problem.

Moreover, the FAA recognizes that supplemental metrics may better reflect affects such as sleep disturbance and interference. FAA Order 1050.1E (2006), App. A, § 14.5f, pp. A-64 to A-65. These include sound exposure level, maximum sound level, equivalent sound level, time above, sound pressure level and audibility. *Id.* Please develop data under these metrics for the Airport Redesign and apply this data to project populations likely to experience sleep disturbance under the proposed alternatives.

J. Important Details and Procedural Information Are Inaccurate and Incomplete

During the course of preparing the DEIS, the FAA implemented the following procedures:

- The Yardley-Robbinsville Flip-Flop for Newark Airport arrivals;
- Dual Modena departure procedure for Philadelphia Airport departures; and
- Oceanic procedures in the metropolitan area including the “Florida Airspace Optimization” plan.

The FAA includes the first two procedures in the “no action” baseline for the DEIS. The Dual Modena project supports planned expansion of operations at Philadelphia International Airport (PHL), yet the FAA excludes the cumulative noise and emission impacts of this expansion from the DEIS. In addition, the DEIS does not mention the third procedure or its noise and emissions impacts at all. These elements are essential parts of the Airspace Redesign even though they have been undertaken already, and their impacts should be considered as increases over the true “No Action” baseline for purpose of comparing noise impacts. As a result of the DEIS’s failure to quantify and include the noise effects, the DEIS does not accurately forecast the overall noise impacts of the project. Please include these impacts.

K. The DEIS Fails to Present Complete Mitigation Measures to the Public

The routes presented in the DEIS and shown at FAA public meetings have pronounced environmental problems. At the public meetings, FAA personnel stated that they had not yet addressed mitigation, and that they needed public input on the alternatives before they would work on mitigation. However, in order to comment meaningfully, the public would need to see the results of attempts at mitigation, since mitigation may be impossible or may substantially alter the operational, benefit and environmental picture presented by the DEIS.

As an example, Section 3.2.3 of the Appendix shows that the mitigation measures for “fanning” outlined by the FAA are inapplicable. During the scoping process and in Congressional briefings, the FAA demonstrated and promoted its environmental tools and the “feedback” process in which routes are modeled, environmental effects noted, and then mitigation sought. (DEIS; Appendix C, p. xxi) The DEIS did not utilize this environmental feedback process. Please explain how the DEIS provides sufficient information to accurately compare the environmental effects of the various alternatives when the DEIS did not utilize the environmental feedback process promoted by the FAA during scoping and thereby presents incomplete alternatives prior to attempting to apply mitigation.

V. THE ALTERNATIVES ANALYSIS IS INCOMPLETE

The discussion of alternatives is “the heart of the environmental impact statement.” 40 C.F.R. § 1502.14. The EIS “should present the environmental impacts of the proposal and the alternatives in comparative form . . . providing a clear basis for choice among options by the decisionmaker and the public.” *Id.* The agency must “rigorously explore and objectively evaluate all reasonable alternatives.” *Id.* § 1502.14(a) (emphasis added). Although an agency need not “analyze the environmental consequences of alternatives it has in good faith rejected as too remote, speculative, or impractical or ineffective . . . the rule of reason guides both the choice of alternatives as well as the extent to which the [EIS] must discuss each alternative.” *Custer County*, 256 F.3d at 1039, 1040. The EIS must contain “sufficient discussion of the relevant issues and opposing viewpoints to enable [the reader] to take a hard look at the environmental impacts of the [proposed action] and its alternatives, and to make a reasoned decision.” *Id.* “In determining the scope of alternatives to be considered, the emphasis is on what is

‘reasonable’ rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant.” 46 Fed. Reg. 18026, 18027 (March 23, 1981). Furthermore, the FAA must consider alternative that are not within the agency’s mission, so as to avoid having the agency’s narrow focus control the analysis. 40 C.F.R. § 1502.1(c). The DEIS fails to meet these standards.

The DEIS considers four airspace redesign alternatives, including:

- Future No Action Alternative, which assumes no changes to the existing airspace and is required under NEPA;
- Modifications to Existing Airspace Alternative, which includes modifications to current routes and procedures to improve efficiency in the current airspace system;
- Ocean Routing Airspace Alternative, which moves all flights departing from EWR over industrial areas and the Atlantic Ocean during initial ascent before turning in the direction of their final destinations; and
- Integrated Airspace Alternative, which would integrate airspace control, expand the area in which planes would be separated by three rather than five miles, fan EWR departures, bring arrivals in at low altitudes for long distances, establish new holding pattern areas, and have new departure and arrival “gates.”

The FAA’s preferred alternative seems to be the last one, which comes in two variations of different levels of integration of control complexes (“ICC”), one with ICC and one without. However, the FAA defines the Integrated Airspace alternative without ICC in the draft report as a transitional proposal that could be used migrate to the Integrated Airspace alternative with ICC. By the FAA’s own admissions, the actions proposed in the DEIS yield minimal improvements in capacity and only modest reductions in delays

Table Six
Tri -State Noise Affected Population by Alternative*

	Modif. of Existing	Ocean Routing	Integrated Airspace	Integrated + ICC*
Increased Noise	187,743	7,504	191,958	332,127
Decreased Noise	42,599	119,768	43,091	67,597
Difference	145,144	(112,264)	148,867	264,530

*All alternatives show 2006 data from DEIS Table ES-2, except Integrated + ICC, which shows 2011 data from DEIS Table ES-3

The vast preponderance of people impacted in the DEIS occurs in the 45 to 60 DNL range, which is similar to the EECF situation. While the DEIS counts impacts people in more than one state, as opposed to only New Jersey considered for the EECF EIS, the New Jersey impacts alone, particularly for the DEIS Integrated + ICC alternative, are much greater than those of the EECF. The affected regions of New Jersey are similar, and the noise impact thresholds are similar. Therefore the documented reaction to the EECF is the best available predictor of public reaction to the DEIS proposed changes. A major difference is that the EECF reaction occurred at the beginning of the mandated phase-out of noisier stage 2 aircraft, which introduced noise benefits that helped abate EECF reaction over time. Going forward, only slight migration to quieter aircraft is forecast, which will be offset by aviation traffic increases. Therefore reactions to the DEIS noise increases is likely to be much more severe and sustained than indicated by the population numbers alone.

The ocean routing alternative, in comparison, offers substantial noise reduction. As threshold for impact is reduced, the number of people affected gets much higher, so Table Six vastly understates the effects of the proposed changes. By way of comparison, the EECF EIS, showed only 45,622 people negatively impacted at the 5 decibel level. Based on this, the Modified, Integrated, and Integrated + ICC show 4.1, 4.2, and 7.3 times, respectively, the adverse noise impact of the EECF. This makes the EECF, which caused an unprecedented large public reaction and intervention by Congress, look benign.

In summary, the projected small benefits of the Airspace Redesign come at high environmental costs. As the FAA itself acknowledges, even by its own flawed metric, “[i]n terms of significant noise impact changes (+1.5 DNL in 65 DNL) the noise analysis indicates that with the exception of the Ocean Routing Airspace Alternative, each airspace alternative is expected to generate significant noise impacts in the future.” DEIS, § ES.6.1, p. ES-11. There is a better way to reach this decision, one that complies with the text and spirit of NEPA’s command to take a hard look at all available alternatives.

A. The DEIS Artificially Limits the Range of Alternatives Studied to Wholesale Airspace Redesigns Rather than Incremental Changes

The FAA has acknowledged that “[t]he size of the noise pattern around each airport is generally a function of the operational levels and fleet mix at each airport.” DEIS, § 4.1.3.2, p. 4-7. The FAA has not fully evaluated the following reasonable non-airspace alternatives, even though it identified them as alternatives in the screening process. In some cases, where the FAA has doubts it could seek appropriate legislative authority from Congress to implement alternatives that will create less noise and other impacts.

1. Efficient Use of Existing Facilities by Larger Jets

The FAA has acknowledged that runway capacity is a principal limiting factor, particularly existing runways limit capacity at EWR, where delays are frequently cited. (FAA summary presented to Congress on December 20, 2005) Despite this limitation, the DEIS shows that small regional jets increased their use of EWR; the DEIS uses 2000 data to project that

operations from small jets were projected to be 16% of the total, but actual data from 2004 show that small jets constituted 38% of activity at EWR. (DEIS Appendix C, pp. B-2, B-3) Small aircraft, holding only one-third to one-half the number of passengers as standard size jets, use EWR capacity inefficiently. Were the FAA or airport authority to adopt management techniques or pricing incentives to change this trend and revert use back to greater usage by standard size jets at EWR, this would yield an 11% to 14% reduction in operations or which is two to three times the projected beneficial effect of the most optimistic redesign changes by the FAA. This alternative would also reduce controller workload, reduce delays and yield safer, less crowded skies and would avoid complex, simultaneous arrival procedures. Please explain how the FAA intends to consider this alternative, which is overwhelmingly more effective and advantageous than the proposed alternatives for the Airspace Redesign.

2. Peak Hour Demand Control

The FAA summary presented to Congress on December 20, 2005, acknowledges that runway limitation is a fundamental constraint on increasing capacity and reducing delays that cannot be alleviated by the Airspace Redesign. Delays rise sharply when an airport attempts to move more traffic through the system than it can handle. A key element of flow control is peak hour demand control. For example, delays rose dramatically when LaGuardia Airport abandoned peak hour traffic controls.

The agency has refused to consider this alternative on the grounds that a statute gives a higher priority to methods other than limits on airport capacity. However, the statute in question states that such methods may be used if "other reasonably available and less burdensome alternatives have been tried," 49 U.S.C. § 47101(a)(9)(A)(B). This formulation implies that if alternatives will burden neighboring communities with noise and other problems, then the agency should consider slotting and other congestion controls. This interpretation is supported by other subsections of the same statute, which state the country's policy that "aviation facilities be constructed and operated to minimize current and projected noise impact on nearby communities" and to "encourage the development of transportation systems that use various modes of transportation in a way that will serve the States and local communities efficiently and effectively . . ." Id. §§ 47101(a)(2), 47101(a)(5). Another consideration against the FAA's cramped view of its own authority is that in 2003 Congress gave the agency statutory authority to use slotting and other operational controls to reduce congestion-related delays. 49 U.S.C. § 41722, and the FAA has used this authority to impose limits on operations at LaGuardia and JFK airports. See also *Western Air Lines, Inc. v. Port Authority*, 658 F. Supp. 952 (S.D.N.Y. 1986), *aff'd* 817 F.2d 222 (2d Cir. 1987) (upholding 1500 perimeter rule). Please explain how the FAA reconciles these authorities.

Moreover, the DEIS claims to reject variations on this alternative such as slotting on the grounds that the FAA lacks statutory authority to call for voluntary traffic reduction meetings when the affected area is a region rather than a particular airport. This view is contrary to NEPA regulations, which state that an EIS must "[i]nclude reasonable alternatives not within the jurisdiction of the lead agency." 40 C.F.R. § 1502.14. Please explain how the FAA reconciles these authorities.

In general, please explain how has the FAA has analyzed peak period demand controls as an alternative to the proposed action.

3. The Use of Alternate Transportation Modes for Short and Intermediate Trips

Alternate modes of travel for short trips are competitive with air flight as to cost and time. In a report titled "Controlling Airport-Related Air Pollution", the authors cite an Amtrak study where 15 airports are candidates for short-haul rail service with a total of 45,000 short trips per month (CCAP03, p. IV-11) For trips of less than approximately 350 miles, trains and buses are more fuel efficient and introduce far less air pollution into the environment. Improving infrastructure, making alternate modes faster and more convenient, as well as pricing incentives, would encourage more customers to use alternate modes of travel as attractive means of transportation for short and intermediate trips. This alternative is explicitly encouraged by Congress. 49 U.S.C. § 47101(a)(5). Not only does the FAA fail to consider this alternative, but the DEIS does not set forth data regarding the number of flights that are taken for short or intermediate trips to allow the agency or the public to start this analysis. Please explain the steps the agency plans to take to explore this alternative action.

4. No "Hubbing"

The airport "hub and spoke" system increases operations at airports used as hubs, since travelers must stop at airports that are not their final destination. Hub airports have increased air pollution and offer little to their communities, since travelers stop at those airports only briefly. Hubbing at airports with limited capacity, in areas with high noise and air pollution, is against the public interest and should be discouraged through pricing and other incentives. Please explain how the FAA has explored and evaluated the elimination of hubbing at EWR as an alternative action.

The FAA rejected these alternatives listed above with cursory explanations that essentially stated that the actions are not consistent with the project's goal to encourage growth in airport travel. However, many of the alternatives (use of larger jets, peak hour controls) would allow for overall growth and at non-peak hours at EWR and other airports that adopt such controls, and also do not necessarily limit growth at other airports or the entire system within the study area. The FAA should provide a more complete explanation of its conclusions regarding the impact on growth in the regional network, and the extent to which the FAA evaluated each alternative before rejecting it. In addition, the conclusory statements beg the question of whether the FAA has strategically manipulated the goal and purpose of the Airspace Redesign in order to eliminate options that will control growth. Given the notable problems with and failure to control air emissions in areas such as those surrounding Newark, encouraging growth at the present time is against the public interest unless the FAA can limit noise impacts and air emissions.

B. The DEIS Fails to Study Alternatives to the Separable Components of the Major Alternatives

The FAA's preferred alternatives do include many incremental, separable elements that should be evaluated independently as stand-alone alternatives. Instead, the FAA has bundled disparate procedures and has adopted an "all or nothing" analysis that leaves little room for a nuanced discussion of ways to approve efficiency and to reduce noise impacts at the same time. Earlier FAA studies analyzed component procedures as individual alternatives or sub-alternatives, and rejected those components that were inadequate or unworkable. (FAA95, FAA96B, FAA99A) The current DEIS, however, includes previously rejected components without adequately studying or identifying them in detail.

For example, the FAA has selected "fanning" of departures, particularly from EWR, as a component procedure of its preferred alternatives. Fanning has notably high impacts and raises environmental justice concerns. In fact, "fanning" was identified as sub-alternative D4 in preliminary screening of the EECF EIS and was rejected due to its "potential for additional significant noise impacts." (FAA95; Fig 3.2 and p3-16) Despite the FAA's prior rejection of fanning as environmentally detrimental, the FAA did not study this procedure, or any alternatives in the current DEIS. Discussions at one of the FAA public meetings with the FAA contractor responsible for providing noise modeling results revealed that the proposal in the DEIS was the only one analyzed for impacts and that no alternate scenarios were explored. Please explain how the agency reconciles its earlier rejection of this procedure with its current position.

Furthermore, south flow departure procedures in the vicinity of EWR were considered separable components in all prior environmental studies by the FAA and the Port Authority (PA87, PA95, FAA95A, FAA99A) The current DEIS fails to study these procedures separately in detail. Sections II-B, II-D, and II-E of this comment describes studies of alternate departure angles, alternate segment lengths following departure, and subsequent routing after this from noise and operational standpoints as steps to arrive at current south flow procedures. Furthermore, although the FAA cites numerous additional instances where noise modeling identified significant environmental impacts from procedures, DEIS Appendix E, the agency fails to examine alternate procedures or strategies as components of their preferred alternatives. The FAA must identify and study in detail reasonable alternatives to the component procedures of the preferred agency action.

C. The DEIS Fails to Adequately Address Ocean Routing as a Viable Alternative

The FAA determined that the Ocean Routing alternative preferred by NJCAAN would benefit 119,768 people with noise reduction, while increasing noise for relatively few. However, the FAA also found that Ocean Routing would reduce departure capacity at EWR with no reduction in delays. Therefore, the FAA removed Ocean Routing from further consideration without rigorously exploring or objectively evaluating it further. The FAA does not devote the requisite "sufficient discussion" to this alternative in the DEIS.

At the outset of the DEIS process, the FAA had already committed to implementing the Integrated Airspace alternative, and consequently had little incentive to adjust Ocean Routing to improve its performance. Since FAA modeling indicated no reduction in delays with Ocean Routing, the plan was dismissed. However, the FAA did not try to resolve the differences between its own modeling results and NJCAAN's modeling results, which showed that Ocean Routing alternative has comparable or reduced delays compared to the No Action alternative. NJCAAN's model was prepared by Glenn Bales, a former FAA employee with extensive experience with the Metro area airspace, who studied simulations of Ocean Routing and concluded in a July 1994 report that Ocean Routing would reduce delays at EWR. (NJCAAN)

Our preliminary review of both the DEIS results and the Bales results shows several areas of difference that might account for discrepancies. The most significant difference is that the FAA made no attempt to optimize aspects that would allow the advantages of the Ocean Routing concept to be fully realized, such as the removal of departures from airspace west of EWR that would allow improved treatment of arrivals as suggested in the original 1993 description of the Ocean Routing alternative to the FAA, and possible changes in EWR runway use policy. The FAA pointed out operational disadvantages, such as competition with Philadelphia traffic within certain airspace, but it did not investigate possible ways to address those issues. Rather than attempting to address what it identified as Ocean Routing operational shortcomings, the FAA quickly concluded that Ocean Routing would not fulfill the need to increase departure capacity and dismissed Ocean Routing as a viable alternative. Further development and optimization of Ocean Routing may improve both the operational and environmental aspects of the plan. The airspace changes required for Ocean Routing are far more modest and can be accomplished at less cost and disruption than the FAA preferred alternatives.

The FAA's half-hearted assessment of the ocean routing alternative is shown by the fact that the agency only modeled the version provided by NJCAAN in 1993; the agency made no effort to modify or model additional Ocean Routing procedures despite recommendations or indications to the contrary. The New Jersey Institute of Technology study commissioned by former Governor Christine Todd Whitman, entitled "Strategies To Evaluate Aircraft Routing Plans," presented the FAA with several recommendations to be considered in the Airport Redesign, including that it "should include comprehensive analyses of an array of routing scenarios not yet considered. (NJIT) One or more ocean routing plans should be considered and compared with existing routing." (Id., p. 8, Recommendation 5) One public comment from the FAA's scoping report suggested that the Ocean Routing should be refined: "Newark Runway 4 departures should take an immediate right turn and proceed down the Hudson River, over the Verrazano Bridge and then continue with the proposed ocean routing concept." Id., p. 11). The FAA's report entitled "NYICC Concept Of Operations" also illustrates oceanic routes and an ocean route as components of the NYICC (another name for the Integrated Airspace proposal) in Figure 9. (FAA03C)

In contrast to these initial efforts to consider refinements, the DEIS only considers the 1993 Ocean Routing concept in its basic minimal form, without considering even the originally suggested areas for optimization. It is also silent on inclusion of oceanic routes and ocean routes

with the Integrated Airspace proposal. Finally, it is silent on modifications to noise abatement procedures for Newark Airport.

The FAA must thoroughly investigate the beneficial aspects of Ocean Routing, and carefully analyze the modeling results that indicate positive operational aspects, before dismissing this alternative out of hand. An EIS is inadequate when the discussion of an alternative considered in the EIS is “conclusory and uninformative.” *Chelsea Neighborhood Assns. v. U.S. Postal Serv.*, 516 F.2d 378, 389 (2d Cir. 1975). “Without a more detailed analysis of the rejected [ocean routing] alternative[] the community and other agencies will have no way of checking on the validity of the [FAA]’s conclusions.” *Id.* The FAA must “[d]evote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.” 40 C.F.R. § 1502.14(b). The FAA has failed to give adequate treatment or consideration to the Ocean Routing Alternative.

Please explain why the FAA did not consider refinements to the 1993 Ocean Routing concept, consider ocean routing as part of the Integrated Airspace proposal and re-analyze the Ocean Routing alternative with slight modifications to overcome the issues raised by the FAA.

D. The DEIS Fails to Study Other Alternatives Presented to or Suggested by the Public

During the scoping process the FAA identified the “Modified” and “Four Corners” plans as alternatives for consideration in the Airspace Redesign. The plans were vague and lacked sufficient data and background on specific proposed actions, which precluded meaningful public comment on and evaluation of those alternatives. The details of the Modified alternative were formulated during the preparation of the DEIS, so the public now has an opportunity to comment on this choice.

In contrast, the FAA introduced two new alternatives in the DEIS (i.e., the two versions of the Integrated Airspace alternative) that were formulated with aviation industry subgroups. Details of the Integrated Airspace alternatives were not shared with the public during the scoping process. Nevertheless, the FAA predetermined that these alternatives were the preferred options based solely on input from industry. Although these alternatives are now subject to public comment as alternatives in the DEIS, the FAA has already committed to implementing a preferred alternative over other options and was heavily involved in the development of these plans, at the expense of furthering investigation into alternatives suggested by others.

A major component of the Integrated Airspace alternatives is “terminalization,” an administrative traffic management arrangement applicable over a broad spectrum of air routes. The FAA was committed to implementing terminalization as the defining concept of any preferred action as early as 2002. (FAA02, Dec. 2002 OEP) The FAA’s preferred route changes have been bundled with the concept of terminalization in the “Integrated Airspace” alternatives. The FAA will not consider any route change alternative for “preferred alternative” status unless the plan also includes terminalization. This effectively excludes Ocean Routing as it was originally described in 1993 as a preferred alternative because the 1993 version did not include

terminalization even before the FAA analyzes its merits. NJCAAN requested that the FAA study Ocean Routing as originally proposed, and to the extent feasible, with the terminalization concept and other compatible aspects of the Integrated Airspace alternative. NJCAAN specifically requested that the FAA explain whether it was exploring a “clean sheet” analysis of Ocean Routing at Congressional update meetings; Congressman Donald Payne’s office solicited questions and comments to present to the FAA on NJCAAN’s behalf at these meetings. In addition, NJCAAN specifically requested that the RTCA provide details about whether or not ocean routing is included in the Integrated Airspace concept in our February 25, 2005 letter to the RTCA. The FAA has not complied with this request. As a result, there is no clear basis for choice amongst the alternatives as they are presented in the DEIS.

Please explain why the FAA has not studied or attempted to integrate the Ocean Routing and terminalization concepts.

E. The DEIS Fails to Study the Increased Use of Airspace to the East of Newark Airport

In comments to the FAA, the aviation industry group Radio Technical Commission for Aeronautics (“RTCA”) recommended that the agency evaluate use of eastern heading departure patterns from Newark Airport: “Both left and right turns off Runways 04/L/R and 22L/R at EWR should be considered to determine the operational benefits of additional departure headings and/or departure runways.” And during public meetings NJCAAN discovered in conversations with a Port Authority airspace specialist (who was the FAA’s former project manager for the Airspace Redesign) that the Port Authority also included recommendations to the FAA to evaluate use of the Hudson River for both arrival and departure procedures at Newark Airport. Despite these early comments, the DEIS is silent on any discussions on recommendations for increased utilization of airspace to the east of the facility and potential operational and noise abatement benefits. Please explain why the FAA ignored these suggestions.

In the scoping report for the project (DEIS App. M, § M.3), comments included utilization of the Hudson along with use of non-residential areas. We have cited specific language below.

Specific areas mentioned for rerouting included: the meadowlands area, industrial areas along the Hudson River and over the Hudson River. While the majority of the comments concerned jet aircraft, there was some concern regarding helicopters.

(Id., p.9) In the scoping document, the FAA reported that these recommendations would be discussed in the DEIS, but the document is silent on any discussion.

F. The FAA’s Preferred Alternative Reduces Aircraft Altitudes

During the scoping process, the public and area elected officials specifically recommended that the FAA increase aircraft altitudes with the redesign. The FAA also

repeatedly highlighted this objective in its “commitment to the community” and stated in the pre-scoping document that:

About one third of all comments received during the scoping process concerned aircraft altitudes in the study area. The majority of these comments recommended moving aircraft to higher altitudes both in the arrival and departure phases of flight.

* * *

The main point expressed by the public in all of the meetings is to keep arriving planes at higher altitudes longer and get departing planes to higher altitudes faster. This issue is considered noteworthy due to the widespread regional nature of the input by the public during the scoping process.

* * *

EIS Analysis: As a part of the alternatives development, the airspace redesign team will consider ways to raise aircraft altitudes for both arrivals and departures throughout the study area. These considerations will be included in the Alternatives and Environmental Consequences chapters of the EIS.

(Id., pp. 5-6) However, the Integrated + ICC would reduce overall altitudes. This discrepancy should have been a clear indication to the FAA that the public would not support this alternative. Please explain why the FAA departed from its commitment to increase the altitude of aircraft routes.

G. The DEIS Fails to Balance Industry Objectives with Environmental Concerns

The DEIS overwhelmingly favors aviation industry preferences over environmental concerns, thus failing to achieve any balance. While NEPA recognizes that certain human activities may affect the environment, the law requires an agency (1) to make strong efforts to avoid or minimize impacts and (2) to attempt to achieve a balance between the need for change with the right to a healthy, aesthetic environment that promotes quality of life. 40 C.F.R. § 1502.1. An agency’s report must demonstrate that the agency carefully weighed adverse environmental effects of an action against the benefits to be derived by that action. *Chemical Leaman Tank Lines, Inc. v. U.S.*, 368 F. Supp 925, 949 (D. Del. 1973).

Despite this mandate, the FAA made route selection decisions and advanced particular alternatives in the DEIS based on its need to promote aviation industry considerations – particularly the industry’s desire for growth at any cost – while minimal weight to environmental impacts. Examples of the FAA’s unbalanced decisions include: (1) discarding a carefully

developed, long standing, EWR noise abatement route that confined aircraft over industrialized areas, 2) reducing arrival altitudes in the Integrated + ICC proposal, and (3) moving a JFK south flow departure route from over the ocean, where it causes no impact, to over Monmouth County, New Jersey where planes will cause more noise pollution that will impact people. There is no balance in the FAA preferred alternatives. The FAA has failed to demonstrate that it carefully weighed or considered the adverse environmental effects of its proposed action against the benefits to be derived by that action.

Indeed, the Modified and Integrated Airspace Alternatives promoted by the FAA would increase noise for 187,743 to 332,127 people, while benefiting relatively few. Although the DEIS focuses on the aviation industry benefits of these alternatives, it fails to adequately address their serious adverse ramifications. The increased noise from the Modified and Integrated Airspace Alternatives will affect 4 to 7.2 times more people than the 45,622 persons affected by the EECF. As previously stated, the impacts from the EECF caused unprecedented, widespread public outcry. The adverse environmental effects of the FAA's proposed alternatives will be much greater. The adverse environmental effects of the Modified and Integrated Airspace proposals with their "fanning" component are particularly prohibitive, while their capacity benefits are at best incremental. By circumscribing the alternative definition, failing to independently explore subcomponents of the alternatives, assigning zero weight to environmental concerns, and allowing undue industry influence, the FAA has arrived at unattractive overall packages. The Modified and Integrated Airspace Alternatives are therefore unacceptable in their current form, and NJCAAN opposes them.

H. The FAA Had Decided upon Its Preferred Alternative Before the DEIS

The FAA made up its mind to proceed with the Integrated Airspace alternative before even beginning the DEIS, contrary to the intent and explicit mandate of NEPA, thereby reducing the DEIS to a cynical exercise in post-hoc rationalization.

For example, the FAA initially developed the NYICC in 1999 prior to filing a notice of intent for the Airspace Redesign. The FAA reported in its 2002 Operational Evolution Plan that it was developing what it called the New York Integrated Control Complex ("NYICC") Concept of Operations for implementation in 2008/2009, and accompanying graphics label part of this plan "Redesign Terminal Airspace and Routes Decision Tree (FAA02) The NYICC has been developed in meetings between the FAA and the aviation industry that are closed to public participation. And in its 2003 Airport Capacity Enhancement report, the FAA reports that the Integrated Airspace Proposal is the NYICC concept. (FAA03D)

Similarly, an FAA report entitled "Roadmap for Performance-Based Navigation" (July 2003) identifies fanning of departures (p. 8) and parallel approach transition procedures (p. 9) as already scheduled for implementation at Newark Airport. The FAA implemented the Yardley-Robbinsville Flip-Flop procedure for Newark arrivals, in part, to migrate to parallel arrivals for the airport. (FAA03B)

I. The DEIS Does Not Provide Details about RNAV/RNP Procedures

The FAA is currently implementing RNAV/RNP (aRea NAVigation/Required Navigation Procedures) procedures as overlays to existing flight patterns in the metropolitan area (see Roadmap for Performance-Based Navigation, p. 7) These procedures are based on the agency's next generation satellite based aircraft guidance technology that is replacing the Instrument Landing System (ILS) system flight routing system. During the public meetings, the agency indicated that it modeled the Modified and Integrated Airspace alternatives with RNAV/RNP procedures. However, the agency did not analyze the Ocean Routing alternative using RNAV procedures.

RNAV/RNP procedures may increase facility capacity (see Redesigning Flight Procedures for the New York-New Jersey Airspace by Louis Berger & Associates, Inc. submitted to the Port Authority), narrow existing flight tracks and increase routing flexibility. The technology provides increased accuracy, which narrows flight patterns. As a result, additional flight patterns can be implemented in the same amount of airspace and noise impacts are more highly focused. In addition, RNAV also could include noise abatement benefits and could be utilized to develop new noise abatement procedures.

The FAA is not clear in the DEIS as to whether RNAV/RNP overlay procedures that it has implemented are included in the Future No Action baseline. If they are, the environmental impacts of the alternatives could likely be understated. Since RNAV/RNP can also be utilized to narrow flight patterns over less noise sensitive areas and improve efficiency, excluding it from the Ocean Routing alternative may overstate the noise impacts and delays of this procedure. The FAA needs to clarify in the DEIS how it utilized RNAV/RNP procedures in the alternatives and also why it did not model an Ocean Routing alternative with this technology.

VI. ENVIRONMENTAL JUSTICE

A. Legal Standards Prohibit Disproportionate, Adverse Environmental Effects on Low-Income and Minority Populations

Federal policy bars actions that will have a disproportionately high and adverse human health or environmental effects on minority and low-income populations, and requires the FAA to collect data and to address the environmental justice issues raised by the Airspace Redesign. Executive Order 12898, 59 Fed. Reg. 7629, at §§ 1-101, 2-2, 3-302 (Feb. 11, 1994). Federal law requires that “[n]o person in the United States shall, on the ground of race, color, or national origin . . . be subjected to discrimination under any program or activity receiving Federal financial assistance.” 42 U.S.C. § 2000d.

B. The “No Action” Alternative Is Not an Appropriate Baseline for Measuring Disproportionate Effects on Low-Income and Minority Communities, but the Data Nonetheless Demonstrate Environmental Justice Concerns

The City of Elizabeth in Union County, New Jersey and the Borough of Richmond, New York lie on opposite sides of the Arthur Kill waterway and an area of industrial and vacant land. The Port Authority has previously tried to concentrate traffic over this non-noise sensitive area, and the result has been a balance on impacts on both sides of it that minimizes total population impact, independent of the state. Movement of traffic to the east or west of this previously determined optimum path tends to raise total noise exposed population. Data compiled from FAA spreadsheets indicates that the air routes the FAA once implemented to minimize aggregate population noise exposure of these two communities, currently produce disparate impacts. The following table demonstrates this result.

**Table Seven
 Populations Affected at 65 and 60 DNL**

DNL Noise Level	No Action		Modified Alternative	
	Elizabeth	Richmond	Elizabeth	Richmond
65 or Higher	14,710	0	17,915	0
60 – 65	7,146	1	44,333	0
Total	21,856	1	62,248	0

Table Three shows that 21,856 people in Elizabeth are currently affected at noise levels greater than DNL 60, while only 1 person living in Richmond is currently affected at or above that level. These figures indicate that the “No Action” alternative (which incorporates the EECF, the Flip-Flop and other recent actions undertaken with little environmental analysis) no longer equalizes environmental impacts between Elizabeth and Richmond and currently results in adverse disparate impacts on Elizabeth and also much larger impacts to Elizabeth than were forecast in the attempts by the Port Authority in 1995 to minimize aggregate population exposure to high noise levels.

Two factors lead NJCAAN to believe that the “No Action” impacts to Elizabeth, as presented in the FAA spreadsheets, are too high. First, the 1987 and 1995 Port Authority studies attempted to minimize total population impacts and found that the total population affected is smallest when there was some degree of balance of affects to Elizabeth and Richmond. This is to be expected, since these two entities lie on opposite sides of a non-noise sensitive area. The absence of this balance in the current FAA audit, leads to an expectation that better optimization is possible.

Second, the 1995 Port Authority study forecast that by year 2004, only 9,800 people

would be subject to noise levels higher than DNL 65, which is 1/3 less than the 14,710 people shown by the FAA spreadsheets. It is obvious that intervening events since 1995 would cause the Port Authority forecasts to be higher than actual, since these events have resulted in less air travel than predicted. Thus, NJCAAN believes that, if the FAA data is correct, adjustments to current routes could yield a 1/3 or more reduction in total noise exposed population. Since the affected population in Elizabeth is similar to that examined in the DEIS, it is possible to substantially reduce the noise affects to environmental justice populations. The environmental justice status of the population in Richmond is unknown to NJCAAN, and is not well-described in the DEIS. If this population is not subject to environmental justice protection, then the potential reduction in environmental justice population exposure is even greater. Under the Federal policies discussed above, this situation is intolerable and must be corrected whether or not the FAA implements the Airspace Redesign. Therefore, the so-called "No Action" alternative is a poor baseline for measuring change that would result from the Modified alternative. Please explain how the FAA can reasonably conclude that the significant noise impacts of the FAA preferred alternatives on minority populations would be no greater than the effects of no action, when "No Action" is a poor baseline according to FAA data.

Even under this flawed assumption underpinning the No Action analysis, the DEIS indicates significant increases in environmental justice impacts under the Modified Alternative, with more than 40,000 residents of Elizabeth having to live at noise levels of 60 DNL or higher. The foregoing has focused on the Modified alternative, since it is the simplest one incorporating "fanning." Both Integrated Airspace alternatives incorporate "fanning" and DEIS results show similar impacts in the vicinity of Newark Airport arising from "fanning." The comments therefore apply to all alternatives incorporating "fanning." In addition, the FAA's preferred alternatives rely on departure fanning procedures that incorporate "straight out" 240 degree and 260 degree headings. In previous studies, the FAA has investigated and rejected "straight out" 250 and 260 degree headings due to environmental impacts and operational issues. (FAA99A) Please explain the FAA's continued reliance on fanning and straight out headings as appropriate procedures, given their high levels of impact on minority populations and the FAA's previous rejection of such procedures.

C. The Incorrect and Misleading Data in the DEIS Underestimates the Impact of Noise Effects on Environmental Justice Communities

As mentioned above, in Section IV.F, the DEIS distorts noise impacts by relying upon the relative change in noise effects rather than the absolute level of noise. This distortion plays out for environmental justice populations as well. For example, the DEIS predict that, under the Modified and Integrated Airspace alternatives, 5,480 people will experience increases of greater than 1.5 dB above 65 DNL, while 5,969 people will experience decreases of greater than 1.5 dB above 65 DNL, implying that this alternative has beneficial effects above DNL 65. DEIS App. E at 49 and E66.

First, NJCAAN's examination of the FAA supplied census spreadsheets for Union County shows that these numbers are not consistent with the Appendix E reports; the spreadsheet for the Modified Alternative shows 5,857 people that will be negatively affected and 5,724 that

will experience less noise pollution, which reverses the finding of relative benefit. Second, and more significantly, the better measure is the total number of people that will have to live with increased noise, and that measure shows that the change will be markedly worse: FAA spreadsheets show that the alternative increases the size of the population that will live with noise levels above 65 DNL from 14,710 to 17,915. Thus, the Modified Alternative (as representative of the “fanning” feature) actually results in a significant noise impact to an additional 3,205 people. The DNL 65 population has not been audited for environmental justice status by NJCAAN but is likely similar to that designated in the DEIS as subject to environmental justice protection. Furthermore, Tables Four and Five show impacts of north flow “fanning” to what are also like to be environmental justice populations. This demonstrates that the FAA has presented data in the DEIS in a way that hides rather than exposes impacts on populations where environmental justice is a grave concern. Please recalculate projected noise impacts using the total population that will have to live at high noise levels.

D. The DEIS Identifies but Does Not Address Environmental Justice Concerns

FAA analysis indicates that significant disproportionate noise impacts on minority populations will result from the agency’s preferred alternatives. DEIS § 4.2.2.2 at 4-45. The FAA states that “significant noise impacts near EWR would constitute a disproportionate impact on a minority population.” *Id.* In particular, “[c]ensus blocks near EWR would be significantly impacted as a result of the Modifications to Existing Airspace and Integrated Airspace Alternatives. The minority population of the significantly impacted census blocks near EWR exceeds 50% in both 2006 and 2011.” DEIS, ES.6.2, p. ES-14.

For example, the alternatives advanced by the FAA in the Airspace Redesign include a “fanning” proposal that discards existing south flow noise abatement procedures from EWR that were carefully developed over many years to minimize noise impacts to surrounding low-income communities. Fanning moves aircraft from the sparsely populated industrial areas south of EWR and directs them immediately after takeoff over heavily populated residential areas, including in particular portions of the City of Elizabeth, which has a population that is at least 82% low-income and minority residents. Fanning substantially increases noise for 70,689 people, more than half of which are at or above 60 DNL, which is a high noise level by the FAA’s own admission. In the draft report, the FAA specifically reports that this procedure will cause a significant environmental justice impact. The 5,480 people found to receive noise increases at the highest noise levels of 65 DNL, an even higher noise level, are 82% minority. (DEIS p. 4-43, 4-44) (In addition, as mentioned in Section VII below, the proposed Airspace Redesign will significantly degrade air quality in environmental justice communities.) The DEIS acknowledges that these characteristics of its action create environmental justice concerns and disproportionately affect minority populations.

Contrary to the FAA’s legal obligations, however, the DEIS fails to adequately address the detrimental, disparate effects of its preferred alternative. The FAA does not take steps to address these disparate impact by, among other things, selecting alternatives that avoid those effects. Instead, the FAA states that “[m]itigation measures to avoid, minimize, rectify, reduce, eliminate, or compensate for these significant impacts will be considered in the Final EIS.”

DEIS, § ES.6.2, p. ES-14.

Please explain how the FAA weighed the environmental justice impacts of the alternatives when selecting the preferred alternative, and what steps the FAA will take to ensure that each element of the Airspace Redesign will not have a disproportionate impact on environmental justice communities.

E. The Ocean Routing Alternative Does Not Significantly Affect Low-Income and Minority Populations

The DEIS indicates that significant disproportionate noise impacts on minority populations will result from the preferred alternatives, but justifies the FAA's choice by claiming that "because all communities in the EWR EJ Study Area would be considered minority communities, there is not an alternative to the particular design element causing the significant noise." DEIS § 4.2.2.2 at 4-45. However, the DEIS indicates that the Ocean Routing Airspace Alternative did not result in significant noise impacts on minority populations. *Id.* at 4-44, 4-45, see DEIS Table 4.16 at 4-44. Please explain how the FAA determined that there is no alternative to the disproportionate significant noise impact on minority populations given the findings regarding noise impacts of the Ocean Routing Alternative.

VII. THE DEIS IMPROPERLY IGNORES NEGATIVE EFFECTS ON AIR QUALITY

NEPA requires the FAA "to describe and analyze the [proposed action's] adverse effects on the human environment . . . [including any] change in pollutants that will result from the proposed action." *Citizens Concerned About Jet Noise*, 48 F. Supp. 2d at 601. The FAA is well-equipped to conduct air quality studies; in new air quality modeling regulations that became effective in December 2005, the U.S. Environmental Protection Agency ("EPA") noted that

The latest version of the Emissions and Dispersion Modeling System (EDMS), was developed and is supported by the Federal Aviation Administration (FAA), and is appropriate for air quality assessment of primary pollutant impacts at airports or air bases. EDMS has adopted AERMOD for treating dispersion. *Application of EDMS is intended for estimating the collective impact of changes in aircraft operations, point source, and mobile source emissions on pollutant concentrations. . . .* The latest version of EDMS may be obtained from FAA at its Web site: <http://www.aee.faa.gov/emissions/edms/edmshome.htm>.

40 C.F.R. Part 51, App. W, § 6.2.4(c) (emphasis added)

A. The Proposed Action Will Increase Criteria and Hazardous Air Pollutants

Air quality is the single-most important environmental public health problem in the State of New Jersey (this is also a problem for other airports in the study area, but these comments

focus on air quality in New Jersey) and the area airports are material contributors to the area's poor air quality.

NAAQS. The entire State is a severe non-attainment area for the National Ambient Air Quality Standards for ozone, and the areas surrounding EWR are non-attainment areas for fine particulate matter (i.e. PM 2.5). Indeed, air quality inventories for the metropolitan area airports project a material increase in emissions for these facilities. In its 1999 report titled "Evaluation of Air Pollutant Emissions from Subsonic Commercial Jet Aircraft" the EPA projects a 67% increase in nitrogen oxides and 47% increase in volatile organic compounds (which contribute to smog and ozone) over a 20-year period for Newark, LaGuardia, and Kennedy Airports combined. In addition, in the 2005 report entitled "Aircraft NOx Emissions: Analysis of New Certification Standard and Options for Introducing an Airport Bubble," the Center For Clean Air Policy projects a 54% increase in nitrogen oxides over a 19 year-period for Newark, LaGuardia, Kennedy, and Philadelphia Airports combined (CCAP05). For Newark Airport alone, the New Jersey Department of Environmental Protection projects a 38% increase in nitrogen oxides and 35% in volatile organic compounds over 15 years. (NJDEPB)

The cumulative effects of other, independent actions will only worsen this already bad situation. For example, EWR is adjacent to the Port of Newark and Elizabeth terminal facility. The Port Authority is expanding the Port terminal facility, and emissions at this facility are projected to increase as well. In an emissions inventory prepared for the Port Authority by Starcrest Consulting, nitrogen oxides emissions are expected to increase 18% and volatile organic compounds are expected to increase 5% over a 15-year period at the Port terminal facility. (STAR)

Hazardous Air Pollutants. In addition, hazardous air pollutants ("HAPs") such as benzene and 1,3-butadiene (both common in aircraft emissions) are above accepted health benchmarks in the vicinity of the airports. Although this discussion is pertinent to the "fanning proposal" for the City of Elizabeth and the surrounding area, we believe that it also is applicable to fanning at Philadelphia Airport. Of the four HAPs monitors that the New Jersey Department of Environmental Protection maintains in the state, the readings for benzene and 1,3-butadiene at the Elizabeth monitor are the highest in the state. (See Exhibit 4) All of these air pollutants are identified for their material health concerns. The FAA is proposing to shift departures from the industrial corridor to the east of the City of Elizabeth, directly over the City. The superhighway in the sky that runs to the east of Elizabeth will run directly over the City if the fanning procedure is implemented. This procedure will clearly exacerbate the air quality problems in Elizabeth. This material health concern should be addressed in the DEIS.

The Urban Heat Island ("UHI") Effect in the New York Metropolitan Area. Research conducted by Dr. William Solecki of Hunter College, NYC and Dr. Cynthia Rosenzweig of NASA/GISS studied the urban heat island effect in the metropolitan New York area. (SOLECKIA-B) Their research has identified all of the metro NYC airports as area hotspots. (UHIA-B) They also have focused specifically on the Newark area and the UHI effect in this part of the region. All of the Newark area is identified as an UHI with both Newark Airport and the Port Terminal facility identified specifically as hot spots. Drs. Solecki and Rosenzweig

conclude that "The air quality problems that Newark and Camden already experience are likely to be enhanced by interactions between climate change-related warming temperatures and the UHI (urban heat island) effect." See "The Urban Heat Island in the Greater Newark and Camden Regions of New Jersey: Current and Future Dimensions" (SOLECKI-A, p. 43). In addition, the report entitled "Inside the Greenhouse" conducted by Paul R. Epstein, M.D., M.P.H. and Christine Rogers, Ph.D. from Harvard University concludes that minority populations will suffer disproportionately from the UHI effect and global warming. (HARVARD) Activities that serve to promote growth at Newark airport will aggravate UHI and air emissions concerns in terms of increased emissions and the need for peripheral facilities. As the Port Authority's stated objective is to accommodate 45 million passengers per year from the current low 30 million range and to increase cargo traffic by 50%, it is likely that there will be intense pressure to provide more cargo and peripheral facilities to absorb this growth in demand, which would exacerbate the existing UHI condition.

These three phenomena alone indicate that Airspace Redesign will have significant environmental (and environmental justice) impacts. In the attached references, NJCAAN has provided a few of the many studies and included full copies that highlight the material health concerns with regard to airport emissions. We do note, however, that the Northeast States for Coordinated Air Use Management, Center for Clean Air Policy, has surveyed developments in air quality control and has concluded that

While emissions from most source sectors are declining due to the implementation of more stringent control programs, the growth of air travel and the continued lack of federal control programs for aircraft engines is resulting in increased pollution from airports.

Controlling Airport-Related Air Pollution (June 2003) (CCAP03, p. ES-1). The report goes on to state that

Toxic emissions from the airports studied are high when compared with emissions from the largest stationary sources in each of the three states. While improvement is needed in the method used to calculate toxic emissions from aircraft, the inventory provides a rough approximation of emissions, indicating that toxic emissions from aircraft greatly exceed those of the largest stationary sources in the three states.

(Id., p. II-14.)

B. Without Explanation, the FAA Reversed Its Earlier Commitments to Study Air Quality

Because of the well-known air quality problems of airplane traffic, the existing poor air quality, and the likely exacerbation by increase airplane traffic enabled by the Airspace Redesign, the FAA promised in the 2002 scoping report to conduct an air quality analysis:

The majority of the comments concerning air emissions were generated from the following areas: northern New Jersey (including areas west of Newark airport and along the northern New Jersey shoreline), areas surrounding JFK airport in New York and areas surrounding both Wilmington (DE) and Philadelphia airports...

...EIS Analysis: It is neither within the FAA's regulatory authority nor expertise to carry out a health-effects type study of air quality in the study area for this EIS. However, *the required air quality analysis will be done.*

(DEIS App. M, Section M.3 (2002 Scoping Report), Vol. 4, p. 6) As mentioned above, the FAA has developed models to predict effects on air quality. Please explain the FAA's basis for reversing its commitments to study air quality, whether the FAA has studied air quality impacts for any other project, and the models that were used by the FAA in those studies.

C. The FAA's Reasons for Not Studying Air Quality Effects Are Arbitrary and Capricious and Contrary to the Record

Despite the likely significant air quality affects of the Airspace Redesign, and its earlier commitments, the FAA determined at the outset that it would not address air quality concerns in the DEIS. At a meeting with representatives of the EPA, the FAA "indicated that no air quality analysis would be undertaken." DEIS, at Section 4.9, p. 4-57. The FAA gave three reasons for its refusal to analyze the obvious air quality implications of the Airspace Redesign, none of which can withstand scrutiny under the applicable arbitrary and capricious standard. See *City of Olmstead Falls, Ohio v. Federal Aviation Administration*, 292 F.3d 261 (D.C. Cir. 2002).

1. The Absence of Emissions Inventories, Concentration Projections or Analysis of Conformity with Applicable Implementation Plans

First, the agency contends, contrary to all the publicity and justifications for its project, that the air quality impacts from the project will be de minimis under 40 C.F.R. § 51.853. Yet Airspace Redesign and major capacity-enhancing measures are not included in the exclusive and detailed list of de minimis exceptions provided at 40 C.F.R. § 51.853(c). Accordingly, the FAA cannot determine that the action is de minimis without either documenting that emissions are below certain parameters, 40 C.F.R. § 51.853(c)(1), or by

clearly demonstrat[ing], using methods consistent with this subpart that the total of direct and indirect emissions from the type of activities which would be presumed to conform would not:

(i) Cause or contribute to any new violation of any standard in any area;

(ii) Interfere with provisions in the applicable SIP for maintenance of any standard;

(iii) Increase the frequency or severity of any existing violation of any standard in any area; or

(iv) Delay timely attainment of any standard or any required interim emission reductions or other milestones in any area including, where applicable, emission levels specific in the applicable SIP

40 C.F.R. § 51.853(g)(1). Yet the agency provides no emissions inventory or other evidence to support its conclusory statement that changes to emissions will be de minimis, which is contrary to other studies. The lack of an emissions inventory is a glaring omission from the DEIS given the expected increases in emissions and the material health concerns generated by the area airports. Emissions inventories are also required by the FAA's own rules for preparing EISs, FAA Order 1050.1E (2006), App. A, § 2.1c, p. A-3, as well as the following steps of translating emissions into pollutant concentrations using a dispersion model, and comparing those projections to existing National Ambient Air Quality Standards, *id.*; see also *id.* App. A, § 2.2c, p. A-7. Among other things, these rules state that "[t]he FAA has a responsibility under NEPA to include in its EA or EIS sufficient analysis to disclose the potentially significant impact of a proposed action on the attainment and maintenance of air quality standards established by law or administrative determination. *Id.*, App. A, § 2.2a, p. A-7. The EPA's General Conformity Rule separately requires that agencies make their conformity determinations available for public review by providing notices of draft and final determinations directly to air quality regulatory agencies and to the public by publication in a local newspaper. Please provide an emissions inventory, projected pollutant concentrations and all evidence used to reach the conclusion that emissions from increased traffic under the proposed action will be de minimis, and cite the specific promulgated EPA regulation that would authorize such conclusion.

A related flaw is that the DEIS does not discuss or analyze any Federal or State air quality plans. The Clean Air Act requires that the Airspace Redesign and other Federal transportation projects conform to applicable plans. 42 U.S.C. §§ 7506(c)(1), (c)(2). These sections of the Clean Air Act state that an activity may not (1) cause or contribute to a new violation, (2) exacerbate an existing violation, or (3) delay attainment of the standard or a required interim reduction or other milestone. 42 U.S.C. § 7506(c)(1)(B). The EPA's General Conformity Rule implementing this section requires agencies to consider whether the affected area is in attainment with NAAQS, the type of pollutant or emissions expected, exemptions and presumptions, the project's emission levels, and the regional significance of the project's emissions. 40 C.F.R. Part 93, subpart B. The FAA has recognized that "[g]eneral conformity, like other environmental requirements, should be integrated into the NEPA process as much as possible." FAA Order 1050.1E (2006), App. A., § 2.1i, p. A-5. The FAA has also acknowledged its "affirmative responsibility under section 176(c) of the [Clean Air Act] to assure that its actions conform to applicable SIP's [sic]." *Id.* App. A, § 2.2c, p. A-7. Accordingly, please explain whether the FAA has concluded that the Airport Redesign conforms with Federal and State implementation plans, whether the Airspace Redesign is regionally significant, and the basis for those conclusions.

2. The Airspace Redesign Will Increase Capacity

Second, the FAA contends that the proposed action will not increase capacity. This is contrary to statements elsewhere in the DEIS, which prominently states that the purpose of the Airspace Redesign is to accommodate growth, e.g., Section 1.4.2, p. 1-24, Section 2.4, p. 2-9, and rejects certain alternative actions because they will constrain growth, Section 2.3.3, p. 2-4, or will, according to the FAA, fail to maintain airport throughput, i.e., high rates of growth in air travel, Section 2.5.5, p. 2-37. The FAA specifically states in the DEIS that two alternatives, the Modified Concept and Integrated Airspace without the ICC, will support some industry growth; the FAA's preferred alternative, the Integrated Airspace Concept with the ICC, would result in a 3% increase in departure throughput (capacity) and a 7% increase in arrival throughput. (In contrast, the Ocean Routing alternative would result in a 7% decrease in departure throughput.) As a result, the first three proposals would increase emissions and the Ocean Routing proposal would decrease emissions.

The expected increase in capacity from the Airspace Redesign is well documented in other reports and commentary on the project, which NJCAAN has attached as references and appendices to these comments as Exhibit X. For example, a separate FAA report also indicates that the Redesign's sole purpose is to increase capacity. (FAA00) In that report, the FAA explicitly links capacity restraints at Newark and delays:

Delays and delay costs at EWR escalate because the demand at EWR causes the airport to operate beyond the knee of the delay curve. An increase in demand results in a sharp increase in delay. Without some improvements or combination of improvements, it is unlikely that EWR will reach Future 1 operational level.

Id. p. 8; see also id., p. 10 ("Primarily, it became evident that attempts to increase flight schedules resulted in sharp delay increases, indicating capacity saturation."); id. Fig. 16 (demonstrating the growth of delays in the no action scenario, i.e., where there are no improvements made in airfield capacity). In the study, the FAA concludes that planning for improving the capacity of EWR should be undertaken. Id., p. 28. In addition, a Technical Conference Presentation in 2003 by Steve Kelley, the FAA official responsible for the DEIS and NEPA compliance of the Airspace Redesign, was entitled "New York Integrated Control Complex: Maximizing Airspace Capacity." (KAL)

In light of these materials, please explain whether the FAA has a policy of enhancing growth of air traffic and how the agency reconciles the conclusions in the Newark International Airport Capacity Enhancement Plan with the statement in the DEIS that the Airspace Redesign will have no impact on air traffic capacity.

3. The Preferred Alternative Will Use More Fuel and Aggravate Emissions in Areas with Poor Air Quality

Third, the FAA states that “qualitatively, reduction of delay and more efficient flight routings would serve to reduce fuel burn and thereby reduce air pollutant emissions.” DEIS Section 4.9, p. 4-57. However, the FAA has used a lower altitude metric and flight length as Project criteria, and admits that the preferred alternative of Integrated Airspace with ICC lowers flight altitudes on average and increases flight distances by 3.7 miles on average. Even if this inconsistency did not exist, the FAA cannot avoid an analysis without first gathering and developing relevant qualitative facts, proper analysis and modeling of air impacts, and comparison of air impacts between alternatives. The absence of an emissions inventory and any discussion of mitigation are glaring omissions from the DEIS given the expected increases in emissions and the material health concerns generated by the area airports. Any analysis would have to account for the following characteristics that will increase pollution for New Jersey citizens:

- Airline carriers often expand activities to utilize all existing capacity, exercising restraint only when delays become unacceptable. The alternatives promoted by the FAA will increase capacity and promote increased traffic to the region, which will aggravate regional air quality that is already unacceptable.
- The alternatives proposed by the FAA cause a 7% increase in arrival distance below 18,000 feet. Aircraft traveling below 18,000 feet are less efficient, burn more fuel, and generate more air pollution.
- The proposed EWR fanning procedure re-routes traffic away from vacant and industrialized areas to immediately over-fly heavily populated areas with severe air pollution problems. As a result, the pollution source moves closer to people before altitude and atmospheric dispersion can reduce pollutant concentrations.

It is not surprising that the EPA did not accept the FAA’s three justifications and remains concerned about air impacts. DEIS Section 4.9, p. 4-57.

Please provide an air emissions inventory of existing conditions (i.e., the No Action baseline) and analyze air impacts from each proposed alternative (and components of those alternatives) so that the agency and the public can understand the impact of increased air pollutants from the proposed action on the existing communities around EWR that currently suffer from unacceptable air quality.

VIII. SPECIAL LAND USE RESTRICTIONS

The FAA may not take any action “requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance” unless “(1) there is no prudent and feasible alternative to using that land; and (2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.” 49 U.S.C. § 303(c) (i.e., “Section 4(f)”). The FAA assumes that where “there is no physical taking, but there is the possibility of constructive use, the FAA must determine if the impacts [from a proposed action] would substantially impair the 4(f) resource.” Order 1050.1E § 6.2e, A-20. “Substantial impairment occurs only when the activities, features, or attributes of the resource that contribute to its significance or enjoyment are substantially diminished. With respect to aircraft noise . . . the noise must be at levels high enough to have negative consequences of a substantial nature that amount to a taking of a park or portion of a park for transportation purposes.” Order 1050.1E § 6.2f, A-20. For example, courts have supported arguments for protected use of 4(f) Resources from significant noise impacts when the resource to be protected is “a wildlife refuge” or “an historic village ‘preserved specifically in order to convey the atmosphere of rural life in an earlier (and presumably a quieter) century.’ ” *City of Bridgeton v. FAA*, 212 F.3d 448, 461 (8th Cir. 2000), citing *Allison v. Dept. of Transp.*, 908 F.2d 1024, 1029 (D.C. Cir. 1990) and *City of Grapevine v. Dept. of Transp.*, 17 F.3d 1502, 1508 (D.C. Cir.), cert. denied, 513 U.S. 1043 (1994).

The DEIS analysis uses a flawed metric of significant increases rather than absolute levels of noise, finds that only two historic sites south of PHL will be affected under that measure, and then concludes that a quiet setting is not a recognized purpose or attribute of either site and that their uses are compatible with noise levels up to 70 DNL. DEIS, §§ 4.4, 4.5. This analysis overlooks and omits the severe noise disturbance that the preferred alternatives will cause to the quiet settings and many parks within the study area. As discussed above, the FAA’s own regulations state that the Part 150 criteria may be inadequate to evaluate the noise impact on properties of unique significance such as national parks, national wildlife refuges and to wildlife, which require specific impact studies. FAA Order 1050.1E, App. A, § 14.4b, p. A-62.

For example, the FAA ignores Morristown National Historic Park (a/k/a Jockey Hollow National Park), and the nearby Waterloo Village and Great Swamp National Wildlife Refuge, which are Section 4(f) resources that are protected from exposure to noise disturbances. Waterloo Village is a 19th century Morris Canal port town located along the banks of the Musconcong River in the Allamuchy Mountain State Park on the border of Morris County, New Jersey. It is designated as a National Historic Site preserved as an historic village with the atmosphere of an earlier century. See www.waterloovillage.org. Jockey Hollow National Park in Morris County, New Jersey is a National Historic Park preserving the atmosphere of George Washington’s encampments during the Revolutionary War. See www.nps.gov/morr/morr1.htm. The Great Swamp National Wildlife Refuge is also located in Morris County, New Jersey, about 26 miles west of New York City. “It is a network of lands and waters managed specifically for the protection of wildlife and its habitat . . . and [i]t represents the most comprehensive wildlife management program in the world.” See www.fws.gov/northeast/greatswamp. The DEIS

indicates that the preferred alternatives will route planes over these areas in the Morris County and Morris/Sussex Border region. See DEIS Volume 2, Chapter 2, Maps 2.20, 2.21, 2.24, 2.26, 2.28 and 2.29.

In addition, the DEIS does not discuss how rerouting of planes from JFK and Islip MacArthur airports affect Fire Island National Seashore, or rerouting of planes from EWR and other airports will affect the Pinelands National Reserve, the Delaware Water Gap National Recreational Areas, Gateway National Recreational Area, Brigantine National Wildlife Refuge or numerous state parks such as the Delaware & Raritan Canal and South Mountain Reservation. Finally, the DEIS does not discuss how expanded procedures from Philadelphia Airport will affect Wridley Creek State Park in Delaware County, Pennsylvania, which is one of the areas most affected by the FAA's proposals.

All of these sites are Section 4(f) resources that depend on their quiet settings and therefore deserve particular attention and consideration in the DEIS. Please explain how the FAA evaluated these Section 4(f) resources in the DEIS study.

IX. INADEQUACY OF THE PUBLIC PROCESS

A. The FAA Has Failed to Respond to the Public's Concerns

Congress has mandated that "local interest in aviation noise management shall be considered in determining the national interest" in noise policy. 49 U.S.C. § 47521(4). To be eligible for federal funding under the Airports and Airways Improvement Act, an agency's project must be reasonably consistent with local land-use plans. 49 U.S.C. § 47106(a)(1). The Secretary of Transportation must be satisfied that the "interests of the community in or near which the project may be located have been given fair consideration." 49 U.S.C. § 47106(b). An affected community's "extensive involvement in the decision making process satisfie[s] the 'fair consideration' requirement." Communities Against Runway Expansion, Inc. v. FAA, 355 F.3d 678, 690 (D.C. Cir. 2004), citing Town of Stratford Connecticut v. FAA, 285 F.3d 84, 90 (D.C. Cir. 2002).

B. The FAA Has Failed to Respond to Elected Public Officials' Concerns

Elected officials take into account and balance economic and corporate interests with the health and well being of their constituents. Despite the economic benefits to industry advanced by the preferred FAA proposals, New Jersey elected officials strongly and consistently object to the implementation of the FAA's proposals due to the environmental harm that would result. Exhibit 4, attached hereto, reflects this opposition with copies of statements and resolutions as follows:

- New Jersey Governor Corzine's statement of opposition;
- United States Senators Lautenberg's and Menendez's statements of opposition;

- United States Congressmen Payne's, Rothman's, Garrett's and Frelinghuysen's statements of opposition;
- Resolution by New Jersey State Assembly opposing the proposed action, overwhelmingly approved by 69 to 2 with 5 abstentions;
- Resolution by New Jersey State Senate (in committee);
- Union County Freeholders' resolution in opposition;
- Resolutions or statements of opposition from the cities or municipalities of Cranford, Elizabeth, Hillside, Kenilworth, Roselle Park, Scotch Plains, Summit, Rahway, Westfield; and
- The scoping report refers to comments against noise affects from 89 of 107 public official comments, and of the 77 public official comments in the scoping report, 70 recommended Ocean Routing.

This list would be substantially longer but for the universal difficulties in accessing the DEIS and understanding its environmental implications during the limited DEIS response period. Most citizens and many elected officials simply do not understand the environmental impacts of the proposed Airspace Redesign.

Please explain how the FAA intends to address the far reaching concerns of New Jersey citizens and elected officials. Please explain how the FAA reconciles the proposals advanced in the DEIS with the widespread public objection to those proposals and the Congressional directive to give the interests of affected communities fair consideration. Please provide information on all New Jersey elected officials that favor either the Modified or Integrated Airspace proposals. Please explain how New Jersey citizens have been provided with extensive involvement in the Airspace Redesign *decision making* process, other than being afforded an opportunity to attend public hearings and provide written comments to the DEIS.

C. The FAA Has Failed to Provide Opportunities for Full and Fair Public Participation in the Decision Making Process

The FAA slanted the communications at public meetings to obscure the gross nature and aviation advantages of the route changes from laypersons. Almost all citizen attendees at public meetings walked around looking bewilderedly at the airspace diagrams. Assuming the layperson had the ability to understand the air route diagrams displayed at the public meetings, the FAA often displayed the diagrams for "no action" and "proposed changes" in different parts of the meeting room, making comparison of the alternatives difficult. When citizens asked the FAA contractors about the noise impacts to their respective communities, those contractors did not provide meaningful answers.

Given the high public interest in noise impacts, the FAA should include supplementary color coded noise change maps similar to those in the current DEIS draft, with a new version showing areas of change at a three decibel threshold level, and another showing change at a 1.5 decibel threshold level, for each of the alternatives. Had these been available at the FAA public meetings, they would have been the center of attention.

In mid-March 2006, the FAA published spreadsheets containing the decibel noise data for each alternative reviewed in the DEIS and a census block similar to the data provided in an EECF EIS Appendix. A small number of technically proficient individuals welcomed the new information, but it failed to inform the vast majority of the public. Incorporating the data from these spreadsheets into color coded noise change maps as described above and calculating the populations affected by increased or decreased noise at 3 and 1.5 decibel thresholds, would supplement the data already provided in the DEIS and greatly facilitate the public's understanding of the broader environmental noise picture.

Throughout this process, and continuing to the present, the FAA has refused to release modeling reports and other raw data used in its analysis in response to requests under the Freedom of Information Act. At the same time, the FAA released these documents to aviation industry companies and officials.

D. The FAA Has Failed to Communicate Details about the Project that Might Raise Public Concerns

The DEIS fails to point out important aspects of the proposals advanced by the FAA, impeding meaningful comment by the public.

- FAA documents on the New York Integrated Control Complex describe holding patterns and proposed movement of such patterns. (FAA03C) The FAA omits this information from the DEIS. Information regarding holding pattern locations and the projected lower altitudes for those patterns should have been provided in the DEIS to inform affected residents so that they could comment about this aspect of the proposal. Please explain how the environmental impacts of such holding patterns have been included in the noise modeling.
- The use of simultaneous arrivals involves the movement of large turbojet aircraft to short Runway 29, which over-flies the town of Hillside, New Jersey. Large jets do not normally use Runway 29, except on those few occasions when wind speeds exceed 23 knots from the west. The DEIS does not highlight that aspect of the plan. The DEIS should include this information, as well as the number and nature of aircraft expected to use Runway 29, and the expected frequency of use and hours of use by such aircraft, so that Hillside residents can comment meaningfully. Please explain how the DEIS noise modeling includes this information.
- The DEIS does not show routes for parallel arrivals and their impacts on communities.

- The FAA does not illustrate “oceanic routes” that over-fly Monmouth County, New Jersey in the main diagrams in Volume 2, but rather inconspicuously buries these in Appendix E.

E. The FAA’s Format for Distributing the DEIS Precludes Public Evaluation

The public has had universal difficulties in gaining access to the DEIS. The FAA mailed the DEIS to the public as a hard copy “Executive Summary” with a general level of information but few details. The mailing included two CDs containing the full document and Appendices. The FAA also posted the information on its web site, but due to the file’s size, it could only be downloaded practically with a high speed connection. The FAA only issued the full hard copy document to selected libraries. As a result of these shortcomings:

- Only computer literate individuals with modern computer hardware and software could access the material distributed on CD. Due to the voluminous material, including the main document, figures and tables (over 1,600 pages, with many figures in PDF format), members of the public cannot realistically evaluate the material on the computer or flip between sections of the document, as is required by the numerous cross references. Printing the material is time consuming and expensive; the FAA indicated that the document cost \$900 to print. Many potential readers abandoned attempts to print the DEIS after exhausting their supply of ink cartridges.
- The FAA has buried critical information, such as detailed presentation and analysis of the noise impacts to specific geographic areas in the Appendices, specifically Appendix E.

NJCAAN’s discussions with individuals interested in the Airspace Redesign indicate that few people had successfully printed a hard copy of the document, and most people were unaware of its contents on a first-hand basis. The distribution format especially precludes access to the materials by citizens living in environmental justice communities with limited access to modern computer hardware. Please explain how the DEIS, which is not readily accessible to large segments of the affected population, can be readily understood by those persons likely to be affected by the FAA’s actions, and how the FAA intends to fully inform interested and affected citizens with limited access to the DEIS.

X. CONCLUSION

The DEIS does not meet the basic requirements of NEPA. It does not adequately inform the agency decisionmaker or the public of the significant environmental impacts of the FAA's proposed action and it does not provide a full and fair discussion of those impacts.

The DEIS does not provide a full and fair discussion of the reasonable alternatives that would avoid or minimize adverse impacts, and it does not rigorously explore and objectively evaluate all reasonable alternatives. The FAA promotes its predetermined preferred alternatives based on incomplete data, and fails to thoroughly explore the advantages of Ocean Routing and various other alternatives. There is no clear basis for choice among the alternatives presented in the DEIS.

The Purpose and Need of the DEIS is unduly narrow and minimizes the need for aviation noise management that Congress has identified as crucial to an increase in airport capacity.

The DEIS is replete with misleading and inaccurate data that precludes meaningful public participation in the decision making process. The majority of citizens have limited access to the DEIS document and to the information that it contains.

The FAA's proposed action raises serious environmental justice concerns that are dismissed in the DEIS as unavoidable, when the DEIS has not looked at sub-alternatives and procedure variations that would not have such impacts and, in fact, might have net beneficial environmental justice effects.

New Jersey public officials and New Jersey citizens continue to speak out against the FAA's failure to fulfill its commitment to include noise reduction and noise mitigation as part of the overall Airspace Redesign, but the DEIS fails to seriously include this concern in the evaluation of the FAA preferred alternatives.

The FAA should extend the comment period because of the delayed posting of certain noise impact spreadsheets on its website in mid-March. This posting was made quietly, without adequate public notice, and in any event was nearly 90 days after the data should have been available with the rest of the DEIS. Accordingly, NJCAAN requests that the FAA extend the notice period by 90 days.

For all of these reasons, the DEIS is inadequate in addressing the environmental impacts of the FAA's proposed action. We demand that the FAA take a harder look at the adverse effects of its proposed alternatives and the advantages and potential of the Ocean Routing alternative.

Very truly yours,

/s/ Carters H. Strickland, Jr.

Carter H. Strickland, Jr.
Attorney for NJCAAN

Attachments (by overnight mail only):

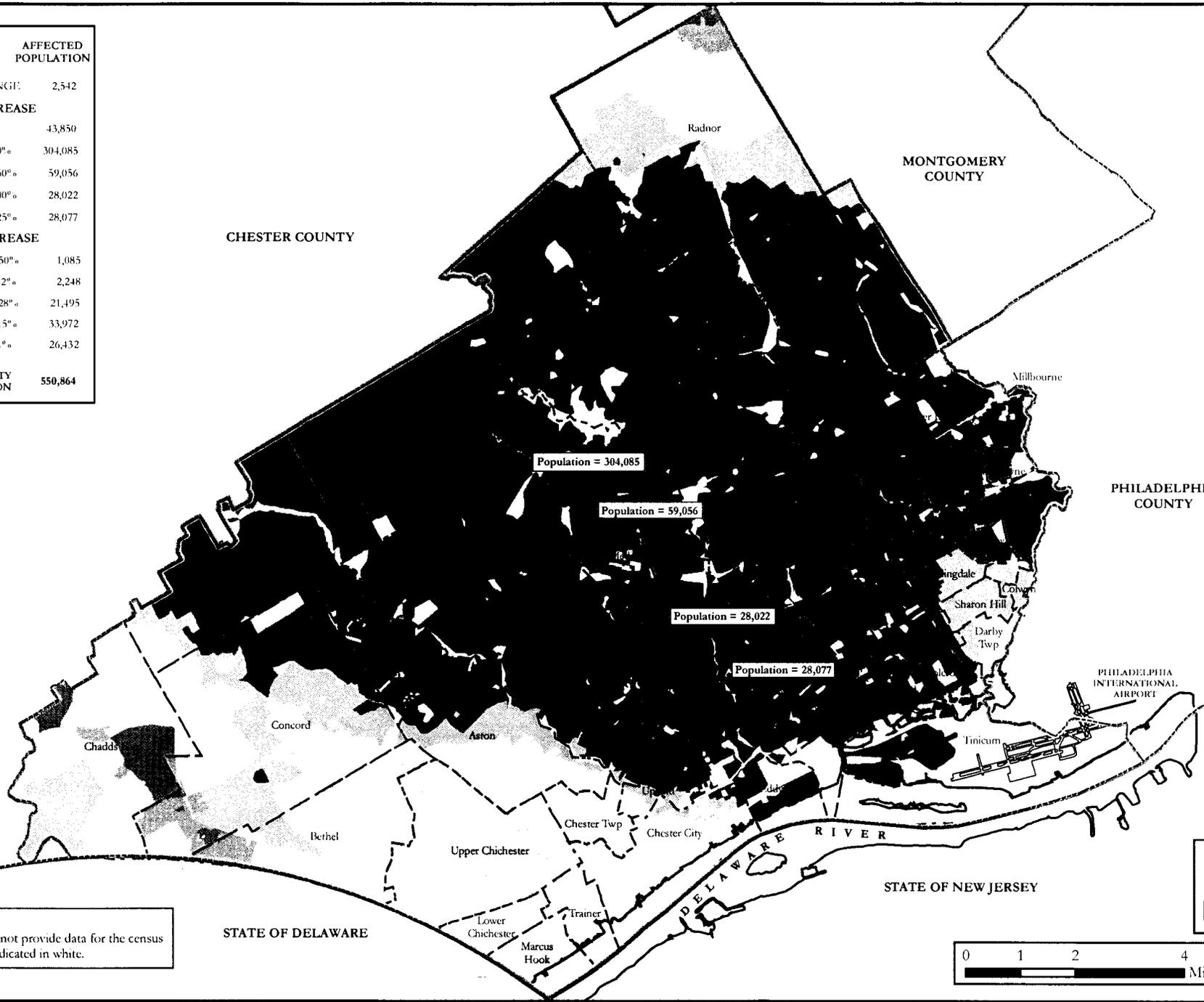
Appendix
Exhibits
Reference list and references

cc (w/o attachments):

U.S. Senator Frank Lautenberg
U.S. Senator Robert Menendez
U.S. Congressman Robert Andrews
U.S. Congressman Mike Ferguson
U.S. Congressman Scott Garrett
U.S. Congressman Rodney Frelinghuysen
U.S. Congressman Rush Holt
U.S. Congressman Frank LoBiondo
U.S. Congressman Donald Payne
U.S. Congressman Frank Pallone
U.S. Congressman Bill Pascrell
U.S. Congressman Steve Rothman
U.S. Congressman Jim Saxton
U.S. Congressman Chris Smith
New Jersey Governor Jon S. Corzine
New Jersey Senator Thomas H. Kean, Jr.
Assemblyman Eric Munoz
Robert Belzer, President, NJCAAN

Exhibit “B”

PERCENTAGE CHANGE	AFFECTED POPULATION
NO CHANGE	2,542
DECIBEL INCREASE	
1 st to 26 th	43,850
27 th to 150 th	304,085
151 st to 350 th	59,056
351 st to 600 th	28,022
601 st to 925 th	28,077
DECIBEL DECREASE	
-56 th to -50 th	1,085
-49 th to -42 th	2,248
-41 st to -28 th	21,495
-27 th to -15 th	33,972
-14 th to -1 st	26,432
DELAWARE COUNTY TOTAL POPULATION	550,864



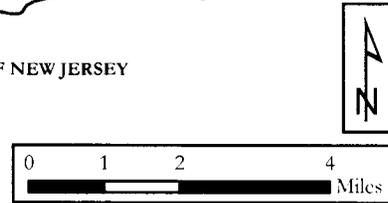
Population = 304,085

Population = 59,056

Population = 28,022

Population = 28,077

NOTE:
FAA did not provide data for the census blocks indicated in white.



Delaware County,
Pennsylvania

Percentage Change in Calculated Noise Exposure Levels

SOURCE:
1) U.S. Department of Commerce, Bureau of the Census, TigerLine Files, 2000 - Municipal and Census Block Boundary
2) United States Department of Transportation, Federal Aviation Administration, <www.faa.gov/ny/niph1_airspace_redesign> - Calculated Noise Exposure Levels

Disclaimer
This map is for analytical purposes only. The reliability of this map depends on the accuracy of the underlying data sources which have not been verified.



Delaware County Council
June 2006

Response to Comment 5245: John P. McBlain, Solicitor, County of Delaware, PA

Comment Number	Comment response
1	<p>Comment noted. NJCAAN's comments transmitted on May 24th, 2006 have been addressed separately and may be found in the responses to comment letter 4100.</p>
2	<p>The DEIS clearly indicated that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. It should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. While noise abatement was not possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS. Appendix P, Noise Mitigation Report, of the FEIS provides the mitigation analysis undertaken for the Preferred Alternative.</p>
3	<p>Advertisements announcing the public meeting locations for both the pre-scoping and scoping phases of the project were published in several major and smaller newspapers. In addition, a special meeting announcement flyer was mailed directly to residents of the Glen Mills area prior to their public workshop. Formal correspondence was mailed out to several state and local agencies, including the Pennsylvania State Historic Preservation Officer, PA to request their input during the scoping process. A series of agency meetings between the FAA and state transportation, environmental and historic preservation representatives were held December 8-9, 2003, along with a follow up meeting with state historic preservation representatives on September 13th, 2005. These meetings were used to promote early and open communication between all agencies involved and allow for concerns to be addressed early in the process. Additionally, a public meeting was held in Delaware County in late April 2007 to solicit comments on the Noise Mitigation Report after its release on April 6, 2007.</p> <p>During the DEIS phase, in December 2005, a project newsletter announcing the availability of the DEIS and how to obtain a copy was mailed directly to residents and public officials of Delaware County PA. In addition, a second postcard identifying the specific public meeting locations was mailed out in February, 2006 also to residents of Delaware County. In December 2005 Executive Summaries of the DEIS were sent to 5 public officials in Delaware County, including Congressman Weldon's office.</p> <p>Newspaper advertisements announcing the comment meeting in Ridley Park, PA were published in the following papers with circulation in Delaware County: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk. In addition Public Service Announcements were run in rotation on the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p>

Response to Comment 5245: John P. McBlain, Solicitor, County of Delaware, PA

Comment Number	Comment response
4	<p>The County Solicitor was directed to both the website, which contained an electronic version of the document that could be downloaded from the internet, and the Ridley Park Public Library, which contained a full hard copy. A hard copy of the DEIS was ultimately provided to Delaware County.</p> <p>The documentation provided was as non-technical as possible given the complexity of the subject of airspace redesign. For instance the descriptions of the alternatives in Chapter Two of the DEIS were supported by simplified graphics. Also, public meetings were conducted to facilitate the understanding of the airspace redesign. Each meeting was staffed by air traffic and environmental specialist who were available to answer difficult technical questions one on one.</p>
5	<p>The FAA disagrees. The DEIS and its appendices contained extensive and comprehensive information related to the efficiency and reliability issues that the Project is designed to alleviate. The FAA conducted airspace modeling using the Total Airspace and Airport Model (TAAM) which provided quantifiable metrics demonstrating the benefits of the various alternatives. Both the operational and environmental impacts of each alternative were compared in the DEIS in a quantifiable way whenever possible. Simulation modeling was conducted and consultation took place with air traffic facilities and specialists both within and outside the Study Area, including traffic management experts and personnel from the FAA's Command Center in Herndon Virginia. See Appendix C of the DEIS for the detailed report on airspace modeling of the design alternatives.</p>
6	<p>Since several years have passed since the development of the forecasts for the DEIS, further analysis was conducted to determine the degree of divergence between the forecasts and the current conditions. An evaluation of the forecasts was conducted. The resulting report, <i>A Comparative Analysis of the NY/NJ/PHL Forecast and 2005 Actual Traffic</i>, is included in Appendix B of the FEIS document. The analysis showed that the projections were not in error in any important way.</p>
7	<p>The DEIS discusses the airports selected for inclusion in the modeling process in several portions of the document. Sections 1.2.5 (pg 1-13 through 1-14), 3.2 (pg 3-3 through 3-9), and Appendix B (pg B-1 and Attachment A) outline the selection of airports for noise modeling in this study. The DEIS is not flawed as the 21 airports included in the noise modeling represent well over 90% of the IFR flight planned traffic originating or terminating within the Study Area. Furthermore, all military and general aviation IFR flight planned traffic was included in the modeling at each of the 21 airports.</p> <p>In addition, the noise modeling also included all IFR flight planned overflights of the Study Area (including military and general aviation) where any portion of the flight occurred at or below 14,000 MSL altitude. The 14,000 MSL threshold is based on FAA's policy to evaluate flights up to 10,000 feet above ground level. This highest point within the Study Area was found to be about 4,000 feet in elevation, meaning that 10,000 feet above that point would be 14,000 feet above sea level. This altitude cap was then extended across the whole of the Study Area regardless of ground elevation.</p>

Response to Comment 5245: John P. McBlain, Solicitor, County of Delaware, PA

Comment Number	Comment response
8	<p>The DEIS does address the major causes of delay in the Project Area. Section 2.5.2 describes the Purpose and Need Evaluation Criteria used to evaluate and compare the airspace redesign alternatives. These criteria were developed based on the purpose and need for the airspace redesign. This evaluation and comparison of the alternatives in regard to the Purpose and Need Evaluation Criteria was described qualitatively and quantitatively in Section 2.6 of the DEIS. For instance, the criteria included "Increase Flexibility in Routing". Flexible routing permits aviation users to more easily adapt their operations to changing operational conditions such as severe weather. Each alternative was therefore evaluated and compared in terms of how well they increased flexibility in routing. Section 2.6.7.1 states "Normally adding or expanding gates and /or posts and adding routes increased the flexibility of an airspace alternative. Since the Modifications to Existing Airspace Alternative does not include addition of gates or routes, it does not have an effect on airspace flexibility. The Ocean Routing Airspace design results in a reduction in airspace flexibility because all routes to the west from EWR are removed. The Integrated Airspace Alternative Variation without ICC provides a slight improvement in flexibility because it includes and expanded West gate. The Integrated Airspace Alternative Variation with ICC provided the largest increase in flexibility because the West and South gates are expanded, an Ocean gate is added for EWR, and a single arrival route for EWR is split in two."</p> <p>Similarly, en route and in-trail restrictions were addressed. The Purpose and Need Evaluation Criteria included "Reduce Delay". The evaluation of the Integrated Airspace Alternative Variation with ICC in terms of this criteria included discussion of en route and in- trail restrictions. The full integration of the airspace allows for the use of the less restrictive terminal rules and procedures in a larger volume of airspace. Therefore, Terminal ATC facility minimum separation criteria, under which aircraft need to maintain three miles of separation may be used as opposed to the five miles required in en route airspace. Also with an integrated airspace, terminal separation may be used on both sides of the departure gate, reducing the need for in-trail separation between flights at different altitudes.</p> <p>Lastly, scheduling is determined by aircraft operators and not the FAA. Aircraft operators choose to serve an airport in response to consumer demand for air service. See section 2.3.3. for details on air travel congestion management considerations.</p>
9	<p>The DEIS, published in December 2005, was complete and adequate. Based on the requirements set forth under NEPA and FAA Order 1050.1E, the DEIS adequately addressed the noise and other environmental impacts on all areas within the project Study Area. Noise impacts in particular were rigorously evaluated and noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative.</p> <p>Executive Order 12866, Regulatory Planning Review, and the Presidential Memorandum on Plain Language in Government Writing require federal agencies to use plain language in government documents. Therefore, Chapter Two, "Alternatives" of the document was written at a level that could be easily understood from a big picture perspective and to illustrate the major changes associated with each alternative. Describing the thousands of routes by altitude, geographic reference and operations counts within the body of the DEIS, would become much too complex and voluminous.</p>

Response to Comment 5245: John P. McBlain, Solicitor, County of Delaware, PA

Comment Number	Comment response
	<p>In addition, detailed information regarding the aircraft routes was appropriately included in the Appendices. See Appendices C and E of the DEIS.</p>
10	<p>The DEIS did address Congestion Management Programs, Changes in Airport Use (including Improvements to Airport Infrastructure), and Improved Air Traffic Control Technology. These categories of alternatives were among those considered and rejected in Chapter Two of the DEIS. Congestion Management Programs cannot be implemented under existing law and policy; they would not serve to accommodate growth, and would not address specific operational inefficiencies cited in the DEIS. Changes in Airport Use, specifically Improvements to Airport Infrastructure, would do nothing to address efficiency and reliability of the airspace structure nor would they accommodate growth or mitigate delays in the airspace. The use of Improved Air Traffic Control Technology would not independently address the inefficiencies of the present day arrival or departure procedures because of the inherent limitations of the existing airspace design, route structure and ATC procedures, and the fact that this airspace is operating near saturation during peak demand periods. Therefore, none of these categories of alternatives would meet the purpose and need for the Proposed Action and were appropriately eliminated from further analysis.</p>
11	<p>The DEIS noise modeling approach is indeed accurate and detailed enough to evaluate the noise exposure changes associated with each of the proposed alternatives. The noise analysis approach follows the current state-of-the art practices and FAA's current policy. Appendix E.2 provides the technical information used to develop the noise model. In addition, the supplemental data in the noise spreadsheets published on the project web site goes beyond the typical level of disclosure and provides extensive detail for each Census Block within the Study Area. In all cases where the change in noise level exceeds FAA's threshold of significance, the impacts are mapped, described, and tallied in the DEIS document.</p> <p>In addition, in Chapter Two of the DEIS presents overviews of the departure and arrival gates and general flows associated with the major airports for the No Action and all alternative scenarios.</p>
12	<p>The DEIS clearly indicated that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. It should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. While noise abatement was not possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five "Preferred Alternative and Mitigation" of the Final EIS.</p>

Response to Comment 5245: John P. McBlain, Solicitor, County of Delaware, PA

Comment Number	Comment response
13	<p>In accordance with FAA Order 1050.1E, cumulative effects of reasonably foreseeable future actions were considered in the DEIS. FAA took into account the changed fleet mix and modified operational use to include the extension of Runway 17/35. Because the Runway 17/35 extension EIS was ultimately completed during the development of this EIS the Runway 17/35 extension is included in the No Action Alternative as well as the Proposed Action alternatives. Section 4.1.3.1 on pages 4-1 through 4-1 discusses the Future No Action noise modeling input and it's relation to the PHL Runway 17-35 extension project. Furthermore, the PHL Capacity Enhancement Plan that is currently underway was not mature enough to include in this DEIS project in any meaningful way. The environmental impacts of that project will be disclosed in an environmental document for that project that will consider the airspace redesign results as part of its cumulative impacts.</p>
14	<p>In the DEIS, the FAA described to the public the general mitigation strategies that it would attempt to apply to whichever alternative it ultimately selected as the Preferred Alternative. Those general mitigation strategies included: (1) use of continuous descent approach (keeping aircraft on a higher altitude flight path at lower engine power levels for a continuous steady descent to landing, which lowers noise levels on the ground at certain distances from the airport); (2) nighttime noise abatement procedures; (3) additional use of water/industrial areas and proposed flight track refinements; (4) sound insulation of impacted buildings with educational or medical uses (this would require airport sponsorship and would be outside the control of FAA).</p> <p>The FAA also acknowledged and recognized that while the general principals were described in the DEIS, the specifics would be forthcoming in the FEIS. The FAA, therefore, committed to conducting one public workshop per state to discuss mitigation. On April 6, 2007, the FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p> <p>The EIS is adequate.</p>
15	<p>The project is primarily designed to alleviate current delays and inefficiencies in the system. The growth of air traffic in the region is based on market forces and is expected to occur without this project. Analysis was done at the major airports to confirm that the existing ground facilities, with the exception of extending Runway 17/35 at PHL, can indeed handle the expected market-driven growth. Since there are no long-term plans to expand the ground infrastructure within the timeframe of this study, there are no groundside actions to be considered. The FAA is not familiar with non-jurisdictional airspace actions. The FAA has authority over all airspace changes.</p>
16	<p>The Proposed Action does not induce operations and seeks to make aircraft operations more efficient; therefore, air pollutants will be less with the Proposed Action. Additional aviation operations will be experienced in the metropolitan area due to natural growth of operations; this will occur with or without the Proposed Action. Without improvements, the No Action Alternative represents the possible future; this possible future includes increased delays that translate into additional air pollution emissions. Therefore, with the Preferred Alternative efficiencies would be gained, and delays and air pollutant emissions would be reduced.</p>

Response to Comment 5245: John P. McBlain, Solicitor, County of Delaware, PA

Comment Number	Comment response
17	The implementation of the airspace design will begin with the deployment of new procedures to conduct aircraft along the design's pathways. Each of these procedures will be subject to FAA's safety review process. FAA will not approve any procedure that is unsafe.
18	Chapter Four of the FEIS includes additional analysis regarding the John Heinz National Wildlife Refuge. In response to US Fish and Wildlife Service comments on the DEIS extensive analysis of potential impacts to migratory birds was completed. The Proposed Action involves only air traffic procedural changes for aircraft in-flight and does not required ground disturbance. It will not destroy or modify critical habitat for any species nor will any invasive species be introduced to the area due to the Proposed Action.
19	The FAA strongly disagrees with your assertion that the DEIS is inadequate. The DEIS, published in December 2005, was complete and adequate. Based on the requirements set forth under NEPA and FAA Order 1050.1E, the DEIS adequately addressed the noise and other environmental impacts on all areas within the project Study Area. Noise impacts in particular were rigorously evaluated and noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. According to CEQ Regulations Section 1502.9b, Final EISs shall respond to comments and the agency shall discuss at appropriate points in the Final EIS any responsible opposing view which was not adequately discussed in the Draft EIS and indicate the agency's response to the issue raised. The FAA has prepared its FEIS and responded to comments and opposing views received on the DEIS.



COUNTY OF UNION

Air Traffic & Noise Advisory Board

June 28, 2006

BOARD OF CHOSEN FREEHOLDERS

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County Counsel

NICOLE L. TEDESCHI
Clerk of the Board

Mr. Steve Kelley FAA- NAR
Federal Aviation Administration, C/O Michael Merrill
12005 Sunrise Valley Drive, MS C3.02
Reston, Virginia, 20191

RE: Supplementary Comments on Draft EIS for NY/NJ/PHL Airspace Redesign

Dear Mr. Kelley:

This is a supplement by the Union County Freeholders Air Traffic and Noise Advisory Board (UCATNAB) to our May 26, 2006 comments on the Draft Environmental Impact Statement (DEIS) for the NY/NJ/PHL Metropolitan Area Airspace Redesign. As stated in our earlier comments, UCATNAB supports and endorses the May 24, 2006 comments furnished by the New Jersey Coalition Against Aircraft Noise (NJCAAN).

Some supplementary comments:

1. The NJCAAN comment collected, as Exhibit 5, copies of statements and resolutions critical of the FAA proposed options. We are providing for your additional information, a copy of a statement by United States Congressman Mike Ferguson critical of the redesign, copies of resolutions by the Union County towns of Garwood, New Providence, and Union, and statements by the Cranford Environmental Commission and Cranford Public School district. These all underscore problems seen from the Modified and Integrated Airspace proposals. You should also have received directly, a joint comment by Senators Menendez and Lautenberg and Congressmen Rothman, Garrett, Payne, and Andrews critical of the increased noise from the FAA proposals.
2. The Port Authority of New York and New Jersey (PANYNJ) provided comments on the redesign. They too feel that noise and the lack of mitigation are problems with FAA promoted redesign proposals. They have pointed out that the DEIS assumed volume and fleet mix assumed for Newark Liberty International Airport (EWR) are at variance with their experience. FAA assumptions of traffic volumes

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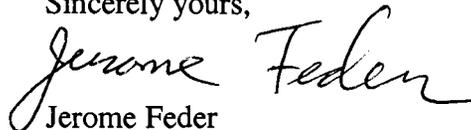
005246
1010

and fleet mix need to be brought into alignment with those of PANYNJ. Because of the high sensitivity of delays to assumed traffic levels, we anticipate that this could have significant effects on the operational modeling results, delay calculations, and projected value of airspace change options.

3. The PANYNJ did a coarse analysis of alternate EWR south flow departure procedures and concluded that the current 190 degree turn had the lowest population impact, and that impacts decreased as angles were reduced towards 190 degrees. This points to the need for a broader examination of alternate south flow departure procedures, including angles below 190 degrees, in an attempt to minimize noise exposure, especially to environmental justice communities. As stated in our earlier comment, 1995 PANYNJ projections were that by year 2004 less than 10,000 people would be affected above DNL 65 from the EWR Runway 22 Departures. The increased noise exposure to 1.5X to 1.9X this number seen in FAA and recent PANYNJ modeling can very likely be reduced by more careful departure procedure design.

Thank you again for this opportunity to comment.

Sincerely yours,


Jerome Feder
Chairman

BOROUGH OF GARWOOD
UNION COUNTY, NEW JERSEY
MUNICIPAL BUILDING
403 SOUTH AVENUE
GARWOOD, NJ 07027

RESOLUTION NO. 06-236

Introduced by: Council President Villaggio

WHEREAS, on March 2, 2006, Assemblyman Joint Resolution 88 which opposes NY/NJ/Philadelphia Metropolitan Airspace Redesign proposals of the Federal Aviation Administration was overwhelmingly approved by the General Assembly and now heads for Senate for consideration; and

WHEREAS, the basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960's and last modified in 1987 with Expanded East Coast Plan (EECP); and

WHEREAS, the EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform and Environmental Impact Study to the EECP and mitigate the noise; and

WHEREAS, on December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey Philadelphia Metropolitan Airspace; and

WHEREAS, the airspace design involves a 31,000 square mile, five state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, two of the FAA proposals would affect almost 190,000 people and the third more than 330,000 people with substantial noise increase, while benefiting relatively few; and

WHEREAS, the proposal plans would raise environmental concerns for the State, would cost an estimated 2.5 billion and all proposals included a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities in Union County rather than directing air traffic over the Atlantic Ocean; and

WHEREAS, the FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, the New Jersey Coalition Against Air Noise and Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

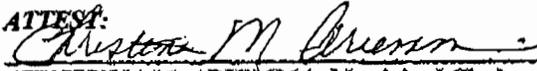
WHEREAS, it is in the best interest of the Borough of Garwood to oppose the FAA's proposal to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace.

NOW THEREFORE BE IT RESOLVED, that the governing body of the Borough of Garwood, County of Union, State of New Jersey does hereby oppose the FAA proposed Modified and Integrated Airspace proposals and especially opposes "fanning" of EWR south flow departures that are parts of these proposals; and

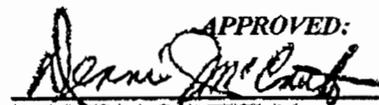
BE IT RESOLVED, that copies of this resolution be forwarded to all federal and state officials representing Union County and all Union County municipalities.

ADOPTED: June 13, 2006

ATTEST:


CHRISTINA M. ARIEMMA, Municipal Clerk

APPROVED:


DENNIS McCARTHY, Mayor

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2006-132

RECEIVED

MAY 18 2006

Council Meeting Date: 05-08-2006

Date Adopted:

TOWNSHIP CLERK
05-08-2006

TITLE: RESOLUTION OPPOSING THE FAA MODIFIED AND INTEGRATED AIRSPACE PROPOSALS

Councilperson MacDermott submitted the following resolution, which was duly seconded by Councilperson Hern.

WHEREAS, in December 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing "modified" and "integrated airspace" proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, project capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS, the three FAA promoted proposals all include a "fanning" of south flow departures from New Liberty international Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited, industrial areas south of EWR to direct it over heavily populated, residential communities of New Jersey, yielding a two-to-three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with

disproportionate impact to minorities, and further negative effects on Union County

communities further west; and

WHEREAS, the most heavily promoted alternative, the so called "Integrated Airspace With Integrated Control Center" has the largest noise impacts and an estimated cost of \$2.5 billion dollars; and

WHEREAS, prior proposals to modify arrival and departure patterns Newark Liberty International Airport would have had a negative affect on the quality of life for New Providence residents as well as all residents along the route patterns; and

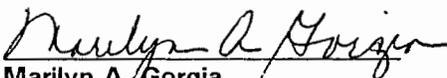
WHEREAS, reasonable approaches were then taken to address the needs of the airport and the air transportation industry, while limiting any additional, negative affects on New Providence and the other affected towns.

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of New Providence, County of Union, State of New Jersey that:

1. It strongly opposes the FAA proposed Modified And Integrated Airspace proposals and especially opposes the fanning of Newark Liberty International Airport south flow departures that are parts of these proposals.
2. A copy of this resolution be forwarded to the Federal Aviation Administration, Senators Menendez and Lautenberg, Congressmen Ferguson and Frelinghuysen, Governor Corzine, Senator Kean and Assemblymen Bramnick and Munoz, Union County Board of Chosen Freeholders and all Union County municipalities.

APPROVED, this 8th day of May, 2006.

I, Marilyn A. Gorgia, Deputy Borough Clerk of the Borough of New Providence, County of Union and State of New Jersey, hereby certify the foregoing to be a true exact copy of a resolution duly adopted by the Borough Council of the Borough of New Providence at a Borough Council meeting held on Monday, May 8, 2006.


Marilyn A. Gorgia
Deputy Borough Clerk

May 16, 2006

Resolution No. 2006-102
Twp. Mtg. March 28, 2006

RESOLUTION

WHEREAS, on March 2, 2006 Assembly Joint Resolution 88 which opposes NY/NJ/Philadelphia Metropolitan Airspace Redesign proposals of the Federal Aviation Administration was overwhelmingly approved by the General Assembly and now heads for the Senate for consideration; and

WHEREAS, the basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960's and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, the EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the EECP and mitigate the noise; and

WHEREAS, on December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, the airspace design involves a 31,000 square mile, five state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, two of the FAA proposals would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, the proposed plans would raise environmental concerns for the State, would cost an estimated \$2.5 billion and all proposals included a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities in Union County rather than directing air traffic over the Atlantic Ocean; and

WHEREAS, the FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, the New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, it is in the best interest of the Township of Union to oppose the FAA's proposal to redesign the New York/ New Jersey/ Philadelphia Metropolitan Airspace.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Township of Union, County of Union, State of New Jersey does hereby oppose the FAA proposed Modified and Integrated Airspace proposals and especially opposes "fanning" of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to all federal and state officials representing Union County and all Union County municipalities.

I, **EILEEN BIRCH**, Township Clerk of the Township of Union, in the County of Union, State of New Jersey, do hereby certify that the above is a true copy of **RESOLUTION NO. 2006-102** , passed at a **REGULAR TOWNSHIP COMMITTEE** meeting of said Township, held on the 28th day of March, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Township of Union, this 28th day of March, 2006.



EILEEN BIRCH,
Township Clerk

Approved as to form by
Daniel Antonelli, Township Attorney



CRANFORD ENVIRONMENTAL COMMISSION
Municipal Building - Cranford, New Jersey 07016

May 17, 2006

Mr. Steve Kelley
C/O Nessa Memberg
12005 Sunrise Valleys Rd
MS-C3.02 Stop
Reston, Virginia 20191

Re: Comment on FAA Draft Environmental Impact Statement (DEIS) of December 2005,
Concerning Redesign of Air Routes over New Jersey

Dear Mr. Kelley:

In 2001, the FAA's public opinion hearings for this DEIS determined, according to the FAA's own figures, that aircraft noise pollution was by a large margin the strongest and most widespread concern raised by the New Jersey public. The options for airspace redesign proposed and supported by the FAA in this DEIS are not acceptable, because they inadequately address and basically ignore the problems caused by aircraft noise pollution. This will have a substantially detrimental effect on the environment in our community.

The FAA proposals in the DEIS would negatively affect Cranford, among an estimated 500,000 other New Jersey residents, by increasing the amount of aircraft noise due to lower plane altitudes and increased plane routes over us. This increase is aircraft noise of 18% to 23% in Cranford, depending on which proposed plan is used, is unacceptable to our community.

As such, these FAA proposals by increasing aircraft noise, will erode the quality of life for our residents, and cause harm to the peaceful use of our parks, outdoor recreational facilities, and residential leisure-time pursuits.

While we recognize the importance of reducing delays at major airports, the health and welfare of our residents must come first. The FAA is discounting the significant effect its plans could have on the environmental well being of our residents.

(→ over)

The FAA must focus on improving the quality of life of the citizens affected by airspace route changes, not undermining it. These plans will adversely affect the community of Cranford, where we are already subject to our fair share of aircraft noise pollution, and, therefore, we oppose the current FAA plans and encourage a more environmentally sound approach.

Sincerely,

A handwritten signature in cursive script that reads "Nelson Dittmar".

Nelson Dittmar
Chair

cc: Township Committee members



Cranford
Public School District

Lawrence S. Feinsod, Ed.D.
Superintendent of Schools

132 Thomas Street
Cranford, NJ 07016
e-mail: feinsod@cranfordschools.org

Tele: 908.709.6202
Fax: 908.272.7735

April 19, 2006

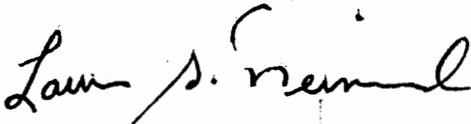
Mr. Steve Kelley
c/o Nessa Memberg
12005 Sunrise Valley Rd.
MS C3.02 Stop
Reston, VA 20191

Dear Mr. Kelley:

I am writing this letter to express my opposition to the proposed redesign of airspace around Newark Liberty International Airport. My understanding of the proposal is that air traffic would be moved from non-inhabited industrial areas, south of the airport, over densely populated communities, including the Township of Cranford. This move would create major increases in air noise and a major distraction for students and teachers. Indeed, the teaching/learning process requires sustained concentration and cannot effectively occur within a noise tunnel. Increased airplane noise levels will clearly have a **negative impact** for the children of our community. Simply stated, adding a second layer of air flight over Cranford equates to poor public policy.

Please reconsider this ill-advised proposal.

Sincerely,



Dr. Lawrence S. Feinsod
Superintendent of Schools
LSF:m

c: President Bush
Board of Education
Governor Corzine
Senator Lautenberg
Senator Menendez
Marion C. Blakey, FAA
State Senator Kean
Congressman Ferguson
Assemblyman Munoz
Assemblyman Bramnick
Union County Board of Chosen Freeholders
Port Authority of NY and NJ
Rosalie Hellenbrecht, Township Clerk
Mrs. Barbara Krause

Response to Comment 5246: Jerome Feder, Chairman, Union County Freeholders Air Traffic & Noise Advisory Board

Comment Number	Comment response
1	Comment noted.
2	Comment noted. All comments received on the DEIS were reviewed and responses are provided in the FEIS.
3	Comment noted, the comments from PANYNJ were reviewed and responses are provided in the FEIS see responses to commenter 4300, Tom Bock of the PANYNJ.
4	See response to commenter 4300, Tom Bock of the PANYNJ.
5	See response to commenter 4300, Tom Bock of the PANYNJ. The concepts presented in the comment were considered and evaluated as part of the mitigation analysis prepared for the FEIS.



June 28, 2006

Steve Kelley, FAA-Airspace Redesign
c/o Nessa Memberg
12005 Sunrise Valley Road
Reston, VA 20191

RE: NY/NJ/PHL Airspace Redesign DRAFT Environmental Impact Statement
2005 "2011 Integrated Airspace Alternative Variation Without ICC
PHL Metropolitan Area Concept"

Dear Mr. Kelley:

I have recently been informed by Delaware County Council officials of the airspace redesign being proposed by the FAA. I am also in receipt of a map showing increases in noise levels for the FAA option which is being most seriously considered.

Please let this letter serve as notice that pertaining to the Philadelphia International Airport, Chadds Ford Township is urging the FAA to consider the FUTURE NO ACTION AIRSPACE ALTERNATIVE and require all departing flights remain over the Delaware River.

A significant portion of Chadds Ford Township is part of an Historical Overlay District, including both the Brandywine Battlefield State Park and the Brandywine Conservancy. Information provided by Delaware County Planning shows that FAA proposals would increase noise exposure levels in these areas.

It is clear that the adverse impact of the "2011 Integrated Airspace Alternative Variation Without ICC - PHL Metropolitan Area Concept" far outweighs any benefits.

Very truly yours,


DEBORAH LOVE D'ELIA, Chairman
BOARD OF SUPERVISORS

cc: George M. Thorpe, Vice Chairman
Garry Paul, Supervisor
Andrew J. Reilly, Chairman
Delaware County Council

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Chadds Ford, PA 19317

POST OFFICE BOX 181
CHADDS FORD, PA 19317

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WEB www.chaddsfordpa.net

005250



Response to Comment 5250: Deborah L. D’Elia, Chairman, Board of Supervisors, Chadds Ford Township, Pennsylvania

Comment Number	Comment response
1	<p>Comment noted. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA selected the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative. This alternative was selected because it best met the purpose and need for the Proposed Action. Routing departures from PHL over the Delaware River is included as a mitigation measure. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p>
2	<p>Comment noted. The FAA completed an analysis of potential impacts to historic resources. All properties listed or eligible for listing in the National Register of Historic Places located within the Area of Potential Effect (APE) were analyzed for adverse effect. The Area of Potential Effect (APE) included all significantly noise impacted census blocks. The FAA coordinated this methodology with the Pennsylvania State Historic Preservation Officer. Chadds Ford Township is not located within the APE. See Section 4.5 of the DEIS for additional information.</p>
3	<p>The FAA disagrees that the impact outweighs the benefits of the Proposed Action. The public does benefit from this reduction in delay in reduced travel delays, ability for the aviation industry to meet future demand, and environmentally through reduced fuel burn and thus less air pollutant emissions when compared to the Future No Action Alternative.</p>

Merrill, Michael

From: makowska@optonline.net
Sent: Friday, June 30, 2006 8:54 AM
To: FAA DEIS
Cc: sara.lbr@verizon.net; nadel30tac@aol.com; Nadel, Eugene; susan@amsny.com; michael.hafitz@sanctuarygroup.com; kklein7@attglobal.net; makowska@optonline.net; rachama@aol.com; nriche@yahoo.com; russo762@cs.com; mas0907@yahoo.com; jordan.schiffman@ubs.com; hastern@optonline.net; scdnweisst@aol.com; daprino@us.ibm.com; went@optonline.net; farnham@optonline.net
Subject: Letter regarding FAA rerouting at HPN
Attachments: mtf faa.pdf; mtf faa.doc



mtf faa.pdf (22 KB)



mtf faa.doc (24 KB)

Dear FAA representative,

I am sending you the attached document on behalf of Susan DeRobertis, Chairwoman of the Millwood Task Force (an advisory Board to the Town of New Castle).

Best regards,

Hala Makowska
Millwood Task Force Member

005255

1 of 2

June 30, 2006

Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

To the FAA:

The Millwood Task Force is an advisory board to the Town Board of New Castle. We are writing to you to support Westchester County Executive Spano's critique of the FAA proposal to re-route aircraft taking off from the Westchester County Airport. Under this proposal, tens of thousands of people in Westchester would be affected by noise. In addition, it is extremely dangerous to fly aircraft over the Indian Point nuclear reactors. That is a significant security risk.

The residents of the West End of New Castle will be severely and negatively impacted by the re-routing. Those residents most directly impacted are part of the Ossining School District and have Ossining mailing addresses, but are part of the Town of New Castle.

Westchester County has raised many valid concerns about the FAA proposal. A Supplemental Draft Environmental Impact Statement is needed that will address the concerns of the residents of the Town of New Castle who live within the flight path.

We would appreciate you including the Millwood Task Force as an interested party in any future correspondence from the FAA.

Respectfully,

Susan DeRobertis
Chair, Millwood Task Force
PO Box 465
Millwood, NY

cc: Town Board of New Castle, NY

Response to Comment 5255: Susan DeRobertis, Chair, Millwood Task Force (by Mala Makwoska)

Comment Number	Comment response
1	Comment noted.
2	<p>While there is no doubt that some residents in Westchester County are exposed to varying degrees of aircraft noise, the DEIS document clearly indicates that the changes in those noise levels associated with any of the three proposed alternatives fall below FAA's thresholds of reportability. The Federal Aviation Administration (FAA) in Orders 1050.1E, Environmental Impacts: Policies and Procedures, and 5050.4A, Airport Environmental Handbook, characterizes noise increases that are equal to or greater than 1.5 dB within the 65 dB day-night average sound level (DNL) range as a "significant impact". In addition, the Federal Interagency Committee on Noise (FICON) recommended that "less than significant impacts" be reported as well. The "less than significant impacts" are increases that are equal to or greater than 3 dB within the 60 to 65 dB DNL range, and increases that are equal to or greater than of 5 dB within the 45 to 60 dB DNL range. The DEIS states that 5 dB or more increases in the 45 to 60 dB 5 DNL range amount to "slight-to-moderate" changes in the DNL. The DEIS also states 3 dB or more increase in the 60 to 65 dB DNL range amount to "slight-to-moderate" changes in the DNL. These ranges are contained in FAA Orders 1050.1E and 5050.4A, and are recommended by FICON.</p>
3	<p>Comment noted. The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.</p>
4	<p>While there is no doubt that some residents in Westchester County are exposed to varying degrees of aircraft noise, the DEIS document clearly indicates that the changes in those noise levels associated with any of the three proposed alternatives fall below FAA's thresholds of reportability.</p>

Response to Comment 5255: Susan DeRobertis, Chair, Millwood Task Force (by Mala Makwoska)

Comment Number	Comment response
5	<p>The DEIS, published in December 2005, was complete and adequate. Based on the requirements set forth under NEPA and FAA Order 1050.1E, the DEIS adequately addressed the noise and other environmental impacts on all areas within the project Study Area. Noise impacts in particular were rigorously evaluated and noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative.</p> <p>According to CEQ Regulations Section 1502.9b, Final EISs shall respond to comments and the agency shall discuss at appropriate points in the Final EIS any responsible opposing view which was not adequately discussed in the Draft EIS and indicate the agency's response to the issue raised. The FAA has prepared its Final EIS and responded to comments and opposing views received on the Draft EIS. According to CEQ Regulations Section 1502.9c, agencies shall prepare supplements to either Draft or Final EISs if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or (2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. The FAA has not made substantial changes in the proposed action, nor are there significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. Therefore, there are no reasons for the FAA to prepare a supplement. This would be a costly and needless waste of time and resources for the agency, and the agency's customers, including the traveling public.</p>
6	Both Mala Makwoska and Susan DeRobertis have been added to the project mailing list.

Merrill, Michael

From: Penny Ryan [pryan@cb7.org]
Sent: Friday, June 30, 2006 4:59 PM
To: faa.deis@ngc.com.
Subject: MCB7 - Comments on FAA DEIS
Attachments: FAA 6.30.06.doc

Attached please find comments of Community Board 7/Manhattan on the NY/NJ/PHL Metropolitan Airspace Redesign Draft Environmental Impact Statement.

005261

1 of 3



Testimony on the NY/NJ/PHL Metropolitan Airspace Redesign Draft Environmental Impact Statement

Submitted by Community Board 7/Manhattan

Sheldon J. Fine, Chairman

June 30, 2006

Thank you for the opportunity to comment on the redesign of the Airspace of the New York/New Jersey/Philadelphia Metropolitan Area. As you know, this area is amongst the most densely populated areas on earth. The combination of John F. Kennedy International Airport, La Guardia Airport, Newark - Liberty International Airport, and Teterboro Airport has literally thousands of flights circling an area of approximately 25-30 million people. When you factor in the "other" aircraft noise and activity - namely hundreds of traffic, news, and other helicopters, the noise and the crowding of our skies becomes critical. That is the situation in which we now find ourselves.

Community Board 7 is an area on the West Side of Manhattan, between West 59th Street & West 110th Street, from Central Park to the Hudson River. It is home to some 215,000 people, and countless institutions, such as Lincoln Center for the Performing Arts, The American Museum of Natural History, Fordham University, The New-York Historical Society, and more. It is primarily a residential district, and one that has seen (& heard) the growing impact of aircraft noise and pollution on our quality of life. The Community Board is the "town council" of our neighborhood, and the rising number of complaints about aircraft noise is testament to this growing problem. Yet, from what we can see in your airspace redesign documents, the noise impact of aircraft on neighborhoods plays a very small, if any, role in your deliberations on the redesign. How can this be? Additionally, you are prepared to "stack" airplanes in a vertical pattern to increase the number of aircraft landing in a particular pattern, thus increasing the noise impact on certain areas! We wonder if you are taking into account the possibility of aircraft wake, when planes will be so close to each other, especially when landing. The tragedy of American Airlines flight 587, which crashed in the Rockaways, is still on many minds in the tri-state area.

Immediately after September 11, 2001, New Yorkers were, understandably, nervous about all airplane noise, especially low-flying planes. Pilots were directed to route their aircraft over water, to the maximum extent possible, so that neighborhoods would be spared the sound of low-flying planes. It also reduced airplane pollution, and some areas actually reported less of the black soot that accumulates when aircraft fly over repeatedly. In the past year, that fly over water directive has been eroded, so that one can actually watch hordes of airplanes flying directly over the island of Manhattan in a north-south pattern! This is not acceptable, and is, of

course, not necessary either. Yet the towers are allowing this to happen, which begs the question of what our skies will be like when the proposed "stacking" routing takes effect. We're sure your office will be inundated with complaints from some very angry members of Congress.

We agree that something needs to be done with the ever-growing amount of flights in the New York/New Jersey area. One way to cut down on some of these frequent, but less occupied flights is to improve and expand the rail service in the northeast corridor. The President says we are too dependent on foreign oil, yet moves to cut Amtrak's funding so that our important rail lines between major cities are always in crisis mode. If we had frequent, modern high-speed rail service between New York and Boston, New York and Washington, New York and Albany, and similar routes, some airlines would probably not be offering their shuttle flights. Today's "high-speed" trains are that in name only, compared with many rail systems in Europe and Japan.

Additionally, you are prepared to recommend sharp-descent landings, in an attempt to allow more planes to land and boost capacity. Much of the flying public is not prepared for this new adventure, and while it may eventually be accepted by travelers, it is doubtful many will enjoy that quick descent. Of course, the ability to do that will largely depend on weather conditions in the area at the time. Are there to be any limits on the hours that flights will operate? We suggest possibly limiting flights to no later than 11:00 PM over heavily populated areas.

The ability to partake of the quiet evenings of summer, when many of our windows are open, is rapidly disappearing from the West Side, and indeed, much of Manhattan. The endless din of planes approaching one airport or another has robbed us of the ability to listen to music, or watch television, without slamming our windows shut and cranking up the air conditioning. We will not sit idly by while these everyday pleasures are taken from us. Westsiders are not shy when it comes to expressing our opinions to our legislators. The course you are about to embark upon will bring more airplane noise to our neighborhoods, and more pollution to our air, as you attempt to cram more planes into the same airspace. We suggest you go back to the drawing boards, and come back with a plan that allows for true public participation, public hearings that are announced well in advance (& advertised in major newspapers), and an honest discussion of what can be done to make our airspace both safer, and better for the travelling public.

Response to Comment 5261: Community Board 7 – Manhattan (Penny Ryan)

Comment Number	Comment response
1	<p>According to the Federal Aviation Act of 1958, the FAA's mission includes controlling the use of navigable airspace and regulating civil and military operations in that airspace in the interest of maintaining the safety and efficiency of these operations. The FAA developed the purpose and need for the airspace redesign, consistent with NEPA regulations, to reflect its mission. Therefore, the purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. Likewise the project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region. NEPA was not designed to prevent agencies from carrying out their statutory missions or to have environmental factors become more important or supersede other factors such as technical or operational ones. It was designed to ensure that environmental considerations are taken into account along with other factors when a Federal action is considered.</p> <p>Noise was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
2	<p>Holding stacks are there to absorb aircraft when the capacity of the airport changes suddenly without warning. In normal operations they are unused, but the fact that they exist means that traffic flow managers do not have to be hyper-cautious when they estimate the number of aircraft to accept in the next few hours. The efficiency benefits come from this, not from stacks of aircraft. In no case will air traffic controllers direct aircraft to fly closer than their safe wake turbulence separation.</p>
3	<p>There were no special routings over water implemented after September 11, 2001.</p>
4	<p>Comment noted. Studies completed for large airports such as Chicago O'Hare have concluded that aviation is not a large contributor to soot, percentage wise the majority of soot is attributed to industrial facilities and vehicular traffic.</p>
5	<p>Aircraft will continue to fly over Manhattan so as to be positioned for landing at the appropriate airport.</p>
6	<p>Comment noted. Increasing rail service is beyond the scope of this study.</p>
7	<p>Sharp descents are not desirable either to aircraft operators or air traffic controllers, so no alternative proposes to increase the angle of descent of aircraft to the arrival runway. (The reduced descent time comes from eliminating level segments on approach.) FAA is not in a position to dictate the hours at which airports operate, but mitigation for the Preferred Alternative includes night-time routing away from populated areas, where practical.</p>

Response to Comment 5261: Community Board 7 – Manhattan (Penny Ryan)

Comment Number	Comment response
8	<p>Comment noted. Noise impacts have been considered in extensively for this project, and the FAA takes these impacts very seriously. The FAA considered mitigation of noise impacts for the Preferred Alternative and discloses the proposed mitigation in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS. The project will actually provide some benefit to air quality due to reduced delays.</p>
9	<p>The public workshops were specifically developed to enhance public participation in the NEPA process. This was accomplished by allowing for one on one discussions between the public and air traffic/environmental staff in an open workshop format. Rigid structure during the meeting was removed to ensure that each attendee had the ability to roam freely from exhibit to exhibit and spend as much time as required to get all issues addressed. During the final hour, a panel made up of project team members answered as many questions from attendees as time allowed. The project team would usually extend the meeting beyond the scheduled time if questions were still being addressed.</p> <p>Newspaper advertisements identifying the meeting location in Manhattan were published more then a week prior in the following papers: El Diario, the Daily News, the Villager, the Westsider, Our Town and West Side Spirit; all of these papers have circulation in Manhattan. In addition Public Service Announcements were run in rotation at the following stations, also with coverage in Manhattan: WAQX, WBLS, WHCR, WHTZ, WKTU, WNEW, WNYC, WQCD, WQXR, and WRKS.</p>

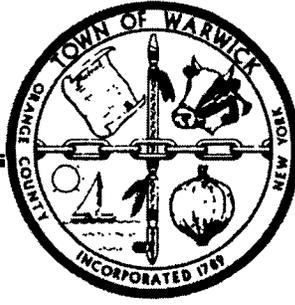
Merrill, Michael

From: Michael Sweeton [supervi@warwick.net]
Sent: Wednesday, July 05, 2006 11:31 AM
To: FAA DEIS
Subject: comment
Importance: High
Attachments: FAA route redesign letter.doc

See attached letter for comments from the Town of Warwick, NY. thank you, Mike Sweeton, supervisor

005265
1 of 2

TOWN OF WARWICK



132 KINGS HIGHWAY
WARWICK, NEW YORK 10990

TOWN HALL TELEPHONE (845) 986-1124
POLICE DEPT. TELEPHONE (845) 986-3423
PUBLIC WORKS TELEPHONE (845) 986-3358
TOWN HALL FAX (845) 986-9908
SUPERVISOR supervi@warwick.net
TOWN CLERK townclk@warwick.net

July 5, 2006

Mr. Steve Kelly
c/o Nessa Memberg
12005 Sunrise Valley Drive
MS C3.02
Reston, VA 20191

Dear Mr. Kelly;

I am writing to express my concern for the FAA's Airspace Redesign study, specifically the Integrated Airspace Alternative Variation With ICC change in Noise Exposure. This alternative seems to re-route air traffic over a portion of the Town of Warwick with resulting noise increases of 5.0+ DNL. This raises two concerns. First we are rapidly becoming suburbanized with growth rates in the 4-5% a year. More importantly we are home to a large portion of the Federal Wallkill Wildlife Refuge which I believe would fall under section 303 ©, Title 49 USC of the DOT Act. The impact on this refuge do not appear to have been studied or documented in the DEIS.

I am requesting that my concerns be addressed in the FEIS and any decision by the FAA on alternative selection.

Michael P. Sweeton
Town Supervisor

Cc: Hon. Sue Kelly
Hon. Charles Schumer
Hon. Hillary Clinton

Response to Comment 5265: Michael P. Sweeton, Town Supervisor, Town of Warwick, New York

Comment Number	Comment response
1	Comment noted. Noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. While noise abatement was not possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.
2	Comment noted.
3	All National Wildlife Refuges were identified and analyzed in the DEIS, Walkkill Wildlife Refuge was identified in Table 3.18 of the DEIS. Additional analysis of National Wildlife Refuges in the Study Area is provided in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
4	Comment noted.



BOROUGH of YEADON

Church Lane and Baily Road
P.O. Box 5187
Yeadon, PA 19050
Offices: 610-284-1606 • Fax: 610-284-2138

June 27, 2006

Ms. Marian Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, Southwest
Washington, DC 20591

We are writing to request a 60-day extension to the comment period for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project.

Borough of Yeadon was not notified about this project, about the availability of the draft Environmental Impact Statement, about the public meeting held in Ridley Township, or about the public comment period. We find this objectionable because Borough of Yeadon would be subject to significant noise increases if the FAA implements this proposal.

We request an extension of the public comment period to at least September 1st so that we can better understand how the proposal will impact our residents. We also ask the FAA to begin a meaningful dialogue with impacted communities so that we can achieve aviation efficiencies that do not negatively impact airport neighbors.

Very truly yours,

Vivian B. Ford, Council President

Cc: Yeadon Borough Council
Congressman Curt Weldon
Senator Rick Santorum
Senator Arlen Specter
Steve Kelley, FAA
Nessa Memberg, FAA

005536

Response to Comment 5536: Vivian B. Ford, Council President, Borough of Yeadon, Pennsylvania

Comment Number	Comment response
1	The comment period was extended to July 1, 2006 for a total of over six months.
2	<p>In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact information, was mailed directly to the Office of the Chairman, Delaware County Council in order to provide relevant project information to a local centralized agency with county oversight. This newsletter was also mailed out to over 200 individual residents and public officials of Delaware County. A postcard identifying the specific public meeting locations was mailed out in February, 2006 also to the Delaware County Council as well as 214 residents and public officials.</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run in rotation at the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p>
3	<p>The comment period encompassed a period of over six months. If the Borough of Yeadon did not receive the DEIS the Borough should have requested a copy earlier given the notices and publicity.</p> <p>As for working with the community, the FAA participated in a public hearing of the Aviation Sub-Committee in October 2006 and a briefing to the same committee in March 2007 in Delaware County and a public meeting in February 2007 in Ridley Township.</p>

President
WILLIAM R. WASCH
Lester, PA

Vice President
JOSEPH F. WUNDER
Essington, PA

DENNIS R. ARTHUR
Lester, PA

THOMAS J. GIANCRISTOFORO, JR.
Essington, PA

MICHAEL J. MESSINA
Essington, PA

6 July 2006

Ms. Marian Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, Southwest
Washington, DC 20591

RE: New York/New Jersey/Philadelphia Airspace Redesign Project

Enclosure (1) FAA List Identifying Local Officials Notified about Subject Project

Dear Ms. Blakey:

Tinicum Township is writing to request a 60-day extension to the comment period for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project.

Tinicum Township was not officially notified about this project about the availability of the draft Environmental Impact Statement, about the public meeting held in Ridley Township, or about the public comment period. Refer to Enclosure (1) for municipalities officially notified by the FAA note that Tinicum Township is not on the list. We find this objectionable because Tinicum Township would be subject to significant noise increases if the FAA implements this proposal.

We request an extension of this public comment period to at least September 1st, 2006, so that we can better understand how the proposal will impact our residents. We also ask the FAA to begin a meaningful dialogue with impacted communities so that we can achieve aviation efficiencies that do not negatively impact airport neighbors.

Sincerely yours,

TOWNSHIP OF TINICUM



Thomas J. Giancristoforo, Jr.
President

TJG/jlm

COMMISSIONERS OF TINICUM TOWNSHIP



Manager
NORBERT J. POLONCARZ
Essington, PA

Secretary
JEAN L. McCOY
Lester, PA

Treasurer
RICHARD E. GODBÉY
Essington, PA

Solicitor
SAM S. AUSLANDER, ESQ.
Collingdale, PA

Engineer
JAMES W. MacCOMBIE, P.E.
Broomall, PA

005537

1 of 3

Blakey Letter
6 July 2006
Page Two

cc: Congressman Curt Weldon
Senator Rick Santorum
Senator Arlen Specter
Steve Kelley, FAA
Nessa Memberg, FAA
Delaware County Council
Commissioners
Township Manager

Table 8.3 (continued)

Local Officials

First Name	Last Name	Position	Organization
New York (continued)			
			Brooklyn Community Board 16
			Brooklyn Community Board 7
			Brooklyn Community Board 13
			Brooklyn Community Board 5
			Brooklyn Community Board 4
			Brooklyn Community Board 2
			Brooklyn Community Board 1
			Brooklyn Community Board 8
			Brooklyn Community Board 11
			Brooklyn Community Board 17
			Brooklyn Community Board 18
			Queens Community Board 9
			Queens Community Board 12
			Queens Community Board 2
			Queens Community Board 1
			Queens Community Board 5
			Queens Community Board 11
			Queens Community Board 4
			Queens Community Board 6
			Queens Community Board 8
			Queens Community Board 13
Pennsylvania			
John	Street	Mayor	City of Philadelphia
Hank	Eberle	Mayor	City of Ridley Park
Ralph	Orr	Mayor	City of Eddystone
Robert	McMahon	Mayor	City of Media
Donald	Cook	Mayor	City of Prospect Park
Dennis	Sharkey	Mayor	City of Narberth

Table 8.4
Federal Agencies

First Name	Last Name	Position	Organization
Connecticut			
Kathleen	McGinty	Commissioner, Secretary Environmental Protection	Department of Agriculture
Matthew	Kelley	Supervising Engineer	Department of Transportation
Terry	Villanueva	Manager	Bombay Hook NWR
District of Columbia			
Ken	Mittleholtz		EPA
Ethel	Smith		U.S. Department of Interior
Margo	Oge	Dir., Trans. & Air Quality	EPA
Robert	Hargrove		U.S. EPA
Norman	Mineta	Secretary	US Department of Transportation

Response to Comment 5537: Thomas J. Giancristoforo, Jr., President, Commissioners of Tinicum

Comment Number	Comment response
1	The comment period was extended by 30 days to July 1, 2006 a total of over six months.
2	<p>In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact information, was mailed directly to the Office of the Chairman, Delaware County Council in order to provide relevant project information to a local centralized agency with county oversight. In addition, a postcard identifying the specific public meeting locations was mailed out in February, 2006 also to the Delaware County Council.</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run in rotation at the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p> <p>The DEIS disclosed that some of the alternatives investigated would have the effect of creating both "significant" and slight to moderate noise increases around Philadelphia International Airport. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>
3	<p>The comment period encompassed a period of over six months.</p> <p>As for working with the community, the FAA participated in a public hearing of the Aviation Sub-Committee in October 2006 and a briefing to the same committee in March 2007 in Delaware County and a public meeting in February 2007 in Ridley Township.</p>

Nagendran, Ram

MAYOR FOLCROFT BOROUGH

From: Clare Vivial [ClareV@shoaidinc.com]
Sent: Friday, July 07, 2006 10:00 AM
To: FAA DEIS
Subject: New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project - ATTN: Steve Kelley

Ms. Marian Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, Southwest
Washington, DC 20591

Dear Ms. Blakey,

We are writing to request a 60-day extension to the comment period for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project.

Folcroft Borough was not notified about this project, about the availability of the draft Environmental Impact Statement, about the public meeting held in Ridley Township, or about the public comment period. We find this objectionable because Folcroft Borough would be subject to significant noise increases if the FAA implements this proposal.

We request an extension of the public comment period to at least September 1st so that we can better understand how the proposal will impact our residents. We also ask the FAA to begin a meaningful dialogue with impacted communities so that we can achieve aviation efficiencies that do not negatively impact airport neighbors.

Very truly yours,

Charles P. Vivial
Mayor

Cc: Congressman Curt Weldon
Senator Rick Santorum
Senator Arlen Specter
Steve Kelley, FAA
Nessa Memberg, FAA

005538

Response to Comment 5538: Mayor Charles P. Vivial, Folcroft Borough

Comment Number	Comment response
1	<p>In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact and meeting information was mailed directly to the Office of the Chairman, Delaware County Council in order to provide relevant project information to a local centralized agency with county oversight. This newsletter was also mailed out to over 200 individual residents and public officials of Delaware County. Also, a postcard identifying the specific public meeting locations was mailed out in February, 2006 to the Delaware County Council as well as 214 residents and public officials</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run in rotation on the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p>
2	<p>Comment noted. The comment period encompassed a period of over six months. If the Folcroft Borough did not receive the DEIS the Borough should have requested a copy earlier given the notices and publicity.</p> <p>As for working with the community, the FAA participated in a public hearing of the Aviation Sub-Committee in October 2006 and a briefing to the same committee in March 2007 in Delaware County and a public meeting in February 2007 in Ridley Township.</p>



TOWNSHIP OF NUTLEY
DEPARTMENT OF PUBLIC AFFAIRS
149 CHESTNUT STREET
NUTLEY, NEW JERSEY 07110
PHONE: (973) 284-4900
FAX: (973) 661-9411

JOANNE COCCHIOLA
Mayor

April 3, 2006

The Honorable Marion Blakely, Administrator
Federal Aviation Administration
800 Independence Ave., S.W.
Washington, D.C. 20591

Re: Township of Nutley, New Jersey

Dear Administrator Blakely:

As Mayor of the Township of Nutley, I am writing to you to express important concerns of my constituents:

Recently metal objects fell into a residential neighborhood of our Township from a Fed Ex DC-10 airplane departing from Newark Airport. Fortunately, no one was hurt and I am sure that I do not need to emphasize to you how serious an incident this could have been had it occurred during rush hour or at a time when children were going to school. I would like to receive communication from your office regarding the status of the investigation into the aforementioned incident at your earliest convenience.

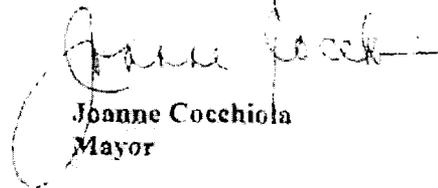
It is of importance to our governing body and residents to be notified and informed of the potential and proposed changes in the redesign of airspace over this region. Our community is burdened with an excessive amount of noise due to air traffic on a daily basis. As a community, we deal with air traffic from two airports, Teterboro and Newark. We have been coping with excessive air traffic and noise for many years. It is our hope that any changes will decrease the amount of planes that travel over our community. I understand that, 8 years past, Bergen County communities were granted relief with a decrease in air traffic patterns. I would hope that our community would be given that same consideration. The quality of life for our residents in this special community must be preserved.

005539

1 of 3

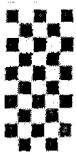
I would appreciate your providing me with relevant information and considering our position that this municipality is unhappy with the current level of air traffic and objects to any increase.

Very truly yours,



Joanne Cocchiola
Mayor

cc: Steve Keller, FAA NAR
Congressman William Pascrell, Jr.
Senator Paul Sarlo
Assemblyman Fred Scalera
Assemblyman Gary Schaer



149 Chestnut Street
Nutley, NJ 07110
Fax - 973 661-9411
Phone - 973 284 4972



Fax

To: Honorable Marion Blakely, Administrator **From:** Mary Joanne Cocchiola
Fax: 202 267 5047 **Pages:** 3 including cover
Phone: **Date:** April 2006
Re: **cc:**

- Urgent For Review Please Comment Please Reply Please Recycle

● **Comments:** Select this text and delete it or replace it with your own. To save changes to this template for future use, choose Save As from the File menu. In the Save As Type box, choose Document Template. Next time you want to use it, choose New from the File menu, and then double-click your template.

Response to Comment 5539: Mayor Joanne Cocchiola, Township of Nutley, Department of Affairs

Comment Number	Comment response
1	On December 12th, 2005 a newsletter announcing the release of the Draft EIS was sent directly to your office. This newsletter identified how to get or review a copy of the Draft EIS document. In addition, your office has been included on all subsequent correspondence, including newsletters and postcards, with respect to the airspace redesign project.
2	The FAA in Orders 1050.1E, Environmental Impacts: Policies and Procedures, and 5050.4A, Airport Environmental Handbook, characterizes noise increases that are equal to or greater than 1.5 dB within the 65 dB day-night average sound level (DNL) range as a "significant impact". The Township of Nutley will not receive reportable noise changes due to the Preferred Alternative.
3	Comment noted.

CITY OF NEW YORK
PRESIDENT
OF THE
BOROUGH OF STATEN ISLAND

FAA-060320-005
BD
BD



JAMES P. MOLINARO
PRESIDENT

BOROUGH HALL, STATEN ISLAND, N. Y. 10301

March 2, 2006

Ms. Marion C. Blakely
Administrator
Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, D.C. 20591

005540

Re: Proposed DEIS public meetings for New York/New Jersey/Philadelphia airspace redesign

Dear Administrator Blakely:

I recently received the postcard announcing the public meeting locations for the proposed New York/New Jersey/Philadelphia Airspace Redesign draft environmental impact statement (DEIS). A review of the postcard showed that FAA will host separate public meetings in four of New York City's boroughs.

At last check, and as the Borough President of the fifth of five New York City boroughs, I was unaware that the 460,000 I represent were no longer a part of the City and, more importantly, are not affected by airplane noise due to FAA operations.

Perhaps we have been omitted because the office of Staten Island President has been an acute, vocal critic of the FAA for over 16 years, especially in how the agency has favored for almost 50 years New Jersey residents over New York City residents living on Staten Island. In each and every public hearing and meeting concerning Newark Airport noise, and especially with the infamous and fruitless Expanded East Coast Plan of 1992-1994, this office and its environmental engineer who remains employed by this office after 16 years, has appeared and testified at any and all public meetings and hearings. Indeed, a basic review of your records, if not the *Congressional Record*, would clearly reveal that this office testified twice before a House of Representatives committee concerning the failed FAA policies on aircraft departures - and accompanying +102dB noise levels on the ground in Staten Island - from Newark Airport. More importantly, we've even had two public meetings on Staten Island for the scoping document for the present DEIS!

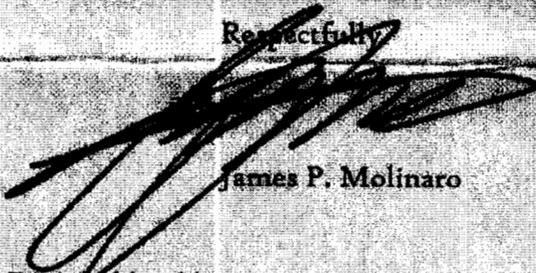
Yet, once again, the FAA, via this postcard, continues to malign the residents of this borough by implicitly stating that they do not exist. By not including Staten Island, the

1 of 4

FAA chooses to believe that Staten Islanders would willingly go to another state (New Jersey), or - unlike any other New York City resident - be willing to travel outside its borough's boundaries to complain, or maybe even agree with, the DEIS.

I am both outraged and insulted by this course of action and respectfully state for the record that Staten Island, the fifth section of New York City, is owed its own public DEIS meeting.

Respectfully,



James P. Molinaro

P.S. Just for the record: Why would the FAA hold public meetings in Manhattan and the Bronx when common sense dictates that it is on Staten Island, Brooklyn and Queens where the brutal impacts of airplane noise and its associated routing are experienced?

MAY 16 2006

500 ~~RK 501~~
520 FYI only

AEA-500

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RECEIVED
05/16/06

Mr. James P. Molinaro
President, Borough of Staten Island
Borough Hall
Staten Island, NY 10301

Thank you for your letter about the airspace design issues concerning Staten Island and the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign. Community participation is critical in completing the Final Environmental Impact Statement. We are conducting over 30 public meetings to seek comments on the proposed airspace design alternatives. We understand your concern that your borough would not be afforded dedicated meetings to discuss this important change.

The input from your borough is valuable and we have not ignored it. In fact, two public meetings were held on Staten Island during the second week of public meetings. We held the first meeting on February 15 in southwest Staten Island at the Knights of Columbus on Kreischer Street. We held the second meeting in northwest Staten Island on February 16 at Michael J. Petrides School. We had several community members participate and their input will be considered with the same diligence as all the community comments.

Notice of these meetings was placed in several local papers. We also told your office directly by phone. The postcard announcement you refer to in your letter was intended as a notice of later public meetings (after those in your borough). We sincerely apologize for any confusion or frustration that this mailing may have caused you and your constituents.

The public comment period is open until June 1 and we encourage more feedback. Electronic copies of all publicly available materials (including but not limited to materials presented at public meetings and congressional briefings, the Draft Environmental Impact Statement and supporting analysis detail, an informational video, and the public meeting schedule) are found on the project Web site at www.faa.gov/nynjphl_airspace_redesign.

If we can be of further assistance, please let us know.

Sincerely,

Original Signed By

Michael A. Cirillo
Vice President, System Operations Services
Air Traffic Organization

AJR-3:SKelly:nmm:x77403:3/31/06
cc: AOA-3/AJC-1/AJR-0/AJR-3(2)/AEA-1/500/NAY/DAY FILE
Control No. FAA-060320-005, 2006-109868-A
WP: S:\congress\ato-r\kalinowski\FAA060320005.doc
Rew/Ret by Tina:tmmcc:(202) 267-3951:04/10/2006

Response to Comment 5540: James P. Molinaro, President of the Borough of Staten Island

Comment Number	Comment response
1	Staten Island has never been omitted from FAA studies of noise impacts in the area. A total of five public meetings have been held in Staten Island, NY concerning the airspace redesign project over the last seven years. One meeting was held in Oct, 1999 during the early pre-scoping phase. Two were held in March and April, 2001 during the scoping phase of the project and two more were held in Feb. 2006, after the Draft EIS was released to the public.



Township of Springfield
DELAWARE COUNTY, PA

50 POWELL ROAD, SPRINGFIELD, PA 19064

OFFICES 610-544-1300 POLICE 610-544-1100 HIGHWAY 610-543-2837 FAX 610-544-3012
EIN NO. 23-6504592

Commissioners

THOMAS V. MAHONEY
President

THOMAS J. McGARRIGLE
Vice President

JAMES J. DEVENNEY
ANTHONY J. GROSSO
LEE J. JANICZEK, Ed.D
PAUL J. WECHSLER
ROBERT McANDREWS

MICHAEL LAFEVRE
Township Manager
MARGARET A. YOUNG
Treasurer
JAMES J. BYRNE, JR., Esq.
Solicitor

June 27, 2006

Ms. Marian Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, Southwest
Washington, DC 20591

Re: NY/NJ/PHIL Airspace Redesign Draft Environmental Impact Statement

Dear Ms. Blakey:

The Springfield Township Board of Commissioners respectfully request that the public comment period for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project be extended 60 days, until September 1, 2006. The additional time period will permit Springfield Township to more thoroughly analysis the noise impact data and work with County officials, as well as surrounding municipalities to better understand how this project will impact our residents.

While the FAA published a draft of the Environmental Impact Statement in December 2005, information on noise impact was not placed on the FAA's website until March 2006. Springfield Township officials only recently received from the Delaware County Planning Department the projected change in the noise exposure levels for Delaware County communities.

In light of the inadequate job the FAA did in notifying Delaware County municipalities about the Airspace Redesign Project, as well as lack of access to the noise data, a 60-day extension for the review period seems reasonable.

Thank you for your consideration. I look forward to hearing from you as soon as possible.

Sincerely,

Thomas V. Mahoney, President
Board of Commissioners

TVM:dmt

- cc: Congressman Cui Weidon
- Senator Rick Santorum
- Senator Arlen Specter
- Steve Kelley, FAA
- Nessa Memberg, FAA
- Michael Puppio, Delaware County Council

005734

**Response to Comment 5734: Thomas V. Mahoney, President, Board of Commissioners,
Township of Springfield, Pennsylvania**

Comment Number	Comment response
1	The comment period was extended to July 1, 2006 for a total of over six months.
2	The DEIS, published in December 2005, was complete and adequate. The noise grid points referred to by the commenter were released as an interpretive supplement to noise information already modeled and published in the document. These grid points allowed any resident in the 5-state Study Area to log on to a website and find noise grid point information for his/her census tract/block. This information was for public disclosure and individual interpretation purposes only; it went well above and beyond any noise data required for a NEPA analysis in an EIS. The noise analysis provided in the EIS is the information upon which the FAA will make its decisions related to alternatives and for comparison with any noise mitigation strategies proposed in the FEIS.
3	<p>In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact and meeting information was mailed directly to the Office of the Chairman, Delaware County Council in order to provide relevant project information to a local centralized agency with county oversight. This newsletter was also mailed out to over 200 individual residents and public officials of Delaware County. Also, a postcard identifying the specific public meeting locations was mailed out in February, 2006 to the Delaware County Council as well as 214 residents and public officials of Delaware County.</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run in rotation on the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p> <p>The noise grid points referred to by the commenter were released as an interpretive supplement to noise information already modeled and published in the document.</p> <p>The minimum comment period required is 45 days per 40 CFR 1506.10(c). The comment period for this project was originally five months long. The comment period was subsequently extended by an additional month for a total of six months, well above the minimum requirement.</p>



DARRELL MATHENY, Esq.
President

CHRIS PYLE, Esq.
Vice President

ANNE M. H. DEERBERG, Esq.

WILLIAM S. SHERMAN

EMILY R. HERVOLD

THOMAS A. MASTERSON, Esq.

DWIGHT CANNAN

RADNOR TOWNSHIP

301 IVEN AVENUE
WAYNE, PENNSYLVANIA 19087-5207

Phone (610) 688-5600
Fax (610) 971-0450
www.radnor.com

DAVID BASHORE
Township Manager

CONNOR CLAYTON, Esq.
Secretary

DAVID B. AKER, Esq.
Solicitor

JOHN J. SHERMAN
Treasurer

June 26, 2006

The Honorable Marian Blakey, Administrator
Federal Aviation Administration
500 Independence Avenue, S.W.
Washington, DC 20591

Dear Ms. Blakey:

On behalf of the Radnor Township Board of Commissioners, I am writing to request an additional 60-day extension to the comment period for the *New York New Jersey/Philadelphia Metropolitan Airspace Redesign Project*.

According to our records, Radnor Township was not notified about this project, about the availability of the draft Environmental Impact Statement, about the public meeting held at Radley Township, or about the public comment period. We find this objectionable because Radnor Township could be subject to noise increases – perhaps significantly – if the FAA were to implement this proposal.

We respectfully request a further extension of the public comment period to at least September 1, 2006, so that we can better understand how the proposal will affect our 31,000 residents. We also ask that the FAA facilitate a meaningful dialogue with affected communities throughout our region so that we can achieve aviation efficiencies that do not unnecessarily impact airport neighbors in a negative manner. We appreciate your time and consideration.

Very truly yours,

David A. Bashore
Township Manager

- cc: Radnor Township Board of Commissioners
- Radnor Township Board of Health
- Radnor Township Environmental Advisory Committee
- Delaware County Council
- Honorable Arlen Specter
- Honorable Rick Santorum
- Honorable Curt Weldon

005737

Response to Comment 5737: David A. Bashore, Township Manager, Radnor Township

Comment Number	Comment response
1	<p>In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact and meeting information was mailed directly to the Office of the Chairman, Delaware County Council in order to provide relevant project information to a local centralized agency with county oversight. This newsletter was also mailed to over 200 individual residents and public officials of Delaware County. Also, a postcard identifying the specific public meeting locations was mailed out in February, 2006 to the Delaware County Council as well as 214 Delaware County residents and public officials</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run on rotation at the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p> <p>Radnor Township will not receive reportable noise changes due to the Proposed Action.</p>
2	<p>Comment noted. The comment period was extended by 30 days to July 1, 2006 for a total of over six months.</p> <p>As for working with the community, the FAA participated in a public hearing of the Aviation Sub-Committee in October 2006 and a briefing to the same committee in March 2007 in Delaware County and a public meeting in February 2007 in Ridley Township.</p>

UPPER DARBY TOWNSHIP

MUNICIPAL BUILDING
 100 GARRETT ROAD
 UPPER DARBY, PA 19082-3135

Mayor
 F. Raymond Shay
Chief Administrative Officer
 Thomas J. Judge, Jr.
 E-mail address:
 tjjudge@upperdarby.org

Administrator's Office
 610-734-7622
Township Facsimile (FAX)
 610-734-7709



July 5, 2006

Ms Marian Blakey
 Administrator
 Federal Aviation Administration
 800 Independence Avenue, Southwest
 Washington, DC 20591

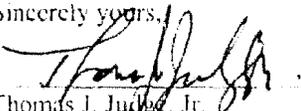
Dear Ms Blakey:

On behalf of Mayor F. Raymond Shay and Upper Darby Township Council, I am writing to request a 60-day extension to the comment period for the New York/New Jersey Philadelphia Metropolitan Airspace Redesign Project.

Upper Darby Township was not properly notified about this project, about the availability of the draft Environmental Impact Statement, about the public meeting held in Ridley Township, or about the public comment period. We find this objectionable because Upper Darby Township would be subject to significant noise increases if the FAA implements this proposal.

The Township Administration requests an extension of the public comment period to at least September 1st so that we can better understand how the proposal will impact our residents. We also ask the FAA to begin a meaningful dialogue with impacted communities so that we can achieve aviation efficiencies that do not negatively impact airport neighbor.

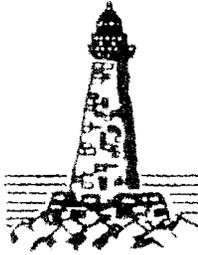
Sincerely yours,


 Thomas J. Judge, Jr.
 Chief Administrative Officer

TJJ:bn
 Cc: Congressman Curt Weldon
 Senator Rick Santorum
 Senator Arlen Specter
 | Steve Kelley, FAA
 Nessa Memberg, FAA
 John E. Clark, Council President

Response to Comment 5738: Thomas J. Judge, Jr., Chief Administrative Officer, Upper Darby Township

Comment Number	Comment response
1	<p>In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact and meeting information was mailed directly to the Office of the Chairman, Delaware County Council in order to provide relevant project information to a local centralized agency with county oversight. This newsletter was also mailed to over 200 individual residents and public officials of Delaware County. Also, a postcard identifying the specific public meeting locations was mailed out in February, 2006 to the Delaware County Council as well as 214 Delaware County residents and public officials</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run on rotation at the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p> <p>The DEIS disclosed that some of the alternatives investigated would have the effect of creating both "significant" and slight to moderate noise increases around Philadelphia International Airport. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>
2	<p>The comment period was extended to July 1, 2006 for a total of over six months.</p> <p>As for working with the community, the FAA participated in a public hearing of the Aviation Sub-Committee in October 2006 and a briefing to the same committee in March 2007 in Delaware County and a public meeting in February 2007 in Ridley Township.</p>



Borough of Eddystone

June 28, 2006

Ms. Marian Blakey
Administrator
Federal Aviation Administration
800 Independence Ave., Southwest
Washington, DC 20591

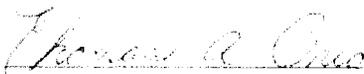
Dear Ms. Blakey,

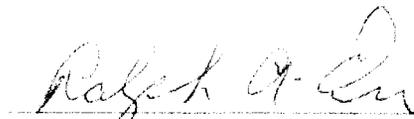
We are writing to request a 60-day extension to the comment period for the New York/New Jersey/Philadelphia Metro Airspace Redesign Project.

Eddystone Borough was not notified about this project, about the availability of the draft Environmental Impact Statement, about the public meeting held in Ridley Township, or the public comment period. We find this objectionable because Eddystone Borough would be subject to significant noise increases if the FAA implements this proposal.

We request an extension of the public comment period to at least September 1st so that we can better understand how the proposal will impact our residents. We also ask the FAA to begin a meaningful dialogue with the impacted communities so that we can achieve aviation deficiencies that do not negatively impact airport neighbors.

Regards,


Thomas Orio
Borough Council President

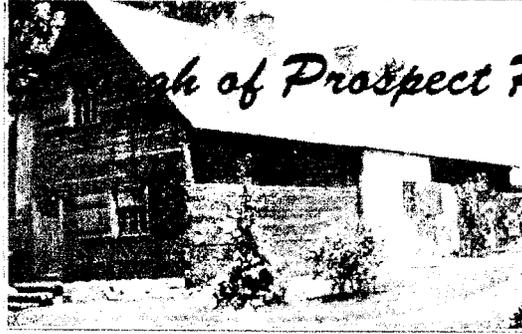

Honorable Ralph Orr
Mayor of Eddystone Borough

005739

Response to Comment 5739: Honorable Ralph Orr, Mayor of Eddystone Borough

Comment Number	Comment response
1	<p>In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact and meeting information was mailed directly to the Office of the Mayor of Eddystone, PA. This newsletter was also mailed to over 200 individual residents and public officials of Delaware County. Also, a postcard identifying the specific public meeting locations was mailed out in February, 2006 to the Mayor's office as well as 214 Delaware County residents and public officials.</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA were published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run in rotation on the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p> <p>The DEIS disclosed that some of the alternatives investigated would have the effect of creating both "significant" and slight to moderate noise increases around the Philadelphia International Airport. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternative. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>
2	<p>The comment period was extended to July 1, 2006 for a total of over six months.</p> <p>As for working with the community, the FAA participated in a public hearing of the Aviation Sub-Committee in October 2006 and a briefing to the same committee in March 2007 in Delaware County and a public meeting in February 2007 in Ridley Township.</p>

The Borough of Prospect Park



THE BIRTHPLACE OF JOHN MORTON
One of the Signers of
the Declaration of Independence
and Our Currency Motto:
"IN GOD WE TRUST"

P.O. Box 301
720 Maryland Avenue
Prospect Park, PA 19076
Tel: 610-532-1007
Fax 610-532-3514

June 26, 2006

Ms. Marian Blakey
Federal Aviation Administration
800 Independence Avenue, Southwest
Washington, DC 20591

Dear Ms. Blakey:

I am writing to request a 60-day extension to the comment period for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project.

To my knowledge, the Borough of Prospect Park was not notified about the project or about the availability of the draft environmental impact statement.

We find this unacceptable because Prospect Park residents would be subject to significant noise increases if the FAA implements this proposal.

On behalf of our Borough Council and our residents, I am requesting an extension of the public comment to at least September 1st so we can better understand the impact the proposal will have on our community.

Sincerely,

Donald A. Cook
Mayor

DAC:dal

cc: Congressman Curt Weldon
Senator Rick Santorum
Senator Arlen Specter

005740
1 of 2

Return Receipt

Your document:
was received by:
at:

AVON
Shirley Watson/AWA/FAA
07/12/2006 09:18:20 AM

Response to Comment 5740: Mayor Donald A. Cook, Borough of Prospect Park

Comment Number	Comment response
1	<p>In December, 2005 a newsletter announcing specific project contract information as well as public meeting information and an Executive Summary of the DEIS were mailed directly to the Office of the Mayor of the Borough of Prospect Park, PA. This newsletter was also mailed out to over 200 individual residents and public officials of Delaware County. Also a postcard identifying the specific public meeting locations was mailed out in February, 2006 to the Mayor's office as well as 214 Delaware County residents and public officials.</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA were published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run in rotation on the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p>
2	<p>Prospect Park would receive slight to moderate impact with all alternative considered with the exception of the Ocean Routing Airspace Alternative. The FAA has identified the Integrated Airspace Alternative Variation with ICC as its Preferred Alternative, The FAA has considered measures related to the Preferred Alternative for all the areas of reportable noise increases and beyond. Details regarding the noise mitigation evaluation are presented in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS. Reportable impacts to Prospect Park have been eliminated when compared to the Future No Action Alternative.</p>
3	<p>The comment period was extended by 30 days to July 1, 2006 for a total of over six months.</p>



June 28, 2006

Ms. Marian Blakey, Administrator
Federal Aviation Administration
800 Independence Avenue, Southwest
Washington, DC 20591

RE: EXTENSION OF COMMENT PERIOD

Dear Ms. Blakey:

I am writing on behalf of the Board of Supervisors of Chadds Ford Township to request a sixty day extension to the comment period for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project.

Chadds Ford Township was not notified about this project, about the availability of the draft Environmental Impact Statement, about the public meeting held in Ridley Township, or about the public comment period. We find this objectionable because an environmentally sensitive area of Chadds Ford Township would be subject to significant noise increases if the FAA implements this proposal.

We request an extension of the public comment period to at least September 1st so that we can better understand how the proposal will impact our residents. We also ask the FAA to begin a meaningful dialogue with impacted communities so that we can achieve aviation efficiencies that do not negatively impact airport neighbors.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Deborah Love D'Elia".

CHADDS FORD TOWNSHIP
BOARD OF SUPERVISORS

DEBORAH LOVE D'ELIA, Chairman

cc: Honorable Curt Weldon, US Congressman
Honorable Richard Santorum, US Senator
Honorable Arlen Specter, US Senator
Andrew J. Reilly, Chairman, Delaware County Council
Steve Kelley, FAA
Nessa Memberg, FAA

POST OFFICE BOX 181
CHADDS FORD, PA 19317

PHONE 610.388.6368
FAX 610.388.5057
WEB www.chaddsfordpa.net

005745

Response to Comment 5745: Deborah L. D'Elia, Chairman, Board of Supervisors, Chadds Ford Township, Pennsylvania

Comment Number	Comment response
1	<p>In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact and meeting information was mailed directly to the Office of the Chairman, Delaware County Council in order to provide relevant project information to a local centralized agency with county oversight. This newsletter was also mailed to over 200 individual residents and public officials of Delaware County. Also, a postcard identifying the specific public meeting locations was mailed out in February, 2006 to the Delaware County Council as well as 214 Delaware County residents and public officials.</p> <p>Newspaper advertisements identifying the meeting location in Ridley Park, PA were published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run in rotation on the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p>
2	<p>The minimum comment period required is 45 days per 40 CFR 1506.10(c). The comment period encompassed a period of over six months.</p> <p>As for working with the community, the FAA participated in a public hearing of the Aviation Sub-Committee in October 2006 and a briefing to the same committee in March 2007 in Delaware County and a public meeting in February 2007 in Ridley Township.</p>

JUDITH HOWARD
BOROUGH OF BEACH HAVEN
300 ENGLISIDE AVE
BEACH HAVEN, NJ 08008

RESOLUTION #2006-91

WHEREAS, the Federal Aviation Administration (FAA) is redesigning the airspace in the New York, New Jersey, Philadelphia Metropolitan area, in an effort to increase capacity, decrease flight delays and improve operational efficiency; and

WHEREAS, the Ocean County Board of Chosen Freeholders has closely monitored this issue for many years and has passed prior resolutions dated September 6, 2000, June 2, 1999, December 5, 1995 and December 6, 1994; and

WHEREAS, after a delay in the evaluation process caused by the 9/11 tragedy, the FAA released a draft Environmental Impact Statement (DEIS) for Airspace Redesign in December 2005; and

WHEREAS, one of the four redesign alternatives evaluated was the Ocean Routing Alternative developed by the NJ Citizens for Environmental Research on behalf of the NJ Coalition Against Aircraft Noise (NJCAAN); and

WHEREAS, the Ocean Routing Alternative would move all departing flights from Newark Liberty Airport out over the Atlantic Ocean, before turning them to the west over Ocean County for their final destinations; and

WHEREAS, this proposal would also cause changes to departing flights from JFK International and LaGuardia Airports; and

WHEREAS, the FAA's 2005 draft Environmental Impact Statement concluded that the Ocean Routing Alternative was merely a noise reduction proposal and did not meet the purpose and need of the Airspace Redesign proposal. Specifically, Ocean Routing would not reduce delay, meet system demand, improve user access, expedite arrivals and departures, nor increase flexibility; and in fact, the Ocean Routing Alternative would intensify many of these existing problems; and

WHEREAS, the Board of Commissioners of the Borough of Beach Haven again notes that the Ocean Routing Alternative is a flawed proposal that is only designed to transfer noise from one area to another.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Beach Haven, County of Ocean, State of New Jersey, that:

1. It repeats its opposition to the Ocean Routing Airspace Alternative, as its implementation would exacerbate delays and compromise safety at the major metropolitan airports of the region.
2. It urges the Federal Aviation Administration to immediately remove the Ocean Routing Airspace Alternative from any further consideration, in accordance with the findings of the draft Environmental Impact Statement, dated December 2005.
3. Certified copies of this Resolution shall be made available to the Honorable Jon S. Corzine, Governor; the County's Congressional and Legislative Representatives; the Monmouth County Board of Chosen Freeholders; the Ocean County Board of Chosen Freeholders; Ocean County municipalities; and the Federal Aviation Administration.

I certify the foregoing to be a true copy of a Resolution duly adopted by the Board of Commissioners of the Borough of Beach Haven at a meeting held on

Meeting of May 8, 2006

May 8, 2006

Judith S. Howard
Judith S. Howard, R.M.C.
Municipal Clerk

005756

Response to Comment 5756: Judith S. Howard, R.M.C., Borough of Beach Haven

Comment Number	Comment response
1	Comment noted.
2	The FAA identified the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative. This alternative was identified because it best met the purpose and need for the Proposed Action. The Ocean Routing Airspace Alternative was included to meet the long-standing concerns of NJCAAN.

Special Interest

1. Janet Lockton, President of the Air Conservation Trust and a member of Noise Mitigation Airport Committee, NY
2. John B. Lewis, Vice President of Hartshorne Woods Association, NJ
3. Mark S. Schweiker, Chairman, CEO Council for Growth
Francis J. Van Kirk, Vice Chairman, CEO Council for Growth, PA
4. Ulsterites Fight Overflight Noise, Inc. NY
5. Richard D. McOmber, President of Riverside Drive Association, Locust, NJ
6. Wayne Greenstone, Cranford Airplane Noise Committee, Cranford, NJ
7. Gordon Haas, Greater Elizabeth Chamber of Commerce, Elizabeth, NJ
8. Robert Hoeffler, Cranford Chamber of Commerce, Cranford, NJ
9. Kevin Campbell, Cranford Aircraft Noise Advisory Committee, Cranford, NJ
10. Christopher Olney, Director of Conservation, Catskill Center for Conservation and Development, Arkville, NY
11. Jack Holefelder, President of Delaware County Chamber of Commerce, PA
12. Philadelphia Airport Air Traffic and Quality of Life Issues Action Group, Wilmington, DE
13. Patterson Schankne, Chairperson of Marbletown Environmental Conservation Commission, Stone Ridge, NY
14. Bill Chappel, The Historic James Street Neighborhood Association, Inc. Newark, NJ
15. Rose M. Heck, TANAAC, Legislative Chair & Chair of the Hasbrouck Heights, NJ
16. Kathleen E. Holmes, Spokesperson of the 83rd Street homeowner's Group, Queens Borough, NY
17. Stephen S. Aichele, Saul Ewing Attorney at Law, Philadelphia
18. Gerard Stoddard, President of Executive Committee, First Island Association Inc., Ocean Beach, New York
19. Dr. Lawrence S. Feinsod, Superintendent of Schools, Cranford Public School District, Cranford , NJ
20. A. Bruce Crawley, Chairman of African American Chamber of Commerce of Pennsylvania, New Jersey, and Delaware
21. Amy Guttman, President of University of Pennsylvania
22. Douglas C. McBrearty, Principal of Gulph Creek Hotels, Wayne, PA
23. William L. Wilson, Principal-in-Charge, Synterra Ltd., Philadelphia, PA
24. Patrick M. Spagnoletti, Superintendent of Schools, Roselle Park Public Schools, Roselle Park, NJ
25. Sane Aviation for Everyone Inc., Rego Park, NY
26. Biertuempfel Park Civil Association, Union, NJ
27. Rutgers Environmental Law Clinic (NJCAAN), Newark, NJ

28. Nelson Dittmar, Chairman of Cranford Environmental Committee, NJ
29. E. Dennis Hardie, Chairman of Scotch Plains Aircraft Noise Committee Inc., NJ
30. Maureen Radl, Vice President of Friends of the Shawangunks, Accord, NY
31. Terrill Doyle, Oak Knoll Neighborhood Association of Mendham, NJ
32. Bill Chappel, The Historic James Street Neighborhood Association, Air Noise Committee, Newark, NJ
33. Brian Shaughnessy, Communications Director, New York Aviation Management Association, Albany, NY
34. Erica Purnell, Northwest Greenwich Association Board Member, Greenwich, CT
35. John B. Lewis, Hartshore Woods Association, Locust, NJ
36. Andrew J. Relly, Chairman of Delaware County Council, PA
Linda A. Cartisano, Vice Chairman of Delaware County Council, PA
Mary Alice Brennan, Delaware County Council, PA
Michael V. Puppio, Delaware County Council, PA
John J. Whelan, Delaware County Council, PA
37. Robert Planz, President of River Vale at Holiday Form Condominium Association- Apartment Section, Inc., NJ
38. Joyce Gulden, Representative of Tri-State Noise Mitigation Review Committee, Locust, NJ
39. Tom Muldon, President of Philadelphia Convention and Visitors Bureau, PA
40. William Mulcahy, VP Friends of Rockaway, Inc., Averte, NY
41. Chevalier, Allen & Lichman LLP, Attorney at Law, Representative of Sound Shore Communities of Westchester County, NY
42. Barbara Bishop, President of Residents for Appropriate Development, Inc., Greenwich, CT
Eric S. Lichtenstein, Director of Residents for Appropriate Development, Inc., Greenwich, CT
43. William Wilson, Concerned Connecticut Citizens Group, CT
44. Joan McDonald, Sr. Vice President of Transportation, New York City Economic Development Corporation, NY
45. Kevin Heany, DDS, MPH, Chairman, Dentistry, Hackensack University Medical Center, NJ
Ronald Jones, Director of Security, Hackensack University Medical Center, NJ
46. Diana Schneider, CTC, ACC, New York State's Leading Aussie Specialist, NY
47. Phillip Musegaas, Policy Analyst, Riverkeeper, Inc., Tarrytown, NY
48. Heidi J. Williams, Director of Air Traffic Services, Aircraft Owners and Pilots Association, Frederick, MD
49. Nicholas DeBenedictis, Chairman and CEO of Aqua America, Inc., Philadelphia, PA
50. Daniel K. Fitzpatrick, President of Bank of America, PA

51. Thomas C. Lynch, Sr. Vice President Director of the Staubach Company, PA
52. William V. McGlinchey, Chairman of Philadelphia Airport Air Traffic and Quality of Life Issues Action Group of Delaware, PA

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NEW YORK/NEW JERSEY/PENNSYLVANIA
AIRSPACE REDESIGN

-----X

February 8, 2006
6:30 p.m.
Stamford, Connecticut

ORAL COMMENTS

1 MS. LOCKTON: I'm Janet Lockton,
2 President of the Air Conservation Trust and a

3 member of the Metropolitan Noise Mitigation
4 Airport Committee in New York, and Peter
5 Malkin is our chair.

6 And I would like to start off by saying I
7 was disappointed that we had no notice of the
8 time of this meeting nor the date of the
9 meeting, and I don't think it's even
10 published in your Draft EIS this meeting was
11 scheduled for tonight.

12 Also, when I looked at the Draft EIS on
13 the computer, which I found today somehow,
14 there was no mention that a copy of the draft
15 is available at the Greenwich Library, and
16 the Town of Greenwich has notified the FAA
17 through the scoping process of their interest
18 along with the Air Conservation Trust, and
19 the Metropolitan members of the committee.

20 Now, to go on to what I've seen. I think
21 that the -- I saw the flight tracks for
22 LaGuardia posted on the board and how they
23 affect the future of the residents of
24 Greenwich and Stamford, Connecticut. And I

1 was thrilled to see that the New York traffic
2 had been, the attitude had been raised, and
3 also they were going further east, which is a
4 recommendation made by the expert that we
5 have hired to review the proposal and to
6 offer recommendations for the draft.

7 And after going, spending a bit of time
8 looking at both the arrivals and departures
9 and being absolutely elated that this was
10 going to happen, I only then learned that
11 this was only going to happen if the ICC was
12 implemented. And there is no sign on the
13 board with these tracks saying that this is
14 dependent on the ICC being implemented, so I
15 certainly hope that it does happen.

16 However, I feel that TRACON could raise
17 the altitude of the aircraft arriving and
18 departing LaGuardia Airport without the ICC
19 being implemented. They can probably get
20 5,000 more feet from New York Central
21 somehow. And so I would hope that when the
22 FAA reviews this further that they would try
23 to implement a greater altitude for the
24 arrivals and departures from LaGuardia, which

4

1 will allow Westchester planes to fly higher
2 under that same flight track.

3 We will be submitting written comments in
4 the future when there has been time to review
5 this further. And I thank you very much for
6 the opportunity to comment. Thank you.

7

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10 (Time noted: 9:00 p.m.)

mpm020806.txt
Michael McAliney, Reporter

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Response to Comment 2799: Janet Lockton, President of the Air Conservation Trust, Member of the Metropolitan Noise Mitigation Airport Committee

Comment Number	Comment response
1	The dates and locations of the public meetings had not been finalized upon the publication of the DEIS. All dates and locations of the public meetings were shown on the project website listed in the DEIS (http://www.faa.gov/nynjphlairspace redesign/). In addition notices were placed in the Stamford Advocate and the Greenwich Times on 1/22/06 and 1/25/06 respectively. Lastly, public service announcements were run on several radio stations two of which include Fairfield County in their coverage area; WGCH 1490 AM and WXPk 107.1 FM.
2	On page two of the DEIS, individuals were given the project webpage, where an electronic copy of the DEIS could be viewed or downloaded. Also listed was the toll free project phone number, which could have been used to get information on the nearest library location that had a copy of the document. A copy of the DEIS was made available at Stamford, CT, which is 5 miles from Greenwich, CT. In addition, Peter Malkin, chairman of the Metropolitan Noise Mitigation Airport Committee in NY, was given an Executive Summary of the DEIS.
3	Comment noted. The boards showed the Integrated Airspace Alternative Variation with ICC. The FAA continues to study the ICC concept. The ICC could be a new facility or it could be accomplished using the existing NY Center and NY TRACON because the key component is a common automation facility.
4	It is not possible to raise the altitude of LGA arrivals and departures over Connecticut because the airspace is used by other facilities such as NY Center and Boston Center. The Integrated Airspace Alternative will permit raising the altitudes because it will permit airspace swaps between Centers and because of the common automation platform it will permit the use of the airspace for LGA arrivals and departures over Connecticut.

Location: TINTON FALLS

2006 NY/NJ/PHL Public Meeting

COMMENTS

John B. Lewis
Mr. Mrs. Ms. First Name Last Name

Hartshorne Woods Association
Affiliation/Organization/Agency

53 Hartshorne Road
Address

Locust NJ 07760
City State Zip

(732) 291-5054 jblt@worldnet.att.net
Work Phone E-Mail Address

All comments are welcome concerning the NY/NJ/PHL Metropolitan Airspace Redesign Project. The formal Comment Period ends June 1, 2006. Please print neatly and clearly .
Thank you!

I'm the vice president of the Hartshorne Woods Assoc of over 70 homes from Locust, in the Sandy Hook vicinity on the north side of the Navesink River. It's at the upper right corner of the Jersey coast near Noise-Measurement Site 12 at Twin Lights.

The first night we arrived in the summer of 1975 we felt we'd made a big mistake. The aircraft noise was nonstop. As it turned out, it wasn't that bad all the time but it did give us the fear of what can happen. More recently just before things quieted down after 9/11, one of our members complained that her husband's funeral had been ruined by aircraft noise. So we are definitely vulnerable going forward.

Also, in the DEIS the measurements in late 2001 and

IF MORE SPACE IS NEEDED, PLEASE USE FLIP SIDE

Mail your Comment Sheet to: Steve Kelley, c/o Nessa Memberg, 12005 Sunrise Valley Road, MS C3.02Stop, Reston, VA 20191 or email to Faa.deis@ngc.com

(over)
2841

mid 2002 (after 9/11) say we have a day-night average of 62.2 dBs. One appendix says ten percent of our people would be expected to be highly annoyed by that level. If the new airspace plan takes us above that level, we're in real trouble.

Response to Comment 2841: John B. Lewis, Hartshorne Woods Association

Comment Number	Comment response
1	Comment noted.
2	As indicated within Appendix D of the EIS, the purpose of the noise measurement program was to provide a context of local ambient noise within which the computer noise model calculations for aircraft noise could be considered. The value of 62.2 DNL referred to in the comment was the combination of measured aircraft noise and all other measured noise sources during the sampling period. The Schultz Curve, which predicts percentages of people highly annoyed at various noise levels, refers only to transportation noise. At most measurement sites', including the one referenced by the commenter, the contribution of aircraft noise to DNL was greatly outweighed by the contributions of other noise sources. Section 4.7 of Appendix E in the EIS presents the projections for overall noise levels for the alternatives when ambient noise is considered in combination with aircraft noise.

March 3, 2006

Ms. Marion C. Blakey
Federal Aviation Administrator
U.S. Department of Transportation
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Ms. Blakey:

We are contacting you as members of the CEO Council for Growth, a prominent group of business executives committed to Greater Philadelphia's economic growth and prosperity, to comment on a matter of the utmost importance to the Greater Philadelphia region – the redesign of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving this metropolitan area, which is composed of over 8 million people. Under the auspices of a Presidential Executive Order (E.O. 13274) and with the support of the Federal Aviation Administration (FAA), the Airport has advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvements has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Improvements to PHL's airfield will not yield optimum benefits, however, unless the airspace serving Philadelphia is re-engineered in coordination with these runway projects. Last year, PHL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control Tower at PHL is the busiest in the FAA's Eastern Region.

As improvements to the management of Philadelphia's airspace are evaluated along with that of the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. We ask that you give strong consideration to whichever alternative will offer the most relief of congestion at PHL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative, enhanced by an Integrated Control Complex, appears to be the most promising. We also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHL. Furthermore, we ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

Finally, we ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of this decade, ultimately causing enormous economic harm to the entire metropolitan area.

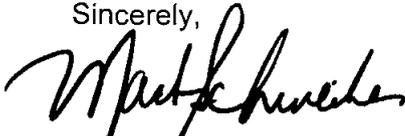
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Marion C. Blakey, Federal Aviation Administration
Page 2

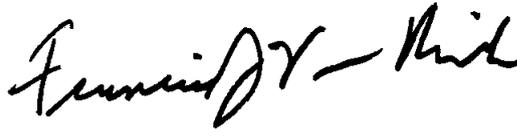
Please be assured that the Greater Philadelphia business community will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Thank you for your consideration in this matter.

Sincerely,



Mark S. Schweiker
Chair
CEO Council for Growth



Francis J. Van Kirk
Vice Chair
CEO Council for Growth

cc: Steve Kelley, Federal Aviation Administration

Names and signatures for the CEO Council for Growth members to follow

Papadakis

Dr. Constantine N. Papadakis
President
Drexel University

Dennis P. Flanagan

Dennis P. Flanagan
President
SML Associates

Tara L. Weiner

Tara L. Weiner
Managing Partner - Greater Philadelphia Region
Deloitte

Michael G. O'Neil
Founder & Chairman
Preferred Real Estate Investments, Inc.

J. William Mills

J. William Mills
President
The PNC Financial Services Group

Frank Baldino, Jr., Ph.D.

Frank Baldino, Jr., Ph.D.
Chairman & CEO
Cephalon, Inc.

Thomas G. Morr

Thomas G. Morr
President & CEO
Select Greater Philadelphia

Joseph A. Frick

Joseph A. Frick
President & CEO
Independence Blue Cross

Anthony J. Conti

Anthony J. Conti
Office Managing Partner
PricewaterhouseCoopers LLP

John J. Brennan

John J. Brennan
Chairman & CEO
The Vanguard Group

Tony P. Zook

Tony P. Zook
President & CEO
AstraZeneca Pharmaceuticals LP

Stephen S. Aichele, Esquire

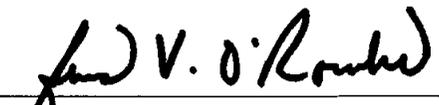
Stephen S. Aichele, Esquire
Chairman
Saul Ewing LLP

Roger J. Dennis

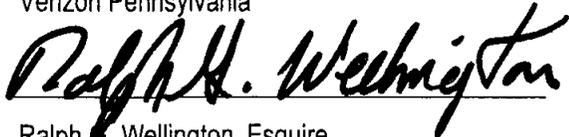
Roger J. Dennis
Provost
Rutgers University - Camden

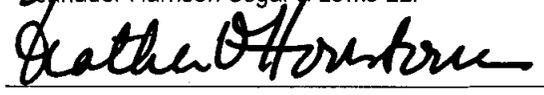
Daniel K. Fitzpatrick

Daniel K. Fitzpatrick, CFA
President - Pennsylvania
Bank of America

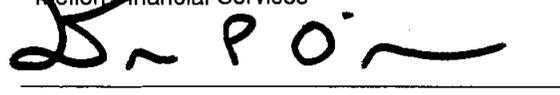

James V. O'Rourke
President & CEO
Verizon Pennsylvania

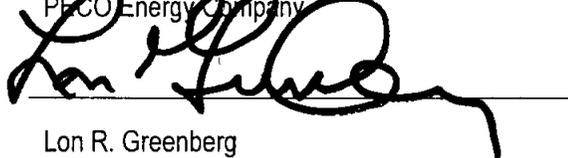

David L. Cohen, Esquire
Executive Vice President
Comcast Corporation


Ralph B. Wellington, Esquire
Chairman
Seznader Harrison Segal & Lewis LLP


Feather O. Houston
President
The William Penn Foundation


David B. Kutch
Chairman & President
Mellon Financial Services


Denis P. O'Brien
President
PECO Energy Company


Lon R. Greenberg
Chairman, President & CEO
UGI Corporation


Joe Natoli
Chairman & Publisher
Philadelphia Newspapers, Inc.

CEO COUNCIL FOR GROWTH

The CEO Council for Growth (CEO Council) is a group of prominent business executives committed to Greater Philadelphia's growth and prosperity. Through high-impact initiatives that lead to high-wage jobs, new business opportunities, and wealth creation, the CEO Council offers a focused, consistent and invigorating approach that sets the regional growth agenda.

The CEO Council brings together top business executives from the region to set and implement an economic development agenda that creates growth in the region and nurtures collaboration among the many economic development interests.

The CEO Council's vision is that Greater Philadelphia will be one of the nation's top business locations by 2010. To achieve this vision, the CEO Council works to:

- Overcome regional fragmentation,
- Position and promote the region as a product, and
- Improve the region by focusing regional attention and effort on mission-critical policy initiatives.

SELECT GREATER PHILADELPHIA

Select Greater Philadelphia (Select) is the economic development marketing arm of the CEO Council. It is dedicated to building the economy of the Greater Philadelphia region by enhancing the region's profile and image in order to attract and retain businesses. Select markets the region nationally and globally in order to establish Greater Philadelphia as a top-tier place to do business. It is a private, non-profit organization.

The CEO Council has identified four sector "clusters" for priority attention. They are: life sciences; information and communications technology; financial and professional services; and, chemicals.

Select works to overcome regional fragmentation through its cooperative working relationships with the economic development representatives in all 11-counties in the Greater Philadelphia region in order to grow the economy and attract business. Those 11-counties are:

- Delaware – New Castle County
- New Jersey – Burlington, Camden, Gloucester, Mercer and Salem Counties
- Pennsylvania – Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

In addition to serving as the central information source for corporate real estate professionals, relocation consultants and corporate executives, Select proactively courts and recruits companies looking to expand and relocate. The organization also facilitates the site selection and incentives process, acting as a liaison between relocation specialists and various economic development entities in our tri-state area.

KEY ACTIVITIES

Marketing

Select Greater Philadelphia has established a comprehensive marketing campaign. Through targeted advertising, an extensive public relations effort and major event promotion, Select tells the story of the Greater Philadelphia region in order to solidify and leverage the region's business brand.

Business Attraction

Select proactively develops relationships with relocation consultants, real estate professionals and corporate executives to prepare and position the Greater Philadelphia region for every opportunity to attract businesses during the site selection process.

Policy Initiatives for Regional Leadership

The CEO Council's product improvement agenda is the result of thorough research that benchmarked Greater Philadelphia's key strengths and weaknesses compared to the regions with whom we compete for jobs and businesses. This analysis identified the four key industry clusters (mentioned above) that drive and define Greater Philadelphia's economy.

The research also uncovered three areas where focusing regional attention, leadership and effort would improve the following mission-critical "products":

- Infrastructure
- Human Capital
- Venture Capital/Private Equity

The CEO Council organizes small groups of executives to provide the vision and clout necessary to create strategies and implement appropriate and measurable tactics to improve these "products".

Community Support

Select has a robust network of strong relationships with regional stakeholders. These include economic development entities, business and community leaders. This network strengthens the fabric of the regional business community and creates greater opportunities for businesses to prosper.

Research

Accurate and up-to-date information is critical for making strategic, cost-effective expansion and relocation decisions. A comprehensive database of the Greater Philadelphia regions attributes enables prospects to easily gain the information and contacts they need to make a smart decision.

Website

Select offers a robust website dedicated to providing key information to real estate professionals, site selection consultants and corporate executives evaluating the Greater Philadelphia region. Located at www.SelectGreaterPhiladelphia.com, the site is filled with comprehensive regional data and statistics in order to help site location professionals analyze demographics and compare regions based on potential customers, suppliers and employees.

Response to Comment 2843: CEO Council for Growth - Mark S. Schweiker, Chair, and Francis J. Van Kirk, Vice Chair

Comment Number	Comment response
1	<p>Redesign of Philadelphia Airspace was an important component of the NY/NJ/PHL project, and two of the alternatives, Modifications to Existing Airspace, and Integrated Airspace included changes as compared to the Future No Action. Optimum benefits for Philadelphia Airport would be reached with the Integrated Airspace Alternative Variation with ICC. A summary of the changes from the Future No Action for the Integrated Airspace Alternative Variation with ICC include: West departure gate expanded to the northwest; new procedures for aircraft heading to the West departure gate, East departure gate is shifted to the east; new procedures for aircraft heading to the East departure gate; west arrival post shifts to the northeast; new distant procedures for aircraft arriving from the West arrival post; new departure headings for aircraft heading to the North, East, West, Southwest, and South departure gates; and an additional route added to the North arrival post. The additional departure headings would allow air traffic control to expedite departures at PHL.</p>
2	<p>Comment noted.</p>
3	<p>The Airport and the FAA are coordinating the ongoing planning for airspace redesign with the planning of runway improvements at PHL. The FAA's separate lines of business (LOB) of Air Traffic and Airports have teams of specialists working on each project; however members of each LOB serve on the other LOBs team to share knowledge on the two projects. In addition, the FAA has other internal procedures in place, such as using a Runway Template Action Planning (RTAP) group, composed of members of every LOB that has an important stake in the runway work, from inception to commissioning, that meets and reviews the project's progress.</p>
4	<p>Comment noted.</p>

Comments on: Metropolitan Airspace Redesign

March 1, 2006

Steve Kelly, FAA NAR
C/o Nessa Memberg
12005 Sunrise Valley Dr. MS C3.02
Reston, VA 20191

In 1989 noise impacts to the Catskill and Shawangunk parklands (Minnewaska Park Preserve and Sam Point Preserve) as a result of the Expanded East Coast Plan occasioned the creation of our citizen group, Ulsterites Fight Overflight Noise as well as the Woodstock focus group. Since that time we have appreciated working with the FAA toward the aim of improving the agency's ability to insure protection of places of natural quiet (as per Grand Canyon legislation in 1987). We have argued at numerous public forums for better assessment and abatement of noise impacts over noise sensitive areas with low ambient noise levels that serve the public need for quiet. Factoring in the intrusiveness and audibility of noise is essential in assessing impacts in these areas. (For example, a mid level intersection in Ulster County creates an adverse impact over a quiet hamlet or over publicly protected parkland but is not noticed over an urban area or over a transportation corridor like the Thurway). Although our area had been included in the scope of the DEIS study and noise measurements of existing background levels were taken at three locations, there are serious deficiencies in the description and assessment of impacts.

We are not able to identify impacts on UC because changes to en route traffic flows further out from the metropolitan area were not identified in the DEIS. This is especially important because mid level intersections as low as 7000 feet altitude in some places are a primary source of impacts in Ulster County. We are not able to determine from the DEIS how the different alternatives will affect the number and the placement of intersections. Moreover, because of low ambient noise levels, the altitude of flight paths is a critical factor in assessing impacts and we do not have indications of how the altitudes of plane arriving into Stewart, Westchester and the metropolitan airports will or will not change as a result of the different alternatives.



Although noise measurements were made in a Catskill park residential area, there were no measurements made over the Shawangunk parklands. The Shawangunk ridge parklands of Minnewaska and Sam's Point are especially vulnerable because of their elevation and proximity to Stewart Airport. The altitude of the metropolitan traffic constrains the altitude of local Stewart and Westchester airport traffic. Analysis of single events is absolutely necessary to assess impacts on the Shawangunk parkland and could have been included in the study with a minimum of effort. We attach a copy of sound recordings done in November 1998 by David Nightingale for the Dan Smiley Research Institute. Lake Awosting is a major destination for hikers in the Minnewaska Park Preserve. It is a quiet and scenic location but, as can be seen, it is heavily impacted by noise: 13 planes in under an hour with impacts that range from 10 to 20 dB above background levels). 10 dB is perceived as a doubling of loudness. This level of impact is problematic because Minnewaska's Park Preserve designation means that it qualifies for a higher level of natural resource protection than the other parks in the New York State system.

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Part 150 methodology remains dominant in the assessment framework of the DEIS although it is inappropriate for the assessment of impacts away from airports. Part 150 assesses noise impacts in terms of their contribution to the total noise environment. It was developed for use around airports where already existing background levels of noise are high yet the DEIS uses its criteria for determining whether the cumulative noise level is high enough to constitute "significant impact" in quiet residential and parkland areas. Applying its use to the assessment of impacts on Lake Awosting would mean that noise was not a significant impact until the increase in total DNL reached 65-75 DNL. The single event analysis cited above indicates that 13 noise events an hour that are perceived as more than twice as loud as the natural background noise is already clearly a problem.

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A related problem of using an averaging methodology at areas away from airports is illustrated by the way changes to noise measurement sites are assessed. In using averaging to assess each alternative's contribution to the total noise picture for the rural residential location monitored in the Catskill Park (i.e. Oliveria), the impacts of the aircraft noise environment are essentially

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averaged out. More specifically, aircraft DNL at the Oliveria site is 23.2 and yet when averaged into the total noise environment disappears since the Total DNL for the site (46.6) is the same as the non aircraft DNL (46.6). This is not an accurate means for assessing the aircraft noise environment at a cite where the maximum sound level of aircraft flyovers ranges from 44.3 to 65.4 dBA and flyovers are more than double the loudness of the parkland setting (i.e. ambient noise estimate is 34.5). To citizens impacted by noise in these rural areas, this methodology appears to average out impacts and negate their effects. This approach coupled with the use of 65DNL as a measure of significant impact is particularly offensive to people who have moved to a rural residential area precisely for its quiet or have moved to an off the road location for its quiet.

9

Use of Part 150 guidelines to assess impact on public parks is noted in ES 6.4. (i.e. “ a property is substantially impaired when the activities, features or attributes of the site that contribute to its significance are substantially diminished”). The assessment of impacts on the Charles Memorial Park uses Part 150 compatibility guidelines to conclude that a park is compatible with noise exposure up to 75 DNL. Certainly this criterion is highly questionable for an urban park where people go to relax and recreate and would be clearly unacceptable for a park in the semi-wilderness setting of Ulster County where quiet is a basis for use. Given the lack of a reasonable and responsible process for assessing impacts on parklands, the EPA Levels document that recommends a DNL < 55dB for outdoor areas in which quiet is a basis for use should be utilized.

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The 5.0 DNL criteria for assessing impacts in the 45 to 60 DNL range from the Part 150 methodology appears arbitrary and inadequate. A 3dB increase in noise represents a doubling of sound energy and is perceived as clearly noticeable by the majority of people in a community noise environment. Since the 3dB criteria is used for assessing impacts in the 60 to 65DNL range where such an increase would be less intrusive given the higher level of background noise what is the rationale for increasing the criteria for areas where the background noise levels are lower and aircraft noise is more intrusive. As a case in point, the increase in noise to the quieter residential and parkland areas of UC was in the order of 3dB (as estimated by Boston Center when it applied the screening criteria to V213) when arrivals to Newark airport were rerouted at

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a lower altitude in 1989 as part of the Expanded East Coast Plan. This increase was clearly noticeable and intrusive (given the low ambient noise) and generated public opposition and the formation of our citizen group.

A lack of understanding of the nature of noise impacts in rural parkland settings and the psychology of noise perception is reflected in Section 4-2. Here the DEIS notes that there is no analysis of noise impacts below 45 DNL from aircraft because ambient noise of the wind can be as great as 45DNL. Placing the noise of the wind in the same category as the sound of aircraft ignores the fact that the noise of wind is an expectable and acceptable aspect of parkland or wilderness setting whereas the noise of commercial air transport is not congruent. Clearly all noise is not equal and it is the meaning of sound that makes it acceptable or makes it (unwanted) noise.

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In order to assess changes in impacts to UC from the different alternatives, we need to know

- a. To what extent will arrivals to metropolitan airports be held higher longer under the various alternatives? Is en route separation decreased from 5 miles to 3 miles only under the ICC alternative in 2011? (Section 2-43)?
- b. How many intersections at altitudes below 15,000 will there be in under the various alternatives?
- c. How will the Stewart traffic and the Westchester traffic interface with the metropolitan traffic under the various alternatives. Most important, what will be the configuration of Stewart, Westchester and metropolitan routes be over the Minnewaska Park Preserve and the Sam's Point Preserve which are both vulnerable to noise impacts on several accounts including elevation, proximity to Stewart and designation as a park preserve (affording it a greater degree of protection that typical parklands.)
- d. What are the implications for Ulster County that the Integrated Control Complex alternative increases average arrival distance under 18,000feet relative to the other alternatives?

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e. What are the implications for Ulster County of expanded west departure gate for Newark (Integrated airspace with and without ICC)?

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f. What are the implications of shifting the north arrival post for Newark to 5 miles south of Stewart for arrivals from the NE and NW, shifting the west arrival post to Greenville NY and splitting Newark arrivals into 2 flows (Integrated Airspace with ICC)?

18

We appreciate the opportunity to comment on the DEIS and are submitting these comment prior to the public meeting in Kingston on April 10 so that your staff can come prepared with information on the above questions that will enable us to asses the changes in impacts to Ulster County from the different alternatives.

Sincerely,

Ulsterites Fight Overflight Noise, Inc.

58 Spongia Rd.

Stone Ridge, NY. 12484

Response to Comment 2850: Ulsterites Fight Overflight Noise, Inc.

Comment Number	Comment response
1	Detailed, block-by-block impacts for Ulster County were made available on the Redesign web site. They show V213 traffic moved somewhat eastward, toward the highway, and the western arrival route to EWR running just south of the southern edge of the Catskills.
2	Comment noted. All aspects of the current design and proposed alternative designs were modeled with rigor over the entire Study Area. The results show no noise impacts as defined by FAA criteria in Ulster county due to any of the alternative designs.
3	The altitudes of Newark arrivals over Ulster county are tightly constrained by crossing traffic to LaGuardia, Boston, and other airports. Though there has been some lateral displacement of several airways, altitudes have not been reduced. However, the location of Stewart does not permit aircraft arriving from the south and southwest to fly any higher. The results show no noise impacts as defined by FAA criteria in Ulster county due to any of the alternative designs.
4	This is correct. Aircraft have a maximum rate of descent for safety, which constrains altitudes many miles from their destination airports. The FEIS includes additional analysis regarding the Shawangunk Ridge State Forest and Minnewaska State Park Preserve.
5	In response to comments received on the DEIS additional 4(f) analysis has been completed. The FEIS includes additional analysis of potential noise impacts on several state owned recreational area, the Shawangunk Ridge State Forest is included in this analysis.
6	The source of the commenter's statistic is unclear, but the analysis of measurements presented in Appendix D indicates that the number aircraft reaching similar thresholds was on the order of 5 - 15 per day for sites in the area of Minnewaska Park Preserve (Sites 1a and 1b). It should be noted that human observations made during the measurement period often included all visible aircraft without regard to their sound level. The overall results of the noise measurements are presented throughout Appendix D.
7	The FEIS includes additional analysis regarding the Minnewaska Park Preserve.
8	In the DEIS potential impacts were assessed for areas with noise levels as low as 45 DNL. This is a much lower level than is considered for typical Part 150 assessments. Modeled aircraft DNL values for each alternative were provided for the entire Study Area. Appendix D indicates that the number aircraft reaching similar thresholds was on the order of 5 - 15 per day for sites in the area of Minnewaska Park Preserve (Sites 1a and 1b) which is clearly less than 13 noise events per hour.
9	The analyses of the measurements taken at Oliveria do include more detail than an aircraft DNL of 23.2. Specifically they show that an average of 3 aircraft events per day reached a sound level of 8 dB above ambient level for 15 seconds or more. Of the aircraft meeting this threshold, the maximum dB level ranged between 44.3 and 65.4 dBA. The averaged aircraft DNL of 23.2 obtained during the measurement period at Site 2 (Oliveria) is an accurate and meaningful reflection of that level of aircraft activity and loudness. While the FAA understands the commenter's expectation for a lower noise level standard for rural residential settings the Federal standard for assessing significant impact for residential land uses is 65 DNL.

Response to Comment 2850: Ulsterites Fight Overflight Noise, Inc.

Comment Number	Comment response
10	<p>According to FAA Order 1050.1E , "The land use compatibility guidelines in 14 CFR Part 150 (Part 150) may be relied upon to determine whether there is a constructive use under section 4(f) where the land uses specified in the Part 150 guidelines are relevant to the value, significance, and enjoyment of the 4(f) lands in question. Part 150 guidelines may be relied upon in evaluating constructive use of lands devoted to traditional recreational activities." The land in the Frank M. Charles Memorial Park is used primarily for baseball fields and tennis courts. Therefore it is appropriate to rely on Part 150 guidelines to evaluate the potential for a constructive impact to Frank M. Charles Memorial Park. FAA Order 1050.1E also states that, "When assessing use of section 4(f) properties located in a quiet setting and the setting is a generally recognized feature or attribute of the site's significance, carefully evaluate reliance on Part 150 guidelines." Therefore, additional analysis was completed for sites in Ulster County and is included in the FEIS.</p>
11	<p>The criteria applied to assess and classify impacts was based on FAA policies and requirements stated in FAA Order 1050.1E. This criterion was generally an adoption of the recommendations made by the FICON (Federal Interagency Committee on Noise) in 1992. Refer to those documents for more information regarding the evolution of the criteria. Predicted aircraft DNL values for each alternative were provided for the entire Study Area regardless of whether they met the FAA impact criteria.</p> <p>While use of DNL has often been the subject of controversy in airport noise studies, its use has also been the subject of scrutiny by government agencies. In their 1992 report, the Federal Interagency Committee on Noise (FICON) group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. The EPA "Levels Document" identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)." Finally, it should be noted that the findings of the 1992 Federal Interagency Committee on Noise (FICON) report reaffirmed the use of the DNL metric and the use of 65 DNL for land use compatibility.</p> <p>In consideration of the public response to past air traffic changes, the FAA has expanded its area of consideration beyond that of the Part 150 guidelines down to the 45 DNL. The agency has identified a threshold of a +5 DNL change (between 45 and 60 DNL) to identify slight to moderate changes at lower levels. The results of the changes in noise that meet this threshold are thoroughly documented in the DEIS.</p>
12	<p>45 DNL was chosen as the minimum threshold for categorizing noise impacts based on FAA Order 1050.1E. Predicted aircraft DNL values for each alternative were provided for the entire Study Area regardless of whether they met the FAA impact criteria. Additional 4(f) property analysis was completed for development of the FEIS in an effort to address commenter's concerns.</p>

Response to Comment 2850: Ulsterites Fight Overflight Noise, Inc.

Comment Number	Comment response
13	If the question actually means “held”: There will be much less of it in the Integrated Airspace Alternative Variation with ICC, because the geographical range of the ICC will make other means of delay absorption more effective. When holding is necessary, though, it will still be close in at low altitudes. If the question refers to altitude profiles in general: Arrivals will generally not be kept at higher altitudes much longer in any of the alternatives, compared to Future No Action. The design team judged that expediting departures was more critical, so the expanded airspace was used for that purpose instead. For the exceptions, see the chapter on “Continuous-Descent Arrivals” in the Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS. En-route separations may be reduced in any of the Alternatives. It was explicitly called out in the ICC variation because it will be required for those routing changes. (Note that reduced en-route separations will not mean that arriving aircraft come closer together – if two arriving aircraft are less than 5 miles apart when they’re above 10,000 ft, they will be too close together when they get to the runway.)
14	A complete answer to this question is not possible at this point in the process of an airspace design, since it will depend on the details of the procedures that implement the design. An approximate answer at this point in the process is to count the number of points where aircraft turn or level off, which is closely related to the intent of the question. No Action: 8827; Modifications: 8418; Ocean: 4689; Integrated (without ICC): 8765; Integrated with ICC: 8497.
15	On the west side, Westchester County Airport (HPN) will maintain its current arrival patterns under all but the Integrated Airspace Alternative. For the Integrated Airspace Alternative Variation without ICC, HPN arrivals on the north and west side are the same as No Action Alternative. For the Integrated Airspace Alternative Variation with ICC, the track moves north and east to accommodate the changes to EWR arrival routing. On the east side, the Integrated Airspace Alternative shortens the BOUNO approach for both variations. Stewart (SWF) will continue to avoid NY Metro traffic, as it does today. Under Integrated Airspace Alternative Variation with ICC, SWF traffic will fly the same ground track as HPN over Ulster County.
16	None. That metric increases because the downwind path for Newark Liberty International Airprt (EWR) arrivals is moved west, opening up airspace for arrivals to land on both parallel runways. Aircraft do not begin that procedure until they are past Ulster County. Noise implications for each alternative as a whole can be determined based on the noise impacts that were presented in the DEIS.
17	Very few implications. In rare cases (today and in the Future No Action Alternative), aircraft departing EWR and Teterboro (TEB) are vectored north for spacing out the west gate. This will be less necessary in all the alternatives, but this is quite a few miles south of Ulster County. There are no noise implications for Ulster County due to the expanded west departure gate in question.
18	Implications for each alternative as a whole can be determined based on the noise impacts that were presented in the DEIS. Furthermore, the detailed noise spreadsheets provided by FAA on the project Web Site allow for the specific review of noise levels associated with each Census block throughout the Study Area. This tool allows for a detailed comparison of the implications of any alternative at any location in the Study Area. There are no specific implications for this area due to the increases in arrival distance cited in the operational analysis.



Riverside Drive Association

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Immediate Past President
James V. Fusco
(1929-2003)

March 9, 2006

President

Richard D. McOmber

First Vice President

Kimberly Warman

Steve Kelley, FAA-NAR
c/o Nessa Memberg
12005 Sunrise Valley Road, C302

Second Vice President

Michael J. Boylan

Reston, VA 20191

Secretary

Christopher S. Colman

RE: Draft Environmental Impact Statement
For New York, New Jersey, Philadelphia
Metro Area
DEIS

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Linda R. Ward

Dear Mr. Kelley:

The Riverside Drive Association was formed 82 years ago. Through the ensuing years, it has evolved into an organization of some 250 families who work together to preserve the quality of life we have come to enjoy in this area.

The families represented by the Riverside Drive Association live on the north side of the Navesink River in Middletown, New Jersey. As a result, a number of our Trustees attended the presentation of the FAA held on March 1, 2006 at the Holiday Inn in Tinton Falls, New Jersey. In addition, there were representatives of Hartshorne Woods Association representing approximately 100 families and representatives of Monmouth Hills Incorporated representing approximately 40 families. Present also were a number of interested parties that live in other areas in Monmouth County *e.g.* Fair Haven and Rumson, New Jersey. For instance, the Mayor of Rumson was present.

The presentation commenced with an extremely generic public relations film that showed pretty pictures of planes and airports of which all of us are aware. We were then asked to adjourn for approximately one hour to look at various exhibits presented by the FAA and explained by professionals engaged by the FAA as well as employees of the FAA *e.g.* flight controllers. Some of the discrepancies noted on the exhibits that were determined by the undersigned during the one hour presentation include, but are not limited to the following:

1. First with respect to Figure 2.2 (I attached) which shows the present

Steve Kelley, FAA-NAR

March 9, 2006

Page 2.

inbound traffic into Runway 13 at Kennedy, it does not show any of the traffic going over Monmouth County. This is obviously in error as was demonstrated by the engineers in the center of the room when I viewed all of the tracks of incoming aircraft going over the land including, but not limited to Rumson, Fair Haven, Red Bank, Middletown and the Bayshore. In fact, the tracks were so frequent the whole area was blacked out.

2. The same is true of Figure 2.25 (II attached) which shows the proposed arrivals into Kennedy on Runway 13 which similarly shows no arrivals traversing over Monmouth County. This is in error for the same reasons as set forth in 1 above.

3. One of the charts (unlabeled) that was shown during the one hour presentation purported to show the incoming traffic over the Monmouth County area into Kennedy. It showed the traffic at 8,000 feet over the Navesink River in Monmouth County. This was obviously in error as was acknowledged by the person explaining the chart. When I went back to the engineers in the center of the room and checked the computer elevations, the elevations over the Navesink River are as low as 1,500 feet and average in the area of 2,500 feet. Therefore, that chart too was in error.

I did not have time to check all of the charts but if the charts are in error, how can the conclusions be correct? I was told by several FAA representatives that the charts were not meant to be accurate but they were merely to show a layman the center of the flight paths. Of course, as the vast majority of people looking at the charts are laymen, why do not the charts show the actual conditions as opposed to representative conditions? For instance, to show the Mayor of Rumson and representatives of 400 families from the north side of the Navesink River in Middletown that no aircraft arriving at Kennedy fly over Monmouth County is ludicrous. It brings into question the veracity of the study and the value added that the FAA has gained from its paid professionals.

Neither the film nor the presentation was oriented towards Monmouth County. In other words, I would assume that the same presentation is made for Monmouth County, southwest of the Philadelphia airport and northeast of the Kennedy Airport. I believe the hearings should have been devoted in part to Monmouth County. When the question was asked during the later question and answer period as to which of the proposals would be best for Monmouth County, obviously there was no answer.

During the one hour period, a significant number of people left and did not return for the question and answer period. I believe this was intended to try to reduce the size of the audience before any questions were asked of the representatives and professionals of the FAA.

The DEIS report spoke in terms of DNLs rather than decibels at ground level. Apparently the DNL formulation is old and has been varied many times. When aircraft noise is averaged over a 24 hour period, it becomes almost meaningless. The question is not what is the average over a 24 hour period but rather what is the noise level on the ground in Rumson, Fair Haven, Red Bank, Middletown and the Bayshore when planes are arriving at Kennedy at less than 2,500 feet. I believe this fact in combination with any other facts reflects that the emphasis of the FAA is to accommodate as many arrivals and departures as possible into and out of the major airports in the Philadelphia, Newark and New York areas rather than considering with equal diligence the impact on the people living within the flight paths. To use a day/night average over a 24 hour period as opposed the decibel level at ground level of 10 or 15 flights arriving at 1,500 feet during a short amount of time is not truly reflective of the level of noise.

4. There was no discussion using Runway 22 for arrivals which I understand can be used in lieu of Runway 13L and would reduce the noise over Monmouth County. Due to the limited time of questioning and the very strict structuring of the questioning, I was not able to ask this question.

Several questions were asked about ocean routing and it is my understanding that ocean routing from Newark Airport is not high on the alternative list that may be accepted by the FAA. I assume the same is true of Kennedy Airport. To expect planes to leave either Newark or Kennedy and make a sharp left bank over the Raritan River and out across the Raritan Bay to the Atlantic Ocean is virtually impossible. As air traffic increases, the arcs will get wider and wider and we will now have a significant amount of departing traffic over Monmouth County in addition to the incoming traffic into Kennedy.

In short, I found the presentation almost valueless and where the other members of Riverside Drive Association and I were knowledgeable of particular facts, they were not accurately presented by many of the charts and the verbiage. As stated above, the presentation was not oriented to our area in any respect whatsoever.

Finally, the official notice that was received by Riverside Drive Association was received on Monday, February 27th for a hearing that held on Wednesday, March

Steve Kelley, FAA-NAR

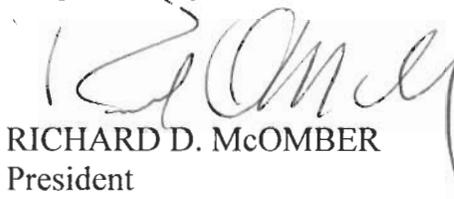
March 9, 2006

Page 4.

1st. While there had been earlier notices in the newspapers about the date of the hearing, and perhaps even the location, the mailed notices did not give sufficient notice of the meeting.

Accordingly and in summary, before the FAA adopts the final EOS which, if adopted in for implementation in 2007 is only meant to be viable until 2010, I believe a final public hearing should be held with better notice, better charts and a better orientation to the particular audience. I do not believe that the Tinton Falls hearing fulfilled the legal requirements for same.

Respectfully yours,



RICHARD D. McOMBER
President

RDM/jmh

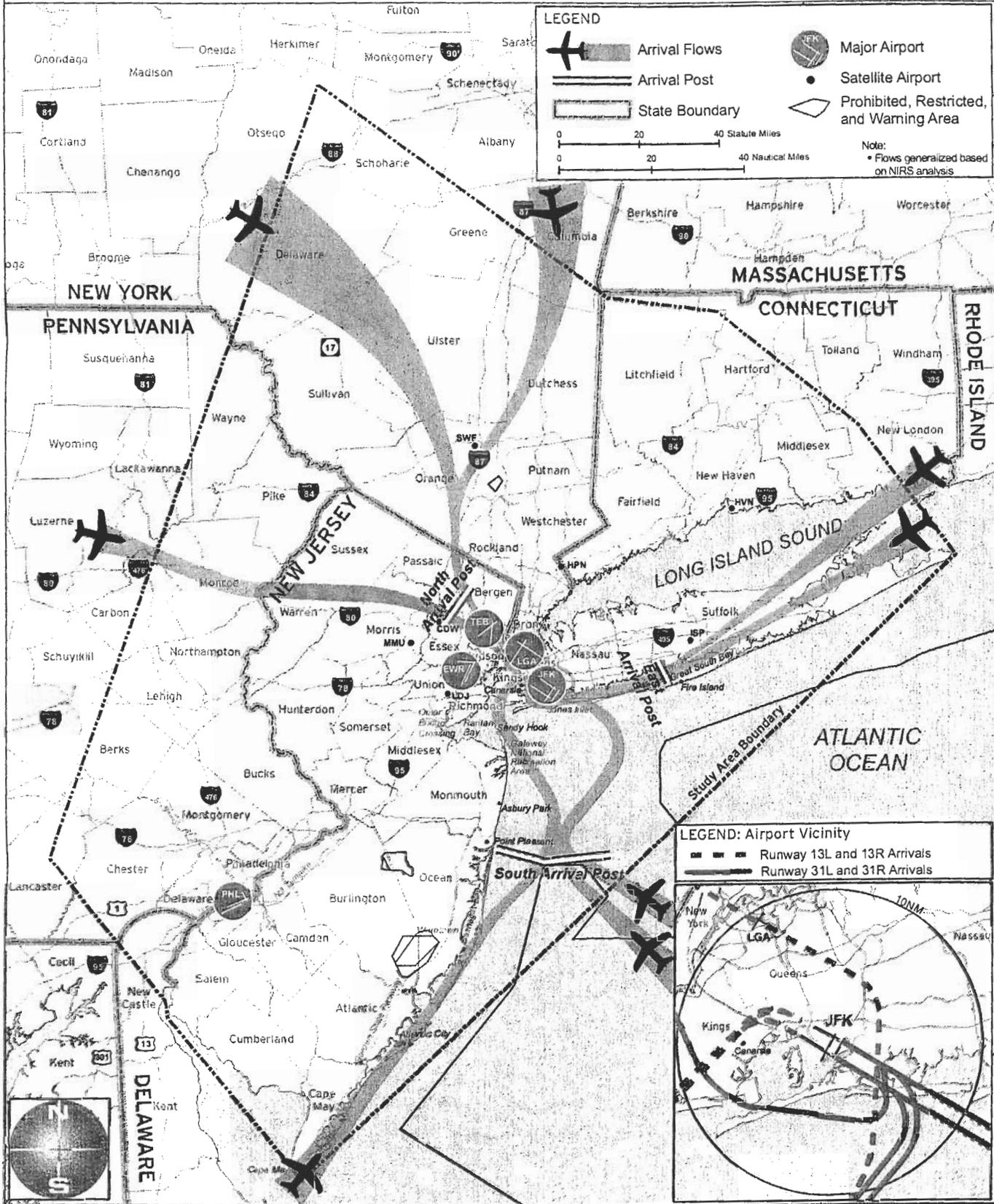
cc: Honorable Frank Lautenberg
Honorable Robert Mendez
Honorable Frank Pallone
Honorable Rush Holt
Honorable John E. Ekdahl, Mayor of Rumson
Honorable Joseph J. Szostak, Mayor of Fair Haven
Honorable Thomas G. Hall, Mayor of Middletown
All Trustees
Monmouth Hills Incorporated
Attention: Mark Stewart, President
Hartshorne Woods Association
Attention: Timothy Shaheen, President
Attention: John Lewis, Vice President



Future No Action Airspace Alternative JFK Major Arrival Flows

Figure 2.2

DRAFT ENVIRONMENTAL IMPACT STATEMENT



Response to Comment 2851: Richard D. McOmber, President, Riverside Drive Association

Comment Number	Comment response
1	The figures in chapter two were graphical renditions of the major jet traffic flows into and out of the major runways at each of the five major study airports. The study team's intent was to present only the major traffic flow changes in the displays. There was no flight track dispersion included or overflights in order to keep the graphics from becoming unreadable, since these are static displays. On the other hand, the computer displays in the center of the room have all of the tracks that were modeled (both major and minor runways and overflights) and can be dynamically filtered in order to display specific airport traffic to the public.
2	The chart titled "Major Air Traffic Pathways- Existing South Flows" did display a turbo prop arrival track that should be at 4000ft. over the Navsink River area of NJ. This track only represents on average one turbo prop flight per day.
3	The only chart found to be in error was the one noted in the comment above. As stated earlier the charts represented only major backbones or the centerline flows of the flight tracks into specific runways. If all of the tracks and dispersed subtracks were displayed going to all of the runways at all of the airports then the charts would become too cluttered to read. Where accuracy is required, such as the noise modeling input, all of the backbones and associated subtracks were identified, reviewed by FAA Air Traffic personnel and loaded into the NIRS model in order to generate the resultant noise impact displays. This process of track location verification took several months to complete and is one of the most thorough data assurance processes ever undertaken by the FAA Air Traffic Division. None of the charts displayed at the meetings were used to develop inputs to the noise model.
4	The FAA conducted 30 public meetings at locations throughout the Study Area. The same display boards were used for all of these meetings to provide an overview of the entire project. Although these display boards were not specific to the public meeting site, several resources were available to describe potential airspace changes and impacts to the area where the public meeting was held: Air traffic specialist with experience in controlling air traffic over the specific public meeting location were present to discuss specific airspace changes, noise specialist were available to discuss the potential specific noise changes, computer modeling information for the specific area was presented on the monitors at the Modeling Station, and Noise Exposure Tables with noise exposure values resulting from each of the alternatives for each census block in the Study Area were posted on the project website.
5	In developing the alternatives the FAA sought to consider the overall Study area and thus the best option for Monmouth County was not considered specifically. Since noise values and changes vary throughout the county, this question is better addressed on the census block level. Spreadsheets of calculated noise exposure levels for each census block within the Study Area were available on the project website. Individuals may use these spreadsheets to determine the potential noise change resulting from each of the alternatives on their census block.
6	One of the goals of the public meetings was to answer individual questions in an expeditious manner to ensure everyone attending would have an opportunity to ask their questions. Therefore, stations were set up and staffed with several personnel, including those on the question and answer panel, to answer individual questions. Everyone was welcome and encouraged to stay to ask additional questions of the panel in the group setting.

Response to Comment 2851: Richard D. McOmber, President, Riverside Drive Association

Comment Number	Comment response
7	<p>DNL values are expressed in decibels and do represent noise at ground level. An average noise metric such as DNL takes into account the noise levels of all individual events that occur during a 24 hour period, as well as the number of times those events occur. The DNL metric also accounts for the time that events occur by applying a 10 dB penalty to noise events which occur during nighttime hours (10pm-7am). As discussed in the following examples, the logarithmic nature of decibels causes noise levels of the loudest events to control the 24-hour average. Consider a 24-hour period during which a single aircraft flyover occurs in daytime and creates a sound level of 100 dB for 30 seconds. During the remaining 23 hours and 59.5 minutes of the day, the background sound level is low. The DNL for this 24-hour period is 65.5 dB. As a second example, consider another 24-hour period during which a total of ten similar flyovers occur. If all of the flyovers occur during daytime hours, the DNL for the 24-hour period would be 75.5dB. If all of the flyovers occurred at night, the DNL would be 85.5 dB. Clearly, the averaging of noise over a 24- hour period does not ignore the louder single events, and the DNL metric includes consideration of both the sound level of individual events, the number of those events, and the time of day at which they occur.</p>
8	<p>The purpose of this project is to increase efficiency and reliability of the air traffic system through the adjustment of traffic flows in the NY, NJ, and PHL areas to accommodate new technologies and reduce delays. This EIS includes environmental impact analysis to evaluate impacts to the people and environment within the Study Area as per NEPA requirements.</p>
9	<p>In the 1992 FICON report, the group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. The EPA "Levels Document" identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)."</p>
10	<p>When JFK is handling high arrival demand and conditions do not permit operations on Runway 31L/R, Runways 13L and 22L are both used for arrivals (see Appendix C). Using Runway 22L by itself is a low-capacity configuration that will not support higher demand.</p>
11	<p>The Ocean Routing Airspace Alternative proposes significant changes to both EWR and JFK departures. It also included a new JFK arrival post. Although the Ocean Routing Airspace Alternative did not meet the purpose and need for the project, this alternative was retained for detailed analysis with along with the Future No Action, Modifications to Existing Airspace and Integrated Airspace Alternatives. As of the publication of the DEIS, the FAA had not identified a Preferred Alternative. After receiving comments on the DEIS, the FAA has identified the Integrated Airspace Alternative as its Preferred Alternative.</p>

Response to Comment 2851: Richard D. McOmber, President, Riverside Drive Association

Comment Number	Comment response
12	<p>This analysis is correct, but two addenda are necessary. First, arrival traffic to LaGuardia is already in that airspace. Since there is not much room to maneuver in the face of LaGuardia arrivals, some delays that might be handled in the air by this method will be pushed back on to the ground at EWR and JFK. Second, if the departure paths were defined via precision area navigation, the arcs would be identical, and there would be no room to maneuver at all.</p>
13	<p>The FAA conducted 30 public meetings at locations throughout the Study Area. The same video and display boards were used for all of these meetings to provide an overview of the entire project. Although the video and display boards were not specific to the public meeting site, several resources were available to describe potential airspace changes and impacts to the area where the public meeting was held: Air traffic specialist with experience in controlling air traffic over the specific public meeting location were present to discuss specific airspace changes, noise specialist were available to discuss the potential specific noise changes, computer modeling information for the specific area was presented on the monitors at the Modeling Station, and Noise Exposure Tables with noise exposure values resulting from each of the alternatives for each census block in the Study Area were posted on the project website.</p>
14	<p>Comment Noted.</p>
15	<p>Formal public hearings are not a legal requirement under the National Environmental Policy Act, only a formal 45 day comment period is required. The public workshop held in Tinton Falls, NJ was held to go beyond legal requirements and foster open public discussions between the FAA and communities prior to the development and release of the Final EIS.</p> <p>The FAA held public meetings on the noise mitigation proposals in Spring of 2007 as well as accepted comments on the Noise Mitigation Report included as Appendix P of the FEIS. These public meetings for the Noise Mitigation Report focused on specific geographic areas that will be the most effected by the mitigation proposals.</p>

2006 NY/NJ/PHL Public Meeting

Spfld.

COMMENTS

Mr. Mrs. Ms. WAYNE GRISTON
First Name Last Name

CRANFORD AIRPLANE NOISE COMMITTEE
Affiliation/Organization/Agency

10 MOSS LANE
Address

CRANFORD NJ 07016
City State Zip

(973) 735-2675 WGLAW2@CS.COM
Work Phone E-Mail Address

All comments are welcome concerning the NY/NJ/PHL Metropolitan Airspace Redesign Project. The formal Comment Period ends June 1, 2006. Please print neatly and clearly.
Thank you!

In the late 1980's, the ~~Expanded~~ East Coast Plan made life in our community intolerable. It was impossible to conduct conversations, keep windows open, hear television or radio, or be outside in the yard. We do not deserve to be treated this way again. The effect on people's lives, communities, property values and safety are given little or no weight in a study that is predisposed to favor efficiency, increased traffic and reduced delays. The cost of these supposed benefits should be borne by the industry & its users, and not the general public. Ocean routing is the only equitable choice to reduce the effects of increased traffic. New technologies can make such a route, over industrial areas & waterways, more efficient and productive, without ruining the lives of people under these proposed flight paths.

IF MORE SPACE IS NEEDED, PLEASE USE FLIP SIDE

Mail your Comment Sheet to: Steve Kelley, c/o Nessa Memberg, 12005 Sunrise Valley Road, MS C3.02 Stop, Reston, VA 20191 or email to Faa.deis@ngc.com

2902

Response to Comment 2902: Wayne Greenstone, Cranford Airplane Noise Committee

Comment Number	Comment response
1	Comment noted.
2	<p>The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. The forecasted increases in air traffic are independent of whether any of the Airspace Alternatives are implemented. Several of the criteria used to evaluate the alternatives were directly related to safety; reduce airspace complexity, reduce voice communications, balance controller workload and increase flexibility in routing. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated potential environmental impacts. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. Section 3.4 of the DEIS presents the beneficial employment and economic impacts of EWR, LGA, and JFK. According to the Port Authority of New York and New Jersey these airports employ 67,000 people and contribute \$48.2 billion in economic activity to the NY/NJ metropolitan region generating some 435,000 jobs and \$16.9 billion in wages.</p>
3	<p>Comment noted. All of the Alternatives including the Ocean Routing Alternative result in both increases and decreases in noise exposure when compared to the Future No Action Airspace Alternative.</p>
4	<p>Current RNAV procedures will not undo the inefficiencies that would be caused by ocean routing during busy periods. Precision navigation using radius-to-fix turns could undo some of the large ground delays at EWR that ocean routing would cause, but the increased route lengths still make the ocean routing alternative a step in the wrong direction for safety and efficiency. Details can be found in the Ocean Routing section of the Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.</p>

Location: Sprfld

2006 NY/NJ/PHL Public Meeting

COMMENTS

GORDON HAAS
Mr. Mrs Ms. First Name Last Name

GREATER ELIZABETH CHAMBER OF COMMERCE
Affiliation/Organization/Agency

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Address

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(908) 355-7600 grec@jvnj.com
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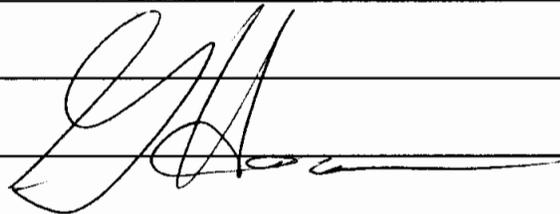
All comments are welcome concerning the NY/NJ/PHL Metropolitan Airspace Redesign Project. The formal Comment Period ends June 1, 2006. Please print neatly and clearly .

Thank you!

On Behalf of the Greater Elizabeth Chamber of Commerce

We realize that as Elizabeth businesses we have little choice but be affected by what ever choice is made. Since all approach from the South or Take off to the South Pass over our City. The Changes in Noise Level since Stage 3 Planes began to fly in+ out of Newark have been significant. Ocean Routing is a totally non-viable choice.

It is our belief, that status quo regarding noise is best alternative



IF MORE SPACE IS NEEDED, PLEASE USE FLIP SIDE

Mail your Comment Sheet to: Steve Kelley, c/o Nessa Memberg, 12005 Sunrise Valley Road, MS C3.02 Stop, Reston, VA 20191 or email to Faa.deis@ngc.com

2904

Response to Comment 2904: Gordon Haas, Greater Elizabeth Chamber of Commerce

Comment Number	Comment response
1	Comment noted.
2	Comment noted.
3	Comment noted.
4	Comment noted.

Location: Spilled

2006 NY/NJ/PHL Public Meeting

COMMENTS

ROBERT HOEFLER
Mr. Mrs Ms. First Name Last Name

CRAWFORD CHAMBER OF COMMERCE
Affiliation/Organization/Agency

8 SPRINGFIELD AVE
Address

CRAWFORD NJ 07016
City State Zip

(908) 272-6114 CRAWFORD CHAMBER OF COMMERCE
Work Phone E-Mail Address

All comments are welcome concerning the NY/NJ/PHL Metropolitan Airspace Redesign Project. The formal Comment Period ends June 1, 2006. Please print neatly and clearly .
Thank you!

For 75 years I lived in Union Co - 60 of these years I remember noise from the planes - Union County has 500,000 residents in 37.9 sq. miles or 13,777 per sq. mile. I know the odds are high that a plane will CRASH - But the odds were also high that the Levys in New Orleans would never break. A jumbo jet crash will take up at least 1 sq. mile of damage or 13,777 people could lose their lives. Why not route the planes over a area with less population. The Crawford Chamber has worked hard to make Crawford #13 in NS. per April NS. Monthly Magazine I would hate to see all this go for nothing with these new routes - Please call me.

Hoeller

IF MORE SPACE IS NEEDED, PLEASE USE FLIP SIDE

Mail your Comment Sheet to: Steve Kelley, c/o Nessa Memberg, 12005 Sunrise Valley Road, MS C3.02Stop, Reston, VA 20191 or email to Faa.deis@ngc.com

2909

Response to Comment 2909: Robert Hoeffler, Cranford Chamber of Commerce

Comment Number	Comment response
1	Nothing analyzed in any of the alternatives reduces the safety of the system in any way. Maintaining or increasing system safety was one of the key elements of the purpose and need of this project.

Response to Comment 2924: Kevin Campbell, Cranford Aircraft Noise Advisory Committee

Comment Number	Comment response
1	<p>The noise measurements taken for this study are not the basis of the noise analysis or the evaluation of environmental impacts. They intended only to provide a general context for reference for those that are interested when considering the noise modeling results. These measurements only represent a finite time frame and are not inclusive of all conditions at all areas near the measurement sites. Changes in noise levels associated with each of the alternatives are solely based on the computations from the NIRS noise modeling and do not include any influence from the field noise measurement program and it is these results that the decision makers will consider when developing the Record of Decision for this project.</p>
2	<p>In the past, prior to the passage of the National Environmental Policy Act, agencies often made their decisions based only on technical and cost decisions. The purpose of the NEPA process is to provide environmental considerations of alternatives for decision makers so that they can examine those along with other technical considerations such as cost, which may be provided to the decision makers from other sources. A cost-benefit analysis is not required by CEQ regulations. While some federal agencies include a cost-benefit analysis in the EIS to complete their administrative record regarding the justifications for making a decision on the proposed action, this goes beyond the requirements of NEPA. For purposes of complying with NEPA, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations, such as quality of life factors. For these reasons, the FAA did not include a cost-benefit analysis as part of this EIS project, and therefore one was not included or incorporated by reference into the Draft EIS.</p>
3	<p>The Future No Action Alternative represents the operation of the airspace under existing or baseline (2000) conditions, including procedural changes that have already been implemented. Noise levels for each of the Alternatives are compared to the levels under the Future No Action Alternative, and the corresponding changes (which are characterized as impacts) are summarized in tables and diagrams within the DEIS. Predicted aircraft DNL values for each alternative were provided for the entire Study Area.</p>
4	<p>For each of the areas which were categorized as potential impacts, the causes of the potential impacts were detailed in Chapter 4 of the DEIS and Appendix E, Section 4. The causes included specific procedural changes at specific airports.</p>



THE CATSKILL CENTER

for Conservation and Development
and The Erpf Gallery

Healthy Ecosystems, Vibrant Communities

March 23, 2006

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Steve Kelley, FAA
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Dear Mr. Kelley;

Please accept these comments from The Catskill Center for Conservation and Development in regard to the New York/New Jersey metropolitan Area Airspace Redesign Draft Environmental Impact Statement (DEIS).

The primary concern of our organization, related to airspace redesign, is overflight noise in the Catskill region. As we pointed out in letter on this issue in December 1999, the Catskill mountain region is a place characterized by small, unique hamlets and large tracts of public land. The nearly 300,000 acres of Forest Preserve lands located within the Catskill Park is a wilderness area in close proximity to millions of people in the NY/NJ metropolitan area and Hudson Valley region, and is a truly important and accessible place for people to come to find natural seclusion and outdoor recreation opportunities. Maintaining the wilderness experience of the Catskill Forest Preserve, and other important natural areas within our region such as the Shawangunk Ridge, is a goal of The Catskill Center, the New York State Department of Environmental Conservation, and many others.

We continue to maintain that overflight noise in the central Catskills should be minimized or eliminated to the greatest extent practicable, and flight paths over the central Catskills should be shifted over developed corridors where greater levels of background noise levels are already present. People continually to come to the Catskills from all over New York and elsewhere for quiet seclusion. Those who make the effort to hike to the top of a tall mountain, or to make a living in this beautiful rural area, should be able to enjoy as natural of an experience as possible - something that so few places these days are able to offer.

The text, tables, and figures in the Airspace Redesign DEIS seem to indicate that overflight noise levels in the Catskill region in general, and in upstate New York protected areas in particular (Section 4(f) properties), will not be significantly increased under the alternatives considered. There still remain, however, at least three or four flight paths (under the proposed Integrated Plan) that directly cross over the central Catskill High Peaks region and the Shawangunk Ridge. We were unable to determine what elevation the planes flying these routes would be traveling at over this area, and we would like to know if there is any potential for shifting these routes so that they do not cross over some of the most sensitive and natural locations in New York State. Particular attention should be given to moving flight path intersections from over sensitive rural and wilderness areas. If rerouting flight paths away from wilderness areas (particularly the Catskill park and the Shawangunk Ridge) is not possible, then the number of flights over these areas should be minimized and kept to the maximum possible altitude.

P.O. Box 504 • Route 28 • Arkville, NY 12406-0504 • 845-586-2611 • Fax: 845-586-3044

Email: cccd@catskillcenter.org • www.catskillcenter.org

2992



We are also skeptical that the noise threshold levels used to gauge whether or not there would be a significant noise impact are adequate or appropriate for quiet, wilderness settings where even small increases in man-made noises are noticeable and intrusive to visitors and residents. Different standards should be used for wilderness areas with low background noise levels and low noise “expectations” than for more sub-urban or urban areas where background noise levels are elevated and common.

Thank you for considering the concerns and suggestions of our organization, and the people represent who care deeply for the natural integrity of the greater Catskill region. As the FAA continues this process of redesigning the air space routing for the New York/New Jersey/Philadelphia metro area, that the decision makers take into account the intense need to maintain the integrity of the few important natural places that we have left in the northeast.

Sincerely,

A handwritten signature in black ink, appearing to be 'Christopher Olney', written over a horizontal line.

Christopher Olney
Director of Conservation

Response to Comment 2932: Christopher Olney, Director of Conservation, The Catskill Center for Conservation and Development

Comment Number	Comment response
1	Comment noted.
2	There are no significant impacts projected in the Catskill region for any of the airspace alternatives.
3	The main southbound route to EWR, which is slightly east of its current location, will have aircraft about 18,000 ft as they cross the Greene County line. The aircraft are descending, and merge with the arrivals from the west at 12,000 ft, about four miles north of the Orange County line. Additional analysis was completed for specific DOT 4(f) properties for the FEIS for the Preferred Alternative; Shawangunk Ridge State Forest was one of the state parks analyzed.
4	Comment noted.
5	Comment noted. Additional analysis was completed for specific DOT 4(f) properties for the FEIS for the preferred alternative, management plans and park uses were considered in this analysis.
6	The FEIS includes additional analysis regarding the Catskill Forest Preserve and Shawangunk Ridge State Forest.

Memberg, Nessa

From: Jeffrey G. Vermeulen [JeffV@delcochamber.org]
Sent: Thursday, March 30, 2006 3:43 PM
To: FAA DEIS
Subject: Philadelphia Airspace Redesign Testimony
Attachments: Airport Testimony.pdf

To Whom It May Concern:

Please find the enclosed attachment regarding our President's testimony for the proposed Philadelphia Airspace Redesign plan. A hard copy of this has been mailed to the FAA.
Do not hesitate to contact me with any questions in this regard.

Thank you for your attention to this matter.

Jeffrey G. Vermeulen
Executive Vice President
Delaware County Chamber of Commerce
602 E. Baltimore Pike
Media, PA 19063

www.delcochamber.org

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No virus found in this outgoing message.
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Version: 7.1.385 / Virus Database: 268.3.3/296 - Release Date: 3/29/2006

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Checked by Excelmicro.com

3/31/2006

002965



Delaware County Chamber of Commerce

Serving the Region

March 30, 2006

On behalf of the Delaware County Chamber of Commerce, and our 3,200 business members, I would like to thank the officials from the Federal Aviation Administration for allowing us the opportunity to offer testimony in regards to the runway extension project at the Philadelphia International Airport. Receiving feedback from all stakeholders impacted by the airport is in the opinion of our Board of Directors, the best and only way to move this project forward in a manner sensitive to the needs of all of us. With more than half of the airport's property located in Delaware County, and a number of county businesses relying on the airport everyday, it is our responsibility to stand with our organizations and communities concerned about the future of the airport.

In addition to our thriving business community, our region is home to many of the nation's finest academic institutions, health care facilities, cultural venues, and historical landmarks. A well functioning, world class airport is absolutely critical to our ability to sustain and grow the Greater Philadelphia region. To that end, the Chamber urges the formation of a Regional Airport Authority to direct the future growth of this all important resource.

We unfortunately find ourselves in agreement with the FAA's determination that Philadelphia International Airport is not performing as well as it needs to. For many of us, delays at the airport are nothing new. That being said we're pleased to see the runway expansion projections positively impact the average delay time for our flights.

Our understanding of the need for and support of the runway expansion and subsequent flight rerouting are not without concerns. The neighboring communities and businesses in Delaware County are already enduring the harmful aspects of being in close proximity to the airport. Additional flight activity over these residential communities will add further negative impact on the quality of life for these towns.

It is our understanding the flights can be routed in specific ways to alleviate some of these issues. We sincerely hope the FAA will take these concerns into account before making their final decision.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Jack Holefelder'.

Jack Holefelder
President

602 East Baltimore Pike • Media PA 19063 • 610-565-3677 • FAX: 610-565-1606
www.delcochamber.org

Response to Comment 2965: Jack Holfelder, President, Delaware County Chamber of Commerce

Comment Number	Comment response
1	The establishment of a Regional Airport Authority for Philadelphia Airport would be a local, not Federal, matter. The FAA would neither promote nor influence the formation of such an Authority as that decision should rest with the local citizens.
2	Comment noted.
3	The FAA recognizes the quality of life issues impacted by aviation activities. In the Draft EIS, the FAA described to the public the general mitigation strategies that it would attempt to apply to whichever alternative it ultimately selected as the preferred. Those general mitigation strategies included: (1) use of continuous descent approach (keeping aircraft on a higher altitude flight path at lower engine power levels for a continuous steady descent to landing, which lowers noise levels on the ground at certain distances from the airport); (2) nighttime noise abatement procedures; (3) additional use of water/industrial areas and proposed flight track refinements; (4) sound insulation of impacted buildings with educational or medical uses (this would require airport sponsorship and would be outside the control of FAA). The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.

Wilmington
March 28, 2006

FAA Public Hearing – NY/NJ/PA Airspace Redesign
Tuesday, March 29, 2006

Philadelphia Airport Air Traffic and Quality of Life Issues Action Group
Oral Statement for the Record

Good evening, my name is Bill McGlinchey and I am here tonight as the Chair of the Philadelphia Airport Action Group. The Action Group is a collaborative effort among local and state government officials and our congressional delegation to address ongoing quality of life issues related to air traffic over northern Delaware.

As expressed on several occasions, the quality of life enjoyed by the residents of Delaware's communities and neighborhoods has been adversely impacted by increased air traffic at the Philadelphia Airport.

The Action Group encourages the FAA and PHL to use the Airspace Redesign Plan as an opportunity to implement strategies and take the necessary actionable steps toward alleviating existing conditions. The Action Group has offered, for the record, a set of proposed recommendations for your consideration. We believe that these recommendations, if implemented collectively, will help mitigate current conditions related to increased air traffic and the resulting concerns.

We look forward to receiving a formal response to our recommendations. Thank you.

2980

Response to Comment 2980: Philadelphia Airport Air Traffic and Quality of Life Issues Action Group

Comment Number	Comment response
1	The FAA recognizes the quality of life issues impacted by aviation activities and has included mitigation for the preferred alternative to the extent possible. The airspace redesign considered by the FAA will not remedy all noise problems for the 29 million people living in the Study Area. In fact, for many people within 10 to 15 miles of an airport, depending on where they live in relation to the runway alignments, there may be little or no mitigation possible and no noise benefits possible. Additionally, in heavily populated areas, such as those surrounding Philadelphia, Newark, LaGuardia, and Kennedy Airports, mitigation of noise in one neighborhood usually means moving the noise to another neighborhood, not moving it to an unpopulated area.
2	Comment noted.



Delaware County Chamber of Commerce

Serving the Region

March 30, 2006

On behalf of the Delaware County Chamber of Commerce, and our 3,200 business members, I would like to thank the officials from the Federal Aviation Administration for allowing us the opportunity to offer testimony in regards to the runway extension project at the Philadelphia International Airport. Receiving feedback from all stakeholders impacted by the airport is in the opinion of our Board of Directors, the best and only way to move this project forward in a manner sensitive to the needs of all of us. With more than half of the airport's property located in Delaware County, and a number of county businesses relying on the airport everyday, it is our responsibility to stand with our organizations and communities concerned about the future of the airport.

In addition to our thriving business community, our region is home to many of the nation's finest academic institutions, health care facilities, cultural venues, and historical landmarks. A well functioning, world class airport is absolutely critical to our ability to sustain and grow the Greater Philadelphia region. To that end, the Chamber urges the formation of a Regional Airport Authority to direct the future growth of this all important resource.

We unfortunately find ourselves in agreement with the FAA's determination that Philadelphia International Airport is not performing as well as it needs to. For many of us, delays at the airport are nothing new. That being said we're pleased to see the runway expansion projections positively impact the average delay time for our flights.

Our understanding of the need for and support of the runway expansion and subsequent flight rerouting are not without concerns. The neighboring communities and businesses in Delaware County are already enduring the harmful aspects of being in close proximity to the airport. Additional flight activity over these residential communities will add further negative impact on the quality of life for these towns.

It is our understanding the flights can be routed in specific ways to alleviate some of these issues. We sincerely hope the FAA will take these concerns into account before making their final decision.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Jack Holefelder'.

Jack Holefelder
President

Response to Comment 3004: Jack Holefelder, President, Delaware County Chamber of Commerce

Comment Number	Comment response
1	The establishment of a Regional Airport Authority for Philadelphia Airport would be a local, not Federal, matter. The FAA would neither promote nor influence the formation of such an Authority as that decision should rest with the local citizens.
2	Comment noted.
3	<p>In the Draft EIS, the FAA described to the public the general mitigation strategies that it would attempt to apply to whichever alternative it ultimately selected as the preferred. Those general mitigation strategies included: (1) use of continuous descent approach (keeping aircraft on a higher altitude flight path at lower engine power levels for a continuous steady descent to landing, which lowers noise levels on the ground at certain distances from the airport); (2) nighttime noise abatement procedures; (3) additional use of water/industrial areas and proposed flight track refinements; (4) sound insulation of impacted buildings with educational or medical uses (this would require airport sponsorship and would be outside the control of FAA).</p> <p>The FAA also acknowledged and recognized that while the general principals were described in the Draft EIS, the specifics would be forthcoming in the Final EIS. The FAA, therefore, committed to an open comment period on mitigation presented in the Final EIS, and including one public workshop per state, to discuss mitigation. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>

Patterson Schackne
Marbletown ECC
PO Box 217
Stone Ridge, NY 12484

April 4, 2005

Steve Kelley, FAA-NAR
c/o Nessa Memberg
12005 Sunrise Valley Rd C302
Reston, VA 20191

Dear Mr. Kelley,

I am an Ulster County resident and Chairperson of the Town of Marbletown Environmental Conservation Commission writing in response to the current Metropolitan Airspace Redesign proposal, as represented in the draft EIS. Marbletown lies directly to the north of the Shawangunk Ridge in its far northeastern portion. I am particularly concerned that the DEIS indicates that there have been no noise measurements taken in the Shawangunk Ridge parks and preserves where there is such a long history of state protected lands. Please ensure that such measurements are included in the Final EIS.

The Shawangunk Ridge is not only a peerless destination for recreation, it is also an ecological treasure called "one of the last great places on earth" by The Nature Conservancy. We all have a responsibility towards this thriving natural area. It is unfortunate that current metropolitan air traffic design permits flight paths to criss-cross the sky a hiker would hope to find congruently blank; the failure to act now to improve conditions would be a willful act of despoliation. I urge the FAA to recognize that the higher elevations of the Shawangunk Ridge necessitate a corresponding re-routing of Stewart Airport air traffic to higher elevations and away from the Ridge.

Sincerely,



Patterson Schackne
Chairperson, Marbletown Environmental Conservation Commission

003015

Response to Comment 3015: Patterson Schackne, Chairperson, Marbletown Environmental Conservation Commission

Comment Number	Comment response
1	The noise measurements taken for this study were not the basis of the noise analysis nor used in the evaluation of environmental impacts. They were intended only to provide a general context for reference when considering the noise modeling results. These measurements only represent a finite time frame and are not inclusive of all conditions at all areas near the measurement sites. Also, it is important to note that the changes in noise levels associated with each of the alternatives are solely based on the computations from the NIRS noise modeling and do not include any influence from the field noise measurement program and it is these results that the decision maker(s) will consider when developing the Record of Decision for this project.
2	Additional analysis was completed regarding the Shawangunk Ridge State Forest. The FEIS text incorporates revisions to include this analysis.

THE FEDERAL AVIATION ADMINISTRATION

In the Matter of the Public

Information Meeting of:

THE AIRSPACE REDESIGN PROJECT IN

THE NEW YORK/NEW JERSEY/ PUBLIC MEETING

PHILADELPHIA METROPOLITAN AREA ORAL COMMENTS

CLIFTON SENIOR HIGH SCHOOL

333 Colfax Avenue

Clifton, New Jersey

Wednesday, April 5, 2006

Commencing at 6:30 p.m.

SCHULMAN, WIEGMANN & ASSOCIATES

CERTIFIED SHORTHAND REPORTERS

216 Stelton Road, Suite C-1, Piscataway, New Jersey 08854

(732) - 752 - 7800

The Historic James Street
Neighborhood Association, Inc.
73 James Street
Newark, New Jersey 07102

1 MR. CHAPPEL: My primary concern is
2 fairness. I have felt for a long time that as a
3 resident of downtown Newark that the air routing has
4 not been fair.

5 We have an airport, Newark, where 40
6 percent of the flights take off to the north, north
7 flow, and we do have 10 miles of open space directly
8 north of the runway and we don't use it to it's full
9 effect for air noise reduction.

10 Planes, I understand, are allowed to
11 turn west and set their course to wherever they are
12 going at 2800 feet, which is often violated. Last
13 night at 11 p.m. a jet went over my house at 3,000
14 feet after turning over the Ironbound Section in
15 Newark at 1600 feet. When they turn at 2800 feet,
16 the plane apparently is just about a minute off the
17 end of the runway after take off. If the planes

18 were kept over the Meadowlands to the north for just
19 another minute or so they would attain an altitude
20 of at least five miles or 5800 feet, which would
21 make a huge difference in air noise on residential
22 neighborhoods such as mine and downtown Newark.

23 I think it's very unfair to send planes
24 over any neighborhood under 3,000 feet or 4,000 feet
25 when there is still another 10 miles of open space
1 to utilize.

2 Ten miles is nothing in flight time.
3 People have said gasoline and whatnot. Well, a
4 minute flight time is almost negligible for most
5 flights as a total percent of their flight time.

6 Furthermore, the New Jersey citizens
7 against aircraft noise, the proposal for ocean
8 routing turns an outrage, which I just outlined what
9 we have now as I consider an outrage, and turns an
10 outrage into an atrocity. This ocean routing, they
11 talk about ocean routing when the planes are taking
12 off to the south or south flow. They do not address
13 what happens in Newark and Essex County when the
14 planes are taking off to the north, which I am told
15 is about 40 percent of the time.

16 What they are proposing is an outrage
17 because the planes will not be allowed to do fanning
18 in setting their course to wherever they are going,
19 but they will be kept in a narrow band over downtown
20 Newark. And that is unfair and I think it violates
21 all of the rules of environmental fairness or
22 whatever they call it.

23 There is a very simple solution and
24 that is to use the Meadowlands. Ocean routing may
25 be okay south flow, down, over and out. It

1 certainly doesn't work for north flow.

2 I think Newark and Essex County have
3 been slighted in the process. There have not been
4 any hearings in Newark, the state's largest city. I
5 am told by reading the environmental impact
6 statement that there was an air monitoring station
7 on Schooley's Mountain, certainly not in Newark.

8 Copies of the report were sent to the mayors all
9 around the state, suburbs primarily, but not to the
10 the mayor of Newark.

11 As a matter of fact, a copy was sent to
12 the Chief of the Navajo Nation, but not to the mayor

13 of the state's largest city. I think that's
14 indicative of the attitude toward Newark and this
15 has to stop.

16 We are becoming organized and if this
17 is not addressed in the future, the citizens of
18 Newark and various organizations will be heard from.
19 We understand we all benefit from an efficient use
20 of Newark Airport, but there has to be equity and
21 fairness.

22

3 CERTIFICATION OF VERBATIM TRANSCRIPT

6 I, SUSAN M. LINDH, hereby certify that the
7 transcript I have herein produced is within the
8 guidelines adopted by the State of New Jersey
9 Administrative Code and I certify to the following:

10 I am not related to any party involved in this
11 action and I have no financial interest in this
12 action, nor am I related to any agent of, or
13 employed by any person with a financial interest in
14 the outcome of this action.

15 I am a certified court reporter, and unbiased
16 agent of the courts and the transcript produced
17 herein is a verbatim record of the statements given.

18 My commission expires September 18, 2007

19 Notary Public No. 2032891 State of New Jersey

20

21 Name: SUSAN M. LINDH, CSR

22 License No. 30XI00176400

23 Signature_____

Response to Comment 3016: Bill Chappel, The Historic James Street Neighborhood Association, Inc.

Comment Number	Comment response
1	This corridor is tightly constrained on two sides. On its left, a EWR departure sees a TEB arrival, so it can not turn left until it is safely above the other aircraft. Above and to its right it sees LaGuardia departures flying towards it, so it must turn left before it can climb. When no TEB arrival is present but LGA traffic is heavy, the safest course is to turn the aircraft early. The proposed course, keeping the EWR departure straight for five miles, is possible only when LGA traffic is not expected in the area. Under current conditions and all forecasts for the future, there are no such hours until late at night. Consequently, this concept is not operationally feasible for noise mitigation purposes.
2	Comment noted. Continuing flights further over the open space identified in the comment would conflict with aircraft using TEB and therefore is not operationally feasible.
3	Comment noted.
4	In the Future No Action Alternative, just as today, EWR 04 departures are in a narrow corridor, with TEB arrivals on the left and LGA arrivals on the right. In the Integrated Airspace Alternative Variation with ICC, the TEB arrival path may be less used than today. If the ILS to TEB runway 06 is not being used, EWR departures from runways 04L and 04R can do some of the fanning you describe.
5	See responses to 3016 #1 and #4.
6	Previous scoping meetings in Newark had shown little public interest (7 attendees and 1 comment submitted) and since the City of Elizabeth was shown to experience the most significant noise impacts in the area, it was decided to hold the public workshop there.
7	Air quality monitoring was not conducted anywhere in the Study Area for the purposes of the DEIS.
8	In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact information, was mailed directly to the president and other members of the Newark City Counsel. In addition, a second postcard identifying the specific public meeting locations was mailed out in February, 2006 also to the city counsel. Both of these mailings contained information on where to obtain a copy of the DEIS, as well as public meeting locations in the area.



Rose M. Heck
501 Collins Ave
Hasbrouck Hts, NJ 07604

To: FAA Air Space Representatives Hasbrouck Heights April 6, 2006
Hearing Held at The Holiday Inn

From: Rose M. Heck, TANAAC
Legislative Chair & Chair of the Hasbrouck Heights
Environmental & Transportation Commission

It is our request that you adopt plans to better the margins of safety at Teterboro Airport and that of the surrounding communities by

First. Redirect the planes away from the now used Runway 19 approach, which lies directly above the densely populated highland areas of the City of Hackensack. The approach includes an instrument landing system (ILS) installed six years ago. The ILS concentrates the arrival stream within a narrow corridor that may be several miles long under busy conditions. Land uses overflowed within 2.5 miles from touchdown (from an altitude of 700 feet to runway elevation of 8 feet) include schools, medium to high density residential neighborhoods, apartment buildings and a major hospital, Hackensack University Medical Center which employs approximately 8,000 people (add this to the number of patients being served). The potential dangers here are astronomical.

Takeoffs to the north, on Runway 1 the opposite end of the pavement, perform a low altitude turn to the northeast to avoid these densely used areas and disperse over industrial areas on lower terrain and along the Passaic River. The solution to achieving the combined goals of safety and compatibility is the augmented Global Positioning System (GPS). This guidance technology can be used to establish an alternative published approach with greater environmental compatibility and enhances safety margins under the majority of conditions. When weather or operational conditions require it the ILS will continue to be used but a new more compatible approach would become the preferred means to meet instrument flight rule conditions.

Attached please find more detailed information.

It is our request that you immediately begin the necessary studies to take action in moving the approach to a safer and less populated area.

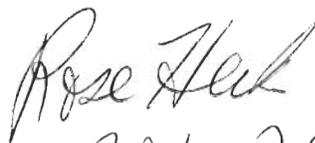
There have been numerous incidents and requests for change made to the FAA regarding the Airport by me numerous times in my capacity as Assemblywoman in District 38 for over a dozen years and more recently by the Port Authority of NY/NJ. I am now formally making this request, with the blessing of New Jersey Senator Frank Lautenberg who joins with us in seeking a change in the FAA "business as usual" position when reviewing our important safety concerns and requests.

Second. As Chair of the Legislative Committee I request that during the current redesign of the area airspace you do a more thorough restudy of airspace use of local aircraft at the airport. Demonstrable progress on improved land use compatibility is necessary given the dramatic recent increases in traffic levels, and the increases anticipated over the next 10 years.

As an interim solution, we ask that you increase the heights at which air traffic moves over and across our heavily populated areas on its way to and from area airports such as Newark, LaGuardia and Kennedy.

It is our opinion that numerous improvements should be made as it pertains to Teterboro Airport Safety as well and that there be limits as to the approved numbers of aircraft allowed at this General Aviation Airport; that you review nearby airports underutilized such as Stewart and those in other counties less populated than Bergen County. The people in our County, especially the children and senior citizens are already experiencing the damage done by noise and air pollution.

With the \$13 Million Dollars recently approved and announced by Senator Lautenberg, we ask the FAA to proceed immediately to resolve our long overdue problems and concerns regarding safety, as well as noise and air pollution.


201-288-2158

**TETERBORO AIRPORT
AN AIRSPACE INITIATIVE**

IMPROVE LAND USE COMPATIBILITY WITH GPS APPROACH TO RUNWAY 19

The approach to Runway 19, the preferred landing runway from the north at Teterboro Airport, lies directly above the densely populated highland areas of the City of Hackensack. The approach includes an instrument landing system (ILS) installed six years ago. The ILS concentrates the arrival stream within a narrow corridor that may be several miles long under busy conditions. Land uses overflown within 2.5 miles from touchdown (from an altitude of 700 feet to runway elevation of 8 feet) include schools, medium to high density residential neighborhoods, apartment buildings and a major hospital. All these structures lie on a hill over 100 feet above runway elevation; many are high rise buildings.

Takeoffs to the north, on Runway 1 the opposite end of the pavement, perform a low altitude turn to the northeast to avoid these densely used areas and disperse over industrial areas on lower terrain and along the Passaic River.

Compatibility planning for the ILS included consideration of a 13.5 degree offset approach to the east to address this land use preference. The straight-in approach was preferred because it obtained lower minimums, i.e., provided more reliable service during the worst weather when its performance is vital.

The solution to achieving the combined goals of safety and compatibility is the augmented Global Positioning System (GPS). This guidance technology can be used to establish an alternative published approach with greater environmental compatibility and enhanced safety margins under the majority of conditions. When weather or operational conditions require it the ILS will continue to be used, but a new

*Straight-in and proposed GPS Approach to Runway 19.
View of Teterboro Airport looking north to Hackensack.*



more compatible approach would become the preferred means to meet instrument flight rule conditions. An angled approach can be fitted that is optimal from an aviation and air traffic control perspective as well as improve land use compatibly. Thousands of people would benefit. Specifically, a new quasi-precision RNAV(GPS) approach must be carefully and independently designed, coordinated, and implemented including support for staff and pilot training. Required environmental studies must be performed and findings cogently presented. Support among elected officials may be created through empowering the TANAAC, the lasting public forum for monitoring these matters.

No new equipment need be deployed as virtually all modern general aviation aircraft are equipped with GPS navigation. GPS functions globally, not simply close to airports and is therefore preferred, insuring rapid integration into flight procedures. Thus, the benefits can be gained promptly from an accelerated design effort.

Other opportunities to provide precision approach and departure procedures through use of the same systematic process are likely to exist at Teterboro. The current redesign of the area airspace makes a review of local aircraft routing options timely. Given the complexity of aircraft movement due to the proximity of the other metropolitan airports, a thorough restudy of airspace use at the airport specific level is needed. Demonstrable progress on improved land use compatibility is necessary given the dramatic recent increases in traffic levels. The resultant public awareness of the Airport during the last year recommends this, as well as other efforts on airport, to ensure recognition of a diligent public response to evident incompatibilities.

Roe Heik
201-288-2158

Response to Comment 3046: Rose M. Heck, TANAAC, Legislative Chair & Chair of the Hasbrouck Heights Environmental & Transportation Commission

Comment Number	Comment response
1	<p>Comment noted. All current ATC procedures are deemed safe as per flight standards and flight procedures safety criteria.</p>
2	<p>Regarding aircraft operations using the Instrument Landing System (ILS) for approaches to Runway 19 at Teterboro Airport (TEB) and the impact the ILS has on the Hackensack community, all of the air routes and Traffic Control (ATC) procedures associated with the ILS were developed in accordance with FAA design criteria and Federal Air Regulations to ensure that aircraft using these procedures operate in a safe manner. This includes the vertical distances between aircraft and the buildings within the vicinity of the airport.</p> <p>The ILS for Runway 19 was installed to optimize the safety of aircraft and their interaction with the air traffic arriving to and departing from other airports in the New York, New Jersey and Philadelphia metropolitan area. Adjusting the ILS laterally would impede the pilot's ability to align the aircraft centerline with the runway upon approach, while adjusting the slope (e.g. increasing it to raise the altitude of the approach) would cause the approach routes to with conflict other air traffic in the area.</p> <p>The FAA understands your concerns regarding the proximity of aircraft landing at TEB; however, the ILS and approach procedures for Runway 19 were designed to ensure the safety of aircraft and the communities around the airport.</p>
3	<p>Comment noted. FAA is also concerned with the problem of incompatible land use near airports. Although land use control is not within the jurisdiction of the Federal government the FAA is engaged in several efforts to improve land use compatibility near airports including: sponsoring the Airport Cooperative Research Program (ACRP) Enhancing Airport Land Use Compatibility project; updating two Advisory Circulars (AC): 150/5190-4A: A Model Zoning Ordinance/Land Use Compatibility and AC 150/5020-1 Noise Control and Compatibility Planning for Airports; and working with the National Association of State Aviation Officials under a Memorandum of Understanding to improve land use compatibility policies, strategies and guidelines.</p>
4	<p>Arrivals will generally not be kept at higher altitudes much longer in any of the alternatives, compared to Future No Action. The design team judged that expediting departures was more critical, so the expanded airspace was used for that purpose instead. For the exceptions, see the chapter on Continuous-Descent Arrivals in the Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign of the FEIS.</p>

Response to Comment 3046: Rose M. Heck, TANAAC, Legislative Chair & Chair of the Hasbrouck Heights Environmental & Transportation Commission

Comment Number	Comment response
5	<p>The FAA has no statutory control over aviation operational levels but is responsible for controlling the use of the navigable airspace and regulating civil and military operations in that airspace in the interest of maintaining the safety and efficiency of both of these operations. Operational levels are determined by airlines and other aviation users, including passengers.</p> <p>The DEIS considered changes in airport use in Chapter Two, Alternatives, but found that use of satellite airports would not address the inefficiencies of the present day NY/NJ/PHL Metropolitan Area airspace since traffic would still be required to operate into and out of the current terminal and en route airspace structure.</p> <p>The EIS discloses noise and air quality impacts associated with the Proposed Action pursuant to FAA Order 1050.1E. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA included the five listed techniques where possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
6	<p>The FAA is unclear on the \$13 million dollars of funding referenced in the comment. The airspace redesign considered by the FAA is not a cure-all for noise problems for the 29 million people living in the Study Area. In fact, for many people within 10 to 15 miles of an airport, depending on where they live in relation to the runway alignments, there may be little or no mitigation possible and no noise benefits possible. The purpose of the airspace redesign is to increase the efficiency and reliability of the airspace structure and ATC system. The EIS provides disclosure of potential environmental impacts associated with the Proposed Action. FAA has not in the past and will not in the future approve unsafe air traffic procedures.</p>

Memberg, Nessa

From: KHolmes324@aol.com
Sent: Monday, April 10, 2006 6:20 AM
To: FAA DEIS
Subject: A letter to Queens Brough President Marshall

This is a letter sent to Queens Borough President Helen Marshall.

Dear President Marshall,

Mother's Day will be here before we know it that is on or about the time that LaGuardia Airport changes flight patterns using runway 4/22 for takeoffs; *only on the weekends during the summer*. Although they did not do that for at least twenty years, the past 6 years has been absolute torture. We are witting with huge concerns that this will be allowed for the 7th year; this method of take off on weekends starting at 5 am; taking off every two minutes thereafter. We consider landings a whisper and a gift; the difference between a 727 hitting the gas is a huge difference to a 727 hitting the breaks.

This action on the part of LaGuardia causes the homeowner's to cancel all outside summer activities in our own yards, keep the children inside the house. This is an outrage; it has a psychological and physical impact on our health and the health of our children and grandchildren who live here. Our homes are approximately 400 yards off the end of that runway. Our quality of life since this change has been totally usurped by the airport. The decibel readings are in the dangerous levels. We would like an outside company to measure this fact. We need action now, not down the road after the damage is done to our children.

The hundreds of phone calls to the alleged airport complaint line still go unanswered by LaGuardia Airport representatives; they never once have responded.

LaGuardia is spending money to sound proof other buildings much further away, but ignore it's closet neighbors; we are busy and hard working people who deserve and have a right to use their own backyards during the summer weekends. It is well known that the increase in flights and profit cause the airport to do this. While taxes continue to rise, our rights and quality of life continue to lessen.

We heard about the March meeting after the fact. How are people notified about these meetings? No mailing, no notice, how are we supposed to know about these meetings. We all get several letters per week from real estate people looking to purchase our homes, during election times we get several mailings from those running for office, why can't we get a mailing about airport meetings? The airport has no trouble locating it's close neighbors when they want to top a tree that is considered to high, why are they not required to contact us for a meeting?

We look forward to your response, thank you for your time.

Regards,
The 83rd Street Homeowner's Group
Kathleen E. Holmes, Spokesperson

Response to Comment 3053: Kathleen E. Holmes, Spokesperson, The 83rd Street Homeowner's Group

Comment Number	Comment response
1	Comment noted.
2	Comment noted.
3	The FAA acknowledges quality of life issues impacted by aviation activities. The commenter's residential proximity to a commercial runway allows no real options for noise reduction.
4	Comment noted.
5	The FAA understands your frustration with phone calls that go unanswered; however, you are following the proper procedures and the appropriate people to respond to your comments remain the Port Authority of New York and New Jersey.
6	Comment noted.
7	<p>A newsletter announcing the availability of the DEIS and subsequent public meeting locations was mailed directly to residents and public officials of Queens County, NY in December of 2005. In addition, a postcard containing all meeting locations, including the public meeting in Elmhurst, NY was mailed directly to residents of Queens County, NY in February, 2006. Both of these mailings contained information on where and how to obtain copies of the DEIS.</p> <p>Separate advertisements announcing the public meeting location in Elmhurst was run on different dates in the following newspapers: Queens Gazette (Zones 1, 2, 3), Queens Tribune, Queens Ledger, Queens Chronicle (western, mid-Queens, Eastern, Southeast), Press of Southeast Queens, Pennysavers Queens and El Diario. Each with circulation in Queens County. Public service announcements also listing the meeting location in Elmhurst were run in rotation on the following stations: WAXQ, WBLS, WHCR, WHTZ, WKTU, WNEW, WNYC, WQCD, WRKS and WQXR.</p>



Comments on: Metropolitan Airspace Redesign :Addendum

May 12, 2006

Steve Kelly, FAA NAR

C/o Nessa Memberg

12005 Sunrise Valley Dr. MS C3.02

Reston, VA 20191

In 1989 noise impacts to the Catskill and Shawangunk parklands (Minnewaska Park Preserve and Sam Point Preserve) as a result of the Expanded East Coast Plan occasioned the creation of our citizen group, Ulsterites Fight Overflight Noise as well as the Woodstock focus group. Since that time we have been working toward the aim of insuring protection of places of natural quiet (as per Grand Canyon legislation in 1987). We have argued at numerous public forums for better assessment and abatement of noise impacts over noise sensitive areas with low ambient noise levels that serve the public need for quiet. Factoring in the intrusiveness and audibility of noise is essential in assessing impacts in these areas. (For example, a mid level intersection in Ulster County creates an adverse impact over a quiet hamlet or over publicly protected parkland but is not noticed over an urban area or over a transportation corridor like the Thurway).

This letter follows our initial comments (March 1) prior to the public hearing in Kingston. In that letter, we critiqued the DEIS in terms of its inadequacy in assessing noise impacts in rural areas subject to overflights. The DNL averaging methodology is not appropriate for assessing impacts in areas of low background noise that serve the public need for quiet; in particular the Catskill and Shawangunk park preserves of Ulster County. An accurate accounting of noise impacts in Ulster County would require single event measures on the Shawangunk ridge. The (date) single event analysis by David Nightingale for the Paul Huth Research Center indicates that 13 noise events an hour that are perceived as more than twice as loud as the natural background noise is clearly a problem.

We indicated that the DEIS did not give us sufficient information to determine the nature of impacts in Ulster County under the proposed alternatives. Since that letter we have attended the public meeting on April 10 in Kingston. Although we thought that the format was helpful in attending to all voices and aspects of the process, we were disappointed that information specific to the questions we raised was not provided. In stead, we needed to make inferences and guesstimates from the information provided by modeling. While staff were courteous and attempted to be helpful, they were not sufficiently versed in our concerns ahead of time so as to be able to give us more specific information within the time period allowed.

1

2

Perhaps most distressing, Steve Kelly and the environmental specialist made it clear to us that despite numerous listening sessions and pre-scooping sessions, impacts on noise sensitive parklands had not been factored at all into alternatives developed the DEIS. Under all alternatives, the major arrival path for Newark jets continues to impact the most noise sensitive parklands of Ulster County and future alternatives would consolidate planes so that flyovers would be more frequent (i.e., experienced as more relentless) with none of the advantages of dispersion. Almost as an afterthought at the end of the evening, we were told that noise mitigation would occur after an alternative was chosen.

3

4

We want to support the fact that flights need to be higher and the advantages of the ICC in this respect. We do not, however, endorse the Integrated Airspace Alternative with ICC as it is formulated in the DEIS because it continues to place the major arrival routes for Newark and LaGuardia over the Shawangunks and Catskills. Although the planes would be at higher altitudes, the routes are consolidated so that there would be a greater frequency of noise impacts in a given time period. Consequently should this alternative be chosen, a change in the placement of routes to areas that are less noise sensitive would be an essential noise mitigation measure.

5

6

We ask you to attend to the major mitigation need of Ulster County: the need to not route a major metropolitan approach over most noise sensitive areas of the county that serve the public need for quiet and have the lowest ambient noise levels. Noise mitigation has traditionally been the responsibility of airport authorities but in the case of en route impacts in Ulster County there is no responsible airport authority and therefore the FAA and our federal representatives who oversee it have a special responsibility to address impacts on our noise sensitive and publicly protected areas.

7

We appreciate our involvement in this process as well as the complexity of the issues that require your attention.

Sincerely,

Ulsterites Fight Overflight Noise, Inc.

58 Spongia Rd.

Stone Ridge, NY. 12484

11/16/98 AWOSTING LAKE

(1st day of hunting but no shot...)
~45-50°F

12:04 pm 90% clouds

negligible breeze.

~ 32 dBA(A) = ambient...

12:07 = vvh j (in North) j.
(invis)

12:12 = N→S = 2 eng. large j.

12:13 = small invis (local) j.?

12:16 = N→S (above clouds) = jet...

12:22 1/2 = NW→SE (from N) ~ 47 dB

12:23 1/2 = vvh j (invis) ~ 35 dB

(I coughed !!)

12:33 1/2 = N→S = 2 eng. j (~ 43 dB)

12:41 1/2 = vvh j = invis (~ 38 dB) max

12:44 1/2 = " " " " (~ 44 dB)

These double clouds (+ blue) are fairly high -
not jets are higher some times!

12:46 1/2 = N→S = 4 eng. j, slow low ~ 48 dB

12:51 1/2 = N→S = 2 eng. j " " ~ 46.

~ 12:54 ~ 2 dist. planes ...

1:04 ~ W→E = v low j ~ 66 dB ~
- 2 eng. on fuselage.

13 planes in 3/4 mi

most N to S

quite high but all reflect

now the 10 ...

over background noise

p. 2: / 1:10 = N→S, vvh ~ 37 dB.
 ----- (3 young felt passed) -----
 1:12 ~ N→S ≈ 40 dB.
 1:14 = dist, invis, plane ---
 1:15 1/2 = vvh, invis ≈ 41 dB.
 (max.)
 1:20 = N→S, 2 eng j ≈ 35 dB.
 1:23 = " 4 eng j, vis, ≈ 42 dB.
 1:26 = " 2 eng " ≈ 42 "
 1:29 = " " " ≈ 48 "
 1:34 1/2 = ... dist vvh drone -----
 1:39 1/2 = N→S, 2 eng j, vis ≈ 44 "
 (1:41 = breeze)
 1:41-2 = opp! E→W, hi j, 2 eng, ~ 40
 1:50 1/2 = vvh ... invis etc
 ----- BREEZE BEGINNING -----
 1:52-53 = N→S, 2 eng. j ~ 40 dB
 1:55 = ... vvh dist ... invis j -

S TOP. AMBIENT ~ [31-33] dB

2:00 pm
(cont now!)

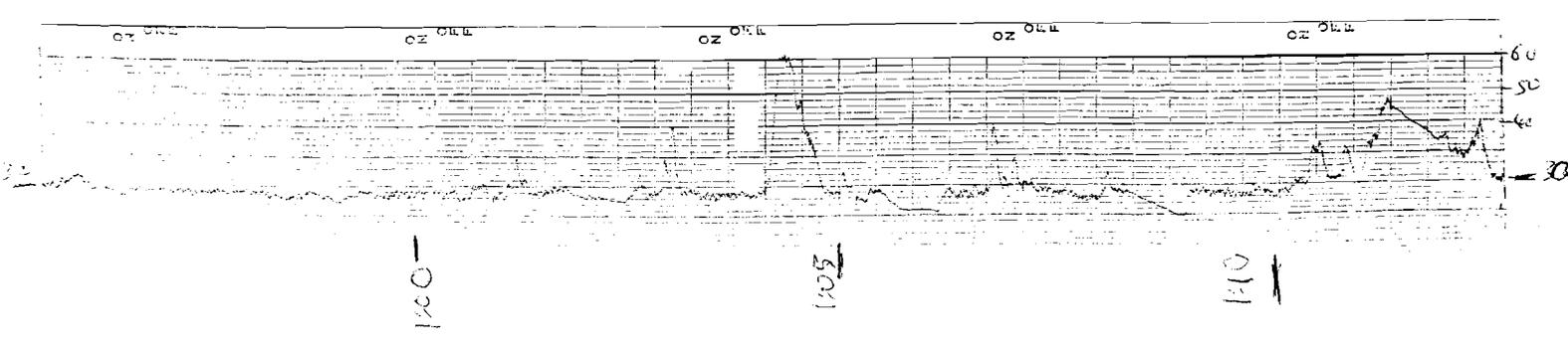
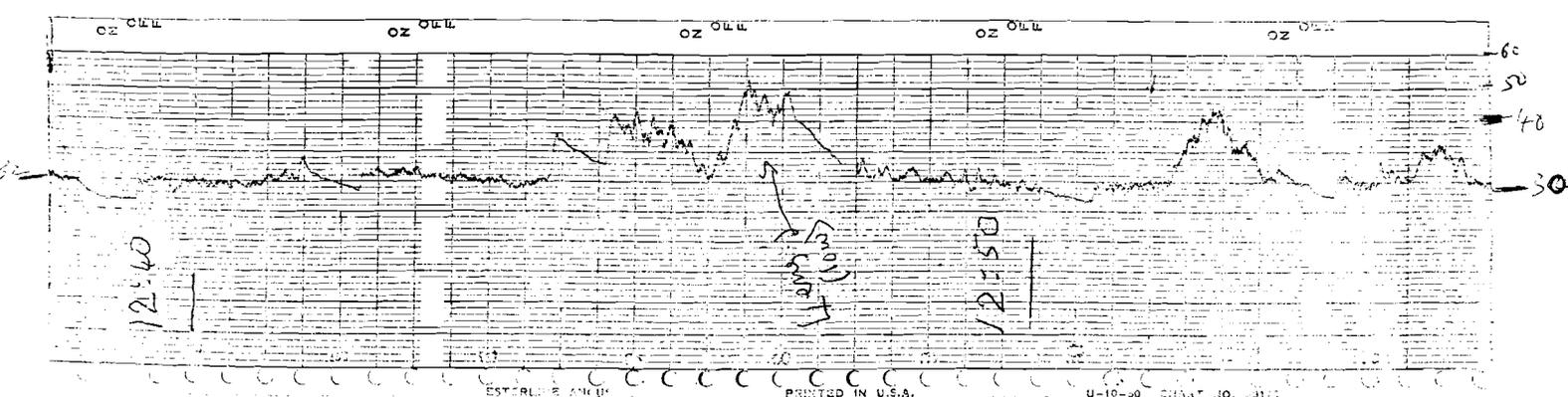
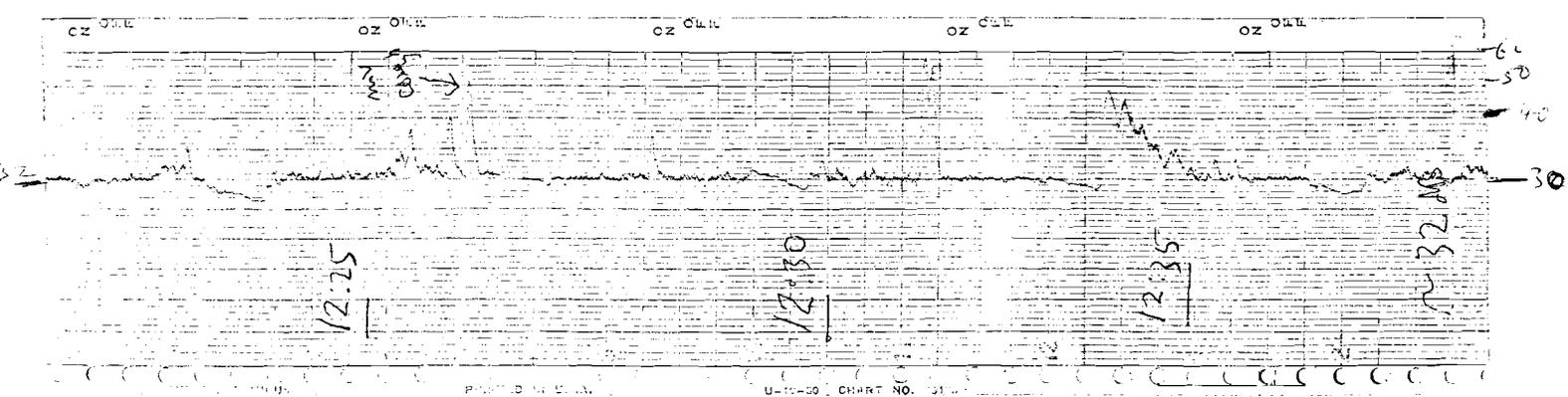
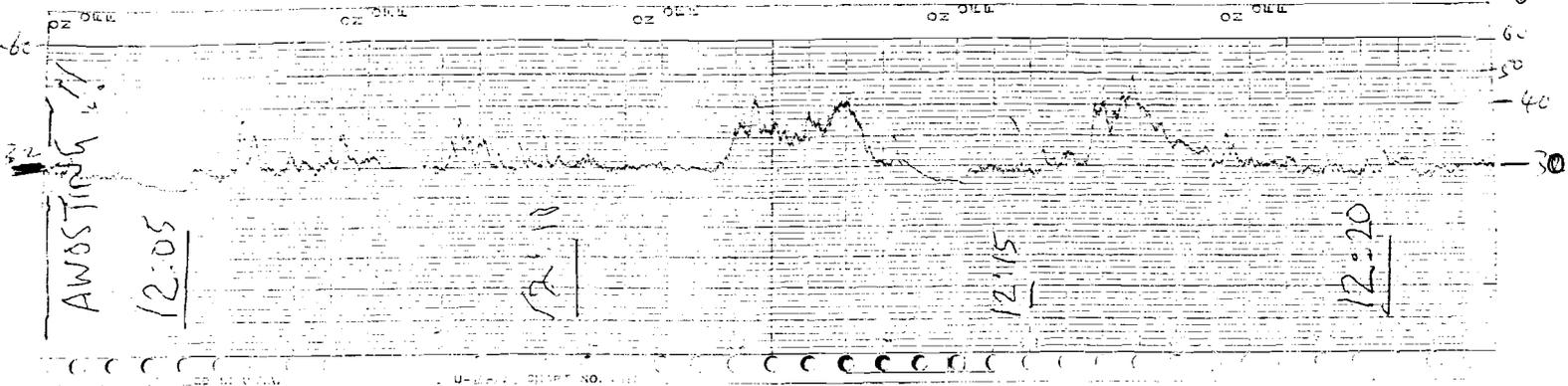
1:55
 2:00
 2:05

M: 11/16/98

AWOSTING LAKE

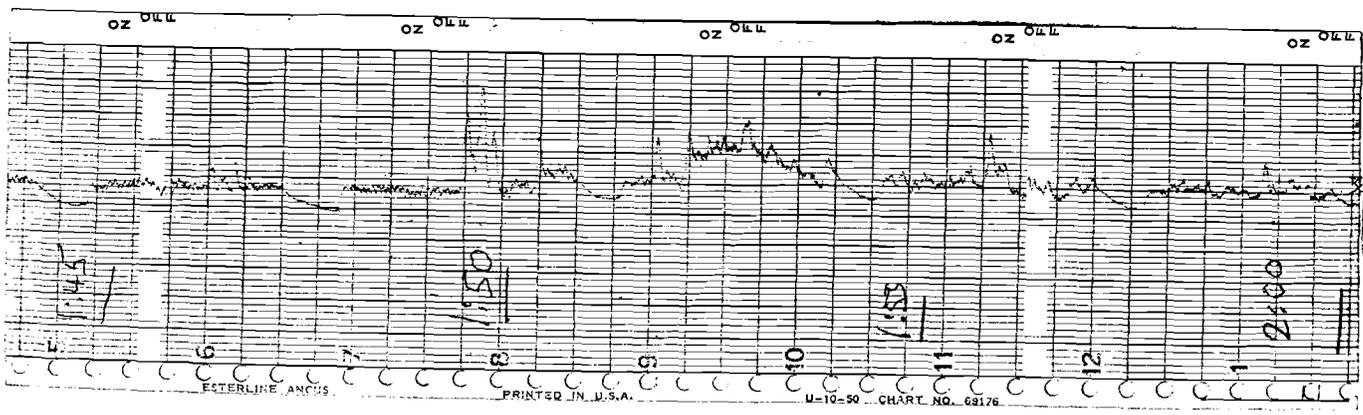
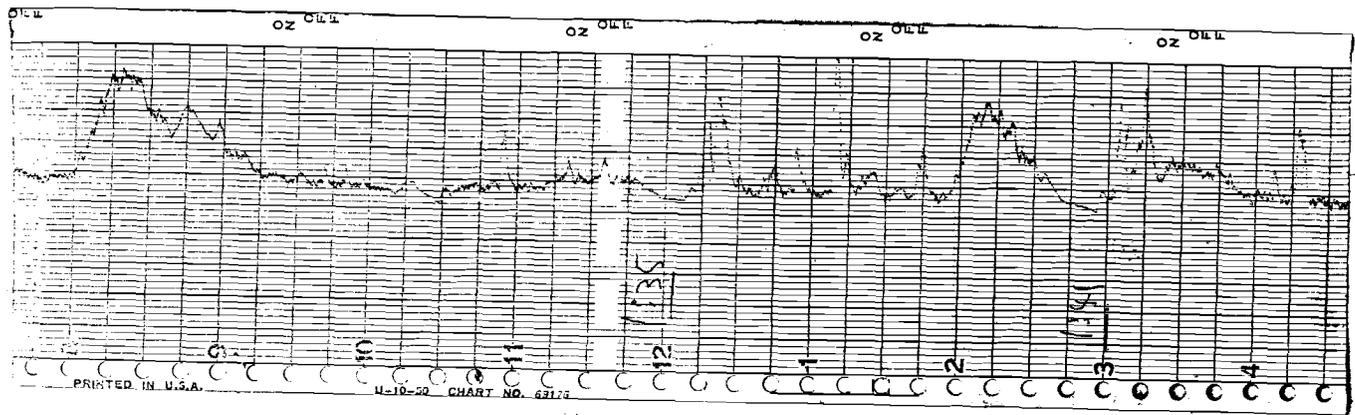
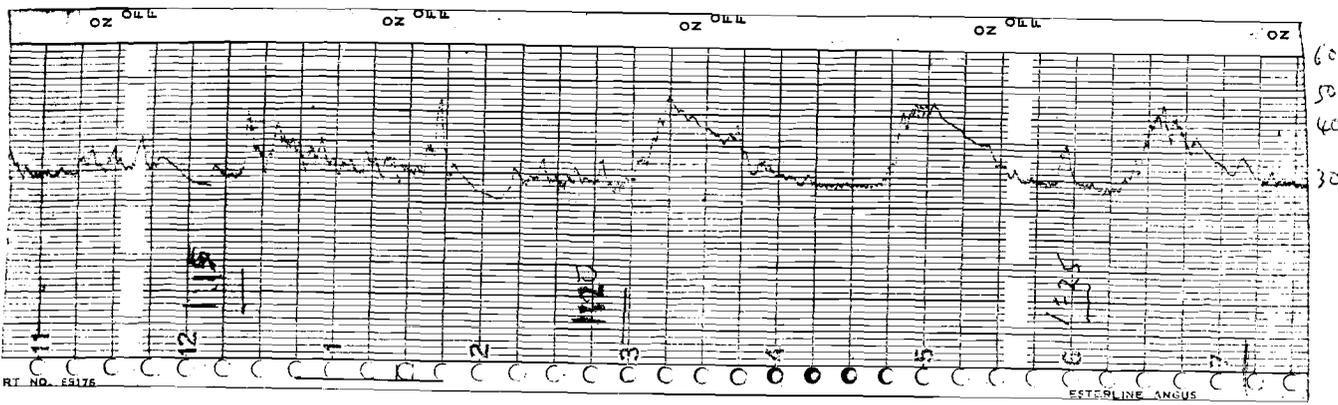
(by bicycle!) (approx. 4000 ft. alt.)

[BA]
(To be calculated)



- contd.

Now
(to be continued)



60
50
40
30
S Top

//

Response to Comment 3120: Ulsterites Fight Overflight Noise, Inc.

Comment Number	Comment response
1	<p>The FAA disagrees with the commenter regarding the detail presented in the DEIS. The DEIS noise modeling approach is indeed accurate and detailed enough to evaluate the noise exposure changes associated with each of the proposed alternatives in all regions of the Study Area. The noise analysis approach follows the current state-of-the-art practices and FAA's current policy. All noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project Web Site allowing for further comparisons beyond that of FAA's change thresholds. While the detailed runway use tables were not available at the time of the publishing of the DEIS, these tables were not part of the key information provided in the DEIS. They were additional information provided in an attachment to an appendix, similar to the noise tables provided on the website. The information from those tables was available in a higher level elsewhere in that appendix as well as in the noise modeling discussion provided in Chapters 3 and 4 of the DEIS document.</p>
2	<p>Comment noted.</p>
3	<p>Although the Alternatives were not initially designed to reduce noise over parkland, potential impacts to noise sensitive parkland were carefully considered. The Alternatives were developed to meet the Purpose and Need for the Proposed Action. Detailed noise modeling of each of the alternatives was completed so that the FAA could identify the associated potential environmental impacts. Noise exposure values resulting from the implementation of each of the Airspace Redesign Alternatives were calculated for parks and historic sites within the Study Area. This data has been inserted into Appendix J. Also, additional analysis of potential noise impacts on the National Parks, National Wildlife Refuges and selected state parks has been included in the FEIS. Lastly, after receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
4	<p>Implications for each alternative as a whole can be determined based on the noise impacts that were presented in the DEIS. Furthermore, the detailed noise spreadsheets provided by FAA on the project Web Site allow for the specific review of noise levels associated with each Census block throughout the Study Area. This tool allows for a detailed comparison of the implications of any alternative at any location in the Study Area. There are no specific implications for this area due to the increases in arrival distance cited in the operational analysis. It should also be noted that the FAA's Preferred Alternative raises the altitude of the arrival overflights in the area referenced by the commenter.</p>
5	<p>Comment noted.</p>

Response to Comment 3120: Ulsterites Fight Overflight Noise, Inc.

Comment Number	Comment response
6	<p>In the DEIS, the FAA described to the public the general mitigation strategies that it would attempt to apply to whichever alternative it ultimately selected as the preferred. Those general mitigation strategies included: (1) use of continuous descent approach (keeping aircraft on a higher altitude flight path at lower engine power levels for a continuous steady descent to landing, which lowers noise levels on the ground at certain distances from the airport); (2) nighttime noise abatement procedures; (3) additional use of water/industrial areas and proposed flight track refinements; (4) sound insulation of impacted buildings with educational or medical uses (this would require airport sponsorship and would be outside the control of FAA). It should be noted that if it were possible to move flights over less sensitive areas that action would potentially impact those areas and therefore potentially increase the population impacted by noise.</p> <p>The FAA also acknowledged and recognized that while the general principals were described in the DEIS, the specifics would be forthcoming in the Final EIS. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
7	<p>The FAA understands that your area has a very low ambient noise level, and this has been considered in the analysis. However, because of airspace constraints it is not possible to shift aircraft from your area.</p>



Federal Aviation Administration
Executive Secretariat

Rodger - new
AJR-3
Kalinowski
4/12/06

Control number: FAA-060405-006	Action office: ATO-1
Document date: 3/31/2006	Due date:
Writer: Stephen S. Aichele Philadelphia, PA 19102-2186	
Subject: Express concerns regarding the redesign of airspace for the Greater Philadelphia's economic growth and prosperity	

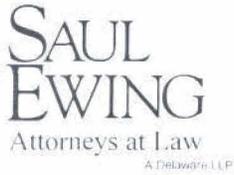
Action: Appropriate Handling

Date	Action	Action by
4/5/2006	Folder Processed for Appropriate Handling.	SALLEN
4/5/2006	DIST: AOA-2	SALLEN
4/5/2006	Updated Folder Information.	SALLEN
4/5/2006	Work Folder Assigned to ATO-1.	SALLEN
4/5/2006	Incoming File Uploaded.	ARWILLIAMS
4/5/2006	Control Number Created.	ARWILLIAMS

Date	Note	Note by
------	------	---------

For more information please contact:
Sandra Allen, saundra.m.allen@faa.gov

APPROPRIATE HANDLING - To: AJR
**TO BE HANDLED AT THE DISCRETION OF
 THE SERVICE UNIT RESPONSIBLE.**



Celebrating 85 years of service.

Stephen S. Aichele
Phone: (215) 972-7797
Fax: (215) 972-1816
saichele@saul.com
www.saul.com

March 31, 2006

Ms. Marion C. Blakey
Federal Aviation Administrator
U.S. Department of Transportation
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Ms. Blakey:

I am contacting you as Chairman of Saul Ewing LLP, a major employer in the Greater Philadelphia region, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity – the redesign of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving this metropolitan area, which is composed of over 8 million people. Under the auspices of a Presidential Executive Order (E.O. 13274) and with the support of the Federal Aviation Administration (FAA), the Airport has advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvements has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Improvements to PHL's airfield will not yield optimum benefits, however, unless the airspace serving Philadelphia is re-engineered in coordination with these runway projects. Last year, PHL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control Tower at PHL is the busiest in the FAA's Eastern Region.

As improvements to the management of Philadelphia's airspace are evaluated along with that of the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that you give strong consideration to whichever alternative will offer the most relief of congestion at PHL. Of the four alternatives

currently under consideration, the "Integrated Airspace" alternative, enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHL. Furthermore, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of this decade, ultimately causing enormous economic harm to the entire metropolitan area.

Please be assured that the Greater Philadelphia business community will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Thank you for your consideration in this matter.

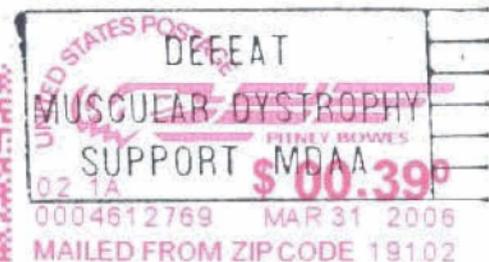
Sincerely,



Stephen S. Aichele
Chairman

**SAUL
EWING**
A Delaware LLP

Stephen S. Achele, Esquire
Centre Square West
1500 Market Street, 38th Floor
Philadelphia, PA 19102-2186



Ms. Marion C. Blakey
Federal Aviation Administrator
U.S. Department of Transportation
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

20331+0000



Response to Comment 3130: Stephen S. Aichele, Chairman, Saul Ewing LLP

Comment Number	Comment response
1	Redesign of Philadelphia Airspace was an important component of the NYNJPHL project, and two of the alternatives, Modifications to Existing Airspace, and Integrated Airspace included changes as compared to the Future No Action. Optimum benefits for Philadelphia Airport would be reached with the Integrated Airspace Alternative Variation with ICC. A summary of the changes from the Future No Action for the Integrated Airspace Alternative Variation with ICC include: West departure gate expanded to the northwest; new procedures for aircraft heading to the West departure gate, East departure gate is shifted to the east; new procedures for aircraft heading to the East departure gate; west arrival post shifts to the northeast; new distant procedures for aircraft arriving from the West arrival post; new departure headings for aircraft heading to the North, East, West, Southwest, and South departure gates; and an additional route added to the North arrival post. The additional departure headings would allow air traffic to expedite departures at PHL.
2	Comment noted.
3	Comment noted.
4	Comment noted.

FIRE ISLAND ASSOCIATION INC.

PO Box 424, Ocean Beach, New York 11770

(631) 583-5069

www.fireislandassn.org

Executive Committee

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President

263 West 20th St.
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Mayor
Ocean Beach

April 20, 2006

Mr. Steve Kelly, FAA-NAR
c/o Nessa Memberg
12005 Sunrise Valley Rd. MS C302
Reston, VA 20191

RE: Comments on Draft Environmental
Impact Statement for NY /NJ/PHL
Metro Airspace Design

Dear Mr. Kelley:

The Fire Island Association represents the interests of 3,850 property owners and businesses in the 17 communities located within the Fire Island National Seashore. In addition, the Seashore is visited each summer by millions seeking who seek a refuge from automobile traffic and other urban disturbance. We are advised that the referenced Draft Environmental Impact Statement (DEIS) proposes alternative major air route changes for Islip MacArthur Airport (ISP) that would cause substantial new volumes of air traffic to over-fly Fire Island. Mention of these changes seems buried in the DEIS Appendices and is couched in the language of air space designers, is not understandable to the public, and contains little in the way of details.

Accordingly, it is impossible for us to evaluate the environmental impacts or advise our membership and visitors of the proposed changes based on the information provided. ISP has become a very busy airport since Southwest Airlines has made it an east coast hub and we are told to expect further growth of over 50 percent by 2011. This poses a potential long-term threat to FINS. In mild weather when the ocean is calm, the Seashore and its residents enjoy very low background sound levels, which is a critical part of the park experience.

To assure that these conditions are not unnecessarily interfered with, we respectfully request

1. Full characterization of the proposed ISP changes, couched in terms meaningful to non-professionals, that will describe proposed changes in flight paths, projected

Steve Kelley
April 20, 2006
Page Two

traffic volumes, maximum expected sound levels (as compared to existing background sound levels in calm weather and ocean conditions), and other information that will allow evaluation of the current and expected environmental impacts of the overflights.

2. Because of the unique nature of Fire Island National Seashore, we request that additional overflight of the Fire Island National Seashore be avoided, and a thorough identification and examination of alternatives to changes in ISP departures, with opportunity for public comment, before any changes involving ISP are undertaken.

We look forward to being able to comment more meaningfully once the proposed changes are more fully described in terms understandable to the public. It is amazing to us that there has been little or no public awareness that these changes are even being considered.

Thank you for this opportunity to comment.

Sincerely,



Gerard Stoddard
For the Board of Directors

cc. Michael T. Reynolds
Superintendent, FINS
120 Laurel Street
Patchogue NY 11772

Jerome Feder, M.D.

Response to Comment 3135: Gerard Stoddard for the Board of Directors, Fire Island Association Inc.

Comment Number	Comment response
1	The commenter is not correct. One portion of the traffic over Fire Island is ISP departures via Robbinsville to the west. In the Integrated Airspace alternative with ICC which is the FAA's preferred alternative, these flights head northwest instead, and no longer cross the island. The result should be less overflight traffic with implementation of the Proposed Action.
2	These changes are briefly discussed within the DEIS on pages 4-22 and 4-31. Detailed information regarding these changes is included in the technical report documenting the proposed airspace changes. Sections 7.3.3 and 8.3.3 of Appendix C include both written descriptions and graphics illustrating the proposed changes at ISP.
3	The FAA has tried to define the airspace alternatives as simply as possible within the DEIS and FEIS, however airspace control is a complex topic. The analysis provided in the DEIS document indicates that there are no reportable changes in noise at residential areas in near ISP. Of course, small changes below the reportable thresholds are possible and would be likely depending on the alternative. This information was made available for all census block locations within the Study Area in the spreadsheet noise data files on the project web site. This data presents the computed noise levels for all scenarios and all levels regardless of FAA's thresholds.
4	The FAA has further consulted with the NPS regarding impacts to national parks and wildlife refuges, including the Fire Island National Seashore. FAA guidelines were used as well as appropriate metrics, and FAA has further coordinated those guidelines/metrics with NPS. The analysis has taken into account both noise and visual impacts that may adversely impact the visitors experience of the FINS and the wilderness area. Additional analysis regarding the national parks and wildlife refuges has been completed and is included in the FEIS.
5	Comment noted. The FAA has made extensive efforts to involve the public during the NEPA process.



Cranford
Public School District

Lawrence S. Feinsod, Ed.D.
Superintendent of Schools

132 Thomas Street
Cranford, NJ 07016

Tele: 908.709.6202
Fax: 908.272.7735
e-mail: feinsod@cranfordschools.org

April 19, 2006

Mr. Steve Kelley
c/o Nessa Memberg
12005 Sunrise Valley Rd.
MS C3.02 Stop
Reston, VA 20191

Dear Mr. Kelley:

I am writing this letter to express my opposition to the proposed redesign of airspace around Newark Liberty International Airport. My understanding of the proposal is that air traffic would be moved from non-inhabited industrial areas, south of the airport, over densely populated communities, including the Township of Cranford. This move would create major increases in air noise and a major distraction for students and teachers. Indeed, the teaching/learning process requires sustained concentration and cannot effectively occur within a noise tunnel. Increased airplane noise levels will clearly have a **negative impact** for the children of our community. Simply stated, adding a second layer of air flight over Cranford equates to poor public policy.

Please reconsider this ill-advised proposal.

Sincerely,

Dr. Lawrence S. Feinsod
Superintendent of Schools
LSF:m

c: President Bush
Board of Education
Governor Corzine
Senator Lautenberg
Senator Menendez
Marion C. Blakey, FAA
State Senator Kean
Congressman Ferguson
Assemblyman Munoz
Assemblyman Bramnick
Union County Board of Chosen Freeholders
Port Authority of NY and NJ
Rosalie Hellenbrecht, Township Clerk
Mrs. Barbara Krause

003136

Response to Comment 3136: Dr. Lawrence S. Feinsod, Superintendent of Schools, Cranford Public School District

Comment Number	Comment response
1	The DEIS disclosed that some of the alternatives investigated would have the effect of creating both "significant" and slight to moderate noise increases in and around the City of Elizabeth. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five "Preferred Alternative and Mitigation" of the Final EIS.

Rodger

AVERY
Action Item

Assignee: Naydeen Minor
Assigned on: 04/20/2006 11:34 AM
DUE ON: **05/03/2006**
Assigned By: Lenora Davis

*Marking the item as "Secure" means that Your Assignees will not have access to see each other's action items or responses. **Choose this attribute during the assigning process!

Correspondence Tracking Item Information

Tracking Number: 2006-110262-A
Alt Tracking Numbers: FAA-060419-006
Originator: Lenora Davis
Organization: Congressional Communications Office
Subject: Airspace redesign process at Philadelphia Airport
Interim Date:
Signature Level: Vice President for System Operations Services
This action was also assigned to: Tina McClure; Naydeen Minor; Denise Bethea
The following people were also cc'ed on your action item: Regina Sharp; Gwen Caudle

Available Actions:
[Assign](#)
[Forward](#) - Use this to send a link to this tracking item in a mail message. Forwarding does not assign!
[Add Comment](#)
[Delegate this item](#)
[Mark as Complete](#) - Mark your action item as completed and send a response to your assigner.
[Cancel](#)
[Create a Cover Sheet](#)
[Provide Feedback](#) - Use to provide the NexGen Team with feedback on this system.

Correspondence Information

Document Type: Other
Document Date: 04/12/2006
Date Received: 04/20/2006
Who From: A. Bruce Crawley
Constituent Name:
Who To:
Originating Organization: African-American Chamber of Commerce

Your Action Item Info
Completed Date:
CC'ed on response to your assigner:

Responses, Comments or Attachments for your Assigner: (Choose the "Add Comment" button above)

Comments to your Assignees (if any): (Choose the "Add Comment" button above)

Comments from YOUR Assigner:

Comments from the original Correspondence Tracking Item:

The below comments were added by: Lenora Davis on 4/20/2006 11:33:22 AM.

hpsc1121.pdf

Attached is the incoming for your action.

NOTE: If this control does not belong to your group and should be transferred, please let us know within 2 Business Days.

Check below for activity related to this tracking item:



Federal Aviation Administration
Executive Secretariat

Control number: FAA-060419-006 **Action office:** ATO-1
Document date: 4/12/2006 **Due date:** 5/3/2006
Writer: A. Bruce Crawley
1735 Market Street
Suite 990
Philadelphia, PA 19103
Subject: Airspace redesign process at Philadelphia Airport

Action: Direct Reply

<u>Date</u>	<u>Action</u>	<u>Action by</u>
4/19/2006	Folder Sent for Draft to Action Office: ATO-1 for 'Direct Reply'.	SBUSH
4/19/2006	DIST: AOA-2,ARP-1	SBUSH
4/19/2006	Updated Folder Information.	SBUSH
4/19/2006	Work Folder Assigned to ATO-1.	SBUSH
4/19/2006	Incoming File Uploaded.	ARWILLIAMS
4/19/2006	Control Number Created.	ARWILLIAMS

<u>Date</u>	<u>Note</u>	<u>Note by</u>
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For more information please contact:
Sabrina Bush, sabrina.bush@faa.gov



AFRICAN-AMERICAN CHAMBER OF COMMERCE OF PENNSYLVANIA, NEW JERSEY & DELAWARE

April 12, 2006

Ms Marion C. Blakey
 Federal Aviation Administrator
 U.S. Department of Transportation
 Federal Aviation Administration
 800 Independence Avenue, SW
 Washington, DC 20591

Dear Ms. Blakey:

I am contacting you as chairman of the Philadelphia area African-American Chamber of Commerce, a business advocacy organization with 750 member firms, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity – the design of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving the 8 million people in the Greater Philadelphia metropolitan area and the Airport has recently advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvement has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Last year, PHL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control tower at PHL is the busiest in the FAA's Eastern Region. Accordingly, even the airfield improvements will not produce optimum benefits unless the airspace serving Philadelphia is concurrently re-engineered.

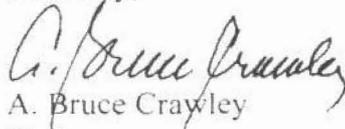
As improvements to the management of Philadelphia's airspace are evaluated along with those at the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that you give strong consideration to whichever alternative will offer the most relief on congestion at PHL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative, enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHL. In addition, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of the decade, ultimately causing enormous economic harm to the entire metropolitan area.

Please be assured that, as part of the Greater Philadelphia business community, our region's African-American Chamber of Commerce will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Thank you for your consideration in this matter.

Sincerely,


A. Bruce Crawley
Chairman

Response to Comment 3150: A. Bruce Crawley, Chairman of the Philadelphia Area African-American Chamber of Commerce

Comment Number	Comment response
1	Redesign of Philadelphia Airspace was an important component of the NYNJPHL project, and two of the alternatives, Modifications to Existing Airspace, and Integrated Airspace included changes as compared to the Future No Action. Optimum benefits for Philadelphia Airport would be reached with the Integrated Airspace Alternative Variation with ICC. A summary of the changes from the Future No Action for the Integrated Airspace Alternative Variation with ICC include: West departure gate expanded to the northwest; new procedures for aircraft heading to the West departure gate, East departure gate is shifted to the east; new procedures for aircraft heading to the East departure gate; west arrival post shifts to the northeast; new distant procedures for aircraft arriving from the West arrival post; new departure headings for aircraft heading to the North, East, West, Southwest, and South departure gates; and an additional route added to the North arrival post. The additional departure headings would allow air traffic to expedite departures at PHL.
2	Comment noted.
3	Comment noted.
4	Comment noted.



Federal Aviation Administration Executive Secretariat

AJR-3

Kalinauski

Control number: FAA-060405-009	Action office: ATO-1
Document date: 3/29/2006	Due date:
Writer: Amy Gutmann Philadelphia, PA 19104-6380	
Subject: Write concerning the redesign of airspace for the Greater Philadelphia's economic growth and prosperity	

Action: Appropriate Handling

Date	Action	Action by
4/5/2006	Folder Processed for Appropriate Handling.	SALLEN
4/5/2006	Updated Folder Information.	SALLEN
4/5/2006	Work Folder Assigned to ATO-1.	SALLEN
4/5/2006	Incoming File Uploaded.	ARWILLIAMS
4/5/2006	Control Number Created. Copy ROA-2	ARWILLIAMS

Date	Note	Note by
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For more information please contact:
Sandra Allen, saundra.m.allen@faa.gov

APPROPRIATE HANDLING - To: AJR
**TO BE HANDLED AT THE DISCRETION OF
THE SERVICE UNIT RESPONSIBLE.**



The President

March 29, 2006

Ms. Marion C. Blakey
Federal Aviation Administrator
U.S. Department of Transportation
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Ms. Blakey:

I am contacting you as President of the University of Pennsylvania, the largest private sector employer in the Greater Philadelphia region, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity – the redesign of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving this metropolitan area, which is composed of over 8 million people. Under the auspices of a Presidential Executive Order (E.O. 13274) and with the support of the Federal Aviation Administration (FAA), the Airport has advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvements has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Improvements to PHL's airfield will not yield optimum benefits unless the airspace serving Philadelphia is re-engineered in coordination with these runway projects. Last year, PHL

Marion C. Blakey
March 29, 2006
Page 2

handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control Tower at PHL is the busiest in the FAA's Eastern Region.

As improvements to the management of Philadelphia's airspace are evaluated along with that of the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that you give strong consideration to whichever alternative will offer the most relief of congestion at PHL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative, enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHL. Furthermore, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of this decade, ultimately causing enormous economic harm to the entire metropolitan area.

Please be assured that the Greater Philadelphia business community will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Thank you for your consideration in this matter.

Sincerely,



Amy Gutmann

Response to Comment 3151: Amy Gutmann, President of the University of Pennsylvania

Comment Number	Comment response
1	Redesign of Philadelphia Airspace was an important component of the NYNJPHL project, and two of the alternatives, Modifications to Existing Airspace, and Integrated Airspace included changes as compared to the Future No Action. Optimum benefits for Philadelphia Airport would be reached with the Integrated Airspace Alternative Variation with ICC. A summary of the changes from the Future No Action for the Integrated Airspace Alternative Variation with ICC include: West departure gate expanded to the northwest; new procedures for aircraft heading to the West departure gate, East departure gate is shifted to the east; new procedures for aircraft heading to the East departure gate; west arrival post shifts to the northeast; new distant procedures for aircraft arriving from the West arrival post; new departure headings for aircraft heading to the North, East, West, Southwest, and South departure gates; and an additional route added to the North arrival post. The additional departure headings would allow air traffic to expedite departures at PHL.
2	Comment noted.
3	Comment noted.
4	Comment noted.

AJR-3



Federal Aviation Administration Executive Secretariat

Control number: FAA-060405-005	Action office: ATO-1
Document date: 3/28/2006	Due date:
Writer: Douglas C. McBrearty General Public 333 West Lancaster Avenue Wayne, PA 19087	
Subject: Express concerns regarding the redesign of airspace for the Greater Philadelphia's economic growth and prosperity	

Action: Appropriate Handling

Date	Action	Action by
4/5/2006	Folder Processed for Appropriate Handling.	DBURLEY
4/5/2006	DIST: AOA-2	DBURLEY
4/5/2006	Updated Folder Information.	DBURLEY
4/5/2006	Work Folder Assigned to ATO-1.	DBURLEY
4/5/2006	Incoming File Uploaded.	ARWILLIAMS
4/5/2006	Control Number Created.	ARWILLIAMS

Date	Note	Note by
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For more information please contact:
Deidre Burley, deidre.burley@faa.gov

APPROPRIATE HANDLING - To: AJR
**TO BE HANDLED AT THE DISCRETION OF
 THE SERVICE UNIT RESPONSIBLE.**



FAA-060405-005 DB

GULPH CREEK *Hotels*

Acquisitions • Development • Management

March 28, 2006

Ms. Marion C. Blakey
Federal Aviation Administrator
U.S. Department of Transportation
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Ms. Blakey:

I am contacting you as the Owner of Gulph Creek Hotels, a major employer in the Greater Philadelphia region, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity – the redesign of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving this metropolitan area, which is composed of over 8 million people. Under the auspices of a Presidential Executive Order (E.O. 13274) and with the support of the Federal Aviation Administration (FAA), the Airport has advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvements has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Improvements to PHL's airfield will not yield optimum benefits, however, unless the airspace serving Philadelphia is re-engineered in coordination with these runway projects. Last year, PHL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control Tower at PHL is the busiest in the FAA's Eastern Region.

As improvements to the management of Philadelphia's airspace are evaluated along with that of the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that you give strong consideration to whichever alternative will offer the most relief of congestion at PHL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative, enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHL. Furthermore, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of this decade, ultimately causing enormous economic harm to the entire metropolitan area.

Please be assured that the Greater Philadelphia business community will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas C. McBrearty". The signature is stylized and somewhat cursive, with a large loop at the end.

Douglas C. McBrearty
Principal

Response to Comment 3152: Douglas C. McBrearty, Owner of Gulph Creek Hotels

Comment Number	Comment response
1	Redesign of Philadelphia Airspace was an important component of the NYNJPHL project, and two of the alternatives, Modifications to Existing Airspace, and Integrated Airspace included changes as compared to the Future No Action. Optimum benefits for Philadelphia Airport would be reached with the Integrated Airspace Alternative Variation with ICC. A summary of the changes from the Future No Action for the Integrated Airspace Alternative Variation with ICC include: West departure gate expanded to the northwest; new procedures for aircraft heading to the West departure gate, East departure gate is shifted to the east; new procedures for aircraft heading to the East departure gate; west arrival post shifts to the northeast; new distant procedures for aircraft arriving from the West arrival post; new departure headings for aircraft heading to the North, East, West, Southwest, and South departure gates; and an additional route added to the North arrival post. The additional departure headings would allow air traffic to expedite departures at PHL.
2	Comment noted.
3	Comment noted.
4	Comment noted.

Trance
AJR-3
Kalinowski



Federal Aviation Administration
Executive Secretariat

Control number: FAA-060419-003	Action office:	ATO-1
Document date: 4/11/2006	Due date:	
Writer: William L. Wilson 628 W Rittenhouse St Philadelphia, PA 19144		
Subject: Airspace redesign process at Philadelphia Airport		

Action: Appropriate Handling

Date	Action	Action by
4/19/2006	Folder Processed for Appropriate Handling.	SBUSH
4/19/2006	Updated Folder Information.	SBUSH
4/19/2006	Work Folder Assigned to ATO-1.	SBUSH
4/19/2006	Folder Status Changed from: COMPLETED to: SCANNED.	SBUSH
4/19/2006	Folder Processed for Appropriate Handling.	SBUSH
4/19/2006	Updated Folder Information.	SBUSH
4/19/2006	Work Folder Assigned to ATO-1.	SBUSH
4/19/2006	Folder Status Changed from: COMPLETED to: SCANNED.	SBUSH
4/19/2006	Folder Processed for Appropriate Handling.	SBUSH
4/19/2006	DIST: AOA-2,ARP-1	SBUSH
4/19/2006	Updated Folder Information.	SBUSH
4/19/2006	Work Folder Assigned to ATO-1.	SBUSH
4/19/2006	Incoming File Uploaded.	ARWILLIAMS
4/19/2006	Control Number Created.	ARWILLIAMS

Date	Note	Note by
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For more information please contact:
Sabrina Bush, sabrina.bush@faa.gov

APPROPRIATE HANDLING - To: AIR

**TO BE HANDLED AT THE DISCRETION OF
THE SERVICE UNIT RESPONSIBLE.**

Synterra Ltd.

SITE ARCHITECTURE, DEVELOPMENT PLANNING
CONSTRUCTION MANAGEMENT
Philadelphia • New York • Washington

April 11, 2006

Ms. Marion C. Blakey
Federal Aviation Administrator
U.S. Department of Transportation
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Ms. Blakey:

I am contacting you as Principal of Synterra, Ltd, a major employer in the Greater Philadelphia region, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity – the redesign of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving this metropolitan area, which is composed of over 8 million people. Under the auspices of a Presidential Executive Order (E.O. 13274) and with the support of the Federal Aviation Administration (FAA), the Airport has advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvements has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Improvements to PHL's airfield will not yield optimum benefits, however, unless the airspace serving Philadelphia is re-engineered in coordination with these runway projects. Last year, PHL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control Tower at PHL is the busiest in the FAA's Eastern Region.

<input type="checkbox"/>	Philadelphia	• 628 West Rittenhouse Street, Philadelphia, PA e-mail: synterra@aol.com	19144 fax	(215) 843-0700 (215) 843-6593
<input type="checkbox"/>	New York	• 170 West 74th Street, Suite 216, New York, NY	10023	(212) 721-2408
<input type="checkbox"/>	Washington	• 1211 Rhode Island Ave., NW, Washington, DC	20005	(202) 667-4286

Marion C. Blakey, Federal Aviation Administration
April 10, 2006
Page 2

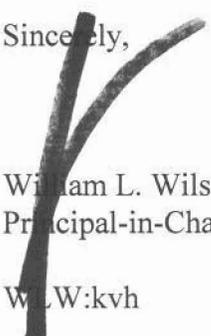
As improvements to the management of Philadelphia's airspace are evaluated along with that of the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that you give strong consideration to whichever alternative will offer the most relief of congestion at PHL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative, enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHL. Furthermore, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of this decade, ultimately causing enormous economic harm to the entire metropolitan area.

Please be assured that Synterra, Ltd. along with the Greater Philadelphia business community will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Thank you for your consideration in this matter.

Sincerely,



William L. Wilson
Principal-in-Charge

W.L.W.:kvh

Synterra Ltd.

Response to Comment 3153: William L. Wilson, Principal-in-Charge, Synterra Ltd.

Comment Number	Comment response
1	Redesign of Philadelphia Airspace was an important component of the NYNJPHL project, and two of the alternatives, Modifications to Existing Airspace, and Integrated Airspace included changes as compared to the Future No Action. Optimum benefits for Philadelphia Airport would be reached with the Integrated Airspace Alternative Variation with ICC. A summary of the changes from the Future No Action for the Integrated Airspace Alternative Variation with ICC include: West departure gate expanded to the northwest; new procedures for aircraft heading to the West departure gate, East departure gate is shifted to the east; new procedures for aircraft heading to the East departure gate; west arrival post shifts to the northeast; new distant procedures for aircraft arriving from the West arrival post; new departure headings for aircraft heading to the North, East, West, Southwest, and South departure gates; and an additional route added to the North arrival post. The additional departure headings would allow air traffic to expedite departures at PHL.
2	Comment noted.
3	Comment noted.
4	Comment noted.

*Roselle Park Public Schools
510 Chestnut Street
Roselle Park, New Jersey 07204*

"Committed to Excellence"

Patrick M. Spagnoletti
Superintendent of Schools
(908) 245-1197
FAX (908) 245-1226

Susan M. Guercio
School Business Administrator/
Board Secretary
(908) 245-2103

April 26, 2006

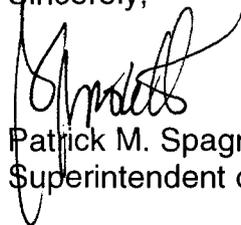
Mr. Steve Kelley
c/o Nessa Memberg
12005 Sunrise Valley Road
MS C3.02 Stop
Reston, VA 20191

Dear Mr. Kelley:

I would like to express my disagreement with the proposed redesign of airspace around Newark Liberty International Airport. As I understand it, air traffic would be relocated from non-inhabited industrial areas south of the airport, to densely populated residential communities, including portions of the Borough of Roselle Park. This move would create significant increases in noise, and would pose a significant distraction for students and teachers alike. As schools across the nation rise to the challenge of meeting the goals articulated through the No Child Left Behind Act, any change to air traffic which increases noise would negatively impact our students' performance.

In closing, I ask that you reconsider this proposal.

Sincerely,



Patrick M. Spagnoletti
Superintendent of Schools

lb

pc: President Bush
Board of Education
Mayor and Council Members
Governor Corzine
Senator Lautenberg
Senator Menendez
Marion C. Blakey, FAA
State Senator Kean
Congressman Ferguson
Assemblyman Munoz
Assemblyman Bramnick
Union County Board of Chosen Freeholders
Port Authority of NY and NJ

"Where Children Come First"

003156

Response to Comment 3156: Patrick M. Spagnoletti, Superintendent of Schools, Roselle Park Public Schools

Comment Number	Comment response
1	The DEIS disclosed that some of the alternatives investigated would have the effect of creating both "significant" and slight to moderate noise increases in and around the City of Elizabeth. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternative. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.

I would like the FAA to respond to our mission statement + objectives

HB



97-37 63rd Road, #15E
Rego Park, NY 11374-1625
718-275-3932
Gaia1@rcn.com

Sane Aviation for Everyone, Inc.

www.metronyaviation.org

MISSION STATEMENT AND OBJECTIVES
(Spring 2005)

Dr. Frans Verhagen
Adjunct Associate Professor of Sustainable

The purpose of SAFE, Inc. is to work towards local, regional, national and international aviation policies, programs and projects that are socially and ecologically responsible and that are based upon the *principles of sustainability, equity and accountability* as presented in the socially and ecologically integrated values of the Earth Charter (www.earthcharterusa.org) and in sustainability theory and practice.

Abel Avila-Cruz
Vassar College of HHT,
may 2/06.

SAFE, Inc.'s objectives include but are not limited to the following:

A) ECOLOGICALLY SUSTAINABLE AVIATION:

- 1) **Working towards federal integrated transportation legislation and funding**, so that air (AIR 21) and surface (TEA21) transportation policies are no longer dealt with separately by federal, state and local governmental and other transportation planners
- 2) Making communities with airports become members of the **sustainable communities and aviation network USA** as is done in the UK by SCAN-UK
- 3) **Lifting up the social and ecological impact of military aviation** and the military-industrial complex in redressing the social and ecological problems, especially the challenge of climate change
- 4) **reducing aircraft noise and pollution** by reducing unnecessary plane travel through an efficient intermodal air and surface transportation system with a high-speed train network in high mobility corridors; by the introduction of a pricing system for air transportation that internalizes its true social and ecological costs; by pushing for stage four aircraft; by fining non-compliant airlines, by pressuring the Port Authority to engage in residential soundproofing under the part 150 program; by promoting advanced telecommunications technologies for business communications and other means
- 5) **Reducing corporate air travel** by internalizing all social and ecological costs
- 6) **Preventing the introduction of air taxis** as a way to demonstrate the expansionistic nature of the aviation industry and the lack of an integrated air and surface transportation planning both of which leads to this wholly unsustainable mode of transportation
- 7) **Scuttling shuttles** on the Eastern Seaboard by promoting the use of high-speed trains, and subsidizing ACELA trains; by raising local taxes on shuttle fares and other means;
- 8) **Curbing air cargo expansion** in favor of rail freight transportation and greater reliance on local, regional and national economies for goods and services;
- 9) **Enforcing a curfew** on all flights and not only scheduled ones between the hours of 10 PM and 7 AM, except in emergency situations;
- 10) **Preventing the re-introduction of the Concorde-like supersonic flights** to and from JFK International; questioning the US Global positions in the EU-US Open Skies Treaty negotiations;
- 11) Working towards **maintaining the High Density Rule at the metro New York airports**;
- 12) **Opposing the national air space redesign program** that is being foisted upon the region by an undemocratically functioning FAA with dubious aviation growth projections
- 13) **Initiating impact studies of aircraft noise and pollution** on property values, health of human and other life to be performed by independent agencies chosen by equal representation from the Port Authority and the affected communities, using SAFE, Inc.'s and other noise monitors;
- 14) Working towards the **refunding of the EPA Office of Noise Abatement and Control (ONAC)** by the

003185

1/2

reintroduction of the Quiet Communities Act;

15) Working towards the **passing of the NY State Bubble Bill** that has been introduced four times in the Assembly and died four times in the Carl Marcellino's Senate Environmental Committee

16) Working towards the **introduction of the NY State Aviation Ombudsman Bill**

17) Working for the SAFE, Inc.-initiated proposed establishment of the **Moynihan Visitors Center on Intermodal Transportation at the TWA terminal landmark at JFK;**

18) working towards **the amending of AIR 21** (The Aviation Investment and Reform Act of March 2000) to include many of the above and following objectives in **ASAP 2006** (Act for A Sustainable Aviation Program) to be part of **INTTEA 2006** (Integrated Transportation Efficiency Act) that would integrate air and surface transportation legislation and funding and promote comprehensive intermodal planning and not only of surface transportation. Such act would result in halting the expansionistic growth of aviation and promote their qualitative growth by better noise abatement measures, reduction of environmental impacts, better integration into the local surface transportation system, making airports develop into travel ports, etc.

B) EQUITABLE AVIATION:

1) Working towards a more **equitably distribution of aircraft noise and pollution** throughout the Queens, Nassau and other metropolitan counties, including New Jersey counties;

2) Initiating a class action suit in order to establish a legal protocol for the **payment of compensation to airport communities** by way of tax reductions or other means;

3) working towards policies that would make concerned and thoughtful citizens part of an **equitable process of aviation decision-making** both on the local, state and particularly the federal level and thus reducing the industry-dominated FAA decision-making;

4) working to have **1% of the PFCs (Passenger Facility Charges)** flow into the Queens County Community Aviation Fund, made up of representatives of government and citizens;

5) Working to have the distribution of the **\$100 million airport lease funds** allocated to Queens County be decided not only by politicians, but also citizens

C) ACCOUNTABLE AVIATION:

1) Fighting for **meaningful representation** of the affected communities in the various advisory councils on county, city and regional and national aviation policy making bodies;

2) Establishing an **ongoing noise monitoring and evaluation system** by an independent agency composed of an equal number of members of the Port Authority and of the affected communities;

3) Having free access to **daily Operations Logs and other information sources** without having to use Freedom of Information requests and pay its high costs;

4) Forcing accountability to the public on the part the Port Authority of NY and NJ, local politicians and the FAA by suing them if **NEPA or SEQR laws** are violated;

5) Initiate debates about reconstituting **The Port Authority of New York and New Jersey** in favor of greater control in aviation by local elected authorities' control.

SAFE, Inc. is a coalition of some two dozen citizens' groups in the greater Metro New York region. It was established on July 7, 1994 in Bayside, Queens and incorporated a year later as a non-profit educational corporation under New York State law. SAFE, Inc. is also a founding member of the Citizens Aviation Watch, USA, Inc. (www.us-caw.org) and member of CAW-International.

Since April 2002 SAFE, Inc.'s president, sustainability sociologist Dr. Frans C. Verhagen (www.globalepe.org), is also president of the national organization.

Those organizations and individuals that are in agreement with the above principles and most of its objectives are invited to join SAFE, Inc. and work in one or more its dozen committees. Annual membership dues are \$25 for organizations and \$10 for individuals.

*"We are made wise not by recollections of the past, but our responsibility to the future."
(George Bernard Shaw)*

Response to Comment 3185: Sane Aviation for Everyone, Inc.

Comment Number	Comment response
1	Comments regarding the DEIS are addressed by the FAA as a part of the EIS process. Responding to the Sane Aviation for Everyone, Inc. mission statement and objectives is outside the scope of this EIS.

Nagendran, Ram

From: Frans C. Verhagen, M.Div., M.I.A, Ph.D. [gaia1@rcn.com]
Sent: Tuesday, May 02, 2006 12:27 PM
To: Anthony Weiner
Cc: Irnel Stephens; Arlene Bronzhaft; Allan A. Greene; Anna Vitale; Bill Schwartzberg; Carol Skisa; Diana Schneider; Fred J. Kress; Henry A.F. Young; Jerry Goodman; Jerry Rappe; Joe Parrish; John Fazio; Karen Shultz; Mark Smith; Monique Minnus; Nance A. DiCroc; Seymour Schwartz; Tom O'Neil; Wilfredo Padro; Hugh Weinberg; FAA DEIS; nadler@mail.house.gov; meeks@mail.house.gov
Subject: SAFE, Inc's position on the National Airspace Redesign
Importance: High
Attachments: MARCH06b.doc; Sustainable Aviation in the USA.ppt

Dear Mr. Weiner:

SAFE, Inc's is very disappointed with your position on the NAR program. The testimony of one of your staff at the FAA hearing in Elmhurst seem to indicate that you enthusiastically support the program. I hope your email works this time. About a month ago I tried several times to send you news about the proposed Moynihan Visitors Center on Intermodalism that you supported a couple of years ago and which was written up, including your support.

Unlike the NJ congressmen the downstate NY delegation does not seem to be able to form a cohesive and strong body of opposition to this undemocratically designed, technically faulty and poorly planned program that ignores the real challenges in energy and of a comprehensive intermodal transportation system of both air and surface transportation. (A few years ago I asked your aviation staff person in Washington why AIR 21 and TEA21 are separate pieces of legislature continuing the disastrous dichotomy between air and surface transportation.) I had personally hoped that you would take leadership given your experience in transportation at the City Council and given the meetings we had in the past. Only Mr. Nadler has voiced his opposition, so far as I know. I am not aware of Mr.Meeks position at this moment.

I have attached the 6 page testimony that I will send to Steve Kelley of the FAA NAR. Tonight at the Howard Beach FAA hearing I will present a summary of the testimony.) I would appreciate your comments on the 6 clearly stated points in the testimony. Next week on Wednesday May 10 the FAA will again do its show and tell at the BP Aviation Advisory Council—I would like to have your position clearly stated, preferably commenting on the 6 points that I have made in my testimony. This response is also important for your political future because SAFE,Inc. is about to issue a press release in which your position will feature prominently.

Finally, for the more technical objections to the NAR program may I refer to the 60 page document that NJCAAN (Robert Beltzer, president) is preparing to submit this month. They are the lead organization for this issue in the metro region and SAFE, Inc. fully agrees with their analysis and positions.

Yours for a sustaining future and a sustainable aviation industry

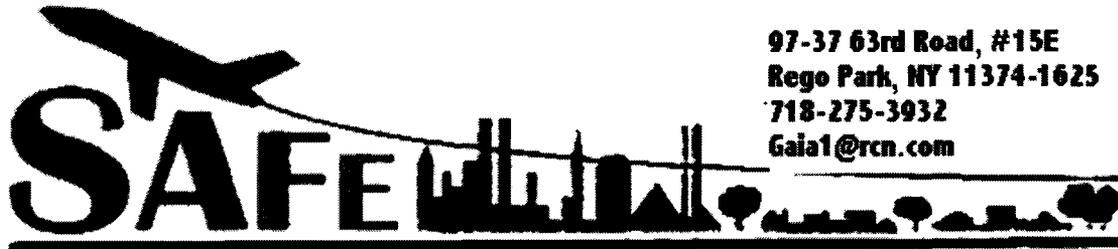
Frans C. Verhagen, M.Div., M.I.A., Ph.D., environmental/sustainability sociologist,
 Founding Chair, Steering Committee, Moynihan Visitors Center on Intermodalism at JFK
 President, SAFE, Inc. www.metronyaviation.org; President, Citizens Aviation Watch, USA, Inc. www.us-caw.org
 Adjunct Associate Professor of Sustainable Aviation at Vaughn College of Aeronautics and Technology,
www.aero.edu and at the CUNY Aviation Institute at York College, <http://www.york.cuny.edu/aviation>
 Moderator <http://groups.yahoo.com/group/CAWInternational/?yguid=72581814>
<http://finance.groups.yahoo.com/group/aviationtaxation/?yguid=72581814>
<http://finance.groups.yahoo.com/group/Noaircargoeexpansionism/>
<http://groups.yahoo.com/group/revampingaviationsystem/>
 Director, Sustainability Research and Education
 Earth and Peace Education Associates International (EPE)
 97-37 63rd Road, #15E, Rego Park, NY 11374, USA
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“...the verb sustaining holds open the actively normative questions that the idea of sustainability raises. We are

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 Email - 2 pgs, word - 6 pgs.
 ppt - 6 pgs, Email - 1 pg

required to probe: What truly sustains us? Why? And how do we know? Conversely, we must ask: What are we to sustain above all else? Why? And how may we do so?" Aidan Davison, Technology and the Contested Meanings of Sustainability, 2001: p.64



Sane Aviation for Everyone, Inc.

www.metroaviation.org

TESTIMONY ABOUT THE DEIS ON THE FAA AIRSPACE REDESIGN IN THE
METRO NEW YORK AND PHILADELPHIA REGION

BY

Frans C. Verhagen, M.Div., M.I.A., Ph.D.,

sustainability sociologist at www.globalepe.org

President, SAFE, Inc. and CAW, USA, Inc. www.us-caw.org

Adjunct Associate Professor of sustainable aviation at Vaughn College of Aeronautics
and Technology, formerly College of Aeronautics at LaGuardia Airport

March 22, 2006

Dear Steve Kelley, FAA NAR (via faa.deis@ngc.com)

My name is listed above and I am a resident in Rego Park, Queens County. For about 10 years I have been the president of SAFE, Inc. and, since April 2002, of the national organization, CAW, USA. I also serve on the Queens County BP Aviation Advisory Council, which, unfortunately, is more reactive than pro-active. I am also in the process of strengthening the International Citizens Sustainable Aviation (CSA) movement, particularly with the help of Dr. John Whitelegg, who has worked for 25 years on transport, environment and sustainable development issues and publishes of World Transport Policy and Practices Journal. <http://www.eco-logica.co.uk/index.html>

There are six main issues that I want to raise in this testimony which as you have seen from the CC and BCC list has been sent to various citizens, industry and media organizations. The issues are:

1. need for a comprehensive intermodalism policy and funding of air and surface transportation
2. need to review the methodology of growth projections by the FAA leading to expansionism in the local, regional, national and international aviation system
3. the process of aviation/transportation decision making
4. the feasibility of establishing a Queens County Aviation Trust Fund

5. absence of a fifth alternative for the NAR program
6. increase of noise impact by the adoption of alternative 4

You may think that the first 4 issues do not belong to a testimony about the NAR program. I want to point out that exactly by ignoring the larger context the real challenges of the NAR design are overlooked. Of course, it is in the interest of the aviation industry and, unfortunately, the closely allied FAA establishment to have a limited discussion about the DEIS, because in that way the public's air space can be populated with ever more airliners, corporate jets and even, horrors, air taxis. By ignoring a widely and deeply based discussion about policies and values the FAA allows citizens to rearrange somewhat the decks on the Titanic, but not to direct the course of the nation's transportation system.

1. Need for a comprehensive intermodalism of air and surface transportation

There is an absence of an overall sustainability perspective on the transportation in the USA. Unlike in other industrialized nations the US surface transportation system has deteriorated from its halcyon days in the fifties, the pride of the world. Presently, Germany, Japan, China and others are investing huge amounts of public and private funds in high-speed rail and even Maglev. The latter technology of great promise was invented at Long Island, but its application has only gone abroad.

If the US Congress and Administrations do not start planning for comprehensive intermodalism in the transportation sector both air and surface transportation modalities will suffer. Though Moynihan's ISTEA was a great step forward in making surface transportation more efficient by its emphasis on intermodalism, what is needed now is the integration of both air and surface transportation. Because intermodal transportation is generally understood to refer to surface transportation, I have coined the term of comprehensive intermodalism to point to the challenge of integration both air and surface transportation.

A first step in the development of such Comprehensive Intermodal TEA legislation is to remove the dichotomy of AIR 21 and TEA 21 legislation and funding the existence of which, it seems, is mainly due bureaucratic inertia and the lack of comprehensive sustainability thinking in transportation.

It is a great pity that the recent report to the US Congress "Aviation and the Environment. A National Vision Statement, Framework for Goals and Recommended Actions" still considers aviation to be completely separate from surface transportation and that its three recommendations are reflective of a very narrow vision, framework and set of goals.

I have attached a PowerPoint presentation on sustainable aviation that was presented in 2004 to faculty and students at Vaughn College of Aeronautics and Technology, formerly College of Aeronautics at LaGuardia Airport. What this means in practice, from a

citizens' point of view, is presented in the mission statement and objectives of my local coalition and the national organization in its pursuit for a national and international sustainable, equitable and accountable aviation system.

2 Reviewing the methodology of growth projections by the FAA leading to expansionism in the aviation system

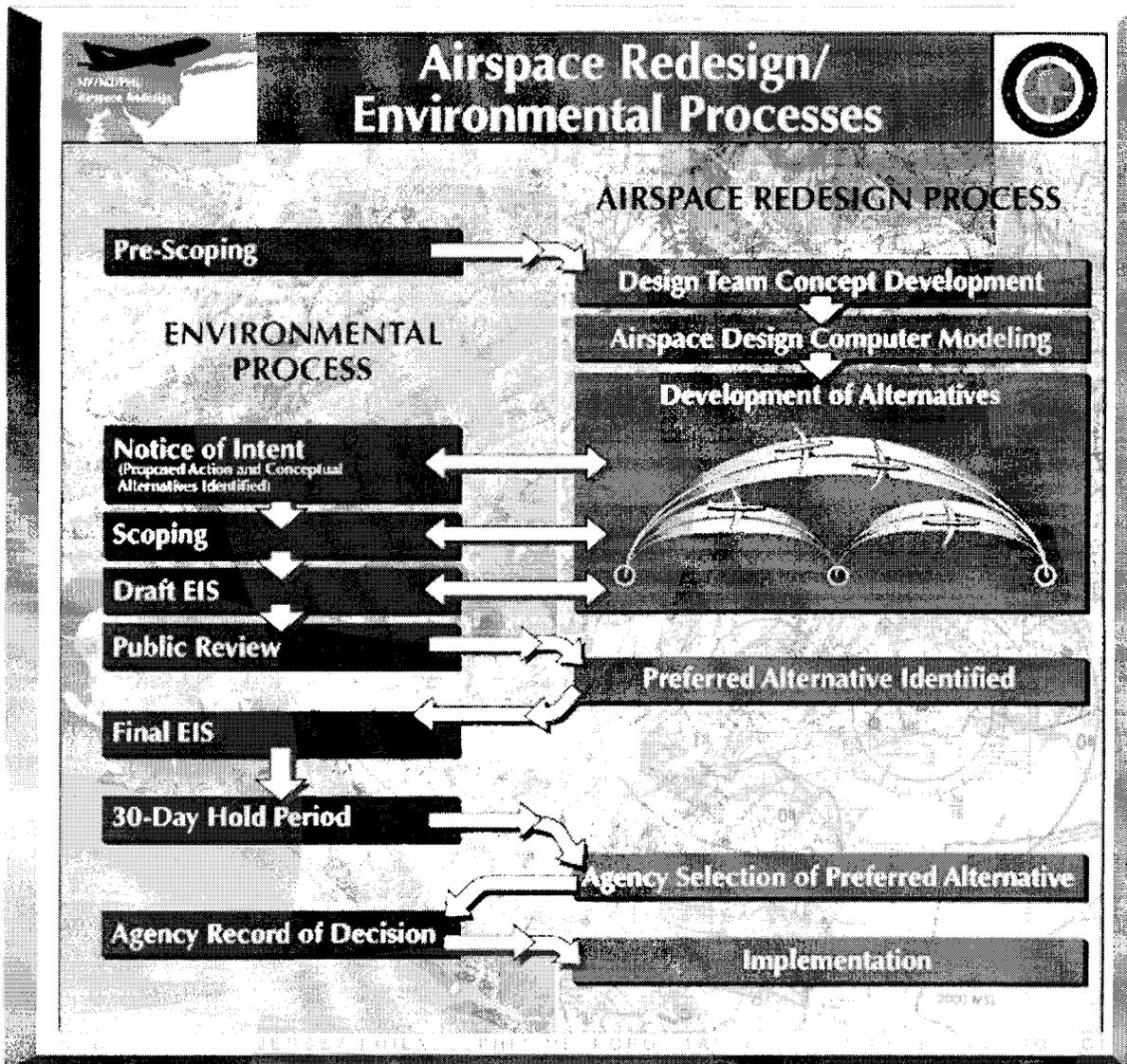
There is a complexity of forces at work in making the aviation industry expansionistic. One of them are the optimistic projections by airframe manufacturers, which either accompany or predate the FAA projections. Though these projections seem mostly to be made based upon straight line trend analysis with some adjustment for environmental constraints, its methodology is to be analyzed in its proper socio-political context, given that most FAA decisions seem to be made with very close cooperation (collusion?) of the industry. Even the 2006 A&E Report to Congress mentioned above suffers from limited citizens participation. It seems that even the federal legislation in respect to advisory committee membership and process is being violated as is argued by a lawsuit recently brought by NJ CAAN, a member organization of SAFE, Inc.

How does the FAA methodology and Boeing's for that matter incorporate the fact of peak oil and drastically increasing gas prices within the next five years? How do these methodologies incorporate the real social and ecological costs of aviation, especially if the next Administration begins including global warming costs in its negotiations with the EU within the Open Skies Treaty framework? Etc. etc.

3. Process of aviation/transportation decision making

Before dealing with the NEPA process I want to point out that federal transportation decision-making, like decision-making in other sectors is highly biased in favor of the industry. It is not only campaign contributions, the strong aviation lobbying force where spouses of congress members feature prominently, but also the revolving door dynamic that plays havoc with democratic decision-making. Obviously, the narrow connection of civil aviation with military aviation is predicated on the exclusion of authentic public input into the transportation decision-making process.

Like in many other federal project the NEPA process is also slanted in such a way that real, value-based input by the citizenry is absent in the pre-scoping and scoping process. It is only when the DEIS stage is reached the public can make its input. The public is delegated to deciding the position of chairs in a room the size of which is determined without their input. In the graphic below the pre-scoping and scoping sessions are most important to set direction and direction is set by values and the normative context of the participants.



Recently, BP Marshall requested for additional public meetings in Queens County. You responded to the negative given the poor showing in Lawrence and Elmhurst. I agree with you, but for another reason. If my organization were to push for participation the room could be filled as we did with a hearing at Vaughn College about two years ago. Why should we bother? If the FAA and the Administration were serious in getting public input, they should make funds available so that they can hire their own consultants who would evaluate the alternatives on the basis of ecological sustainability, equity and accountability. The FAA could also budget funds to have local seminars with officials and citizens engage in an informed debate or choose other formats from the three dozen modes of public participation that are available. In order to make that possible I have been proposing for several years the feasibility of having a Queens County Aviation Trust Fund which also could fund such endeavors.

4. absence of a fifth alternative for the NAR program

I would like to propose a fifth alternative to be considered which would involve a moratorium on quantitative growth and an emphasis on qualitative growth. The latter growth would not only improve airport and airlines operations, but, more importantly, it would integrate aviation with surface transportation, This alternative demands doing more with less. It would be predicated on the thermodynamic notion that by definition air transportation is always more expensive energetically than surface transportation. (There are no low-cost airlines or LCAs, there are only low-fare air lines which do not pay for the social and ecological costs of their operations!) It would also be predicated on a national debate about the need for air taxis, increased corporate travel, the feasibility of shuttles. A major part of that national conversation would be the internalization of the social and ecological costs of all the modes of air and surface transportation. So, if business leaders who are now protesting against raising their share for the replenishing of the Aviation Trust Fund in 2007 want to use shuttles, air taxis, let the FAA make them pay a fully integrated price for this premium mode of transportation and not have tax payers shoulder the burden, particularly those that live near airports.

5. Increase of noise impact by the adoption of alternative 4

“What I find disturbing,” said Senator Kean of the New Jersey Legislature, “is that in 2001 the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public. Now, four years later, they ignore this study and develop a redesign project that would substantially increase noise pollution for as many as 330,000 residents.

Though I admire the efforts of the federal and state legislators of New Jersey like Senator Kean who are listening to their constituents and present comments on the DEIS—unlike our Queens County representatives who have not presented strong comments on the DEIS—, particularly on the increased noise impacts, I also believe that they are wanting in their responsibility to devise a comprehensive intermodalism system for air and surface transportation. Why not have AIR 21 and TEA 21 be integrated in a new transportation bill that is based upon public supported sustainability value framework?

6. Queens County Aviation Trust Fund

As mentioned above local airport communities are to be enabled to make proper input by setting the direction of airport operations in their community. As a matter of fact these communities are to form a network of communities that are interested in engaging a visioning and planning process that would include aviation as a major issue. Like the UK the USA should have SCAN-USA. Cf. <http://www.scan-uk.mmu.ac.uk/index.html> Another part of my work as a sustainability sociologist is the teaching and organizing of sustainable communities and one of my projects is SQ2030 which stands for Sustainable Queens 2030 and in which the future of the two airports are featuring prominently. (The strategy for this endeavor is based upon www.earthCAT.org)

The membership of such local aviation trust funds are to consists of an equal number of politicians and citizens, so that best arguments can win and not the political expediency of the day. Perhaps, the FAA, for a change, could promote the enabling of the local airport communities in that way when the 2007 Aviation Trust Fund is being debated. In any event, one might expect that besides the line up off commercial airlines, NBAA and NATA local officials could be included in promoting local aviation trust funds.

In conclusion, the FAA's Eastern Region Air Traffic Division is "redesigning the airspace in the New York/New Jersey/Philadelphia Metropolitan area to reduce delays in the area....The closeness of the airports results in complex pilot/controller and controller/controller coordination and circuitous flight paths. The current airspace environment is inefficient for aviation users and FAA." If the NAR program wants to reduce delays and also reduce the complexity of air traffic control in the metro NY and Philadelphia airspace, it has to go far beyond the 4 alternatives presented in the DEIS. One of the actions to be taken is to reconsider the connections between air and surface transportation modes, integrate them in a comprehensive intermodalism system, remove the separate legislation and funding in AIR 21 and TEA 21 and help make aviation become part of a sustainable communities movement that enables local communities with assistance of their state and federal representatives envisioning and planning for sustaining futures of their communities. Within a decade or so the aviation industry will be faced with enormous energy challenges given the advent of peak oil and the post carbon era. It is time now to consider the most efficient way of having the highest mobility with the least cost—more is to be done with less. How that has to happen, in last instance, is to have a national conversation or debate about the basic direction of aviation, transportation rather than to let these important decisions to be made by the FAA, DOT and the industry.

Sustainable Aviation in the USA: What, Why, How

A presentation at the College of Aeronautics, New York City

By
Frans C. Verhagen, Ph.D.
Environmental Sociologist
at www.globalepe.org

President,
SAFE, Inc.
www.metronaviation.org



President,
Citizens Aviation Watch, USA, Inc.
www.us-caw.org



5/4/2008

College of Aeronautics, New York City,
Feb 17, 2004

1

Introduction

- **Importance of aviation** for business and pleasure
- **Most important goal** is quality of life for humans and other life forms, or the Earth Community
- **Crucial question:** How can aviation contribute to the quality of life of the Earth Community?



5/4/2008

College of Aeronautics, New York City,
Feb 17, 2004

2

Our main questions

- **What** is sustainable aviation or sustainable transportation?
- **Why** should aviation professionals be concerned of contributing to a sustainable aviation industry?
- **How** can we here at COA make our contributions?



5/4/2008

College of Aeronautics, New York City,
Feb 17, 2004

3

Sustainability-What-1

- **History of concept**
 - Early seventies
 - Limits to Growth
 - Social and ecological sustainability
 - Eighties and nineties
 - Sustainable development
 - Sustainable growth
 - Presently
 - Ecological sustainability
 - Contextual sustainability



5/4/2008

College of Aeronautics, New York City,
Feb 17, 2004

4

Sustainability-What-2

- **Ecological sustainability**
 - Ecological integrity
 - Ecosystem health
 - Interdependence of biotic and abiotic components
 - Maintaining (improving) three Earth processes:
 - Energy flows
 - Matter cycles
 - Life webs
 - Economics is part of ecology and not vice versa



5/4/2008

College of Aeronautics, New York City,
Feb 17, 2004

5

Sustainability-What-3

- **Contextual sustainability**
 - Ecological integrity in the context of social justice, non-violence, participatory decision-making, futurity
 - Foundational assumptions of bioregionalism, biocentrism, and cosmogenesis
 - Framework developed over last twenty years by www.globalepe.org and being applied in education and industry consulting.



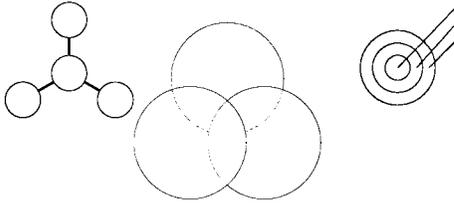
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Sustainability-What-4

Where is the Contextual Sustainability diagram???



Where is the Contextual Sustainability diagram???

5/4/2008

College of Aeronautics, New York City, Feb 17, 2004

Acrobat Document 7

Sustainability-What-5

• **Earth Charter and the CS Framework**

- Both have an integrated system of social and ecological values
- CS framework is more specific and can be used as a planning and accountability framework in government and business
- The Earth Charter in the 21st century is as significant as the Magna Carta was in the 13th century and as the Universal Declaration of Human Rights was in 1948



5/4/2008

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Sustainable aviation-What-1

• **Differences in approaches in considering aviation and environment**

- Course in aviation and environmental issues
 - Technical, legal, does not generally present policy/planning/accountability perspective, is mainly anthropocentric
- Course in sustainable aviation
 - Asks questions about the what, why and how of sustainable aviation and presents a perspective and planning/accountability framework

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Sustainable aviation-What-2

• **Based upon three major principles:**

- Ecological sustainability
 - Minimal impact on the Earth life support systems
 - Environmental impacts are to be internalized
- Social justice
 - Fair aircraft routing
 - Airport communities are to be compensated
- Political accountability
 - Industry accountable to all stakeholders
 - Less or no aviation public authorities

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Sustainable aviation-What-3

• Sustainable aviation cannot be sustainable in an **unsustainable transportation system**

- Aviation as a premium mode of transportation is to be matched with a premium use
- Aviation is to be part of an integrated, intermodal transportation system: from airport to travel port
- Air shuttles to be scuttled.



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Sustainable aviation-What-4

• **Forecasting and expanding**

- Forecasts by industry and government too rosy
- **Tripling of air capacity** as announced by Secretary Mineta on January 27 unwarranted
- Growth in **air cargo** is fastest without consideration of the negative aspect of the globalization trend
 - Relocalization or principle of subsidiarity
 - Bioregionalism: living with the opportunities and constraints of the local biological region and culture



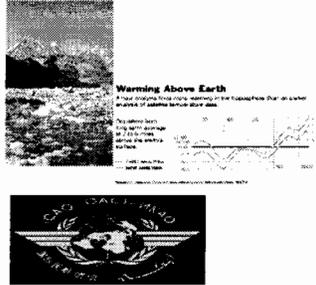
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Sustainable aviation-What-5

- **International aviation**
 - Global warming and aviation
 - 15% of CO2
 - pollution in upper atmosphere
 - March 2003 bench mark ICAO conference(ATC-5)
 - More liberalization
 - Open skies treaties
 - Greater authority to the ICAO
 - Committee on Aviation Environmental Protection(CAEP)
 - Safety, security matters



5/4/2006

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Sustainable aviation-What-6

- **Economics of sustainable aviation**
 - Ecological and social costs are to be internalized
 - Government funding is not to be separate from other transportation modes
 - Subsidies, exemptions, loan guarantees, insurance are to be removed

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Sustainable aviation-What-7

- **Aviation-caused NOISE pollution**
 - Office of Noise Abatement and Control (ONAC) to be refunded
 - EPA to be responsible agency, including the development of noise measuring systems that are realistic
 - Noise to be a major principle in the National Air Design Program



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Sustainable aviation-What-8

- **Aviation-caused AIR pollution**
 - Closer collaboration of federal and local governments; NESCAUM June 2003
 - Engine technology quandy-noise vs pollution
 - Airport related pollution
 - Access vehicle
 - Ground vehicles

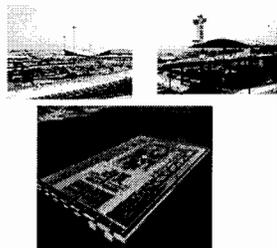
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Sustainable aviation-What-9

- **Aviation-caused WATER pollution**
 - De-icing technologies
 - Albany Airport's de-icing
 - Paris De Gaulle Airport's de-icing
 - Runoff
 - LaGuardia Airport
 - Kennedy Airport
 - Floating airports???



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Sustainable aviation-What-10

- **Safety and security measures**
 - Vertical and horizontal separation not to be changed
 - Security measures are to be developed collaboratively
 - Air lines from developing nations to be given preferential treatment



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Sustainable aviation-Why-1

- **Life on the planet depends on it**

- Global warming contribution of aviation is significant
- Not only humans, but all life forms, animals, trees, corals, etc are affected
- The Earth Charter spells out the human role in restoring, maintaining the health of the Earth Community

"Let there be a time remembered for the awakening of a new reverence for life, the firm resolve to achieve sustainability, the quickening of the struggle for justice and peace, and the joyful celebration of life."
-Earth Charter



Sustainable aviation-Why-2

- **The aviation industry needs a sustainable and interconnected transportation system:**

- Improved security through redundancy and reliability
- Customer choice and convenience
- Reduced economic vulnerability, more financial stability for the industry



Sustainable aviation-Why-3

- **Present aviation industry unsustainable and imploding**

- An industry in financial crisis
- A business model that isn't working
- Industry response: more of the same and more losers



Sustainable aviation-How-1

- **Expanded perspective**

- Community of life or Earth community to be organizing focus based upon the integrated social and ecological values of the Earth Charter. www.earthcharterusa.org
- Central value of ecological integrity with contextual values of social justice, non-violence, participatory decision-making as presented by the CS framework of www.globalepe.org



Sustainable aviation-How-2

- **Ethical vision for industry professionals**

- Nobody is a professional if they do not profess to have an ethical vision
- Consider the four main interrelated Earth Charter values
- Update the Code of Professional Conduct



Sustainable aviation-How-3

- **A balanced political process**

- Reducing the influence of corporate interests, especially the aviation lobby on Congressional decision-making
- On state and local levels private public authorities for aviation are to be subject to citizens



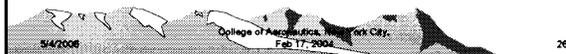
Sustainable aviation-How-4

- **State and regional engagement**
 - Though mostly a federal issue, aviation industry operations are subject to some state regulation. NESCAUM June 2003 report
 - Cap-and-trade of Bubble approach to reduce air pollution, e.g. Logan Airport
 - Bubble bills in New York and New Jersey legislation pending: SAFE, Inc. and NJ CAAN



Sustainable aviation-How-5

- **Metro New York area**
 - Work for sustainable, equitable and accountable aviation policies, programs and projects
 - Update *noise codes* after improving the deficient FAA noise methodology which does not measure the low frequencies which cause the most damage
 - Have part 150 program *insulate more* schools, hospitals and, especially, start insulation of homes



Sustainable aviation-How-6

- **Metro New York**
 - Work for sustainable, equitable and accountable aviation policies, programs and projects
 - Demand an *EIS on airport expansion* that includes alternative ways of mobility, e.g. EDF at Philadelphia Int'l Airport
 - **Make airports travel ports**



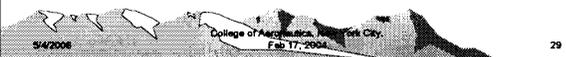
Sustainable aviation-How-7

- **Metro New York**
 - Work for sustainable, equitable and accountable aviation policies, programs and projects
 - Work for the establishment of the *Visitors Center on Intermodal Transportation at the Former TWA landmark terminal*
 - For details see www.metronyaviation.org



Sustainable aviation-How-8

- **Metro New York**
 - Work for sustainable, equitable and accountable aviation policies, programs and projects
 - Have part of the \$50 million from the new lease of the Queens airports go to the establishment of a *Citizens Aviation Trust Fund* which would be able to hire its own consultants, do its own research rather than rely on the research of a non-accountable public authority.



Sustainable aviation-How-9

- **Metro New York**
 - Work for sustainable, equitable and accountable aviation policies, programs and projects
 - Have the Queens BP Aviation Advisory Council establish a *Policy Committee* that would help the Council to be pro-active rather than reactive
 - Its funding could come from the proposed Citizens Aviation Trust Fund. (See Aviation Matters Column in the Queens Chronicle)



Sustainable aviation-How-10

- **Metro New York**

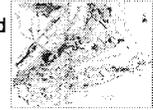
- Work for sustainable, equitable and accountable aviation policies, programs and projects
- Make aviation a part of the *metro NY transportation policies*
- Become active in the SUNYA (Sustainable New York Area) Process and Campaign



Sustainable aviation-How-11

- **Goals of the SUNYA Process/Campaign**

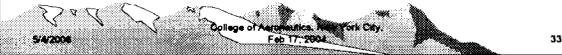
- Have the 31 counties of the Metro NY Area engage in discussing the transition of the Tri-state area into ecological, financial and socially sustainable future
- Have each county adopt the Earth Charter's integrated social and ecological values as their ethical vision in this ongoing consultation of government, business and civil society



Sustainable aviation-How-12

- **Strategy of the SUNYA campaign**

- Have each county attempt to endorse the Earth Charter by Earth Day 2005 by instituting a process of town meetings and other means of public participation
- In the five counties of New York City the 59 Community Planning Boards are to conduct this public decision-making process



Sustainable aviation-How-13

- **Action Plan of the SUNYA Campaign**

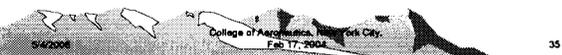
- Have one person to start an ad hoc steering committee in each county, in each community planning board
- At the appropriate time the Ad Hoc Committee becomes the official SUNYA Council with various committees



Sustainable aviation-How-14

- **Is SUNYA doable? YEEEEEEEEES**

- Seattle, San Francisco, Toronto, London, Seoul and 400 other cities and regions did it. www.iclei.org
- There is Sustainable Communities Network, www.sustainable.org and a similar smart growth network www.smartgrowth.org
- The Regional Plan Association have started a similar top-down process. www.rpa.org



Conclusion

- "Without vision, people perish" Proverbs, 28, 15
- Sustainable aviation is possible, necessary and urgent; intermodal transportation with high-speed and regular rail needed
- "Whatever you can do or dream you can, do it. Boldness has genius, magic and power in it." Johann Goethe



Nagendran, Ram

From: Frans C. Verhagen, M.Div., M.I.A, Ph.D. [gaia1@rcn.com]
Sent: Thursday, May 04, 2006 3:20 PM
To: FAA DEIS
Cc: Bill Mulcahy
Subject: Testimony by SAFE, Inc on the Redesign program
Attachments: MARCH06b.doc

Dear Steve Kelley

May 4, 2006

Attached is the 6 page testimony from SAFE, Inc., the metro NY coalition of about 2 dozen civic groups working for a sustainable, equitable and accountable aviation industry. I also want you to know that SAFE, Inc. fully agrees with the testimony of NJ CAAN which deals more with the technical aspects of this redesign program which I think is a socially, economically and environmentally disastrous deception.

Within ten days SAFE, Inc will issue a press release that explains further why we think the NAR program is a disastrous deception.

Yours for a sustaining future and a sustainable aviation industry

Frans C. Verhagen, M.Div., M.I.A., Ph.D., environmental/sustainability sociologist,
 Founding Chair, Steering Committee, Moynihan Visitors Center on Intermodalism at JFK
 President, SAFE, Inc. www.metroaviation.org; President, Citizens Aviation Watch, USA, Inc. www.us-caw.org
 Adjunct Associate Professor of Sustainable Aviation at Vaughn College of Aeronautics and Technology,
www.aero.edu and at the CUNY Aviation Institute at York College, <http://www.york.cuny.edu/aviation>
 Moderator <http://groups.yahoo.com/group/CAWInternational/?yguid=72581814>
<http://finance.groups.yahoo.com/group/aviationtaxation/?yguid=72581814>
<http://finance.groups.yahoo.com/group/Noaircargoeexpansionism/>
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“...the verb sustaining holds open the actively normative questions that the idea of sustainability raises. We are required to probe: What truly sustains us? Why? And how do we know? Conversely, we must ask: What are we to sustain above all else? Why? And how may we do so?” Aidan Davison, *Technology and the Contested Meanings of Sustainability*, 2001: p.64

Response to Comment 3216: Frans C. Verhagen, SAFE, Inc.

Comment Number	Comment response
1	Comment noted. The airspace redesign considered in the DEIS and FEIS is specifically for the New York, New Jersey, and Philadelphia Metropolitan area and is not meant to consider the whole of national airspace redesign.
2	This type of action would require legislative changes by the U.S. Congress. The commenter has the right to express his views regarding changes to transportation legislation to members of Congress representing him, this NEPA study considers a specific Federal action that does not include combining planning for air and land based transportation modes.
3	Comments regard issues outside the scope of this EIS.
4	Comments regard issues outside the scope of this EIS.
5	The FAA documented and considered public input received during the pre-scoping and scoping processes. Although pre-scoping is not required, the FAA held extensive pre-scoping meetings to understand critical public issues and to improve public understanding of the proposed airspace redesign. Upon completion of 31 pre-scoping meetings, a Pre-scoping Summary Report was developed and included a summary of comments received at each meeting. FAA also conducted a formal scoping process intended to encourage and facilitate early public involvement in the environmental process. Twenty-eight public scoping meetings were held and a summary of the comments received is included in the Scoping Summary Report. Both the Pre-Scoping and Scoping Summary Reports are found in Appendix M of the DEIS.
6	Comment Noted. Funding is available for Part 150 studies. Part 150 sets forth standards for airport operators to use in documenting noise exposure in the airport environs and establishing programs to minimize noise related land use incompatibilities. The resulting Noise Compatibility Program is essentially a list of the actions the airport proprietor, airport users, local governments, and the FAA propose to undertake to minimize existing and future land use incompatibilities. This list of actions could include noise abatement and land use compatibility measures such as sound insulation programs and zoning for compatible use. Legal limitations on how aviation trust funds are spent prevent the FAA from funding community studies of ecological sustainability, equity and accountability.
7	This alternative will not be considered. The purpose and need for the project have been stated previously. It is part of FAA's mission to expedite air traffic within the national airspace system. The FAA has an obligation to the traveling public to try to mitigate delays in the airspace system and to manage the national airspace system in as safe, efficient and productive methods as possible.
8	Comments regard issues outside the scope of this EIS.
9	Comment noted. Comment regards issues outside the scope of this EIS.

Response to Comment 3216: Frans C. Verhagen, SAFE, Inc.

Comment Number	Comment response
10	<p>Local airport communities do control their local airports. Public use airports in the U.S. are owned and usually operated by local city governments. Some, like JFK, EWR, TEB and EWR, are owned and operated by a local or regional authority, in this case the Port Authority of New York/New Jersey. The FAA does not own/operate airports. Whether local communities are interested in engaging in broader planning processes beyond themselves and extending to regional or state boundaries is up to the communities themselves. Planning agencies, authorized by state laws, do exist which engage in area-wide planning. Typical state agencies that are authorized by state law to engage in state airport system planning normally include planning offices, aeronautics commissions and departments of transportation. Typical metropolitan planning agencies include metropolitan planning organizations (MPOs), councils of government (COGs), regional planning commissions (RPCs) and other similarly organized agencies. In this study area, there are numerous local agencies and planning agencies that participate in aviation-related activities. These include, but are not limited to: the Queens Borough President's Board on Aviation; TVASNAC (Town & Village Aircraft Safety & Noise Abatement Committee), TAAANAC, NIAAAC, and Brandywine Hundred.</p>
11	<p>The FAA may provide facts to Congress but it is not permitted to promote one community over others or lobby Congress on particular topics.</p>
12	<p>Comment noted. The suggestions presented by the commenter are beyond the scope of this DEIS and generally beyond the purview of the FAA. The commenter has the right to express his views regarding changes to transportation legislation to members of Congress representing him.</p>
13	<p>Comment noted.</p>

MAY 10, 2006

The Changing of Routes For
Airplanes flying over Union Township

PREPARED BY	
DATE	

We the Biertuempfel Park Civic Association would like to request The FAA to change the air route of planes from flying very close over our homes. The noise is horrific and the danger of the planes flying low poses risk of harm to our lives. Please take action to avoid a tragedy. Flying over The Water would be the BEST solution.

Sincerely,

Delores Mallett-Brown

Lee Addie Taylor

Joseph Pellicano

Dorothy J. Vreeland

Terese Halpin

Philip F. Halpin

Nicola Bradshaw

Edith Liddy

Angie Layton

George Clark

Evelyn T. Clark

Martin Adams

Walter Andy

BIERTUEMPFEL PARK CIVIC ASSN.

1384 OMALA DR.

UNION, NJ 07083

003342

Response to Comment 3342: Biertuembfel Park Civic Association

Comment Number	Comment response
1	Assigning, maintaining and enhancing safety and security are the highest priorities in air commerce. Safety is the utmost concern of the FAA, and has been a priority throughout the Airspace Redesign Process. The Airspace Redesign Project addresses many safety-related inefficiencies and will contribute to enhanced safety in light of growing traffic.
2	Comment noted.

RUTGERS ENVIRONMENTAL LAW CLINIC

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Newark, NJ 07102-3094
Phone: (973) 353-5695

Rutgers, The State University of New Jersey
School of Law - Newark
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May 24, 2006

BY ELECTRONIC AND OVERNIGHT MAIL

Steve Kelley
Federal Aviation Administration
FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, Virginia 20191

Re: Comments on the Draft Environmental Impact Statement for the
New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign

Dear Mr. Kelley:

Please accept these comments on behalf of New Jersey Citizens Against Airport Noise (“NJCAAN”) regarding the Draft Environmental Impact Statement (“DEIS”) issued in December 20, 2005, by the Federal Aviation Administration (“FAA”) for the New York, New Jersey, and Philadelphia Metro Airspace Redesign Project (“Airspace Redesign”). These comments incorporate the attached exhibits, references, and Appendix.

NJCAAN is a broad based coalition of noise organizations and individuals representing thousands of citizens throughout the State of New Jersey who seek quieter skies. New Jersey citizens formed NJCAAN in response to extensive aircraft noise problems, which remain largely unresolved, that were caused by the last major FAA redesign, the 1987 Expanded East Coast Plan (“EECP”). While we recognize that the FAA’s proposed Airspace Redesign includes the greater metropolitan area of New York, New Jersey and Philadelphia, our comments focus mainly on issues that specifically affect citizens of New Jersey.

The FAA’s preferred alternative is projected to increase aircraft noise for 332,000 residents in the metropolitan area, while decreasing it for only 68,000. The particularly onerous procedures of the preferred alternative include fanning departures at Newark and Philadelphia Airports and reducing overall aircraft altitudes. Given the negligible benefits and significant noise impact, NJCAAN opposes the project and believes that the agency needs to go back to the drawing board and develop a plan that better serves the public interest.

The DEIS fails to meet the FAA’s obligations under the National Environmental Policy Act, 42 U.S.C. § 4332 et seq. (“NEPA”) to analyze the full environmental affects of the proposed action. The DEIS does not provide a “full and fair discussion” of the proposed action’s adverse impacts on New Jersey citizens, does not adequately provide all data and information relevant to

Carter H. Strickland, Jr., Esq.+
Acting Director

Julia LeMense Huff, Esq.*+
Staff Attorney

Richard Webster, Esq.+
Staff Attorney

* Admitted in New Jersey Pursuant to 1:21-3(c) + Also admitted in New York

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the issues raised by the proposed action, and does not adequately explore or objectively evaluate all reasonable alternatives.

NJCAAN notes that the incompleteness of the data was only partly addressed by the FAA's posting of certain noise impact spreadsheets on its website in mid-March, in response to requests from Congressman Ferguson but without any additional notice to the public; at a minimum, NJCAAN requests that the FAA extend the comment period by the delay, which was nearly 90 days after the data should have been available with the rest of the DEIS.

One great defect of the DEIS is that it fails to consider the cumulative impact of allowing even more air traffic on top of the 20-25% increase in air traffic over the last 20 years. The FAA's proposals layer more flight patterns (and aircraft traffic) over densely populated residential communities in order to support growth. The FAA's broadest concept also reduces aircraft altitudes—an issue widely opposed by the public and area elected officials. Despite quieter aircraft introduced over this time frame, the public can expect increased air noise with the industry's future growth under the FAA's proposals.

Another glaring defect is that the FAA refused to conduct any analysis of impacts on air quality, despite the fact that the project is intended, and likely will, increase air traffic and thus emissions of air pollutants. In short, the DEIS was developed in secret with the airline industry to the exclusion of the public, and reflects the goals and priorities of that industry rather than citizens.

To address these deficiencies over the long-term, the FAA should reopen route development to seek and examine additional or altered versions of the alternatives and to undertake a compliant environmental analysis that will (1) include reduction of aircraft noise as a purpose of the Airspace Redesign, (2) correct for identified deficiencies in the data, assumptions and modeling used, (3) revise its estimates and assumptions to conform to realistic projections, (4) make all relevant data, assumptions and modeling available to the public on a contemporaneous basis, and at the same time and on the same terms they are made available to aviation industry groups, (5) evaluate the independent components of the Integrated Airspace alternatives, which bundle together actions that could be taken on a more incremental and less harmful basis and (6) evaluate alternatives with a view towards reducing the cumulative impacts of noise, air quality and other environmental impacts.

I. APPLICABLE PRINCIPLES OF ENVIRONMENTAL ANALYSES

An environmental impact statement ("EIS") is "an action-forcing device to insure that the policies and goals" of NEPA are "infused into the ongoing programs and actions of the Federal Government." 40 C.F.R. § 1502.1; see NEPA § 102(2)(C), 42 U.S.C. § 4332(2)(C). The statutory policies of NEPA are to force federal agencies to consider the long-term environmental impacts of actions before making irreversible commitments of public resources. *Id.* § 4331(C). These policies are reflected in the Council on Environmental Quality's more detailed regulations at 40 C.F.R. §§ 1500 et. seq., which are, in turn, implemented through the FAA's Order 1050.1E to ensure that the agency complies with NEPA and other environmental laws, regulations and

executive orders when it assesses proposed major agency actions. FAA Order 1050.1E, Chg. 1 (2006).

An EIS must adequately inform the agency decision maker and the public of the significant environmental impacts of a proposed federal action by providing a “full and fair discussion” of those impacts, as well as “the reasonable alternatives which would avoid or minimize adverse impacts.” 40 C.F.R. § 1502.1; see NEPA § 102(2)(C), 42 U.S.C. § 4332(2)(C). An EIS “shall be analytic” and discuss environmental impacts “in proportion to their significance,” including direct, indirect and cumulative impacts. See 40 C.F.R. §§ 1502.2(a),(b), 1502.16(a),(b), 1508.25(a)(2),(c). Cumulative impacts are the “results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.” Id. § 1508.7. As with any administrative action, an EIS “shall be supported by evidence that the agency has made the necessary environmental analyses.” Id. § 1502.1. An EIS must identify the methodologies and sources used and identify where information is incomplete or unavailable. 40 C.F.R. §§ 1502.24, 1502.22.

“[T]he heart of the environmental impact statement” is the discussion of alternative methods to achieve the purpose of the proposed action, which must “[r]igorously explore and objectively evaluate all reasonable alternatives,” including identification of the agency’s preferred alternatives, an “alternative of no action” and even alternatives not within the agency’s jurisdiction. 40 C.F.R. § 1502.14. The agency must use this section to “present the environmental impacts of the proposal and the alternatives in comparative form . . . providing a clear basis for choice among [the] options.” Id. This section must contain a “sufficient discussion of . . . opposing viewpoints to enable [the agency] to take a hard look at the environmental impacts of the [proposed action] and its alternatives, and to make a reasoned decision.” *Custer County Action Assn. v. Garvey*, 256 F.3d 1024, 1041 (10th Cir. 2001).

The hard look requirement means that agencies must “rigorously explore and objectively evaluate all reasonable alternatives,” 40 C.F.R. § 1502.14(a), and must “[d]evote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.” Id. § 1502.14(b). The attention to each alternative must be sufficient to allow the ultimate decision maker to “remain open to reconsidering any or all aspects of the proposed action” as the favored alternative. *Citizens Concerned About Jet Noise, Inc. v. Dalton*, 48 F. Supp. 2d 582, 607 (E.D. Va. 1999), *aff’d*, 217 F.3d 838 (4th Cir. 2000). In summary, the “selection and discussion of alternatives” must be sufficient to “foster informed decision-making and informed public participation.” *Westlands Water District v. U.S. Dept. of the Interior*, 376 F.3d 853, 868 (9th Cir. 2004).

Finally, an EIS must discuss measures to mitigate the impacts that cannot be avoided through the use of an alternative to the chosen alternative. 40 C.F.R. §§ 1502.14(f), 1502.16(h). The DEIS defers all discussion of mitigation measures to the FEIS. DEIS § ES.7, p. ES-18. Please explain the reason for this omission, how discussion of mitigation measures at the late date of an FEIS will allow for public discussion of those measures, and the agency’s plan for public participation regarding the mitigation measures in the proposal.

II. THE HISTORY OF AIRCRAFT NOISE ISSUE IN NEW JERSEY AND OF THE AIRSPACE REDESIGN PROJECT

Neither the latest version of the Airspace Redesign nor the DEIS can be considered in a vacuum. Both must be considered against the backdrop of significant increases in noise pollution that have occurred in many areas of New Jersey and inadequate efforts by the FAA to control noise affects. The FAA's inability to control past and existing noise impacts must be addressed before it can consider adding still more aircraft noise to the crowded New York, New Jersey and Philadelphia metropolitan area.

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Indeed, the FAA initiated the Airspace Redesign in 1998, accompanied by requirements, promises and commitments to yield noise mitigation benefits in response to the negative effects of previous route changes, noise problems, and unsuccessful mitigation efforts on the citizens of New York and New Jersey. Moreover, environmental studies of previous, similar changes within New Jersey have concluded that the public's tolerance for aircraft noise is much lower than the default noise contour lines used in the current DEIS. Prior environmental studies have analyzed and rejected procedures with significant adverse environmental impacts that are now included as major components of the FAA's preferred alternatives.

A. Aircraft Noise, Its Affects on Public Health and Regulatory Criteria

Sound pressure levels are typically reported in terms of the number of decibels (dB), which is a logarithmic scale. As a rule of thumb, a 6-10 dB increase is experienced as a doubling of loudness; in our daily lives, 45-50 dB represents the background levels of a quiet suburban area, 60 dB is the level of conversation at five feet and 70 dB is the sound of a vacuum cleaner at 3 feet away that will drown out the conversation. See DEIS, App. E, Fig. E-3. Most commercial aircraft operate at levels of 65 to 95 dB when measured at a distance of 3 to 5 nautical miles. The DEIS reports interference with conversation at 60 dB. Id. p. 12. Although this is reported as indoor conversation interference levels, no reason is given to distinguish outdoor conversation, and indeed the DEIS does not at all discuss interference when people are out-of-doors, which is precisely when laypeople experience the worst interference from aircraft noise. Please explain this discrepancy.

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Airplane noise regulations refer to a further extrapolation from the dB called the day-night average sound level, or DNL, which is defined as "the 24-hour average sound level, in decibels, for the period from midnight to midnight, obtained after the addition of ten decibels to sound levels for the periods between midnight and 7 a.m., and between 10 p.m., and midnight, local time." 14 C.F.R. § 150.7.

The FAA has promulgated noise compatibility regulations at 40 C.F.R. Part 150 to govern the activities of airport operators, and should look to these regulations to guide its own programmatic activities, or justify departures from the regulations. Among other things, the FAA regulations provide for the preparation of noise exposure maps that depict airports, contours of various projected noise levels, and the surrounding area. See generally 40 C.F.R. §§ 150.21, A150.101(e). The preparation of noise contour maps is supposed to be an open process,

with the airport operator providing an opportunity for the public, government officials, regular aeronautical users, and others to submit their views, data and comments concerning the correctness and adequacy of draft exposure maps and forecasts of airport operations. *Id.* § 150.21(b). All computer models used to create noise contours must be in accordance with regulatory criteria. 14 C.F.R. §§ 150.9(c), 161.9(b). Noise contours are set for 65 DNL except where “[l]ocal needs or values may dictate further delineation based on local requirements or determinations.” 40 C.F.R. § A150.101(d). (A similar policy applies to the FAA’s DEIS, where “the responsible FAA official will determine the appropriate noise assessment criteria based on specific uses in the area.” Order 1050.1E § 11(8).) In California, for example, the FAA measures aircraft noise using the Community Noise Equivalent Level. *Id.*, App. A, § 14.1, p. A-60. And the Part 150 criteria may be inadequate to evaluate the noise impact on properties of unique significance such as national parks, national wildlife refuges and to wildlife, which require specific impact studies. *Id.*, App. A, § 14.4b, p. A-62. The FAA’s regulations encourage the use of supplemental noise analysis where problems are identified. *Id.*, App. A, § 14.5b, p. A-64.

These regulatory criteria require noise analysis to estimates of number of people within each noise contour, 14 C.F.R. § A150.101(e)(8), as well as the location of noise sensitive public buildings such as schools, hospitals, healthcare facilities, and properties eligible for inclusion in the National Register of Historic Place. 40 C.F.R. § A150.101(e)(6). In addition, noise contour maps are to reflect negative impacts (i.e., “substantial, new noncompatible use”) in any area where changes cause an increase in the yearly day-night average sound level of 1.5 dB or greater. 40 C.F.R. 150.21(d).

While NJCAAN does not believe that the Part 150 regulations capture all intrusive noise impacts, and that the default 65 DNL contour is particularly indefensible and contrary to real-world experience and data from prior New Jersey airspace changes, NJCAAN does believe that the FAA’s analysis should, at a minimum, meet the standards it requires of airport operators. The use of “significance” thresholds of 5 dB instead of 1.5 dB, the secrecy in which DEIS’s noise projections were developed, and the other failures below, fall short of these minimal standards.

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B. 1950 through 1987: Safety Issues and Early Studies of Noise Impacts

In the 1950s, the City of Elizabeth in Union County, New Jersey closed Newark Airport (now Newark Liberty International Airport) (“EWR”) for almost a year, following three aircraft crashes within a short time frame. The FAA reoriented the main runways of EWR, so that aircraft did not immediately fly over Elizabeth after take-off, and changed the flight pattern to require south flow departing aircraft to turn left 30 degrees to a 190 degree heading immediately after departure to avoid portions of that city. EWR continues to use the 190 degree heading turn procedure to this day.

During this time there were no reported widespread noise complaints in New Jersey, but there were some noise complaints in Staten Island. In 1987, Landrum and Brown completed a study for The Port Authority of New York and New Jersey (“Port Authority”) to determine

whether a new departure procedure for EWR Runway 22 might reduce noise impacts to Staten Island without increasing impacts on New Jersey and, in particular, the communities surrounding EWR. (PA87) The study formulated and examined twenty-three alternate departure procedures for noise impact. Based on the results of the first 14 departure scenarios, the study determined that initial departure headings other than 195 degrees, 190 degrees or 185 degrees would result in increased noise impacts on Elizabeth. The study rejected departure headings smaller than 180 degrees due to resulting excessive affects on Staten Island residents, and rejected departure headings greater than 195 degrees due to excessive impacts on residents of Elizabeth. The study also rejected a “straight out” departure because of projected major impacts on other areas of New Jersey. The study concluded that the 190 degree heading, plus a fan marker based turn identifying when Elizabeth had been passed, was a safe, flyable solution that would reduce noise impacts on areas of dense population.

In a change initiated by the Port Authority, the FAA subsequently changed this fan marker strategy to a turn at 3 miles from the new EWR distance measuring equipment, so that planes could fan out at an earlier point, starting their turns 3 miles from the new EWR distance measuring equipment rather than at the former fan marker strategy when past Elizabeth

C. 1987: The Expanded East Coast Plan

In 1987, the FAA implemented the Expanded East Coast Plan (“EECP”), which it intended to reduce aviation delays by increasing airspace capacity and relieving traffic “bottlenecks.” The FAA chose to meet these goals by creating additional air routes – highways in the sky – and revising others to accommodate the growing air traffic around the New York metropolitan area’s three major airports: LaGuardia, John F. Kennedy, and Newark. These additional routes caused major noise impacts to New Jersey residents, including some who lived 30 to 40 miles from Newark Airport. The FAA had not conducted any prior environmental analysis of the EECP.

D. 1987 through 1995: Response to the EECP

Public reaction was swift and unfavorable, with some 5,700 broadly distributed noise complaints documented within the first 16 months. Within a short period of time the New Jersey Congressional Delegation requested that the Government Accounting Office investigate the matter and why the FAA had not prepared an EIS. The GAO recommended that the FAA prepare an Environmental Assessment (“EA”) of the EECP and examine the effects of future FAA airspace changes. (GAO)

Also in response to the EECP, in 1988 the consulting firm of Harris, Miller, Miller and Hanson (“Harris”) issued a report commissioned by the Port Authority on noise impacts of the EECP. (HAR88) That report announced significant public outcry in areas subject to less than 55 DNL and mostly below 50 DNL. Some of the areas with strong negative reaction were affected by noise increases as small as 2 DNL. For example, the Town of Cranford initially experienced a 5 decibel increase in DNL from 52 to 57 DNL and had one of the most extensive localized reactions with both petitions (1600 people) and 300 complaints.

In 1990, the FAA revised EWR south flow departure procedures to mitigate noise in response to complaints about increased noise over Cranford, New Jersey. The revised procedures turned aircraft back to a 220 degree heading after passing over Elizabeth, and directed aircraft with western destinations over an industrialized corridor 3 to 8 miles south of EWR before distributing them to westerly navigation way-points. The FAA monitored flight tracks to ensure that the controllers were, in fact, reasonably distributing the noise.

These adjustments helped to mitigate noise for Cranford, but resulted in a sharp increase in noise for Scotch Plains and other communities west of the airport. The outcry from Scotch Plains citizens caused the Port Authority to request a supplemental Harris report, which was completed in 1990. (HAR90) As a result of subsequent airspace changes to relieve Cranford, Cranford noise was reduced, but then other communities such as Scotch Plains, Fanwood and Westfield. Scotch Plains subsequently became one of the most prominent source of noise complaints and efforts to obtain noise mitigation. After changes to relieve Cranford, the Harris study (HAR90, p. 21) showed the following ranking among the towns that it examined:

Table One
Noise Levels and Changes in EECF Affected Areas

	1986	1988	1990	Change in DNL since Pre-EECP
Long Valley	42	49	49	+7
Scotch Plains	46	46	51	+5
Tewksbury	n/a	47	47	+5
Denville	45	49	49	+4
Allendale	42	46	46	+4
Mendham	45	47	47	+2
Short Hills	53	55	55	+2
Cranford	52	57	53	+1

NJCAAN notes that all noise affects were below 60 DNL, almost all below 55 DNL and most below 50 DNL. Based on the FAA’s nomenclature in the DEIS, the latter, by virtue of being in the lower part of the 45–60 DNL range, would be deemed “slightly impacted,” contrary to the actual experience of those towns. This discrepancy between experience and the FAA’s noise impact models indicates failure on the part of the agency to appropriately adapt its methodology and criteria to account for actual public experience in general and to the EECF in particular, which may be caused by the introduction of noise into suburban and rural areas with low ambient sound levels, the presence of noise at a distance from the nearest major airport where there is not a public expectation of noise, the fact that the noise is newly introduced and not present when individuals moved into the area, and the very large number of people affected,

and the fact that the FAA criterion for noise impact is the same in rural areas as it is over Manhattan and does not take into account the scale of the change or other factors. Please explain why the FAA decided not to adopt more sensitive noise maps (including changes of 1-2 DNL) in light of these experiences and concerns, and the reasons the agency adopted criterion that it did.

In 1993, New Jersey Citizens for Environmental Research and NJCAAN proposed an ocean routing plan to the FAA. This is the alternative studied but rejected in the current DEIS.

The continuing broad outcry throughout the affected region caused Congress to require the FAA to prepare an EIS on the effects of the EECF and to search for mitigation measures. In 1995 the FAA issued its FEIS for the EECF. In the 1995 FEIS, the FAA admitted that it would not fully comply with the mandate to mitigate EECF noise by pointing out that this might delay benefits of partial mitigation that might be accomplished immediately:

The FAA does not believe that the public interest would best be served by potentially delaying relief that could be implemented in the near future. Instead, the FAA proposes to complete the current EIS process, to expedite any potential noise relief actions for some affected communities, and to develop possible mitigation strategies as a part of a *follow-on regional study*.

(FAA95, p. iv) (emphasis added). The “follow on regional study” is the Airspace Redesign. The FAA partial solution in 1995 was the so-called “Solberg Mitigation,” which provided relief to the most heavily EECF affected areas by rerouting some traffic north and south of EWR. Implementation of the Solberg Mitigation entailed moving LaGuardia arrivals 10 miles to the south to allow for the wider dispersal of traffic. The FAA omitted this feature, and as a result, never even fully implemented the Solberg mitigation, denying even the partial relief that it promised in the 1995 EIS.

At the same time the FAA was attempting to fix the EECF, the Port Authority was separately trying to change EWR procedures to address noise sensitivity in the region. At the urging of the Port Authority, the FAA then changed the EWR turn point from 3.0 miles to 2.3 miles to provide some noise relief for Staten Island residents. Elizabeth residents and New Jersey noise activists objected to the change, since it produced increased noise from aircraft flying shorter distances on more direct paths over their homes. The Port Authority issued an Environmental Assessment (EA) of the change, and rejected the “straight out” EWR departures (without the 190 degree turn) due to excessive noise impacts on New Jersey. The EA provided “noise grids” with numerical noise values superimposed on enlarged maps of the region west of EWR that were effective in designating change for the public's evaluation. In addition to enabling residents to easily determine the noise impacts of proposed changes to their specific locations, the noise grids also showed that the noise increases causing loud public outcry during experimental trials of a 2 mile turn point were only 1 to 2 dB in areas at 50 DNL. This further reinforced previous conclusions regarding the noise sensitivity of the area.

E. 1999: Environmental Assessment of Noise Impacts at Newark Airport

In 1999, the FAA explored implementing a 260 degree departure heading from EWR following the 190 degree flight segment in an effort to improve operational procedures, and it prepared an Environmental Assessment of that action. (FAA99A) New Jersey residents reacted negatively to the increased noise exposure from the 260 degree turn. The FAA included straight out departures in the assessment, but again rejected the procedure because of sharp increases in aggregate population noise exposure. The FAA stated that it was rejecting the 260 degree turn based on “community concerns, lack of significant operational benefits, lack of significant noise or other environmental benefits, and ongoing safe and efficient movement of air traffic accomplished today using existing procedures.” The 1999 Environmental Assessment made the following strong statement regarding future noise control efforts:

EXECUTIVE SUMMARY

ES.1 BACKGROUND

The Federal Aviation Administration (FAA) is committed to reducing aircraft noise exposure in communities near Newark International Airport (EWR). For more than 30 years, the FAA has been actively working with the airlines, the Port Authority of New York and New Jersey, elected officials, and community groups to identify and implement noise abatement measures. Because the area surrounding EWR has long been densely developed with urban land uses and because the land use pattern is unlikely to change dramatically in the future, noise abatement officials have focused on making adjustments to aircraft operational patterns in the airspace around EWR. Through careful planning, the FAA and its partners have implemented numerous procedures that have resulted in noise benefits for surrounding communities.

The existing noise abatement departure procedure from Runways 22L and 22R (i.e., aircraft taking off to the south on Runways 4R-22L and 4L-22R) was put into effect in 1996. The procedure, referred to as the Newark Six Standard Instrument Departure (SID), specifies that pilots perform an initial left turn after takeoff to a heading of 190° and then a right turn to a heading of 220° upon reaching a distance of 2.3 nautical miles from the DME (distance measuring equipment located on the Airport). Air traffic controllers then instruct pilots to turn to other headings based upon their destinations, whether they be eastbound, southbound, northbound, westbound, or southwest-bound. The procedure was designed to minimize overflights of residential neighborhoods by routing flights over waterways and industrial areas.

(FAA99A; p. ES-1)

F. 1998 through 2006: The Airspace Redesign Is to Address Noise Affects

When it first initiated the Airspace Redesign in 1998, the FAA heralded the project as a joint effort of noise mitigation and aviation efficiency. Early in the scoping process, the FAA recognized that the noise and other environmental impacts of the Airspace Redesign would be significant, and adopted as its working purpose broad goals to reduce noise impacts and delays, to yield faster departure climbs and to economize time and fuel. In 1998, then FAA Administrator Jane Garvey traveled to New Jersey to announce the start of the Metro Airspace Redesign. Garvey met with noise control groups and observed a demonstration of ocean routing. The FAA then made a commitment to pursue both noise reduction and operational improvements, and promoted the Airspace Redesign as an effort to achieve those joint goals. The FAA maintained these goals throughout the early public process. The FAA promoted noise mitigation through increased altitudes and by spreading flight paths or narrowing them where warranted by environmental concerns. As a result, the public reasonably expected that noise mitigation was a key element and purpose of the redesign and that it would receive careful attention.

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During the 1999 to 2000 Airspace Redesign pre-scoping process, the FAA advertised noise reduction as one of the project's major goals. The first FAA public newsletter on the redesign (Volume 1) from the pre-scoping period (FAA 99B) lists, "Reduced Environmental Impacts (both air noise and emissions)," as one of the five benefits to the region from the redesign and states that "We are going to look at noise impacts in the communities and minimize them where feasible." In a 1999 presentation to the Newark International Airport Aviation Advisory Committee on the redesign, the redesign Manager presented a slide entitled "Design Goals and Objectives" containing as a listed item: "Incorporate increased noise abatement techniques wherever possible." (Exhibit 1, Slide 7). Consistent with these statements, from 1999 through the date of the DEIS, FAA presentations to members of Congress repeatedly contained a slide entitled "Commitment to the Community," with the following sub-headings: "-Increase altitudes," "-Disperse or Concentrate Tracks, where appropriate," and "-Overfly Less Noise Sensitive Areas, where feasible." See Congressional update slide show, May 5, 2003 or August 18, 2005.

Similarly, the November 4, 1999, in testimony on Air Traffic Departures at Newark International Airport (Exhibit 2) by then FAA Eastern Regional Administrator Arlene Feldman, before the Aviation Subcommittee of the House Transportation and Infrastructure Committee, the agency promised to reduce noise impacts in the area:

As the Administrator (Jane Garvey) testified before you last month, the National Airspace Redesign will be part of the FAA's efforts to improve air traffic management. The goals of the redesign project are: to maintain and improve system safety; improve the efficiency of the air traffic management and reduce delays; increase system flexibility and predictability; and seek to reduce adverse environmental effects on communities in and around our Nation's airports....

* * *

One of our stated goals is to enhance the environment to the degree consistent with safety and efficiency, both with noise abatement and improvements in air quality. Within this context, we intend to fully examine possible revisions to departure patterns at Newark, including an ocean routing concept for day and night traffic, as well as the straight-out departure concept...

* * *

Throughout the redesign project, we will look for every opportunity to reduce the affects of unwanted aircraft noise for the citizens of New Jersey and New York. Indeed, as we move forward with our redesign project, we will take intermediate steps, consistent with NEPA, that may develop during the process provided that they will not adversely affect the safe and efficient management of air traffic to Newark, or to the neighboring airports...

Finally, the FAA specifically includes noise and emissions mitigation in the “Purpose and Need” section of the pre-scoping document published in 2000, as follows:

1.1 Purpose and Need for Airspace Redesign Program

The purpose of the New York/New Jersey Airspace Redesign Project is to increase the efficiency of air traffic flows into and out of the metropolitan area including Philadelphia while maintaining or improving the level of safety and air traffic services that are currently in place.

In response to the airspace issue, the Federal Aviation Administration (FAA) is undertaking a complete redesign of the airspace in the metropolitan area. Some of the benefits of a major redesign include:

- Reduced delays at major airports
- Reduced pilot/controller workload
- Enhanced safety
- *Reduced adverse environmental impacts such as noise and air emissions*
- Enhanced productivity

(DEIS, Appendix M, Section M.2, pp. 1-2) (emphasis added).

It was only in 2001, in the scoping process itself, that the FAA reversed its policy direction and de-emphasized noise reduction as a project goal, as explained below. During the scoping process, the FAA did not describe alternatives other than “no action” and “ocean routing” in any meaningful way. The FAA essentially said it would redesign the airspace,

without providing any details, thereby writing itself a “blank check” scoping definition. Furthermore, the Airspace Redesign involved many individual decisions that could have been made independently. The FAA aggregated all of these into one monolithic system that it calls the Integrated Airspace alternative, thereby obscuring the fact that many independent components of that option (for example, “fanning” of routes, described below) represent poor choices that could not have survived scrutiny on their own against other localized alternative choices.

G. The Current Proposed Action Will Negate Previous Efforts to Address Noise

As explained in greater detail below, the current DEIS includes a “Future No Action” alternative in its alternatives analysis as required by NEPA's implementing regulations promulgated by the Council on Environmental Quality. “No Action” is the basis for measuring change and the potential effects of the other alternatives assessed in the DEIS. The “Ocean Routing Airspace Alternative” proposed by NJCAAN in 1993 as a solution to the negative effects of the EECF is included in the DEIS alternatives analysis, but the FAA gives this plan short shrift. The FAA states “it was apparent that from its inception this alternative did not meet the Airspace Redesign Purpose and Need” and that the FAA only “elected to include this alternative for analysis due to the long standing concerns of the NJCAAN.” DEIS § 2.5.5.5 at 2-37. Despite the FAA’s purported attention to “the long standing concerns of the NJCAAN” it fails to adequately address those concerns in the DEIS. *Id.* Although Ocean routing will benefit 119,768 people, while increasing noise for relatively few, the DEIS concludes that ocean routing would reduce departure capacity at EWR and the FAA has rejected the plan for further consideration. The alternatives promoted by the FAA are the Modifications to Existing Airspace Alternative and the Integrated Airspace Alternative, with and without the Integrated Control Complex. The FAA promotes these alternatives as the preferred agency actions to address capacity and delay concerns, notwithstanding the severe environmental impacts that will result from any one of these preferred actions. A key feature of the proposed alternatives is to fan departures from EWR and to tighten separation between planes from five to three miles.

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The fanning proposals will negate previous efforts to control noise. The Port Authority and former versions of the FAA have expended years of effort and resources minimizing EWR impacts on surrounding communities. In particular, they have extensively fine-tuned south flow departures through four environmental assessments and impact studies as well as several experimental route trials to reduce noise impacts. Furthermore, the implementation of any of the FAA promoted alternatives would result in elimination of the Solberg Mitigation, thereby negating prior FAA action to satisfy 1990 Congressional mandates to mitigate noise. The cumulative effect of prior assessments and resulting routing implementations has been to keep noise impacts on New Jersey residents somewhat under control in the face of a significant increase in the number of flights.

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The FAA is able to justify its preferred alternatives only by downplaying the affects of noise on New Jersey residents. The available data from the earlier Harris reports on the EECF route changes shows that New Jersey residents are affected by noise at levels far below the FAA’s default guidelines for predicting and evaluating noise impacts. Once again, the FAA is inaccurately predicting noise impacts using its standard guidelines; these predictions

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underestimate real impacts from the EECF and will even more grossly underestimate impacts from the Airspace Redesign, which is a significantly bigger change. Indeed, components of the Proposed Action for EWR south flow departures have been previously investigated and rejected.

Please respond to the following concerns discussed in this section:

1. Please explain how the FAA has evaluated the results of the Landrum and Brown study. How does the agency reconcile the findings in that study with the conclusions reached in the DEIS? 19
2. Please advise how the FAA included the results of the Harris report in its analysis of the proposed alternatives. How does the agency reconcile the findings in that study with the conclusions reached in the DEIS? 20
3. How does the DEIS noise prediction methodology produce accurate results for environmentally sensitive areas that suffer noise impacts at levels well below the criteria of that methodology, as shown in other FAA environmental assessments? 21
4. What mitigation measures does the FAA intend to implement in response to the increased noise impacts from the proposed action, considering the previous vehement reactions to DNL levels anticipated from the proposed action and the FAA's prior commitment to implement mitigation? 22
5. Please explain how the FAA can continue to promote actions that raise serious compelling community concerns, lack significant operational benefits, and lack any environmental benefits, when the FAA previously rejected major components of the proposed actions for those reasons. 23

III. THE STATEMENT OF PURPOSE AND NEED IS IMPROPERLY NARROW BECAUSE IT EXCLUDES NOISE CONTROL

As the heart of an EIS is the alternatives analysis, the definition of the overall purpose of the project is the key to circumscribing the number of alternatives to be considered. An EIS "shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." 40 C.F.R. § 1502.13. The EIS "presents the problem being addressed, how the alternatives would resolve the problem, and . . . provides the parameters for defining a reasonable range of alternatives to be considered." FAA Order 1050.1E, Chg. 1 § 506d, p. 5-10.

Given that the description of the project's purpose will circumscribe the analysis, that particular phase of an EIS is susceptible to strategic manipulation by an agency to arrive at a predetermined conclusion. Courts guard against that type of perversion of the NEPA process with close scrutiny of the purpose statement. Thus, "[a]n agency may not define the objectives of its action in terms so unreasonably narrow that only one alternative from among the

environmentally benign [alternatives] in the agency's power would accomplish the goals of the agency's action." *Citizens Against Burlington, Inc. v. Busey*, 938 F.2d 190, 196 (D.C. Cir. 1991).

Congress too is aware that it must guard against strategic manipulation, and will invoke its Constitutional powers to guide agency deliberations. "Where an action is taken pursuant to a specific statute, the statutory objectives of the project serve as a guide by which to determine the reasonableness of objectives outlined in an EIS." *Westlands Water District*, 376 F.3d at 866, citing *City of New York v. U.S. Dept. of Transp.*, 715 F.2d 732, 743 (2d Cir. 1983). In appropriations funding language, the House Appropriations Committee repeatedly instructed the FAA to mitigate noise in the metropolitan area. In the 1997 appropriations bill, the committee instructed the agency to continue to work with the New Jersey public on reducing aircraft noise that resulted from the EECF. In addition, once the Redesign Project commenced, the committee repeatedly included language in appropriations bills instructing the agency to include noise reduction in the project. Finally, in the 2004 Appropriations Bill, the agency instructed the agency to publish a report on the Project including "all planned components and elements of the redesign project, including details on aircraft noise reduction and any ocean routing modeling that has been conducted." Please note that the agency refused to publish this report due in April 2004. (See Exhibit 3 for these references). In addition, Congress has found that "aviation noise management is crucial to the continued increase in airport capacity." 49 U.S.C. § 47521(1).

Yet in the DEIS the FAA identifies the purpose and need for the Airspace Redesign as increasing "the efficiency and reliability of the airspace structure and ATC system, thereby accommodating growth while enhancing safety and reducing delays." DEIS § 1.4.2. at 1-24. These goals cannot be interpreted in isolation, but rather against the history of noise problems in the area, the FAA's failure to conduct noise analyses before the EECF and other noise-producing actions and, most importantly, Congressional enactments identifying aviation noise management as a crucial element of increased airport capacity. More recently, individual Representatives have decried that the FAA has ignored and dismissed the affected communities' noise and environmental justice concerns "in contempt for Congressional directives." Rep. Rodney Frelinghuysen (N.J.-11), Statement to FAA (Parsippany, N.J. April 4, 2006). This rejection is contrary to twelve years of insistence by "the House Appropriations committee . . . that air noise reduction be included as a primary factor in the redesign plan . . . the FAA failed to include the reduction of aircraft noise as a formal goal of [its] regional redesign project." *Id.* "It is clear from the [DEIS] that the . . . FAA ignored New Jersey's main concern for airspace redesign: noise abatement." Congressman Steven Rothman (D-N.J.), Statement to FAA (Hasbrouck Heights, N.J. April 6, 2006). The statement of purpose and need in the Airport Redesign are unreasonably narrow because it purposefully excludes noise reduction and mitigation as one of the purposes of the project. (See Exhibit 5 for copies of all the opposing statements and resolutions)

The DEIS's narrow statement of purpose and need is flawed for additional but related reasons: it ignores the FAA's description of the purposes of the Airspace Redesign during the scoping session and the information that the agency itself collected in that process, as described in greater detail above. The scoping process is required so that an agency can "[d]etermine the

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scope and the significant issues to be analyzed in depth in the environmental impact statement” and to “[i]dentify and eliminate from detailed study the issues which *are not significant* . . . narrowing the discussion of these issues in the statement to a brief presentation of why they *will not have a significant effect* on the human environment.” 40 C.F.R. 1501.7(a)(2) and (3) (emphasis added). Moreover, in accordance with CEQ regulations, FAA Order 1050.1E identifies scoping as the process to “solicit input from those interested and affected parties . . . to [d]etermine the scope of analysis required within the EIS [and to] identify and eliminate *insignificant* issues.” FAA Order 1050.1E § 505b(1) and (2) (emphasis added).

Moreover, the DEIS statements are contrary to the Congressional Directives discussed above, and the agency’s own policies and statements. For example, the FAA’s 1976 “Noise Abatement Policy” states that

The Federal Government has the authority and responsibility to control aircraft noise by the regulation of source emissions, by flight operational procedures, and by management of the air traffic control and navigable airspace in ways that minimize noise impact on residential areas, consistent with the highest standards of safety. The federal government also provides financial and technical assistance to airport proprietors for noise reduction planning and abatement activities and, working with the private sector, conducts continuing research into noise abatement technology.

(FAA76). Similarly, the FAA’s “Aviation Noise Policy 2000” document states that the agency’s goals are to

Design prospective air traffic routes and procedures to minimize aviation noise impacts in areas beyond legal jurisdiction of airport operators, consistent with local consensus and safe and efficient use of navigable airspace.

(FAA00B)

Without sufficient explanation of its policy reversal or any mention let alone reconciliation with its earlier position, the FAA drops reduction of noise impacts as a formal purpose of the project in the DEIS. As discussed in further detail below, the alternatives advanced by the FAA in the current DEIS no longer promote noise reduction. In fact, the FAA’s proposed alternatives aggravate a longstanding major complaint about the earlier EECF: that arrivals must travel long distances at low altitudes, resulting in more air and noise pollution than aircraft flying at higher altitudes. For these reasons, the FAA has impermissibly narrowed the scope of the project’s Purpose and Need in violation of specific statutory mandates. See 40 C.F.R. §§ 1501, 1502.

Regarding the Purpose and Need section of the DEIS, please respond to the following questions:

1. Please reconcile the unreasonably limited Purpose and Need of the DEIS, which excludes noise reduction as a stated goal, with the results of the scoping process that identifies noise impact as significant and objectionable?

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2. Please explain the reasonableness of discarding noise reduction from the stated Purpose and Need of the proposed action, when National Aviation Noise Policy specifically identifies noise management as crucial to any plan to increase airport capacity. 49 U.S.C. § 47521(a).

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IV. THE DEIS IS CHARACTERIZED BY INCONSISTENT, INADEQUATE, INCORRECT AND MISLEADING DATA AND ASSUMPTIONS

An adequate EIS depends upon reliable, adequate and available data that will allow the agency, the public and, if necessary, reviewing courts to must contain “sufficient discussion of the relevant issues and opposing viewpoints to enable [the agency] to take a hard look at the environmental impacts of the [proposed action] and its alternatives, and to make a reasoned decision.” Custer County Action Assn., 256 F.3d at 1041. As with any administrative action, the analyses and conclusions in an EIS must be supported “by substantial evidence in the administrative record, [adequate to foster informed public participation and decision-making.” Id. at 1036. “NEPA . . . impose[s] a requirement that the . . . decision maker has sufficient information to accurately compare the environmental effects of the various alternatives.” Citizens Concerned About Jet Noise, Inc., 48 F. Supp. 2d at 595. For the reasons discussed below, the DEIS lacks the requisite factual support in several key areas.

A. The Absence of Supporting Data to Support the FAA’s Conclusion that the Proposed Action Will Significantly Improve Capacity and Decrease Delays

The DEIS includes Table ES.1 to demonstrate capacity and throughput. From Table ES.1, NJCAAN has calculated the projected throughput changes as follows:

Table Two
Capacity of Alternatives Relative to “No Action”
 [Excerpted from DEIS Table ES.1]

	Modif. of Existing	Ocean Routing	Integrated Airspace	Integrated + ICC
Arrival Throughput	0	0	0	+6.7%
Departure Throughput	+4%	-7.1%	+8%	+2.9%

The FAA projects that the proposals advanced in the DEIS will make some progress in

increasing capacity: 6.7% and 2.9% in arrival and departure throughput, respectively. The gains are small given the uncertainty, scope and impacts of the project: (1) there is no data in the DEIS explaining the assumptions behind the projected arrival gains from the Integrated Airspace with Integration of Control Complex (“Integrated + ICC”) preferred alternative or that the procedures are feasible, (2) the human cost is a trebled noise increase for 330,000 people and (3) the 2.9% increase in departure throughput includes dropping noise abatement and increasing the population subject to DNL of 65 or higher, contrary to Federal policies directing that noise exposure be minimized, and the departure gains would be much smaller if impacts and environmental justice issues are truly mitigated, (4) the Integrated + ICC preferred alternative is probably the largest and most expensive airspace redesign ever, and any gains that will ultimately be realized are to some extent unpredictable, and (5) other less intrusive measures are more effective in controlling delays. The DEIS relies on these incrementally small increases to demonstrate benefits, but the assumptions on which they are based are not clear to the reader.

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First, the DEIS focuses heavily on delays as a metric, since delays have a notable affect on the flying public and are a significant source of additional aviation industry cost. This focus on delays is misleading, however, because it obscures the real purpose of the project, which is solely to increase capacity with little other benefit to the public.

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Second, the DEIS assumes a constant applied system traffic level in reaching its conclusion of reduced delays. At a constant applied system traffic level, the capacity improvements shown could modestly reduce delays. Consequently, carriers generally adjust peak hour scheduling and aircraft types to accommodate changes in capacity, as was readily conceded by staffers at the FAA public meetings. When passenger volume decreased between 2000 and 2004 at EWR, carriers switched to smaller aircraft; EWR’s status as one of the airports with greatest delays shows that carriers substituted smaller aircraft and maintained operation counts, and were willing to accept the resulting delays. Carriers are not willing to operate with high delays and will reschedule flights and use larger aircraft to prevent them as acknowledged in the following statement from a joint FAA/Port Authority report:

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Figure 17 illustrates the delay per operation, or average delays for the various demand levels. The levels of average delay shown for the Do Nothing case at future activity levels, are probably too large for a viable operation. In other words, the delays and cancellations associated with these levels of operations at the existing airport, probably would not be acceptable for a hub operation, preventing the airlines from scheduling to such levels.

(FAA00A, p. 28) Notably, the FAA did not show increased LaGuardia traffic levels for 2011 because it is clear that even modest projected increases would increase delays and result in excessive hours of operation that carriers would adjust scheduling to prevent. In short, under the assumption of constant applied traffic levels, a system currently operating at capacity will show significant delays with associated costs from even a slight traffic increase. This assumption also means that a small increase in capacity from a projected airspace change will bring delays back

down, and this exact scenario underlies the FAA's projection of large cost savings from the Airspace Redesign. However, these savings are based on an unrealistic assumption.

Third, small changes in assumed traffic levels can have a very large effect on delays. The impact of increased traffic levels on delays depends upon the particular situation; one simulation study of simultaneous arrivals at EWR demonstrates the potential effects. (MAS99, MAS00) In that study, when ground operations were included a 10% increase in air traffic caused a 37% increase in average aircraft delay and cumulative delays over 24 hours of 61%, without simultaneous arrivals. When simultaneous arrivals were included, the 10% traffic increase caused a 52% increase in average delays and cumulative delays of 82%. Another demonstration of the potential sharp rise in delays with applied traffic was shown in a joint FAA/Port Authority capacity study at Newark Airport, which showed very sharp increases in delays when attempts were made to push more traffic through the system beyond a certain point. (FAA00B; p. 6, Fig. 4) Please explain how this information affects the DEIS capacity and delay assessments and why the FAA modeling was not adjusted to reflect likely carrier scheduling adjustments in response to increased delays.

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Fourth, the gains for the Integrated Airspace + ICC alternative in particular (the rightmost column of Table ES.1) are speculative and depend on what may be unrealistic assumptions. The gain in arrival throughput assumes simultaneous arrivals on the closely spaced main north-south EWR runways, and expected use of shorter EWR cross runway 11/29 for large turbojet departures during peak periods. The DEIS does not provide detailed information on the assumptions surrounding the use of simultaneous arrivals or any further indication as to whether these have been tested and are more than speculative. Simultaneous arrivals potentially increase controller workload. An October 2001 simulation study using professional controllers showed simultaneous arrivals as infeasible using then extant routes, and pointed out unresolved operational considerations. Please explain how the results of this study have been considered by the agency, how the agency's projections depend upon untested assumptions regarding runway management at EWR, and what additional studies have been done to establish the feasibility and gains of simultaneous arrivals.

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In a December 20, 2005, report to Congressional Representatives, the FAA admitted that the preferred action of the Integrated Airspace proposals would not make major improvement in capacity or delays due to limitations of current runway capacity in the New York/New Jersey area. Please explain how this information affects the conclusions reached in the DEIS, and how the agency reconciles its earlier statements and promises regarding airspace redesign benefits with the projected small actual achievements.

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B. The Projected Capacity Increases Do Not Clearly Show that they Depend on Procedures that Will Increase Noise Impacts

Although the DEIS devotes some discussion to noise impact, the data and tables presented do "not even begin to give the reader a true feel for the magnitude of the problem" created by the proposals advanced by the FAA. See *Davison v. Department of Defense*, 560 F. Supp 1019, 1033 (S.D. Ohio 1982). The Davison Court held an EIS to be deficient based on

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tables that it found “could easily mislead the decisionmaker” assessing the environmental impact of noise on sleep disturbance, when “the remainder of the EIS [did] not sufficiently disabuse the reader of that inference.” Id. at 1036. Where “important detail [is] buried under mountains of less relevant data” and misleading information fails to provide the reader with a real appreciation of the potential impact of noise on sleep disturbance, an otherwise sufficient EIS is inadequate. Id. This substantive requirement is complemented by a “plain language” requirement so that decisionmakers and the public can readily understand the relevant information. 40 C.F.R. § 1502.8. CEQ regulations “impose[] a requirement that an EIS must be organized and written so as to be readily understandable by governmental decisionmakers and by interested non-professional laypersons likely to be affected by actions taken under the EIS.” Oregon Env’tl. Council v. Kunzman, 817 F.2d 484, 494 (9th Cir. 1987). The purpose of these requirements is to afford each affected citizen a meaningful opportunity to evaluate and comment upon an agency’s proposed action.

The DEIS fails to set forth relevant information in a clear manner, and improperly buries that information behind unrelated statistics. For example, the projected 2.9% change in departure throughput identified in the DEIS assumes an EWR fanning procedure that entails the dropping of long established noise abatement flight paths developed at EWR. This fanning procedure has extremely high noise impacts. In fact, as previously stated, four earlier EISs and Environmental Assessments discarded fanning in its entirety, or discarded components of the procedure, due to excessive noise impacts. (PA87, PA95, FAA95, FAA99) The DEIS does not adequately identify or evaluate the adverse effects of the fanning procedures advanced by the agency or take into account previous environmental studies that have rejected components of this procedure. The agency furthermore did not explore alternatives to the proposed “fanning” that would minimize noise impacts and environmental justice impacts. Please make clear the real potential for increased noise impact, including sleep disturbance, that will result from the fanning procedures advanced by the FAA.

C. The Noise Modeling Contains Anomalies, Inconsistencies and Other Technical Flaws

Our examination of the DEIS noise modeling results and comparison with spreadsheet data supplied on the FAA’s website in March 2006 showed significant anomalies and inconsistencies that must have affected study conclusions. NJCAAN’s audit was limited in scope, but found sufficient issues to question the integrity and the quality control process for generating the data. The errors found are discussed in detail in Section XI of the Appendix, but are summarized here.

First, the DEIS projects that the number of people that will experience noise impacts for the “Modified” alternative to drop seven-fold between 2006 and 2011 compared to the “No Action” alternative, despite the fact that neither of these two alternatives changes between these two model years and that there are only minor changes to fleet mix and volume. Close review of the census noise spreadsheets supplied by the FAA showed large unexplained variations within the same census blocks projected for 2006 and 2011 even where the alternative and flight paths

stay the same. These discrepancies indicate potential modeling or administrative errors in handling the data. Please explain these variations.

Second, our comparison of the projected Ocean Routing noise impacts against the projected No Action noise impacts shows that the population experiencing noise decrease according to DEIS noise criteria goes from 119,768 in 2006 to 16,166 in 2011. While we would welcome such a sharp drop in noise impacts, we think that these projections are anomalous, especially because there are no changes in these two alternatives and only relatively minor effects of fleet mix and volume changes. This is a glaring anomaly that should have received immediate investigation. When NJCAAN pointed this out to the lead FAA noise contractor, he responded that there must have been a lot of residents just at the FAA threshold that stopped being counted. NJCAAN's review of the census data showed that this was not the case, and that, in fact, aircraft were projected to get inexplicably (and erroneously) noisier by several decibels for the ocean routing scenario, profoundly altering the 2011 results

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Third, when NJCAAN used the FAA noise census spreadsheets to check the calculations of noise affected populations we came up with different numbers than the FAA. The differences were sufficient to reverse the conclusion for population affected above DNL 65 for EWR south flow departure "fanning."

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Fourth, NJCAAN calculated the populations receiving 1.5 decibel increases at DNL 65 for the Integrated Airspace without the Integrated Control Complex and found them to be 28% higher than shown by the DEIS.

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Please institute careful quality control procedures for all data going forward, and examine, correct or explain any anomalies that appear in the results.

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D. The DEIS Fails to Present Noise Impact Data at Thresholds and In a Manner that Is Meaningful to the Public

Another example of the DEIS's failure is its inadequate information regarding noise impacts, which are the primary environmental issue of the Airspace Redesign, thereby hindering the lay public's ability to comment meaningfully on the FAA's proposed action. The DEIS fails to inform a large segment of the public about the true implications of the FAA proposed changes.

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First, the FAA presents information regarding only three broad categories of noise levels that reflect an enormous range, as shown in Table Two. (The DEIS also presents information in color coded maps along similarly coarse cutoffs.) The FAA's characterization of noise level changes in the 45 – 60 DNL range as "slight to moderate" further misleads the public as to significance of the noise impacts. This characterization also disregards all prior negative public reaction at these levels during the EECF process at much lower decibel levels. Please explain the discrepancy between the FAA's earlier findings regarding noise sensitivity and the representations in the DEIS.

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Table Three
DEIS Noise Thresholds for Reporting Change

	Overall Noise Level - Decibels DNL	FAA Threshold for Noting Change (Change in DNL)	Equivalent Actual Noise Change
Most of Aviation Noise Affected Study Area	45 - 60	+ 5	3.16 times
Closer to Airport (several miles)	60 - 65	+ 3	2 times
Airport Immediate Vicinity (1 – 2 miles)	65 or higher	+ 1.5	1.41 times

Second, and even more important, the presentation of thresholds systematically underestimates the public’s sensitivity to the relative change in noise levels. The DEIS withholds relevant noise data for most of the study area by using very coarse thresholds, in particular the threshold for most of the study area is 5 decibels, which equals a factor of 3.16 times increase in noise energy. The change could be caused by aircraft flying at lower altitudes or from over-flights increased by the factor in the last column of Table Two or some combination of the two phenomena. Most areas would have to receive an increase in over-flights of at least 216% to be shown as affected on the DEIS noise maps.

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The EECF implementation, as well as other flight trials, indicate that residents of noise sensitive areas west of EWR react vehemently to much smaller changes than those shown in the DEIS. The DEIS should inform residents when over-flights in their community might increase by a factor less than 3.2 as a result of proposed changes, so that they could evaluate those smaller yet important changes and comment meaningfully on the DEIS. Thresholds for noting change in the DEIS are smaller closer to the airport, but they are still unreasonably high. Please explain the factual basis for the setting of change thresholds at 5 and 3 dB.

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The public has little expertise or understanding of the DNL metric and its implications. The public would more readily understand the meaning of the information presented in the DEIS had the FAA presented the results as a percent or factor change in noise energy, which could be intuitively related to a percent change in number of over-flights. Please explain how the noise threshold levels answers the basic public question, “How will this affect my aircraft noise?” Also, please recalculate projected noise impacts using the total population that will have to live at high noise levels.

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E. The DEIS Fails to Fully Portray Total Noise Impacts by Considering Only the Number of People that Will Experience a Change in Noise Levels that Meets the FAA's Arbitrary Thresholds, Rather than the Number of People that Will Have to Live with High Overall Noise Levels

The FAA's arbitrary "threshold" levels for measuring noise impacts lead inexorably to another flaw in the DEIS, namely that the FAA fails to fully portray and often underestimates total noise impacts by focusing only on relative changes rather than overall noise levels. In other words, the FAA presents data on the number of people that it projects will receive a change in noise exposure above its threshold amounts (i.e., greater than 5 dB for most of the study area). In order to understand the true impact it is also necessary to know the number of people that will continue to live with aircraft noise at high levels. In fact, previous environmental assessments of the EWR area, while also providing information on people experiencing change, have focused on presenting and minimizing the total population affected at each DNL level. While it is informative to know the number of people experiencing change at a given threshold, the counts of exposed population at various levels is a better measure of the magnitude of a plan's impact. Please present information on the total population exposure at each noise level as well as the number of people experiencing change.

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For example, spreading air traffic may cause large numbers of people to experience increases in noise levels that are at increments below the FAA's proposed 5 dB threshold, while a small number of people may have large decreases above that threshold. In the FAA's proposed test, that combination would indicate favorable results. However, when those same effects are reported as changes in overall noise levels for the entire population, it would show that total population noise exposure would increase, indicating unfavorable results from the action. The DEIS presents the data on noise change in a way that is misleading and not effectively informative.

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F. The DEIS Omits Important Census Information on Noise Impacts

The FAA's census block noise data spreadsheets demonstrate noise impacts that are either not shown or are inadequately addressed in the DEIS. The census noise spreadsheets present the projected noise for each alternative for each census block. NJCAAN was able to write spreadsheet programs that ascertained additional impacts from the FAA data that were not presented in the DEIS. These impacts include (1) an increase in the population exposed to noise of 60 DNL or greater in Harrison, New Jersey, and over the McCarter Highway corridor in Newark, (2) an increase in noise impacts in the Hillside, New Jersey, area, and (3) a significant increase in noise impacts in northern Bergen County, New Jersey, and southern Rockland County, New York.

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The Harrison/McCarter Highway corridor noise impacts appear to be related to "fanning" northern take-off departures on the main runways (Runway 4L/R) from EWR. The Hillside noise impacts appear to be related to the increased use of the smaller east/west runway (Runway 29) for turbojet departures at EWR. These two impacts escape notice by falling below the FAA's thresholds for measuring change. The FAA allots only a limited discussion of these procedures

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in the DEIS in general or to the nature and effects of changes in northern departure procedures and Runway 29 departure usage, and does not provide the reader with sufficient data on these procedures. For the Bergen and Rockland County impacts, the high level of noise effects and actual geographic locations are not adequately displayed. Please provide additional information that would be help understand impacts, including maps showing the DNL contours at 65, 60, 55, 50 and 45 DNL, the populations within these contours, and maps showing noise change for each alternative for ease of comparison similar to those provided in the Leigh-Fisher report (PA95).

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G. The DEIS Fails to Provide Information Regarding North Flow EWR Departures

The DEIS gives only very brief treatment of changes to EWR north flow departures, and most readers will likely miss this feature entirely, as there was no separate environmental analysis of these changes. Tables Four and Five give the noise exposure population counts in Essex County for the Modified and Integrated alternatives in 2006 and the Integrated + ICC alternative in 2011 compared to the “No Action” alternative for the respective years, as ascertained by NJCAAN from the FAA’s noise impacts spreadsheets provided separately from the DEIS in March 2006. These impacts are significant but are omitted from the DEIS, which consequently does not show the true magnitude of the project’s total impact.

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**Table Four
 Comparison of Airspace Alternative Noise Exposures for Essex County**

	2006 “No Action”	2006 “MOD”	2006 “IC”
DNL 65 or Higher	13, 192	14,067	14,052
60 – 65 DNL	16,352	25,022	24,618
Total	29,544	39,089	38,670

**Table Five
 Integrated Concept + ICC vs. “No Action” Noise Exposure for Essex County**

	2011 “No Action”	2011 “IC + ICC”
65 DNL or Higher	11,701	11,811
60 – 65 DNL	15,954	20,450
Total	27,655	32,261

The DNL 65 and 60 noise exposed populations for the Modified, Integrated Airspace and Integrated + ICC alternatives are universally higher than “No Action.” Since the increases occur for all of the FAA alternatives, they likely attribute to the change in Runway 4 departure procedures. The Modified and Integrated alternatives result in a 6.5% increase in the population exposed to noise levels of DNL 65 or higher, and more than a 50% increase in the population exposed to noise levels of DNL 60 or higher. The FAA’s projection for the Integrated + ICC alternative in 2011 shows a 1% increase in the population exposed to noise levels of DNL 65 or higher and a 28% increase in the population exposed to noise levels of DNL 60 or higher. These

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noise increases affect what are likely environmental justice populations and need to be presented and analyzed in the EIS. The Port Authority studied the environmental impacts of various alternatives for north flow departures from Newark Airport to elect a procedure that minimizes impacts, (PA89), yet the FAA inexplicably proposed to reject those procedures. Please reconcile the FAA's proposals with this Port Authority study and explain how the FAA reached a different conclusion.

In addition, due to conflicts with the ILS 6 arrival pattern for Teterboro Airport, this fanning procedure is currently only applicable for north-flow departure traffic during the 10% of the time when ILS 6 is not in use. North-flow departures account for approximately 45% of Newark departure traffic. As a result, the FAA modeled the north-flow fanning for approximately 4.5% of departure volume.

The FAA is in the process of phasing out the Instrument Landing System (ILS) technology as it migrates to an RNAV/RNP (global positioning system) based technology. As a result, the north-flow fanning routes are likely to be used more heavily once ILS is replaced. The FAA does not discuss the cumulative impacts that may result from north-flow fanning and replacement of ILS with RNAV routes for Teterboro Airport. As a result, the agency most likely understated the future noise and emissions impacts from north-flow fanning.

H. The DEIS Fails to Discuss Noise Impacts in Northern Bergen and Southern Rockland Counties

The significant noise impact on northern Bergen and southern Rockland Counties is related to the proposed movement of low altitude holding patterns into the metropolitan area and expanded arrival corridors for Newark Airport for the Integrated + ICC alternative. The DEIS does not identify the locations of the low altitude holding patterns, so that information is not available to the reader. NJCAAN obtained an aviation industry report (an FAA aviation industry marketing piece) from a French air traffic controller internet site, that does identify the holding-pattern locations. (FAA03C, Figure 11) The industry report indicates that the holding pattern locations are over Pennsylvania, just beyond the border of Sussex County, New Jersey, and over southern Rockland County, just beyond the border of northern Bergen County. These holding patterns, together with expanded arrival corridors, would direct more aircraft traffic into the metropolitan area at lower altitudes with significant noise impacts for the Counties of Bergen, Morris, and Sussex, New Jersey

In addition, impacts due to the Runway 22 arrival changes are and extend to a much broader area of Bergen County, New Jersey and Rockland County, New York than the towns of Rutherford and Fairlawn described in the DEIS. NJCAAN analysis of the FAA noise census spreadsheets for Bergen County show 11,284 people would experience noise increases of 10 dB to a level above 45 DNL. *These people will experience a more than a ten-fold increase in noise.* The towns not identified by the agency in the report that would experience a 10 DNL or higher increase in noise include: Ramsey, Pearl River, Montvale, Park Ridge, Woodcliff Lake, Rivervale, Saddle River, Woodcliff Lake, Hillsdale, Montebello, Suffern, Viola, Monsey, Kaser, Chestnut Ridge, and Airmont. NJCAAN found that towns in Northern Bergen County were

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largely unaware of the proposed Integrated + ICC alternative, let alone the expected noise impacts from that proposal.

Since the DEIS fails to include the holding pattern locations identified on the industry report, the detailed geographic locations, and the magnitude of impact, the public has an incomplete picture of the project's total environmental impacts, which affects the decision making process. Please provide this missing information.

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I. The DEIS Does Not Adequately Assess Sleep Disturbance Data

Sleep disturbance was a major complaint of the EECF and the FAA should address this issue more completely in the DEIS. Courts have consistently focused on insufficient, misleading or inadequately explained information that fails to provide an EIS reader with a real appreciation of the potential impact of noise on sleep disturbance. See *Davison*, 560 F. Supp at 1033; *Citizens Against Burlington, Inc.*, 938 F.2d at 1019. The *Davison* court found that the EIS in that matter “had unreasonably fail[ed] to quantify with some precision the people whom the [new] activity would keep up at night, had unreasonably neglected to discuss whether local residents would become accustomed to the noise, and had unreasonably overlooked the physiological effects of long-term sleep disturbance.” *Davison*, 60 F. Supp at 1033.

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The FAA does present data projecting sleep disturbance as a function of sound level, buried in Appendix E at page 13. However, the FAA does not use this information to project the number of people that are likely to experience disturbed sleep as a result of the proposed flight path changes. Given the broad and unprecedented scope of the proposed changes, the FAA should apply the sleep disturbance data to the affected population and provide estimates of the number of people likely to experience disturbed sleep and the degree to which this is likely to be a problem.

Moreover, the FAA recognizes that supplemental metrics may better reflect affects such as sleep disturbance and interference. FAA Order 1050.1E (2006), App. A, § 14.5f, pp. A-64 to A-65. These include sound exposure level, maximum sound level, equivalent sound level, time above, sound pressure level and audibility. *Id.* Please develop data under these metrics for the Airport Redesign and apply this data to project populations likely to experience sleep disturbance under the proposed alternatives.

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J. Important Details and Procedural Information Are Inaccurate and Incomplete

During the course of preparing the DEIS, the FAA implemented the following procedures:

- The Yardley-Robbinsville Flip-Flop for Newark Airport arrivals;
- Dual Modena departure procedure for Philadelphia Airport departures; and
- Oceanic procedures in the metropolitan area including the “Florida Airspace Optimization” plan.

The FAA includes the first two procedures in the “no action” baseline for the DEIS. The Dual Modena project supports planned expansion of operations at Philadelphia International Airport (PHL), yet the FAA excludes the cumulative noise and emission impacts of this expansion from the DEIS. In addition, the DEIS does not mention the third procedure or its noise and emissions impacts at all. These elements are essential parts of the Airspace Redesign even though they have been undertaken already, and their impacts should be considered as increases over the true “No Action” baseline for purpose of comparing noise impacts. As a result of the DEIS’s failure to quantify and include the noise effects, the DEIS does not accurately forecast the overall noise impacts of the project. Please include these impacts.

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K. The DEIS Fails to Present Complete Mitigation Measures to the Public

The routes presented in the DEIS and shown at FAA public meetings have pronounced environmental problems. At the public meetings, FAA personnel stated that they had not yet addressed mitigation, and that they needed public input on the alternatives before they would work on mitigation. However, in order to comment meaningfully, the public would need to see the results of attempts at mitigation, since mitigation may be impossible or may substantially alter the operational, benefit and environmental picture presented by the DEIS.

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As an example, Section 3.2.3 of the Appendix shows that the mitigation measures for “fanning” outlined by the FAA are inapplicable. During the scoping process and in Congressional briefings, the FAA demonstrated and promoted its environmental tools and the “feedback” process in which routes are modeled, environmental effects noted, and then mitigation sought. (DEIS; Appendix C, p. xxi) The DEIS did not utilize this environmental feedback process. Please explain how the DEIS provides sufficient information to accurately compare the environmental effects of the various alternatives when the DEIS did not utilize the environmental feedback process promoted by the FAA during scoping and thereby presents incomplete alternatives prior to attempting to apply mitigation.

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V. THE ALTERNATIVES ANALYSIS IS INCOMPLETE

The discussion of alternatives is “the heart of the environmental impact statement.” 40 C.F.R. § 1502.14. The EIS “should present the environmental impacts of the proposal and the alternatives in comparative form . . . providing a clear basis for choice among options by the decisionmaker and the public.” *Id.* The agency must “rigorously explore and objectively evaluate all reasonable alternatives.” *Id.* § 1502.14(a) (emphasis added). Although an agency need not “analyze the environmental consequences of alternatives it has in good faith rejected as too remote, speculative, or impractical or ineffective . . . the rule of reason guides both the choice of alternatives as well as the extent to which the [EIS] must discuss each alternative.” *Custer County*, 256 F.3d at 1039, 1040. The EIS must contain “sufficient discussion of the relevant issues and opposing viewpoints to enable [the reader] to take a hard look at the environmental impacts of the [proposed action] and its alternatives, and to make a reasoned decision.” *Id.* “In determining the scope of alternatives to be considered, the emphasis is on what is

‘reasonable’ rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant.” 46 Fed. Reg. 18026, 18027 (March 23, 1981). Furthermore, the FAA must consider alternative that are not within the agency’s mission, so as to avoid having the agency’s narrow focus control the analysis. 40 C.F.R. § 1502.1(c). The DEIS fails to meet these standards.

The DEIS considers four airspace redesign alternatives, including:

- Future No Action Alternative, which assumes no changes to the existing airspace and is required under NEPA;
- Modifications to Existing Airspace Alternative, which includes modifications to current routes and procedures to improve efficiency in the current airspace system;
- Ocean Routing Airspace Alternative, which moves all flights departing from EWR over industrial areas and the Atlantic Ocean during initial ascent before turning in the direction of their final destinations; and
- Integrated Airspace Alternative, which would integrate airspace control, expand the area in which planes would be separated by three rather than five miles, fan EWR departures, bring arrivals in at low altitudes for long distances, establish new holding pattern areas, and have new departure and arrival “gates.”

The FAA’s preferred alternative seems to be the last one, which comes in two variations of different levels of integration of control complexes (“ICC”), one with ICC and one without. However, the FAA defines the Integrated Airspace alternative without ICC in the draft report as a transitional proposal that could be used migrate to the Integrated Airspace alternative with ICC. By the FAA’s own admissions, the actions proposed in the DEIS yield minimal improvements in capacity and only modest reductions in delays

Table Six
Tri -State Noise Affected Population by Alternative*

	Modif. of Existing	Ocean Routing	Integrated Airspace	Integrated + ICC*
Increased Noise	187,743	7,504	191,958	332,127
Decreased Noise	42,599	119,768	43,091	67,597
Difference	145,144	(112,264)	148,867	264,530

*All alternatives show 2006 data from DEIS Table ES-2, except Integrated + ICC, which shows 2011 data from DEIS Table ES-3

The vast preponderance of people impacted in the DEIS occurs in the 45 to 60 DNL range, which is similar to the EECF situation. While the DEIS counts impacts people in more than one state, as opposed to only New Jersey considered for the EECF EIS, the New Jersey impacts alone, particularly for the DEIS Integrated + ICC alternative, are much greater than those of the EECF. The affected regions of New Jersey are similar, and the noise impact thresholds are similar. Therefore the documented reaction to the EECF is the best available predictor of public reaction to the DEIS proposed changes. A major difference is that the EECF reaction occurred at the beginning of the mandated phase-out of noisier stage 2 aircraft, which introduced noise benefits that helped abate EECF reaction over time. Going forward, only slight migration to quieter aircraft is forecast, which will be offset by aviation traffic increases. Therefore reactions to the DEIS noise increases is likely to be much more severe and sustained than indicated by the population numbers alone.

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The ocean routing alternative, in comparison, offers substantial noise reduction. As threshold for impact is reduced, the number of people affected gets much higher, so Table Six vastly understates the effects of the proposed changes. By way of comparison, the EECF EIS, showed only 45,622 people negatively impacted at the 5 decibel level. Based on this, the Modified, Integrated, and Integrated + ICC show 4.1, 4.2, and 7.3 times, respectively, the adverse noise impact of the EECF. This makes the EECF, which caused an unprecedented large public reaction and intervention by Congress, look benign.

In summary, the projected small benefits of the Airspace Redesign come at high environmental costs. As the FAA itself acknowledges, even by its own flawed metric, “[i]n terms of significant noise impact changes (+1.5 DNL in 65 DNL) the noise analysis indicates that with the exception of the Ocean Routing Airspace Alternative, each airspace alternative is expected to generate significant noise impacts in the future.” DEIS, § ES.6.1, p. ES-11. There is a better way to reach this decision, one that complies with the text and spirit of NEPA’s command to take a hard look at all available alternatives.

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A. The DEIS Artificially Limits the Range of Alternatives Studied to Wholesale Airspace Redesigns Rather than Incremental Changes

The FAA has acknowledged that “[t]he size of the noise pattern around each airport is generally a function of the operational levels and fleet mix at each airport.” DEIS, § 4.1.3.2, p. 4-7. The FAA has not fully evaluated the following reasonable non-airspace alternatives, even though it identified them as alternatives in the screening process. In some cases, where the FAA has doubts it could seek appropriate legislative authority from Congress to implement alternatives that will create less noise and other impacts.

1. Efficient Use of Existing Facilities by Larger Jets

The FAA has acknowledged that runway capacity is a principal limiting factor, particularly existing runways limit capacity at EWR, where delays are frequently cited. (FAA summary presented to Congress on December 20, 2005) Despite this limitation, the DEIS shows that small regional jets increased their use of EWR; the DEIS uses 2000 data to project that

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operations from small jets were projected to be 16% of the total, but actual data from 2004 show that small jets constituted 38% of activity at EWR. (DEIS Appendix C, pp. B-2, B-3) Small aircraft, holding only one-third to one-half the number of passengers as standard size jets, use EWR capacity inefficiently. Were the FAA or airport authority to adopt management techniques or pricing incentives to change this trend and revert use back to greater usage by standard size jets at EWR, this would yield an 11% to 14% reduction in operations or which is two to three times the projected beneficial effect of the most optimistic redesign changes by the FAA. This alternative would also reduce controller workload, reduce delays and yield safer, less crowded skies and would avoid complex, simultaneous arrival procedures. Please explain how the FAA intends to consider this alternative, which is overwhelmingly more effective and advantageous than the proposed alternatives for the Airspace Redesign.

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2. Peak Hour Demand Control

The FAA summary presented to Congress on December 20, 2005, acknowledges that runway limitation is a fundamental constraint on increasing capacity and reducing delays that cannot be alleviated by the Airspace Redesign. Delays rise sharply when an airport attempts to move more traffic through the system than it can handle. A key element of flow control is peak hour demand control. For example, delays rose dramatically when LaGuardia Airport abandoned peak hour traffic controls.

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The agency has refused to consider this alternative on the grounds that a statute gives a higher priority to methods other than limits on airport capacity. However, the statute in question states that such methods may be used if “other reasonably available and less burdensome alternatives have been tried,” 49 U.S.C. § 47101(a)(9)(A)(B). This formulation implies that if alternatives will burden neighboring communities with noise and other problems, then the agency should consider slotting and other congestion controls. This interpretation is supported by other subsections of the same statute, which state the country’s policy that “aviation facilities be constructed and operated to minimize current and projected noise impact on nearby communities” and to “encourage the development of transportation systems that use various modes of transportation in a way that will serve the States and local communities efficiently and effectively” Id. §§ 47101(a)(2), 47101(a)(5). Another consideration against the FAA’s cramped view of its own authority is that in 2003 Congress gave the agency statutory authority to use slotting and other operational controls to reduce congestion-related delays. 49 U.S.C. § 41722, and the FAA has used this authority to impose limits on operations at LaGuardia and JFK airports. See also *Western Air Lines, Inc. v. Port Authority*, 658 F. Supp. 952 (S.D.N.Y. 1986), *aff’d* 817 F.2d 222 (2d Cir. 1987) (upholding 1500 perimeter rule). Please explain how the FAA reconciles these authorities.

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Moreover, the DEIS claims to reject variations on this alternative such as slotting on the grounds that the FAA lacks statutory authority to call for voluntary traffic reduction meetings when the affected area ins a region rather than a particular airport. This view is contrary to NEPA regulations, which state that an EIS must “[i]nclude reasonable alternatives not within the jurisdiction of the lead agency.” 40 C.F.R. § 1502.14. Please explain how the FAA reconciles these authorities.

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In general, please explain how has the FAA has analyzed peak period demand controls as an alternative to the proposed action.

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3. The Use of Alternate Transportation Modes for Short and Intermediate Trips

Alternate modes of travel for short trips are competitive with air flight as to cost and time. In a report titled "Controlling Airport-Related Air Pollution", the authors cite an Amtrak study where 15 airports are candidates for short-haul rail service with a total of 45,000 short trips per month (CCAP03, p. IV-11) For trips of less than approximately 350 miles, trains and buses are more fuel efficient and introduce far less air pollution into the environment. Improving infrastructure, making alternate modes faster and more convenient, as well as pricing incentives, would encourage more customers to use alternate modes of travel as attractive means of transportation for short and intermediate trips. This alternative is explicitly encouraged by Congress. 49 U.S.C. § 47101(a)(5). Not only does the FAA fail to consider this alternative, but the DEIS does not set forth data regarding the number of flights that are taken for short or intermediate trips to allow the agency or the public to start this analysis. Please explain the steps the agency plans to take to explore this alternative action.

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4. No "Hubbing"

The airport "hub and spoke" system increases operations at airports used as hubs, since travelers must stop at airports that are not their final destination. Hub airports have increased air pollution and offer little to their communities, since travelers stop at those airports only briefly. Hubbing at airports with limited capacity, in areas with high noise and air pollution, is against the public interest and should be discouraged through pricing and other incentives. Please explain how the FAA has explored and evaluated the elimination of hubbing at EWR as an alternative action.

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The FAA rejected these alternatives listed above with cursory explanations that essentially stated that the actions are not consistent with the project's goal to encourage growth in airport travel. However, many of the alternatives (use of larger jets, peak hour controls) would allow for overall growth and at non-peak hours at EWR and other airports that adopt such controls, and also do not necessarily limit growth at other airports or the entire system within the study area. The FAA should provide a more complete explanation of its conclusions regarding the impact on growth in the regional network, and the extent to which the FAA evaluated each alternative before rejecting it. In addition, the conclusory statements beg the question of whether the FAA has strategically manipulated the goal and purpose of the Airspace Redesign in order to eliminate options that will control growth. Given the notable problems with and failure to control air emissions in areas such as those surrounding Newark, encouraging growth at the present time is against the public interest unless the FAA can limit noise impacts and air emissions.

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B. The DEIS Fails to Study Alternatives to the Separable Components of the Major Alternatives

The FAA's preferred alternatives do include many incremental, separable elements that should be evaluated independently as stand-alone alternatives. Instead, the FAA has bundled disparate procedures and has adopted an "all or nothing" analysis that leaves little room for a nuanced discussion of ways to approve efficiency and to reduce noise impacts at the same time. Earlier FAA studies analyzed component procedures as individual alternatives or sub-alternatives, and rejected those components that were inadequate or unworkable. (FAA95, FAA96B, FAA99A) The current DEIS, however, includes previously rejected components without adequately studying or identifying them in detail.

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For example, the FAA has selected "fanning" of departures, particularly from EWR, as a component procedure of its preferred alternatives. Fanning has notably high impacts and raises environmental justice concerns. In fact, "fanning" was identified as sub-alternative D4 in preliminary screening of the EECF EIS and was rejected due to its "potential for additional significant noise impacts." (FAA95; Fig 3.2 and p3-16) Despite the FAA's prior rejection of fanning as environmentally detrimental, the FAA did not study this procedure, or any alternatives in the current DEIS. Discussions at one of the FAA public meetings with the FAA contractor responsible for providing noise modeling results revealed that the proposal in the DEIS was the only one analyzed for impacts and that no alternate scenarios were explored. Please explain how the agency reconciles its earlier rejection of this procedure with its current position.

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Furthermore, south flow departure procedures in the vicinity of EWR were considered separable components in all prior environmental studies by the FAA and the Port Authority (PA87, PA95, FAA95A, FAA99A) The current DEIS fails to study these procedures separately in detail. Sections II-B, II-D, and II-E of this comment describes studies of alternate departure angles, alternate segment lengths following departure, and subsequent routing after this from noise and operational standpoints as steps to arrive at current south flow procedures. Furthermore, although the FAA cites numerous additional instances where noise modeling identified significant environmental impacts from procedures, DEIS Appendix E, the agency fails to examine alternate procedures or strategies as components of their preferred alternatives. The FAA must identify and study in detail reasonable alternatives to the component procedures of the preferred agency action.

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C. The DEIS Fails to Adequately Address Ocean Routing as a Viable Alternative

The FAA determined that the Ocean Routing alternative preferred by NJCAAN would benefit 119,768 people with noise reduction, while increasing noise for relatively few. However, the FAA also found that Ocean Routing would reduce departure capacity at EWR with no reduction in delays. Therefore, the FAA removed Ocean Routing from further consideration without rigorously exploring or objectively evaluating it further. The FAA does not devote the requisite "sufficient discussion" to this alternative in the DEIS.

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At the outset of the DEIS process, the FAA had already committed to implementing the Integrated Airspace alternative, and consequently had little incentive to adjust Ocean Routing to improve its performance. Since FAA modeling indicated no reduction in delays with Ocean Routing, the plan was dismissed. However, the FAA did not try to resolve the differences between its own modeling results and NJCAAN's modeling results, which showed that Ocean Routing alternative has comparable or reduced delays compared to the No Action alternative. NJCAAN's model was prepared by Glenn Bales, a former FAA employee with extensive experience with the Metro area airspace, who studied simulations of Ocean Routing and concluded in a July 1994 report that Ocean Routing would reduce delays at EWR. (NJCAAN)

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Our preliminary review of both the DEIS results and the Bales results shows several areas of difference that might account for discrepancies. The most significant difference is that the FAA made no attempt to optimize aspects that would allow the advantages of the Ocean Routing concept to be fully realized, such as the removal of departures from airspace west of EWR that would allow improved treatment of arrivals as suggested in the original 1993 description of the Ocean Routing alternative to the FAA, and possible changes in EWR runway use policy. The FAA pointed out operational disadvantages, such as competition with Philadelphia traffic within certain airspace, but it did not investigate possible ways to address those issues. Rather than attempting to address what it identified as Ocean Routing operational shortcomings, the FAA quickly concluded that Ocean Routing would not fulfill the need to increase departure capacity and dismissed Ocean Routing as a viable alternative. Further development and optimization of Ocean Routing may improve both the operational and environmental aspects of the plan. The airspace changes required for Ocean Routing are far more modest and can be accomplished at less cost and disruption than the FAA preferred alternatives.

The FAA's half-hearted assessment of the ocean routing alternative is shown by the fact that the agency only modeled the version provided by NJCAAN in 1993; the agency made no effort to modify or model additional Ocean Routing procedures despite recommendations or indications to the contrary. The New Jersey Institute of Technology study commissioned by former Governor Christine Todd Whitman, entitled "Strategies To Evaluate Aircraft Routing Plans," presented the FAA with several recommendations to be considered in the Airport Redesign, including that it "should include comprehensive analyses of an array of routing scenarios not yet considered. (NJIT) One or more ocean routing plans should be considered and compared with existing routing." (Id., p. 8, Recommendation 5) One public comment from the FAA's scoping report suggested that the Ocean Routing should be refined: "Newark Runway 4 departures should take an immediate right turn and proceed down the Hudson River, over the Verrazano Bridge and then continue with the proposed ocean routing concept." Id., p. 11). The FAA's report entitled "NYICC Concept Of Operations" also illustrates oceanic routes and an ocean route as components of the NYICC (another name for the Integrated Airspace proposal) in Figure 9. (FAA03C)

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In contrast to these initial efforts to consider refinements, the DEIS only considers the 1993 Ocean Routing concept in its basic minimal form, without considering even the originally suggested areas for optimization. It is also silent on inclusion of oceanic routes and ocean routes

with the Integrated Airspace proposal. Finally, it is silent on modifications to noise abatement procedures for Newark Airport.

The FAA must thoroughly investigate the beneficial aspects of Ocean Routing, and carefully analyze the modeling results that indicate positive operational aspects, before dismissing this alternative out of hand. An EIS is inadequate when the discussion of an alternative considered in the EIS is “conclusory and uninformative.” *Chelsea Neighborhood Assns. v. U.S. Postal Serv.*, 516 F.2d 378, 389 (2d Cir. 1975). “Without a more detailed analysis of the rejected [ocean routing] alternative[] the community and other agencies will have no way of checking on the validity of the [FAA]’s conclusions.” *Id.* The FAA must “[d]evote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.” 40 C.F.R. § 1502.14(b). The FAA has failed to give adequate treatment or consideration to the Ocean Routing Alternative.

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Please explain why the FAA did not consider refinements to the 1993 Ocean Routing concept, consider ocean routing as part of the Integrated Airspace proposal and re-analyze the Ocean Routing alternative with slight modifications to overcome the issues raised by the FAA.

D. The DEIS Fails to Study Other Alternatives Presented to or Suggested by the Public

During the scoping process the FAA identified the “Modified” and “Four Corners” plans as alternatives for consideration in the Airspace Redesign. The plans were vague and lacked sufficient data and background on specific proposed actions, which precluded meaningful public comment on and evaluation of those alternatives. The details of the Modified alternative were formulated during the preparation of the DEIS, so the public now has an opportunity to comment on this choice.

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In contrast, the FAA introduced two new alternatives in the DEIS (i.e., the two versions of the Integrated Airspace alternative) that were formulated with aviation industry subgroups. Details of the Integrated Airspace alternatives were not shared with the public during the scoping process. Nevertheless, the FAA predetermined that these alternatives were the preferred options based solely on input from industry. Although these alternatives are now subject to public comment as alternatives in the DEIS, the FAA has already committed to implementing a preferred alternative over other options and was heavily involved in the development of these plans, at the expense of furthering investigation into alternatives suggested by others.

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A major component of the Integrated Airspace alternatives is “terminalization,” an administrative traffic management arrangement applicable over a broad spectrum of air routes. The FAA was committed to implementing terminalization as the defining concept of any preferred action as early as 2002. (FAA02, Dec. 2002 OEP) The FAA’s preferred route changes have been bundled with the concept of terminalization in the “Integrated Airspace” alternatives. The FAA will not consider any route change alternative for “preferred alternative” status unless the plan also includes terminalization. This effectively excludes Ocean Routing as it was originally described in 1993 as a preferred alternative because the 1993 version did not include

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terminalization even before the FAA analyzes its merits. NJCAAN requested that the FAA study Ocean Routing as originally proposed, and to the extent feasible, with the terminalization concept and other compatible aspects of the Integrated Airspace alternative. NJCAAN specifically requested that the FAA explain whether it was exploring a “clean sheet” analysis of Ocean Routing at Congressional update meetings; Congressman Donald Payne’s office solicited questions and comments to present to the FAA on NJCAAN’s behalf at these meetings. In addition, NJCAAN specifically requested that the RTCA provide details about whether or not ocean routing is included in the Integrated Airspace concept in our February 25, 2005 letter to the RTCA. The FAA has not complied with this request. As a result, there is no clear basis for choice amongst the alternatives as they are presented in the DEIS.

Please explain why the FAA has not studied or attempted to integrate the Ocean Routing and terminalization concepts.

E. The DEIS Fails to Study the Increased Use of Airspace to the East of Newark Airport

In comments to the FAA, the aviation industry group Radio Technical Commission for Aeronautics (“RTCA”) recommended that the agency evaluate use of eastern heading departure patterns from Newark Airport: “Both left and right turns off Runways 04/L/R and 22L/R at EWR should be considered to determine the operational benefits of additional departure headings and/or departure runways.” And during public meetings NJCAAN discovered in conversations with a Port Authority airspace specialist (who was the FAA’s former project manager for the Airspace Redesign) that the Port Authority also included recommendations to the FAA to evaluate use of the Hudson River for both arrival and departure procedures at Newark Airport. Despite these early comments, the DEIS is silent on any discussions on recommendations for increased utilization of airspace to the east of the facility and potential operational and noise abatement benefits. Please explain why the FAA ignored these suggestions.

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In the scoping report for the project (DEIS App. M, § M.3), comments included utilization of the Hudson along with use of non-residential areas. We have cited specific language below.

Specific areas mentioned for rerouting included: the meadowlands area, industrial areas along the Hudson River and over the Hudson River. While the majority of the comments concerned jet aircraft, there was some concern regarding helicopters.

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(Id., p.9) In the scoping document, the FAA reported that these recommendations would be discussed in the DEIS, but the document is silent on any discussion.

F. The FAA’s Preferred Alternative Reduces Aircraft Altitudes

During the scoping process, the public and area elected officials specifically recommended that the FAA increase aircraft altitudes with the redesign. The FAA also

repeatedly highlighted this objective in its “commitment to the community” and stated in the pre-scoping document that:

About one third of all comments received during the scoping process concerned aircraft altitudes in the study area. The majority of these comments recommended moving aircraft to higher altitudes both in the arrival and departure phases of flight.

* * *

The main point expressed by the public in all of the meetings is to keep arriving planes at higher altitudes longer and get departing planes to higher altitudes faster. This issue is considered noteworthy due to the widespread regional nature of the input by the public during the scoping process.

* * *

EIS Analysis: As a part of the alternatives development, the airspace redesign team will consider ways to raise aircraft altitudes for both arrivals and departures throughout the study area. These considerations will be included in the Alternatives and Environmental Consequences chapters of the EIS.

(Id., pp. 5-6) However, the Integrated + ICC would reduce overall altitudes. This discrepancy should have been a clear indication to the FAA that the public would not support this alternative. Please explain why the FAA departed from its commitment to increase the altitude of aircraft routes.

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G. The DEIS Fails to Balance Industry Objectives with Environmental Concerns

The DEIS overwhelmingly favors aviation industry preferences over environmental concerns, thus failing to achieve any balance. While NEPA recognizes that certain human activities may affect the environment, the law requires an agency (1) to make strong efforts to avoid or minimize impacts and (2) to attempt to achieve a balance between the need for change with the right to a healthy, aesthetic environment that promotes quality of life. 40 C.F.R. § 1502.1. An agency’s report must demonstrate that the agency carefully weighed adverse environmental effects of an action against the benefits to be derived by that action. *Chemical Leaman Tank Lines, Inc. v. U.S.*, 368 F. Supp 925, 949 (D. Del. 1973).

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Despite this mandate, the FAA made route selection decisions and advanced particular alternatives in the DEIS based on its need to promote aviation industry considerations – particularly the industry’s desire for growth at any cost – while minimal weight to environmental impacts. Examples of the FAA’s unbalanced decisions include: (1) discarding a carefully

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developed, long standing, EWR noise abatement route that confined aircraft over industrialized areas, 2) reducing arrival altitudes in the Integrated + ICC proposal, and (3) moving a JFK south flow departure route from over the ocean, where it causes no impact, to over Monmouth County, New Jersey where planes will cause more noise pollution that will impact people. There is no balance in the FAA preferred alternatives. The FAA has failed to demonstrate that it carefully weighed or considered the adverse environmental effects of its proposed action against the benefits to be derived by that action.

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Indeed, the Modified and Integrated Airspace Alternatives promoted by the FAA would increase noise for 187,743 to 332,127 people, while benefiting relatively few. Although the DEIS focuses on the aviation industry benefits of these alternatives, it fails to adequately address their serious adverse ramifications. The increased noise from the Modified and Integrated Airspace Alternatives will affect 4 to 7.2 times more people than the 45,622 persons affected by the EECF. As previously stated, the impacts from the EECF caused unprecedented, widespread public outcry. The adverse environmental effects of the FAA's proposed alternatives will be much greater. The adverse environmental effects of the Modified and Integrated Airspace proposals with their "fanning" component are particularly prohibitive, while their capacity benefits are at best incremental. By circumscribing the alternative definition, failing to independently explore subcomponents of the alternatives, assigning zero weight to environmental concerns, and allowing undue industry influence, the FAA has arrived at unattractive overall packages. The Modified and Integrated Airspace Alternatives are therefore unacceptable in their current form, and NJCAAN opposes them.

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H. The FAA Had Decided upon Its Preferred Alternative Before the DEIS

The FAA made up its mind to proceed with the Integrated Airspace alternative before even beginning the DEIS, contrary to the intent and explicit mandate of NEPA, thereby reducing the DEIS to a cynical exercise in post-hoc rationalization.

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For example, the FAA initially developed the NYICC in 1999 prior to filing a notice of intent for the Airspace Redesign. The FAA reported in its 2002 Operational Evolution Plan that it was developing what it called the New York Integrated Control Complex ("NYICC") Concept of Operations for implementation in 2008/2009, and accompanying graphics label part of this plan "Redesign Terminal Airspace and Routes Decision Tree (FAA02) The NYICC has been developed in meetings between the FAA and the aviation industry that are closed to public participation. And in its 2003 Airport Capacity Enhancement report, the FAA reports that the Integrated Airspace Proposal is the NYICC concept. (FAA03D)

Similarly, an FAA report entitled "Roadmap for Performance-Based Navigation" (July 2003) identifies fanning of departures (p. 8) and parallel approach transition procedures (p. 9) as already scheduled for implementation at Newark Airport. The FAA implemented the Yardley-Robbinsville Flip-Flop procedure for Newark arrivals, in part, to migrate to parallel arrivals for the airport. (FAA03B)

I. The DEIS Does Not Provide Details about RNAV/RNP Procedures

The FAA is currently implementing RNAV/RNP (aRea NAVigation/Required Navigation Procedures) procedures as overlays to existing flight patterns in the metropolitan area (see Roadmap for Performance-Based Navigation, p. 7) These procedures are based on the agency's next generation satellite based aircraft guidance technology that is replacing the Instrument Landing System (ILS) system flight routing system. During the public meetings, the agency indicated that it modeled the Modified and Integrated Airspace alternatives with RNAV/RNP procedures. However, the agency did not analyze the Ocean Routing alternative using RNAV procedures.

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RNAV/RNP procedures may increase facility capacity (see Redesigning Flight Procedures for the New York-New Jersey Airspace by Louis Berger & Associates, Inc. submitted to the Port Authority), narrow existing flight tracks and increase routing flexibility. The technology provides increased accuracy, which narrows flight patterns. As a result, additional flight patterns can be implemented in the same amount of airspace and noise impacts are more highly focused. In addition, RNAV also could include noise abatement benefits and could be utilized to develop new noise abatement procedures.

The FAA is not clear in the DEIS as to whether RNAV/RNP overlay procedures that it has implemented are included in the Future No Action baseline. If they are, the environmental impacts of the alternatives could likely be understated. Since RNAV/RNP can also be utilized to narrow flight patterns over less noise sensitive areas and improve efficiency, excluding it from the Ocean Routing alternative may overstate the noise impacts and delays of this procedure. The FAA needs to clarify in the DEIS how it utilized RNAV/RNP procedures in the alternatives and also why it did not model an Ocean Routing alternative with this technology.

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VI. ENVIRONMENTAL JUSTICE

A. Legal Standards Prohibit Disproportionate, Adverse Environmental Effects on Low-Income and Minority Populations

Federal policy bars actions that will have a disproportionately high and adverse human health or environmental effects on minority and low-income populations, and requires the FAA to collect data and to address the environmental justice issues raised by the Airspace Redesign. Executive Order 12898, 59 Fed. Reg. 7629, at §§ 1-101, 2-2, 3-302 (Feb. 11, 1994). Federal law requires that “[n]o person in the United States shall, on the ground of race, color, or national origin . . . be subjected to discrimination under any program or activity receiving Federal financial assistance.” 42 U.S.C. § 2000d.

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B. The “No Action” Alternative Is Not an Appropriate Baseline for Measuring Disproportionate Effects on Low-Income and Minority Communities, but the Data Nonetheless Demonstrate Environmental Justice Concerns

The City of Elizabeth in Union County, New Jersey and the Borough of Richmond, New York lie on opposite sides of the Arthur Kill waterway and an area of industrial and vacant land. The Port Authority has previously tried to concentrate traffic over this non-noise sensitive area, and the result has been a balance on impacts on both sides of it that minimizes total population impact, independent of the state. Movement of traffic to the east or west of this previously determined optimum path tends to raise total noise exposed population. Data compiled from FAA spreadsheets indicates that the air routes the FAA once implemented to minimize aggregate population noise exposure of these two communities, currently produce disparate impacts. The following table demonstrates this result.

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**Table Seven
 Populations Affected at 65 and 60 DNL**

DNL Noise Level	No Action		Modified Alternative	
	Elizabeth	Richmond	Elizabeth	Richmond
65 or Higher	14,710	0	17,915	0
60 – 65	7,146	1	44,333	0
Total	21,856	1	62,248	0

Table Three shows that 21,856 people in Elizabeth are currently affected at noise levels greater than DNL 60, while only 1 person living in Richmond is currently affected at or above that level. These figures indicate that the “No Action” alternative (which incorporates the EECF, the Flip-Flop and other recent actions undertaken with little environmental analysis) no longer equalizes environmental impacts between Elizabeth and Richmond and currently results in adverse disparate impacts on Elizabeth and also much larger impacts to Elizabeth than were forecast in the attempts by the Port Authority in 1995 to minimize aggregate population exposure to high noise levels.

Two factors lead NJCAAN to believe that the “No Action” impacts to Elizabeth, as presented in the FAA spreadsheets, are too high. First, the 1987 and 1995 Port Authority studies attempted to minimize total population impacts and found that the total population affected is smallest when there was some degree of balance of affects to Elizabeth and Richmond. This is to be expected, since these two entities lie on opposite sides of a non-noise sensitive area. The absence of this balance in the current FAA audit, leads to an expectation that better optimization is possible.

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Second, the 1995 Port Authority study forecast that by year 2004, only 9,800 people

would be subject to noise levels higher than DNL 65, which is 1/3 less than the 14,710 people shown by the FAA spreadsheets. It is obvious that intervening events since 1995 would cause the Port Authority forecasts to be higher than actual, since these events have resulted in less air travel than predicted. Thus, NJCAAN believes that, if the FAA data is correct, adjustments to current routes could yield a 1/3 or more reduction in total noise exposed population. Since the affected population in Elizabeth is similar to that examined in the DEIS, it is possible to substantially reduce the noise affects to environmental justice populations. The environmental justice status of the population in Richmond is unknown to NJCAAN, and is not well-described in the DEIS. If this population is not subject to environmental justice protection, then the potential reduction in environmental justice population exposure is even greater. Under the Federal policies discussed above, this situation is intolerable and must be corrected whether or not the FAA implements the Airspace Redesign. Therefore, the so-called "No Action" alternative is a poor baseline for measuring change that would result from the Modified alternative. Please explain how the FAA can reasonably conclude that the significant noise impacts of the FAA preferred alternatives on minority populations would be no greater than the effects of no action, when "No Action" is a poor baseline according to FAA data.

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Even under this flawed assumption underpinning the No Action analysis, the DEIS indicates significant increases in environmental justice impacts under the Modified Alternative, with more than 40,000 residents of Elizabeth having to live at noise levels of 60 DNL or higher. The foregoing has focused on the Modified alternative, since it is the simplest one incorporating "fanning." Both Integrated Airspace alternatives incorporate "fanning" and DEIS results show similar impacts in the vicinity of Newark Airport arising from "fanning." The comments therefore apply to all alternatives incorporating "fanning." In addition, the FAA's preferred alternatives rely on departure fanning procedures that incorporate "straight out" 240 degree and 260 degree headings. In previous studies, the FAA has investigated and rejected "straight out" 250 and 260 degree headings due to environmental impacts and operational issues. (FAA99A) Please explain the FAA's continued reliance on fanning and straight out headings as appropriate procedures, given their high levels of impact on minority populations and the FAA's previous rejection of such procedures.

C. The Incorrect and Misleading Data in the DEIS Underestimates the Impact of Noise Effects on Environmental Justice Communities

As mentioned above, in Section IV.F, the DEIS distorts noise impacts by relying upon the relative change in noise effects rather than the absolute level of noise. This distortion plays out for environmental justice populations as well. For example, the DEIS predict that, under the Modified and Integrated Airspace alternatives, 5,480 people will experience increases of greater than 1.5 dB above 65 DNL, while 5,969 people will experience decreases of greater than 1.5 dB above 65 DNL, implying that this alternative has beneficial effects above DNL 65. DEIS App. E at 49 and E66.

First, NJCAAN's examination of the FAA supplied census spreadsheets for Union County shows that these numbers are not consistent with the Appendix E reports; the spreadsheet for the Modified Alternative shows 5,857 people that will be negatively affected and 5,724 that

will experience less noise pollution, which reverses the finding of relative benefit. Second, and more significantly, the better measure is the total number of people that will have to live with increased noise, and that measure shows that the change will be markedly worse: FAA spreadsheets show that the alternative increases the size of the population that will live with noise levels above 65 DNL from 14,710 to 17,915. Thus, the Modified Alternative (as representative of the “fanning” feature) actually results in a significant noise impact to an additional 3,205 people. The DNL 65 population has not been audited for environmental justice status by NJCAAN but is likely similar to that designated in the DEIS as subject to environmental justice protection. Furthermore, Tables Four and Five show impacts of north flow “fanning” to what are also like to be environmental justice populations. This demonstrates that the FAA has presented data in the DEIS in a way that hides rather than exposes impacts on populations where environmental justice is a grave concern. Please recalculate projected noise impacts using the total population that will have to live at high noise levels.

D. The DEIS Identifies but Does Not Address Environmental Justice Concerns

FAA analysis indicates that significant disproportionate noise impacts on minority populations will result from the agency’s preferred alternatives. DEIS § 4.2.2.2 at 4-45. The FAA states that “significant noise impacts near EWR would constitute a disproportionate impact on a minority population.” *Id.* In particular, “[c]ensus blocks near EWR would be significantly impacted as a result of the Modifications to Existing Airspace and Integrated Airspace Alternatives. The minority population of the significantly impacted census blocks near EWR exceeds 50% in both 2006 and 2011.” DEIS, ES.6.2, p. ES-14.

For example, the alternatives advanced by the FAA in the Airspace Redesign include a “fanning” proposal that discards existing south flow noise abatement procedures from EWR that were carefully developed over many years to minimize noise impacts to surrounding low-income communities. Fanning moves aircraft from the sparsely populated industrial areas south of EWR and directs them immediately after takeoff over heavily populated residential areas, including in particular portions of the City of Elizabeth, which has a population that is at least 82% low-income and minority residents. Fanning substantially increases noise for 70,689 people, more than half of which are at or above 60 DNL, which is a high noise level by the FAA’s own admission. In the draft report, the FAA specifically reports that this procedure will cause a significant environmental justice impact. The 5,480 people found to receive noise increases at the highest noise levels of 65 DNL, an even higher noise level, are 82% minority. (DEIS p. 4-43, 4-44) (In addition, as mentioned in Section VII below, the proposed Airspace Redesign will significantly degrade air quality in environmental justice communities.) The DEIS acknowledges that these characteristics of its action create environmental justice concerns and disproportionately affect minority populations.

Contrary to the FAA’s legal obligations, however, the DEIS fails to adequately address the detrimental, disparate effects of its preferred alternative. The FAA does not take steps to address these disparate impact by, among other things, selecting alternatives that avoid those effects. Instead, the FAA states that “[m]itigation measures to avoid, minimize, rectify, reduce, eliminate, or compensate for these significant impacts will be considered in the Final EIS.”

DEIS, § ES.6.2, p. ES-14.

Please explain how the FAA weighed the environmental justice impacts of the alternatives when selecting the preferred alternative, and what steps the FAA will take to ensure that each element of the Airspace Redesign will not have a disproportionate impact on environmental justice communities.

E. The Ocean Routing Alternative Does Not Significantly Affect Low-Income and Minority Populations

The DEIS indicates that significant disproportionate noise impacts on minority populations will result from the preferred alternatives, but justifies the FAA's choice by claiming that "because all communities in the EWR EJ Study Area would be considered minority communities, there is not an alternative to the particular design element causing the significant noise." DEIS § 4.2.2.2 at 4-45. However, the DEIS indicates that the Ocean Routing Airspace Alternative did not result in significant noise impacts on minority populations. *Id.* at 4-44, 4-45, see DEIS Table 4.16 at 4-44. Please explain how the FAA determined that there is no alternative to the disproportionate significant noise impact on minority populations given the findings regarding noise impacts of the Ocean Routing Alternative.

VII. THE DEIS IMPROPERLY IGNORES NEGATIVE EFFECTS ON AIR QUALITY

NEPA requires the FAA "to describe and analyze the [proposed action's] adverse effects on the human environment . . . [including any] change in pollutants that will result from the proposed action." *Citizens Concerned About Jet Noise*, 48 F. Supp. 2d at 601. The FAA is well-equipped to conduct air quality studies; in new air quality modeling regulations that became effective in December 2005, the U.S. Environmental Protection Agency ("EPA") noted that

The latest version of the Emissions and Dispersion Modeling System (EDMS), was developed and is supported by the Federal Aviation Administration (FAA), and is appropriate for air quality assessment of primary pollutant impacts at airports or air bases. EDMS has adopted AERMOD for treating dispersion. *Application of EDMS is intended for estimating the collective impact of changes in aircraft operations, point source, and mobile source emissions on pollutant concentrations. . . .* The latest version of EDMS may be obtained from FAA at its Web site: <http://www.aee.faa.gov/emissions/edms/edmshome.htm>.

40 C.F.R. Part 51, App. W, § 6.2.4(c) (emphasis added)

A. The Proposed Action Will Increase Criteria and Hazardous Air Pollutants

Air quality is the single-most important environmental public health problem in the State of New Jersey (this is also a problem for other airports in the study area, but these comments

focus on air quality in New Jersey) and the area airports are material contributors to the area's poor air quality.

NAAQS. The entire State is a severe non-attainment area for the National Ambient Air Quality Standards for ozone, and the areas surrounding EWR are non-attainment areas for fine particulate matter (i.e. PM 2.5). Indeed, air quality inventories for the metropolitan area airports project a material increase in emissions for these facilities. In its 1999 report titled "Evaluation of Air Pollutant Emissions from Subsonic Commercial Jet Aircraft" the EPA projects a 67% increase in nitrogen oxides and 47% increase in volatile organic compounds (which contribute to smog and ozone) over a 20-year period for Newark, LaGuardia, and Kennedy Airports combined. In addition, in the 2005 report entitled "Aircraft NOx Emissions: Analysis of New Certification Standard and Options for Introducing an Airport Bubble," the Center For Clean Air Policy projects a 54% increase in nitrogen oxides over a 19 year-period for Newark, LaGuardia, Kennedy, and Philadelphia Airports combined (CCAP05). For Newark Airport alone, the New Jersey Department of Environmental Protection projects a 38% increase in nitrogen oxides and 35% in volatile organic compounds over 15 years. (NJDEPB)

The cumulative effects of other, independent actions will only worsen this already bad situation. For example, EWR is adjacent to the Port of Newark and Elizabeth terminal facility. The Port Authority is expanding the Port terminal facility, and emissions at this facility are projected to increase as well. In an emissions inventory prepared for the Port Authority by Starcrest Consulting, nitrogen oxides emissions are expected to increase 18% and volatile organic compounds are expected to increase 5% over a 15-year period at the Port terminal facility. (STAR)

Hazardous Air Pollutants. In addition, hazardous air pollutants ("HAPs") such as benzene and 1,3-butadiene (both common in aircraft emissions) are above accepted health benchmarks in the vicinity of the airports. Although this discussion is pertinent to the "fanning proposal" for the City of Elizabeth and the surrounding area, we believe that it also is applicable to fanning at Philadelphia Airport. Of the four HAPs monitors that the New Jersey Department of Environmental Protection maintains in the state, the readings for benzene and 1,3-butadiene at the Elizabeth monitor are the highest in the state. (See Exhibit 4) All of these air pollutants are identified for their material health concerns. The FAA is proposing to shift departures from the industrial corridor to the east of the City of Elizabeth, directly over the City. The superhighway in the sky that runs to the east of Elizabeth will run directly over the City if the fanning procedure is implemented. This procedure will clearly exacerbate the air quality problems in Elizabeth. This material health concern should be addressed in the DEIS.

The Urban Heat Island ("UHI") Effect in the New York Metropolitan Area. Research conducted by Dr. William Solecki of Hunter College, NYC and Dr. Cynthia Rosenzweig of NASA/GISS studied the urban heat island effect in the metropolitan New York area. (SOLECKIA-B) Their research has identified all of the metro NYC airports as area hotspots. (UHIA-B) They also have focused specifically on the Newark area and the UHI effect in this part of the region. All of the Newark area is identified as an UHI with both Newark Airport and the Port Terminal facility identified specifically as hot spots. Drs. Solecki and Rosenzweig

conclude that “The air quality problems that Newark and Camden already experience are likely to be enhanced by interactions between climate change-related warming temperatures and the UHI (urban heat island) effect.” See “The Urban Heat Island in the Greater Newark and Camden Regions of New Jersey: Current and Future Dimensions” (SOLECKI-A, p. 43). In addition, the report entitled “Inside the Greenhouse” conducted by Paul R. Epstein, M.D., M.P.H. and Christine Rogers, Ph.D. from Harvard University concludes that minority populations will suffer disproportionately from the UHI effect and global warming. (HARVARD) Activities that serve to promote growth at Newark airport will aggravate UHI and air emissions concerns in terms of increased emissions and the need for peripheral facilities. As the Port Authority’s stated objective is to accommodate 45 million passengers per year from the current low 30 million range and to increase cargo traffic by 50%, it is likely that there will be intense pressure to provide more cargo and peripheral facilities to absorb this growth in demand, which would exacerbate the existing UHI condition.

These three phenomena alone indicate that Airspace Redesign will have significant environmental (and environmental justice) impacts. In the attached references, NJCAAN has provided a few of the many studies and included full copies that highlight the material health concerns with regard to airport emissions. We do note, however, that the Northeast States for Coordinated Air Use Management, Center for Clean Air Policy, has surveyed developments in air quality control and has concluded that

While emissions from most source sectors are declining due to the implementation of more stringent control programs, the growth of air travel and the continued lack of federal control programs for aircraft engines is resulting in increased pollution from airports.

Controlling Airport-Related Air Pollution (June 2003) (CCAP03, p. ES-1). The report goes on to state that

Toxic emissions from the airports studied are high when compared with emissions from the largest stationary sources in each of the three states. While improvement is needed in the method used to calculate toxic emissions from aircraft, the inventory provides a rough approximation of emissions, indicating that toxic emissions from aircraft greatly exceed those of the largest stationary sources in the three states.

(Id., p. II-14.)

B. Without Explanation, the FAA Reversed Its Earlier Commitments to Study Air Quality

Because of the well-known air quality problems of airplane traffic, the existing poor air quality, and the likely exacerbation by increase airplane traffic enabled by the Airspace Redesign, the FAA promised in the 2002 scoping report to conduct an air quality analysis:

The majority of the comments concerning air emissions were generated from the following areas: northern New Jersey (including areas west of Newark airport and along the northern New Jersey shoreline), areas surrounding JFK airport in New York and areas surrounding both Wilmington (DE) and Philadelphia airports...

...EIS Analysis: It is neither within the FAA's regulatory authority nor expertise to carry out a health-effects type study of air quality in the study area for this EIS. However, *the required air quality analysis will be done.*

(DEIS App. M, Section M.3 (2002 Scoping Report), Vol. 4, p. 6) As mentioned above, the FAA has developed models to predict effects on air quality. Please explain the FAA's basis for reversing its commitments to study air quality, whether the FAA has studied air quality impacts for any other project, and the models that were used by the FAA in those studies.

C. The FAA's Reasons for Not Studying Air Quality Effects Are Arbitrary and Capricious and Contrary to the Record

Despite the likely significant air quality affects of the Airspace Redesign, and its earlier commitments, the FAA determined at the outset that it would not address air quality concerns in the DEIS. At a meeting with representatives of the EPA, the FAA "indicated that no air quality analysis would be undertaken." DEIS, at Section 4.9, p. 4-57. The FAA gave three reasons for its refusal to analyze the obvious air quality implications of the Airspace Redesign, none of which can withstand scrutiny under the applicable arbitrary and capricious standard. See *City of Olmstead Falls, Ohio v. Federal Aviation Administration*, 292 F.3d 261 (D.C. Cir. 2002).

1. The Absence of Emissions Inventories, Concentration Projections or Analysis of Conformity with Applicable Implementation Plans

First, the agency contends, contrary to all the publicity and justifications for its project, that the air quality impacts from the project will be de minimis under 40 C.F.R. § 51.853. Yet Airspace Redesign and major capacity-enhancing measures are not included in the exclusive and detailed list of de minimis exceptions provided at 40 C.F.R. § 51.853(c). Accordingly, the FAA cannot determine that the action is de minimis without either documenting that emissions are below certain parameters, 40 C.F.R. § 51.853(c)(1), or by

clearly demonstrat[ing], using methods consistent with this subpart that the total of direct and indirect emissions from the type of activities which would be presumed to conform would not:

(i) Cause or contribute to any new violation of any standard in any area;

(ii) Interfere with provisions in the applicable SIP for maintenance of any standard;

(iii) Increase the frequency or severity of any existing violation of any standard in any area; or

(iv) Delay timely attainment of any standard or any required interim emission reductions or other milestones in any area including, where applicable, emission levels specific in the applicable SIP

40 C.F.R. § 51.853(g)(1). Yet the agency provides no emissions inventory or other evidence to support its conclusory statement that changes to emissions will be de minimis, which is contrary to other studies. The lack of an emissions inventory is a glaring omission from the DEIS given the expected increases in emissions and the material health concerns generated by the area airports. Emissions inventories are also required by the FAA's own rules for preparing EISs, FAA Order 1050.1E (2006), App. A, § 2.1c, p. A-3, as well as the following steps of translating emissions into pollutant concentrations using a dispersion model, and comparing those projections to existing National Ambient Air Quality Standards, *id.*; see also *id.* App. A, § 2.2c, p. A-7. Among other things, these rules state that "[t]he FAA has a responsibility under NEPA to include in its EA or EIS sufficient analysis to disclose the potentially significant impact of a proposed action on the attainment and maintenance of air quality standards established by law or administrative determination. *Id.*, App. A, § 2.2a, p. A-7. The EPA's General Conformity Rule separately requires that agencies make their conformity determinations available for public review by providing notices of draft and final determinations directly to air quality regulatory agencies and to the public by publication in a local newspaper. Please provide an emissions inventory, projected pollutant concentrations and all evidence used to reach the conclusion that emissions from increased traffic under the proposed action will be de minimis, and cite the specific promulgated EPA regulation that would authorize such conclusion.

A related flaw is that the DEIS does not discuss or analyze any Federal or State air quality plans. The Clean Air Act requires that the Airspace Redesign and other Federal transportation projects conform to applicable plans. 42 U.S.C. §§ 7506(c)(1), (c)(2). These sections of the Clean Air Act state that an activity may not (1) cause or contribute to a new violation, (2) exacerbate an existing violation, or (3) delay attainment of the standard or a required interim reduction or other milestone. 42 U.S.C. § 7506(c)(1)(B). The EPA's General Conformity Rule implementing this section requires agencies to consider whether the affected area is in attainment with NAAQS, the type of pollutant or emissions expected, exemptions and presumptions, the project's emission levels, and the regional significance of the project's emissions. 40 C.F.R. Part 93, subpart B. The FAA has recognized that "[g]eneral conformity, like other environmental requirements, should be integrated into the NEPA process as much as possible." FAA Order 1050.1E (2006), App. A., § 2.1i, p. A-5. The FAA has also acknowledged its "affirmative responsibility under section 176(c) of the [Clean Air Act] to assure that its actions conform to applicable SIP's [sic]." *Id.* App. A, § 2.2c, p. A-7. Accordingly, please explain whether the FAA has concluded that the Airport Redesign conforms with Federal and State implementation plans, whether the Airspace Redesign is regionally significant, and the basis for those conclusions.

2. The Airspace Redesign Will Increase Capacity

Second, the FAA contends that the proposed action will not increase capacity. This is contrary to statements elsewhere in the DEIS, which prominently states that the purpose of the Airspace Redesign is to accommodate growth, e.g., Section 1.4.2, p. 1-24, Section 2.4, p. 2-9, and rejects certain alternative actions because they will constrain growth, Section 2.3.3, p. 2-4, or will, according to the FAA, fail to maintain airport throughput, i.e., high rates of growth in air travel, Section 2.5.5, p. 2-37. The FAA specifically states in the DEIS that two alternatives, the Modified Concept and Integrated Airspace without the ICC, will support some industry growth; the FAA's preferred alternative, the Integrated Airspace Concept with the ICC, would result in a 3% increase in departure throughput (capacity) and a 7% increase in arrival throughput. (In contrast, the Ocean Routing alternative would result in a 7% decrease in departure throughput.) As a result, the first three proposals would increase emissions and the Ocean Routing proposal would decrease emissions.

The expected increase in capacity from the Airspace Redesign is well documented in other reports and commentary on the project, which NJCAAN has attached as references and appendices to these comments as Exhibit X. For example, a separate FAA report also indicates that the Redesign's sole purpose is to increase capacity. (FAA00) In that report, the FAA explicitly links capacity restraints at Newark and delays:

Delays and delay costs at EWR escalate because the demand at EWR causes the airport to operate beyond the knee of the delay curve. An increase in demand results in a sharp increase in delay. Without some improvements or combination of improvements, it is unlikely that EWR will reach Future 1 operational level.

Id. p. 8; see also id., p. 10 ("Primarily, it became evident that attempts to increase flight schedules resulted in sharp delay increases, indicating capacity saturation."); id. Fig. 16 (demonstrating the growth of delays in the no action scenario, i.e., where there are no improvements made in airfield capacity). In the study, the FAA concludes that planning for improving the capacity of EWR should be undertaken. Id., p. 28. In addition, a Technical Conference Presentation in 2003 by Steve Kelley, the FAA official responsible for the DEIS and NEPA compliance of the Airspace Redesign, was entitled "New York Integrated Control Complex: Maximizing Airspace Capacity." (KAL)

In light of these materials, please explain whether the FAA has a policy of enhancing growth of air traffic and how the agency reconciles the conclusions in the Newark International Airport Capacity Enhancement Plan with the statement in the DEIS that the Airspace Redesign will have no impact on air traffic capacity.

3. The Preferred Alternative Will Use More Fuel and Aggravate Emissions in Areas with Poor Air Quality

Third, the FAA states that “qualitatively, reduction of delay and more efficient flight routings would serve to reduce fuel burn and thereby reduce air pollutant emissions.” DEIS Section 4.9, p. 4-57. However, the FAA has used a lower altitude metric and flight length as Project criteria, and admits that the preferred alternative of Integrated Airspace with ICC lowers flight altitudes on average and increases flight distances by 3.7 miles on average. Even if this inconsistency did not exist, the FAA cannot avoid an analysis without first gathering and developing relevant qualitative facts, proper analysis and modeling of air impacts, and comparison of air impacts between alternatives. The absence of an emissions inventory and any discussion of mitigation are glaring omissions from the DEIS given the expected increases in emissions and the material health concerns generated by the area airports. Any analysis would have to account for the following characteristics that will increase pollution for New Jersey citizens:

- Airline carriers often expand activities to utilize all existing capacity, exercising restraint only when delays become unacceptable. The alternatives promoted by the FAA will increase capacity and promote increased traffic to the region, which will aggravate regional air quality that is already unacceptable.
- The alternatives proposed by the FAA cause a 7% increase in arrival distance below 18,000 feet. Aircraft traveling below 18,000 feet are less efficient, burn more fuel, and generate more air pollution.
- The proposed EWR fanning procedure re-routes traffic away from vacant and industrialized areas to immediately over-fly heavily populated areas with severe air pollution problems. As a result, the pollution source moves closer to people before altitude and atmospheric dispersion can reduce pollutant concentrations.

It is not surprising that the EPA did not accept the FAA’s three justifications and remains concerned about air impacts. DEIS Section 4.9, p. 4-57.

Please provide an air emissions inventory of existing conditions (i.e., the No Action baseline) and analyze air impacts from each proposed alternative (and components of those alternatives) so that the agency and the public can understand the impact of increased air pollutants from the proposed action on the existing communities around EWR that currently suffer from unacceptable air quality.

VIII. SPECIAL LAND USE RESTRICTIONS

The FAA may not take any action “requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance” unless “(1) there is no prudent and feasible alternative to using that land; and (2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.” 49 U.S.C. § 303(c) (i.e., “Section 4(f)”). The FAA assumes that where “there is no physical taking, but there is the possibility of constructive use, the FAA must determine if the impacts [from a proposed action] would substantially impair the 4(f) resource.” Order 1050.1E § 6.2e, A-20. “Substantial impairment occurs only when the activities, features, or attributes of the resource that contribute to its significance or enjoyment are substantially diminished . . . With respect to aircraft noise . . . the noise must be at levels high enough to have negative consequences of a substantial nature that amount to a taking of a park or portion of a park for transportation purposes.” Order 1050.1E § 6.2f, A-20. For example, courts have supported arguments for protected use of 4(f) Resources from significant noise impacts when the resource to be protected is “a wildlife refuge” or “an historic village 'preserved specifically in order to convey the atmosphere of rural life in an earlier (and presumably a quieter) century.'” *City of Bridgeton v. FAA*, 212 F.3d 448, 461 (8th Cir. 2000), citing *Allison v. Dept. of Transp.*, 908 F.2d 1024, 1029 (D.C. Cir. 1990) and *City of Grapevine v. Dept. of Transp.*, 17 F.3d 1502, 1508 (D.C. Cir.), cert. denied, 513 U.S. 1043 (1994).

The DEIS analysis uses a flawed metric of significant increases rather than absolute levels of noise, finds that only two historic sites south of PHL will be affected under that measure, and then concludes that a quiet setting is not a recognized purpose or attribute of either site and that their uses are compatible with noise levels up to 70 DNL. DEIS, §§ 4.4, 4.5. This analysis overlooks and omits the severe noise disturbance that the preferred alternatives will cause to the quiet settings and many parks within the study area. As discussed above, the FAA’s own regulations state that the Part 150 criteria may be inadequate to evaluate the noise impact on properties of unique significance such as national parks, national wildlife refuges and to wildlife, which require specific impact studies. FAA Order 1050.1E, App. A, § 14.4b, p. A-62.

For example, the FAA ignores Morristown National Historic Park (a/k/a Jockey Hollow National Park), and the nearby Waterloo Village and Great Swamp National Wildlife Refuge, which are Section 4(f) resources that are protected from exposure to noise disturbances. Waterloo Village is a 19th century Morris Canal port town located along the banks of the Musconectcong River in the Allamuchy Mountain State Park on the border of Morris County, New Jersey. It is designated as a National Historic Site preserved as an historic village with the atmosphere of an earlier century. See www.waterloovillage.org. Jockey Hollow National Park in Morris County, New Jersey is a National Historic Park preserving the atmosphere of George Washington’s encampments during the Revolutionary War. See www.nps.gov/morr/morr1.htm. The Great Swamp National Wildlife Refuge is also located in Morris County, New Jersey, about 26 miles west of New York City. “It is a network of lands and waters managed specifically for the protection of wildlife and its habitat . . . and [i]t represents the most comprehensive wildlife management program in the world.” See www.fws.gov/northeast/greatswamp. The DEIS

indicates that the preferred alternatives will route planes over these areas in the Morris County and Morris/Sussex Border region. See DEIS Volume 2, Chapter 2, Maps 2.20, 2.21, 2.24, 2.26, 2.28 and 2.29.

In addition, the DEIS does not discuss how rerouting of planes from JFK and Islip MacArthur airports affect Fire Island National Seashore, or rerouting of planes from EWR and other airports will affect the Pinelands National Reserve, the Delaware Water Gap National Recreational Areas, Gateway National Recreational Area, Brigantine National Wildlife Refuge or numerous state parks such as the Delaware & Raritan Canal and South Mountain Reservation. Finally, the DEIS does not discuss how expanded procedures from Philadelphia Airport will affect Wridley Creek State Park in Delaware County, Pennsylvania, which is one of the areas most affected by the FAA's proposals.

All of these sites are Section 4(f) resources that depend on their quiet settings and therefore deserve particular attention and consideration in the DEIS. Please explain how the FAA evaluated these Section 4(f) resources in the DEIS study.

IX. INADEQUACY OF THE PUBLIC PROCESS

A. The FAA Has Failed to Respond to the Public's Concerns

Congress has mandated that "local interest in aviation noise management shall be considered in determining the national interest" in noise policy. 49 U.S.C. § 47521(4). To be eligible for federal funding under the Airports and Airways Improvement Act, an agency's project must be reasonably consistent with local land-use plans. 49 U.S.C. § 47106(a)(1). The Secretary of Transportation must be satisfied that the "interests of the community in or near which the project may be located have been given fair consideration." 49 U.S.C. § 47106(b). An affected community's "extensive involvement in the decision making process satisfie[s] the 'fair consideration' requirement." Communities Against Runway Expansion, Inc. v. FAA, 355 F.3d 678, 690 (D.C. Cir. 2004), citing Town of Stratford Connecticut v. FAA, 285 F.3d 84, 90 (D.C. Cir. 2002).

B. The FAA Has Failed to Respond to Elected Public Officials' Concerns

Elected officials take into account and balance economic and corporate interests with the health and well being of their constituents. Despite the economic benefits to industry advanced by the preferred FAA proposals, New Jersey elected officials strongly and consistently object to the implementation of the FAA's proposals due to the environmental harm that would result. Exhibit 4, attached hereto, reflects this opposition with copies of statements and resolutions as follows:

- New Jersey Governor Corzine's statement of opposition;
- United States Senators Lautenberg's and Menendez's statements of opposition;

- United States Congressmen Payne's, Rothman's, Garrett's and Frelinghuysen's statements of opposition;
- Resolution by New Jersey State Assembly opposing the proposed action, overwhelmingly approved by 69 to 2 with 5 abstentions;
- Resolution by New Jersey State Senate (in committee);
- Union County Freeholders' resolution in opposition;
- Resolutions or statements of opposition from the cities or municipalities of Cranford, Elizabeth, Hillside, Kenilworth, Roselle Park, Scotch Plains, Summit, Rahway, Westfield; and
- The scoping report refers to comments against noise affects from 89 of 107 public official comments, and of the 77 public official comments in the scoping report, 70 recommended Ocean Routing.

This list would be substantially longer but for the universal difficulties in accessing the DEIS and understanding its environmental implications during the limited DEIS response period. Most citizens and many elected officials simply do not understand the environmental impacts of the proposed Airspace Redesign.

Please explain how the FAA intends to address the far reaching concerns of New Jersey citizens and elected officials. Please explain how the FAA reconciles the proposals advanced in the DEIS with the widespread public objection to those proposals and the Congressional directive to give the interests of affected communities fair consideration. Please provide information on all New Jersey elected officials that favor either the Modified or Integrated Airspace proposals. Please explain how New Jersey citizens have been provided with extensive involvement in the Airspace Redesign *decision making* process, other than being afforded an opportunity to attend public hearings and provide written comments to the DEIS.

C. The FAA Has Failed to Provide Opportunities for Full and Fair Public Participation in the Decision Making Process

The FAA slanted the communications at public meetings to obscure the gross nature and aviation advantages of the route changes from laypersons. Almost all citizen attendees at public meetings walked around looking bewilderedly at the airspace diagrams. Assuming the layperson had the ability to understand the air route diagrams displayed at the public meetings, the FAA often displayed the diagrams for "no action" and "proposed changes" in different parts of the meeting room, making comparison of the alternatives difficult. When citizens asked the FAA contractors about the noise impacts to their respective communities, those contractors did not provide meaningful answers.

Given the high public interest in noise impacts, the FAA should include supplementary color coded noise change maps similar to those in the current DEIS draft, with a new version showing areas of change at a three decibel threshold level, and another showing change at a 1.5 decibel threshold level, for each of the alternatives. Had these been available at the FAA public meetings, they would have been the center of attention.

In mid-March 2006, the FAA published spreadsheets containing the decibel noise data for each alternative reviewed in the DEIS and a census block similar to the data provided in an EECF EIS Appendix. A small number of technically proficient individuals welcomed the new information, but it failed to inform the vast majority of the public. Incorporating the data from these spreadsheets into color coded noise change maps as described above and calculating the populations affected by increased or decreased noise at 3 and 1.5 decibel thresholds, would supplement the data already provided in the DEIS and greatly facilitate the public's understanding of the broader environmental noise picture.

Throughout this process, and continuing to the present, the FAA has refused to release modeling reports and other raw data used in its analysis in response to requests under the Freedom of Information Act. At the same time, the FAA released these documents to aviation industry companies and officials.

D. The FAA Has Failed to Communicate Details about the Project that Might Raise Public Concerns

The DEIS fails to point out important aspects of the proposals advanced by the FAA, impeding meaningful comment by the public.

- FAA documents on the New York Integrated Control Complex describe holding patterns and proposed movement of such patterns. (FAA03C) The FAA omits this information from the DEIS. Information regarding holding pattern locations and the projected lower altitudes for those patterns should have been provided in the DEIS to inform affected residents so that they could comment about this aspect of the proposal. Please explain how the environmental impacts of such holding patterns have been included in the noise modeling.
- The use of simultaneous arrivals involves the movement of large turbojet aircraft to short Runway 29, which over-flies the town of Hillside, New Jersey. Large jets do not normally use Runway 29, except on those few occasions when wind speeds exceed 23 knots from the west. The DEIS does not highlight that aspect of the plan. The DEIS should include this information, as well as the number and nature of aircraft expected to use Runway 29, and the expected frequency of use and hours of use by such aircraft, so that Hillside residents can comment meaningfully. Please explain how the DEIS noise modeling includes this information.
- The DEIS does not show routes for parallel arrivals and their impacts on communities.

- The FAA does not illustrate “oceanic routes” that over-fly Monmouth County, New Jersey in the main diagrams in Volume 2, but rather inconspicuously buries these in Appendix E.

E. The FAA’s Format for Distributing the DEIS Precludes Public Evaluation

The public has had universal difficulties in gaining access to the DEIS. The FAA mailed the DEIS to the public as a hard copy “Executive Summary” with a general level of information but few details. The mailing included two CDs containing the full document and Appendices. The FAA also posted the information on its web site, but due to the file’s size, it could only be downloaded practically with a high speed connection. The FAA only issued the full hard copy document to selected libraries. As a result of these shortcomings:

- Only computer literate individuals with modern computer hardware and software could access the material distributed on CD. Due to the voluminous material, including the main document, figures and tables (over 1,600 pages, with many figures in PDF format), members of the public cannot realistically evaluate the material on the computer or flip between sections of the document, as is required by the numerous cross references. Printing the material is time consuming and expensive; the FAA indicated that the document cost \$900 to print. Many potential readers abandoned attempts to print the DEIS after exhausting their supply of ink cartridges.
- The FAA has buried critical information, such as detailed presentation and analysis of the noise impacts to specific geographic areas in the Appendices, specifically Appendix E.

NJCAAN’s discussions with individuals interested in the Airspace Redesign indicate that few people had successfully printed a hard copy of the document, and most people were unaware of its contents on a first-hand basis. The distribution format especially precludes access to the materials by citizens living in environmental justice communities with limited access to modern computer hardware. Please explain how the DEIS, which is not readily accessible to large segments of the affected population, can be readily understood by those persons likely to be affected by the FAA’s actions, and how the FAA intends to fully inform interested and affected citizens with limited access to the DEIS.

X. CONCLUSION

The DEIS does not meet the basic requirements of NEPA. It does not adequately inform the agency decisionmaker or the public of the significant environmental impacts of the FAA's proposed action and it does not provide a full and fair discussion of those impacts.

The DEIS does not provide a full and fair discussion of the reasonable alternatives that would avoid or minimize adverse impacts, and it does not rigorously explore and objectively evaluate all reasonable alternatives. The FAA promotes its predetermined preferred alternatives based on incomplete data, and fails to thoroughly explore the advantages of Ocean Routing and various other alternatives. There is no clear basis for choice among the alternatives presented in the DEIS.

The Purpose and Need of the DEIS is unduly narrow and minimizes the need for aviation noise management that Congress has identified as crucial to an increase in airport capacity.

The DEIS is replete with misleading and inaccurate data that precludes meaningful public participation in the decision making process. The majority of citizens have limited access to the DEIS document and to the information that it contains.

The FAA's proposed action raises serious environmental justice concerns that are dismissed in the DEIS as unavoidable, when the DEIS has not looked at sub-alternatives and procedure variations that would not have such impacts and, in fact, might have net beneficial environmental justice effects.

New Jersey public officials and New Jersey citizens continue to speak out against the FAA's failure to fulfill its commitment to include noise reduction and noise mitigation as part of the overall Airspace Redesign, but the DEIS fails to seriously include this concern in the evaluation of the FAA preferred alternatives.

The FAA should extend the comment period because of the delayed posting of certain noise impact spreadsheets on its website in mid-March. This posting was made quietly, without adequate public notice, and in any event was nearly 90 days after the data should have been available with the rest of the DEIS. Accordingly, NJCAAN requests that the FAA extend the notice period by 90 days.

For all of these reasons, the DEIS is inadequate in addressing the environmental impacts of the FAA's proposed action. We demand that the FAA take a harder look at the adverse effects of its proposed alternatives and the advantages and potential of the Ocean Routing alternative.

Very truly yours,

/s/ Carters H. Strickland, Jr.

Carter H. Strickland, Jr.
Attorney for NJCAAN

Attachments (by overnight mail only):

Appendix
Exhibits
Reference list and references

cc (w/o attachments):

U.S. Senator Frank Lautenberg
U.S. Senator Robert Menendez
U.S. Congressman Robert Andrews
U.S. Congressman Mike Ferguson
U.S. Congressman Scott Garrett
U.S. Congressman Rodney Frelinghuysen
U.S. Congressman Rush Holt
U.S. Congressman Frank LoBiondo
U.S. Congressman Donald Payne
U.S. Congressman Frank Pallone
U.S. Congressman Bill Pascrell
U.S. Congressman Steve Rothman
U.S. Congressman Jim Saxton
U.S. Congressman Chris Smith
New Jersey Governor Jon S. Corzine
New Jersey Senator Thomas H. Kean, Jr.
Assemblyman Eric Munoz
Robert Belzer, President, NJCAAN

APPENDIX: DETAILED COMMENTS

DRAFT ENVIRONMENTAL IMPACT STUDY FOR NEW YORK, NEW JERSEY, PHILADELPHIA METRO AIRSPACE REDESIGN

New Jersey Coalition Against Aircraft Noise

I. SUMMARY

1.1. Overall

The redesign was initiated in 1998 accompanied by requirements, promises, and commitments that it would yield noise mitigation benefits. The ultimate result is opposite of what was promised. The Modified and Integrated Airspace alternatives promoted by the Federal Aviation Administration (FAA) would increase noise for 187,743 to 332,127 people, while benefiting relatively few. These impacts are from 4x to 7.2x the 45,622 people that the FAA found impacted by the 1987 Expanded East Coast Plan (EECP), which caused unprecedented widespread public outcry. The Modified and both Integrated Airspace Alternatives are therefore unacceptable in their current form, and the New Jersey Coalition Against Aircraft Noise (NJCAAN) opposes them. Ocean Routing was found to benefit 119,768 people, while increasing noise for relatively few. The FAA found, however, that ocean routing would reduce departure capacity at Newark Liberty International Airport (EWR) and removed it from further consideration. The FAA did not try to resolve differences with modeling results by the plan originator, which showed comparable or reduced delays, or address what it identified as operational shortcomings. Thus, the question remains open as to whether the ocean routing concept can yield both noise mitigation and good operational characteristics.

The Modified (MOD) and Integrated Airspace (IA) alternatives all include an especially onerous “fanning” proposal, that would discard existing south flow EWR noise abatement procedures, carefully developed over many years to minimize EWR impacts to surrounding communities. This proposal would move aircraft from the sparsely populated industrial areas south of EWR and direct them over immediately over heavily populated residential areas. This would substantially increase noise for 70,689 people, more than half of which are at the 60DNL level and above. In addition, the 5480 people found to receive noise increases at the highest (65DNL) noise levels are 82% minority, yielding environmental justice concerns that are identified but not resolved in the DEIS. Furthermore, by directing aircraft immediately over the city of Elizabeth, “fanning” negates a safety action taken in the 1950’s, following three aircraft crashes, that closed EWR and reoriented its major runways to avoid over-flight of heavily populated areas shortly after aircraft takeoff. NJCAAN further opposes the change in the Integrated Airspace plus Integrated Control Complex (IA+ICC) to move JFK westerly departures over the New Jersey area previously heavily impacted by the EECP and the movement of a JFK south departure path from over the ocean, where it currently causes no environmental impact, to over-fly Monmouth County.

The environmental impacts of the Modified and Integrated Airspace proposals and particularly “fanning” are prohibitive. The capacity benefits are, at best, incremental. Provisions of the 1990 Aviation Safety and Capacity Expansion Act (ASCEA) required the FAA to perform an EIS and seek to mitigate noise impacts introduced by the EECP. Since the FAA promoted alternatives move in the opposite direction, their implementation would be unlawful.

NJCAAN seeks to see the original FAA noise mitigation commitment fulfilled. It believes that this is best achieved within the framework of the ocean routing proposal by seeking to meet operational goals without sacrificing noise benefits. It may also be possible to develop new proposals or improve the noise characteristics of the alternate proposals, but the FAA projected negative impacts of the Modified and both Integrated Airspace proposals are currently so large, that it is questionable whether this is possible. Any finally proposed plan must satisfy ASCEA and provide the originally promised noise benefits to New Jersey.

The profound environmental impacts, operational weakness of the FAA proposals, plus the extensive violations of ASCEA, Federal Advisory Committee Act (FACA) and the National Environmental Policy Act (NEPA) that have occurred in its development mandate a “return to the drawing board” to come up with something better, meets initial promises including includes noise mitigation, with a process that includes open and fair access by all interested parties.

The remainder of this Appendix is organized as follows. Comments that can be expressed relatively briefly are given in their entirety in Section I, with more detailed elaboration on selected comments given in succeeding sections. References and exhibits are included. References not widely available are supplied with this submission on CD or as paper-copy. Sample computer spreadsheets for the noise calculations also appear on the CD.

1.2 Overwhelming Opposition by New Jersey Elected Officials

Positions of elected officials are important because they take into account and must balance economic and corporate interests along with the health and well being of residents. The Modified and Integrated Airspace proposals are broadly opposed by New Jersey elected officials because of the unacceptable environmental effects. Exhibit 4 documents this opposition with copies of statements and resolutions as follows.

- New Jersey Governor Corzine statement of opposition.
- United States Senators Lautenberg and Menendez statement of opposition
- Overwhelmingly approved (69 to 2 with 5 abstentions) resolution by New Jersey State Assembly
- Resolution by New Jersey State Senate (in committee).
- United States Congressman Payne, Rothman, Garrett, Frelinghuysen, statements of opposition, with one from Congressman Ferguson expected shortly.
- Union County Freeholders resolution in opposition
- Cities and municipalities of Cranford, Hillside, Elizabeth, Roselle Park, Scotch Plains, Springfield, Summit, and Westfield, resolutions or statements of opposition.

This list would be much longer except for the virtually universal difficulties in accessing the DEIS and understanding it’s environmental implications as well as the limited DEIS response period. Most citizens and elected officials simply do not yet understand the impacts. We are unaware of any elected representatives within New Jersey that favor the “Modified” or “Integrated Airspace” proposals.

1.3 Non-Compliance with 1990 Aviation Safety and Capacity Expansion Act (ASCEA)

Section 9119 of ASCEA (HR5170 Title IV, Section 401) was enacted in response to the widespread public outcry over noise from the EECF. It required the FAA to perform an EIS of the EECF with an intent of mitigating the noise impacts. The FAA issued the Final EIS in late 1995, specifying the so-called “Solberg Mitigation” as partial mitigation, but stating that full impact mitigation would require a major airspace redesign. It committed in the Final EIS to explore such mitigation in an upcoming regional airspace redesign, which is now the airspace redesign described in the DEIS. Technical difficulties impeded the full implementation of the Solberg mitigation, such that the language and intent of ASCEA remains unsatisfied. The DEIS makes no effort toward and contains no airspace features that would accomplish mitigation. In contrast, the EWR “fanning” proposal and the IA+ICC movement of JFK west-bound departures to over-fly a main EECF impacted area both increase noise in the region impacted by the EECF. There was absence of effort to comply with ASCEA, abandonment of noise mitigation implemented in response to ASCEA, and contrary movement of aviation traffic in defiance of ASCEA. The final EIS should comply with ASCEA and audit such compliance.

1.4 Failure to Achieve Significant Progress on Capacity and Delays

None of the proposals in the DEIS makes significant progress in increasing capacity, which was a principal project goal. Total arrival and departure throughputs given in DEIS Table ES.1 are deemed by the FAA to be the most important system efficiency metrics [DEIS Appendix C, Page 9-37]. Using the data in DEIS Table ES.1, NJCAAN has calculated the improvements in throughput relative to no-action, and show these

in Table 1. MOD and IA yield essentially no improvement (<1%), and the IA+ICC yields very small improvements of 6.7% and 2.9%, in arrival and departure throughput, respectively. At a constant applied system traffic level the latter capacity improvements could modestly improve delays. However, it is well recognized that carriers adjust peak hour scheduling and aircraft types to accommodate changes in capacity, so it is unlikely that the flying public will notice any delay reduction.

	<i>Mods to Existing</i>	<i>Ocean Routing</i>	<i>Integrated Airspace</i>	<i>Integrated + ICC</i>
<i>Arrival Throughput</i>	0	0	0	+6.7%
<i>Departure Throughput</i>	+4%	-7.1%	+8%	+2.9%

Table 1
Capacity of Alternatives Relative to “No Action”
 [From DEIS Table ES.1]

The small gains in the rightmost column of Table 1 are speculative and come at high cost. The gain in arrival throughput in Table 1 assumes simultaneous arrivals on the closely spaced main north-south EWR runways, and expectedly the use of shorter EWR cross runway 11/29 for large turbojet departures during peak periods. Runway 11/29 is currently used by large jets only when wind speeds exceed 23 knots, which is very seldom. Use by large jets under normal winds will cause noise impacts to the adjacent town of Hillside, New Jersey. Pilots also frequently do not like to use 11/29 for departures because it is a short runway and therefore less safe. Simultaneous arrivals potentially entail an increase in controller workload, since controllers must pair up and synchronize multiple arrival streams while maintaining aircraft separation according to size and wake. An October 2001 simulation study using professional controllers showed simultaneous arrivals as non-feasible using then extant routes, and pointed out unresolved operational considerations. [MAG, pp. 16, 17] Subsequent route changes may have improved this, but we are unaware of any studies that establish that the simultaneous arrivals at EWR are currently doable, practical, and safe. The small 2.9% change in departure throughput in Table 1 assumes an EWR “fanning” procedure, which entails the dropping of long established noise abatement flight paths at EWR developed by the Port Authority of New York and New Jersey (PANYNJ). This “fanning” procedure has high noise impacts, to the extent that four previous EIS and Environmental Assessments (EA) [PA87; PA95; FAA95; FAA99] have discarded either components of, or this entire procedure, based on these impacts.

The ocean routing alternative is favorable from an environmental standpoint, reducing noise for a net 112,000 people but is deprecated because of claimed reduced EWR departure capacity.

The redesign fails to improve, and for IA+ICC, aggravates a longstanding major complaint about the EECPC; the so called “long-slow arrivals,” where arrivals must travel long distances at low altitudes at which they must fly slowly, burn more fuel, generate more pollution, and cause more noise impacts, than if they were higher. Furthermore, early during the scoping process, the FAA promoted as a benefit, reduced departure altitude restrictions, which would yield faster departure climbs, reducing noise impacts and saving time and fuel. [See Section X.] These benefits are not realized in the FAA promoted alternatives.

1.5 Problems and Illegalities with Process Used in the Redesign and Formulating the DEIS

1.5.1 Radio Technical Committee for Aeronautics (RTCA) Interactions

Serious flaws in the EIS process have profoundly affected the definition of alternatives and biased their evaluation. Most notably, there have been extensive interactions with closed workgroups of the Radio Technical Committee for Aeronautics (RTCA) that have allowed close participation of the aviation industry throughout the process. An executive of Continental Airlines (CO), which is heavily opposed to the Ocean Routing alternative, chaired a key closed RTCA subgroup, and participated in others. This executive favored easing or elimination of noise abatement restrictions at EWR. CO also participated, during the EIS period, in joint studies with the FAA and MITRE, the FAA’s airspace analysis contractor on simultaneous EWR arrival procedures. The RTCA - FAA relationship has been the subject of Inspector General (IG) inquiries, which have found the FAA to be in violation of the Federal Advisory Committee Act (FACA).

The FAA has concurred with the IG findings, yet continued the IG criticized behavior throughout the EIS process. The inappropriate FAA – RTCA relationship is the subject of a remaining open IG inquiry as well as yet unresolved litigation by NJCAAN. In summary, The FAA – RTCA interactions used to develop the route changes and DEIS violates both FACA and requirements for an unbiased National Environmental Policy Act (NEPA) process.

1.5.2 FAA airspace engineers already committed to the Integrated Airspace Alternative and Other Features prior to the DEIS

FAA planning documents dating from 2002 have committed to implementing the principals and mechanisms of the Integrated Airspace Alternative for the NY/NJ Metro area. These were initially called the New York Integrated Control Complex and have also been called “terminalization.” [FAA02; Section AD-3.2] The basic principal is to combine the terminal and en-route control facilities to expand the terminal airspace to achieve, in theory, some operational and efficiency advantages. MITRE, the RTCA, and the NY/NJ/PHL Airspace Team, have been involved at least since 2002, and this has been a proposed 2008-2009 FAA implementation item since this time. [FAA02; Section AD-3.2] Airspace throughput in the NY/NJ area is primarily limited by available runway capacity, so the Integrated Airspace proposals offer little capacity improvement. The FAA admitted in it’s December 20, 2005 Report to the Congressional representatives that there would not be major improvement in capacity or delays. FAA airspace engineers, liked the concept, and sought to apply it in the DEIS, without taking into account the runway limitation of the metro area and long recognized problems with the existing route structure, which are maintained or aggravated with the Integrated Airspace alternatives. EWR departure “fanning” and parallel arrivals at EWR have also appeared in FAA roadmap documents dating back to 2003. [FAA03B]

1.5.3 Piece-Meal Implementation of Procedures

The FAA implemented the following procedures during the course of the DEIS, the first two of which are part of published FAA plans.

- The Yardley-Robbinsville Flip-Flop for Newark Airport arrivals;
- Dual Modena departure procedure for Philadelphia Airport departures; and
- Oceanic procedures in the metropolitan area including the “Florida Airspace Optimization” plan.

The agency included the first two procedures in the project’s baseline. The third is not mentioned at all in the DEIS. As a result, the DEIS does not accurately present the project’s noise and emissions impacts. The Dual Modena supports planned expansion of operations at PHL, yet the cumulative noise and emission impacts of the expansions have been excluded from the DEIS. Furthermore, the taking of action during the course of a project that might limit the range of alternatives is prohibited by NEPA, yet the FAA has proceeded with these actions.

1.5.4 Absence of balance of aviation goals with environmental impacts

There has been a complete and profound absence of balance of environmental impacts with aviation concerns in the formulation of the DEIS routes. NEPA recognizes that certain human activities may affect the environment, but requires that strong efforts be made to avoid or minimize these impacts and to balance need for change with the right of humans for a healthy, esthetic environment that promotes quality of life. In every instance, the DEIS made its route selection decisions to promote aviation considerations, including minimization of flight distances, while assigning zero weight to environmental impacts. As two examples, a carefully developed long standing EWR noise abatement route, which kept aircraft over industrialized areas, was discarded, and IA+ICC moves a JFK south-flow departure route from over the ocean, where it causes no impact, to over-fly Monmouth county, where it would over-fly and impact humans.

1.5.5 Failure to study alternatives to separable components of the major alternatives.

The FAA proposals contain many features that can be separated out and evaluated independently. For example, procedures in the immediate vicinity of EWR could be separated and, in-fact, have been studied as individual alternatives or sub-alternatives in previous EIS. The EECF EIS is an example. The aggregation of these separable features into a single monolithic whole violates National Policy Act Requirements that alternatives to actions be studied. The DEIS selected “fanning,” which had notably high population impacts and environmental justice issues, and did not study of alternatives to this procedure. In fact, “fanning” had been identified as sub-alternative D4 and rejected in preliminary screening in the EECF EIS due to its “potential for additional significant noise impacts.”[FAA95; Fig. 3.2 and p. 3-16] EWR south flow departure procedures in the vicinity of the airport have been viewed as a separable component in four previous environmental studies, and a 1990 airspace action to address EECF noise. DEIS Appendix E contains numerous instances where environmental impacts were identified in the noise modeling, yet never was there effort to examine alternate procedures for avoiding or minimizing these impacts.

1.5.6 Failure to properly define alternatives at scoping and introduction of new alternatives during DEIS

The “Modified,” and “Four Corners” alternatives put forth during the EIS scoping process are vague and do not directly translate to specific proposed action that the public could evaluate and comment on. Details of the Modified alternative were formulated during the EIS process. The “Four Corners” alternative was dropped. The FAA introduced two new alternatives as versions of Integrated Airspace during the EIS, formulating and sharing the details of these with industry via the RTCA closed subgroups, but not sharing these with the public or reopening the process for public comment. Furthermore, Integrated Airspace is an aggregation of numerous environmentally affecting individual route changes, often with discretion as to which are included. When, as stated earlier, the individual route changes proved to have environmental impacts, the DEIS failed to look at alternatives.

1.5.7 FAA statements during public process contrast sharply with what it actually did

The FAA public process misled rather than informed. When the redesign process began in 1998, the FAA heralded that it would be joint effort at both noise mitigation and aviation efficiency. This process began in 1998 with a visit by then FAA Administrator Jane Garvey to New Jersey, and meetings with environmental noise groups in the Newark office of Senator Lautenberg. The dual goal was maintained throughout the early FAA public process, where the FAA hailed that it would strive towards increased altitudes, noise mitigation, and spreading flight paths or narrowing them where warranted by environmental concerns. FAA Pre-Scoping Workhops materials in the section on “Purpose and Need” listed “*Reduced adverse Environmental Impacts such as noise and air emissions,*” [DEIS Appendix M; Section M.2, p. 2]. This was further maintained in the first FAA newsletter on the redesign which listed “*Reduced adverse environmental impacts (both noise and air emissions)*” as one of the five benefits. [FAA99B] FAA public process clearly fostered public expectation that noise mitigation would receive careful attention during the redesign. Actual FAA performance contrasts sharply, with no effort at all at noise mitigation, and an aggressive effort to promote what was best for aviation at any environmental cost. The final result is notably poor environmentally.

1.5.8 Failure to present environmental impacts at thresholds and in a manner understandable to the public

The DEIS fails to inform regarding the primary environmental issue. This has critically hindered the public’s ability to comment. Aircraft noise was prominently the number one public concern in the redesign as expressed in the March, 2002, FAA Scoping Summary Report [DEIS Appendix M; Section M.3, p. 5]. The DEIS presents its noise data by means of maps, with color-coding denoting areas of change. The DEIS has withheld the noise data for most of the study area by using very coarse thresholds, as seen in Table 2.

	<i>Overall Noise Level - Decibels DNL</i>	<i>FAA Threshold for Noting Change</i>	<i>Equivalent Actual Noise Change</i>
<i>Most of Aviation Noise Affected Study Area Closer to Airport (several miles)</i>	45 - 60	5 decibels	3.16 times
<i>Airport Immediate Vicinity (1 – 2 miles)</i>	60 - 65	3 decibels	2 times
	65 or higher	1.5 decibels	1.41 times

**Table 2
DEIS Noise Thresholds for Reporting Change**

For most of the study area, the FAA threshold for showing noise change is 5 decibels, which is equivalent to a factor 3.16 times increase in noise energy. This could be caused by aircraft flying at much lower altitudes, or more over-flights by the factor shown in the last column, or some combination. Thus, most areas would have to receive a 3.16X or greater increase in over-flight noise to be shown as affected in the DEIS noise maps. As discussed later, the EECF and other flight trials have previously shown that the areas west of EWR are noise sensitive and residents react vehemently to changes much less than this. Residents should know when their over-flight noise might increase by factor of two or three as a result of proposed changes to evaluate and comment on the DEIS. Thresholds for noting change are smaller closer to the airport, but are still unreasonably high. Furthermore, the public has little expertise and understanding of the DNL metric and its implications. The public would much more readily understand the meaning if presented as percent change in noise energy, which could be intuitively related to a percent change in number of over-flights, (although noise change could also occur as a result of other factors). Thus, the public remains uninformed regarding the implications of the FAA proposed changes. FAA characterization of the noise level changes in the 45 – 60 DNL range as “slight to moderate” misleads the public as to significance, and denies the entire EECF experience with widespread extensive public reaction at these levels.

As a result of the unduly coarse thresholds, the DEIS and FAA public meetings failed almost universally to answer the basic public question, “How will this affect my aircraft noise?” The DEIS and public meetings were oriented towards communicating the gross nature of the route changes and aviation advantages to an airspace designer. Observation of the public meetings showed that almost all attendees walked around looking bewilderedly at the airspace diagrams, with the “No Action” and proposed changes often displayed in different parts of the room, making comparison difficult, even for the people were able to understand air route diagrams. When attendees queried the FAA contractors regarding the noise environmental impacts to their respective areas, answers were unavailable. Given the high public interest in this environmental factor, the FAA should make supplementary color coded noise change maps available similar to those in the current DEIS draft, showing areas of change at smaller decibel threshold levels such as 3 decibels and possibly 1.5 decibels for each of the alternatives. Had these been available at the FAA public meetings, they would have been a center of attention.

In mid March, 2006, the FAA published, on it’s web site, spreadsheets containing the decibel noise data for each alternative and census block similar to what was provided in an Appendix to the EIS for the EECF. This information was welcomed by a small number of technically inclined individuals, but the vast majority of the public continues to remain uninformed regarding the noise impacts. PANYNJ Environmental Assessments have presented noise impacts with color coded maps using a 3 decibel change threshold and also given numerical decibel noise values on the geographic maps. This method of presenting data has greatly facilitated public understanding of the noise impacts.

1.5.9 *Failure to communicate environmental details that might raise public concern.*

The DEIS fails to point out important environmentally affecting aspects of the proposals that the public should be aware of in order to comment.

1. The DEIS descriptions of changes in Runway 4 departure patterns and their impact is brief, easily passed over, and inadequate. These changes to long-standing PANYNJ noise abatement

- procedures result in increased numbers of people exposed to DNL 65 and DNL 60 in areas that are likely subject to environmental justice consideration. Furthermore, the runway procedure and usage scenario descriptions are based on ILS, which is being phased out in favor of RNAV/RNP. The changes and their noise need to be described and analyzed in the context of the ongoing introduction of RNAV/RNP and resultant aggregate effects.
2. FAA documents on the New York Integrated Control Complex [FAA03C] describe holding patterns and proposed movement of such patterns. This information is omitted in the DEIS. Information regarding holding pattern locations and the projected lower altitudes for them should have been provided in the DEIS so that the affected residents underneath would know about this aspect and be able to comment. Furthermore, the environmental effects of such holding patterns should have been included in the noise modeling, yet there are no details on whether and how they were modeled.
 3. The use of simultaneous arrivals entails the movement of large turbojet aircraft to short runway 29, which over-flies the town of Hillside, New Jersey. Runway 29 is not normally used for large jets except under unusual wind conditions. This aspect of the plan is not highlighted, thereby failing to inform residents of Hillside, who expectedly are likely to be impacted and object to the frequent use of this runway for large jets. The DEIS should describe this feature, it's likely frequency of and hours of use, number and nature and number of aircraft. Furthermore, the DEIS does not provide details on whether and how this was included in the noise modeling.
 4. The routes for parallel arrivals and the possible community impacts are not shown in the DEIS.
 5. The FAA also does not illustrate "oceanic routes" that over-fly Monmouth County, New Jersey in the main diagrams in Volume 2, but rather inconspicuously buries these in Appendix E.

1.5.10 Route development shown to public is incomplete

The routes presented in the DEIS and shown to the public frequently had pronounced environmental problems. DEIS personnel stated at the FAA public meetings that they had not yet addressed mitigation and needed to get public input on the alternatives before they would work on this. However, in order to comment, the public needs to see the result after attempts at mitigation, since mitigation may be impossible or substantially alter the operational, benefit, and environmental picture. As an example, Section 3.2.3 shows that the mitigative measures for "fanning" outlined by the FAA are inapplicable. During scoping and in the DEIS, the FAA demonstrated and promoted its environmental tools and the "feedback" process in which routes are modeled, environmental effects noted, and then mitigation sought [DEIS Appendix C, Executive Summary, p. xxi]. This environmental feedback process was not utilized for the DEIS.

1.5.11 DEIS distribution format precluded evaluation by the public

Difficulties in accessing the DEIS were universal. The DEIS was mailed to the public as a hard copy "Executive Summary" with high level information, but few details, plus two CD's containing the full document plus appendices. The full document plus appendices was more than 1600 pages. This information was also posted on the web site, but, due to size, could only be practically downloaded with a high-speed connection. There was also very severely limited distribution of a hard copy of the DEIS document but not the Appendices. The Appendices contain key relevant information. The full document was issued very sparsely to selected libraries.

1. The material distributed on CD's was only accessible to those with modern computer hardware and software who have good computer familiarity. Because of the voluminous nature of the document and figures in PDF format, reaching and moving between sections of some of the larger appendices often took a long time, making it impossible to carefully evaluate the document without printing it. The latter is very time consuming and costly, which with the most commonly prevalent ink jet printers, would cost several hundred dollars. Many gave up after exhausting their supply of ink cartridges.
2. Critical information, such as detailed presentation and analysis of the noise impacts to specific geographic areas, was buried in the appendices – specifically Appendix E.

Discussions with many individuals who were interested in the airspace redesign indicated that hardly anyone had successfully printed it, and most were unaware of its contents, except second hand, from the few people who had printed it. The distribution format relies heavily on having modern computer hardware and discourages especially access by people in the environmental justice areas.

NJCAAN is very concerned that the public does not understand the implications of the FAA's proposals. This is illustrated by the sparse attendance at many public meetings for the project. As a result, we believe that the agency should incorporate changes to the document that more fully portray the impacts to allow the public to understand the changes and environmental effects.

1.5.12 Range alternatives studied was artificially limited

The actions proposed in the DEIS yield minimal improvements in capacity and, at best, only very modest improvement in delays, at very high environmental cost. This invites a search for non-airspace actions that might achieve equal or greater benefits at lower cost. The DEIS excuses the consideration of such alternatives by citing 49 U.S.C. §47101(a)(9)(a)(b) articulating policy that “*artificial restrictions on airport capacity are not in the public interest and should be imposed to alleviate air traffic delays only after other reasonably available and less burdensome alternatives have been tried.*” The noise impacts of the Modified and Integrated Airspace alternatives are clearly burdensome and the gains small, thereby warranting the search for non-airspace alternatives. Furthermore, U.S.C. §47101(a)(2), which appears earlier in the 47101 policy statement, directs that “*aviation facilities be constructed and operated to minimize current and projected noise impact on nearby communities,*” which is clearly violated by the Modified and Integrated Airspace Alternatives. U.S.C. §47101(a)(5) further states a policy “*to encourage the development of transportation systems that use various modes of transportation in a way that will serve the States and communities efficiently and effectively.*” Thus, the range of alternatives examined was unduly limited, and the MOD and IA alternatives put forth in the DEIS violate Congressional policy. The following alternatives should be examined.

1. *Incentives and regulations encouraging efficient use of existing facilities.* The DEIS found runway capacity to be a principal limiter. EWR is runway limited with frequently cited delays. Yet despite this, the DEIS found that usage of small regional jets had expanded at EWR from 16%, projected based on year 2000 data, to 38% actually encountered in 2004. [DEIS Appendix C, p. B2] EWR capacity is being inefficiently utilized by small aircraft holding one third to one half the number of passengers as previously. Simply reverting to the year 2000 percentage of standard size jets would yield an 11% to 14% reduction in operations to carry the same number of passengers, which is 2X to 3X the beneficial effect of the most ambitious IA + ICC proposal. This would reduce controller workload and yield less crowded and safer skies. It would avoid the use of complex and potentially less safe simultaneous arrival procedures. Possible methods to achieve this would be via pricing incentives discouraging use of small aircraft during peak traffic periods, and regulation. This approach is overwhelmingly more effective than the FAA proposed airspace redesign in transporting more passengers safely, and reducing delays and controller workload.
2. *Encouraging use of alternate transportation modalities for short and intermediate trips;* Alternate modalities, particularly rail, can be competitive with respect to time and cost. They are more efficient fuel wise and introduce far less air pollution. Furthermore, since the entry points to these modalities are distributed, they do not encourage people to bring their cars into the airport region, which are often most heavily polluted. Activities in this direction would be to build infrastructure that would make the alternate modes faster and more convenient, and pricing incentives to make these more attractive to customers. Failure to investigate this is counter to U.S.C. §47101(a)(5).
3. *Peak hour demand control:* The DEIS and FAA summary in the December 20, 2005 presentation to Congress acknowledge that runways in the area are a fundamental constraint on capacity and delays that cannot be alleviated by the airspace redesign. [FAA05D] This concedes airspace redesign as relatively ineffective in achieving increased capacity and reduced delays, which were key initial principal goals of the DEIS. Since delays rise sharply under attempts to apply more traffic through the system than it can handle, it is imperative to institute peak period demand control mechanisms. This was shown in recent experience at LaGuardia Airport, where delays

rose dramatically when peak hour traffic controls were abandoned. Peak demand control can be accomplished by pricing and regulation.

4. *Discouragement of “hubbing” in airports that are capacity limited.* The “hub and spoke” system increases operations to airports that are used as hubs since travelers must stop at airports that are not their final destinations. Hub airports encounter increased air pollution, and offer little to the communities in which they reside, since travelers stop there only briefly. Hubbing at capacity limited airports in areas with high air pollution is against the public interest and should be discouraged via pricing and other incentives. It is further against the public interest to implement airspace changes that encourage “hubbing” in areas where there are already severe environmental and operational problems.

1.6 Citing of Reduced Delays Not Founded

The DEIS focuses heavily on delays as a metric; this is what the flying public sees and is a source of aviation industry costs. However, focus on delays can be misleading because they increase dramatically when attempts are made to operate a system beyond its capacity and because the carriers tend to adjust peak hour scheduling according to the tolerable level of delays. When queried at the FAA meetings, FAA personnel and contractors manning the display stations readily admitted that the aviation industry adapted scheduling to reflect delay constraints, and therefore that their assuming a constant applied traffic level may yield a misleading picture of delays. The DEIS admitted [DEIS Appendix C, p. 3-18] that LaGuardia airport could not handle the projected 2011 applied traffic levels without extended hours of operation and therefore artificially constrained the applied loads. However, this procedure was not applied elsewhere to Ocean Routing.

Delay data can be manipulated to show artificial cost savings. To do this, FAA can take a system that is currently operating at capacity, forecast a slight traffic increase that causes delays to climb sharply and then calculate the associated cost. The FAA then can project a small increase in capacity from an airspace change, which brings the delays back down. By comparing delays for the two scenarios, the FAA can project large cost savings. These savings are fictitious. Carriers adjust their scheduling and aircraft types when delays become unacceptable and also adjust scheduling to absorb capacity increases. The costs of the IC + ICC Alternative have been estimated [Crown Consulting] at 2.5 billion dollars. The focus on delay savings may be an effort to justify these large costs.

DEIS developers have promoted their favored alternatives by citing 13 summary metrics [DEIS Table ES.1] about half of which include and emphasize delays, particularly the reduction of arrival delays likely arising from the slight increase in arrival capacity, as a major component.

1.7 Potential Safety Compromises:

Dual simultaneous arrivals potentially increase the complexity of the controller’s task and increases the possibility of error. The IA+ ICC alternative also reduces separation between aircraft in certain instances from 5 to 3 miles. We cannot state that either of these is unsafe, but it does appear that simultaneous arrivals and reduced separation both seek to increase capacity at a possible sacrifice in safety.

1.8 Failure to Study or Address Air Quality

The DEIS does not include an air quality assessment despite the study area’s poor air quality. The New York, New Jersey, Philadelphia area covered by this DEIS, and notably the region around EWR, is one of severe non-attainment for air quality, specifically ozone emissions. The Clean Air Act (CAA) prohibits any action that will aggravate air quality issues in a non-attainment area. Despite this, various initiatives are bringing additional commerce activity to the New Jersey Port area and air pollution is forecast to increase over the next decade, yet somehow, all of this seems to be escaping CAA regulation. Actions proposed in the DEIS will negatively affect air-quality, yet the DEIS failed to make any study of this issue, declaring it de-minimus. The exceptionally poor air quality in the region around EWR make it especially important that even small negative impacts to this area be avoided. There are a number of actions proposed in the DEIS that would negatively affect air-quality.

1. *Achievement of increased capacity via the IA + ICC alternative:* Airline carriers often expand activities to utilize all of existing capacity, exercising restraint only when delays become unacceptable. By increasing airspace capacity, the IA +ICC promotes increased traffic to the region, including activities such as hubbing, that aggravate already unacceptable regional air quality. The DEIS needs to project the increases in volume of overall activity that arise from throughput or capacity increases and then project the increased pollutant levels arising from this increase in activity.
2. *Increased arrival distance and time below 18,000 feet.* The IA + ICC alternative causes a 7% increase in arrival distance traveled below 18,000 feet. Aircraft traveling below 18,000 feet are less efficient, burn more fuel, and generate more air pollution.
3. *Increased Flight Distance:* IA + ICC increases flight distances by 3.7 miles on average thereby increasing fuel consumption and air pollution
4. *Routing of low altitude traffic over Elizabeth and adjacent communities:* The proposed EWR “fanning” procedure reroutes traffic away from the vacant and industrialized area south of EWR to immediately over-fly heavily populated areas with already severe air pollution. Moving pollution sources closer to people prevents altitude and atmospheric dispersion from reducing pollutant concentrations.
5. *Movement of JFK west departure route over the EWR region in both IA alternatives.* This reduces air quality further the area that is already the most impacted in the state.
6. *Introduction of RNAV/RNP procedures enabled by the redesign and associated capacity increases.*

To comply with NEPA and CAA it is necessary to assess the cumulative impact of all actions that affect air quality and to introduce mitigative strategies that will maintain and improve air quality.

1.9 Specific Routing Decisions

The FAA proposes a number of anti-environmental routing changes and also fails to address recognized problems of the current route structure.

1. *EWR Departure “Fanning.”* Proposed EWR south and north flow “fanning” changes are environmentally onerous and are discussed in detail later.
2. *Movement of JFK westerly departures over the northern New Jersey.* The northward movement of this traffic stream in the IA+ICC alternative further increases noise over the area that was impacted by the EECF and to which Congress directed the FAA to seek to provide relief.
3. *Movement of JFK southerly departures over Monmouth County:* JFK southerly departures currently overfly the ocean where they cause no human impact. The movement of this traffic stream to overfly Monmouth county creates new and unnecessary impacts. Alternatives and impacts of this decision need to be examined.
4. *LaGuardia arrivals traversing south of EWR only addressed in IA+ICC Alternative:* The LaGuardia arrival stream that passes south of EWR constrains EWR departures in both space and altitude. Repairs to this long-standing problem of the current airspace structure should be included in the other alternatives.
5. *Failure and aggravation of “long slow” EWR arrivals.* Extensive arrival distances traversed at low altitudes has been one of the most heavily criticized aspects of the current airspace design, yet none of the proposals addresses this, and IA + ICC makes it worse.

1.10 Failure to Adequately Investigate Ocean Routing

The FAA did not adequately investigate ocean routing and leaves unresolved the question of whether operational improvements and net noise reduction can be achieved within the ocean routing framework.

The FAA had already committed to implementing Integrated Airspace, and consequently had little incentive to making adjustments to Ocean Routing to improve its performance. The DEIS concluded that the Ocean Routing would yield noise reduction for a net 112,264 residents, but rejected it because it would reduce capacity by 7.1%, with especially heavy impacts at EWR. However, FAA operational modeling results differ from those of the late Glenn Bales, a former FAA employee with extensive experience with the metro area airspace, who, after simulations, concluded in a July 1994 report that ocean routing would reduce delays at EWR. [NJCAAN] A preliminary review of the DEIS and Mr. Bales results shows several areas of difference that might account for the discrepancy in conclusions. However, the most significant is that the FAA apparently made no attempt to optimize aspects such as runway use strategy, the ability of arrivals to stay at higher altitudes and better usage of the cleared airspace to the west of EWR, and other things that would allow the advantages of the concept to be fully realized. The FAA pointed out operational disadvantages, such as competition with Philadelphia traffic within certain airspace, but did not investigate possible changes that would address this. Thus, further development and optimization of the ocean routing concept likely can improve both operational and environmental results. The airspace changes for Ocean Routing are far more modest and can be accomplished at less cost and disruption than other alternatives in the DEIS. Furthermore, the agency did not analyze the Ocean Routing alternative using RNAV procedures. Since RNAV/RNP can also be utilized to narrow flight patterns over less noise sensitive areas and improve efficiency, excluding it from the Ocean Routing alternative may have affected the determination of impacts and delays

The DEIS also contains errors that cause the noise benefits to be understated. These are covered further in Section 11.2.

The FAA only modeled the NJCAAN Ocean Routing alternative as specified in 1993. As stated above, it made no effort to modify or model additional Ocean Routing procedures. In the New Jersey Institute of Technology study commissioned by former Governor Christine Todd Whitman, the authors presented the FAA with several recommendations to be considered in the Project including the following: [NJIT, p. 8],

“The redesign should include comprehensive analyses of an array of routing scenarios not yet considered. One or more ocean routing plans should be considered and compared with existing routing.”

The IA + ICC alternative was used to bundle many changes that the FAA sought to implement. Favored route changes were bundled with the terminalization concept as part of IA + ICC. Routing concepts not so bundled, stood no chance of being selected as the “preferred alternative” for the EIS. This policy effectively excluded Ocean Routing from serious consideration, violating Congressional requirements that Ocean Routing be considered as part of the EIS. At the May 5, 2003 FAA Congressional update meeting on the project, when the agency first introduced the Integrated Airspace concept, members of the New Jersey Congressional delegation questioned the FAA on whether the Ocean Routing concept is included in a broader redesign proposal. The FAA did not provide a definitive answer. At the August 13, 2004 Congressional update meeting, a representative of Congressman Payne asked, on NJCAAN’s behalf, whether the agency had done a “clean sheet” analysis of the ocean routing concept. Finally, at the February 25, 2005 RTCA/ATMAC meeting, NJCAAN formally presented the agency with questions and asked whether the agency had examined Ocean Routing in conjunction with the Integrated Airspace proposal, and if not, the details as to why. There was no response or investigation.

1.11 Technical Flaws

The DEIS contains serious technical flaws that have significantly affected the results. These are examined further in Section XI.

1. Anomalies in the noise modeling data in the vicinity of EWR ascertained from the FAA supplied census noise data spreadsheets.
2. Incorrect counts of population impacts for 2006 Modified and IA alternatives in Union County.
3. Incorrect counts of overall population impacts for Integrated Airspace alternative
4. Severe anomalies in Ocean Routing year 2011 noise modeling data.

5. Viewing only populations experiencing noise change gives incorrect impression of noise impacts.
6. Failure to incorporate carrier scheduling adjustments in response to delays in traffic models.
7. Port Authority traffic volume projections differ from FAA projections

II. HISTORY

2.1 Time-Line of Events

Review of the history of the area is necessary to understand previous route changes, noise problems and public reaction, noise change amounts previously found to be problematic, mitigation efforts, FAA promises and commitments, and the extensive body of previous environmental studies. Of special interest are previous analysis and trials of procedures proposed in the DEIS. In the following, note that there were separate simultaneous, largely disparate, activities. The PANYNJ was attempting to mitigate noise in the immediate vicinity of EWR, while the FAA implemented a much broader airspace change, the EECF, and then attempted address the resulting much broader noise problems that resulted.

1950's: Following three aircraft crashes within a short time, the city of Elizabeth closed EWR for almost a year and required, as a safety measure, that the main runways be reoriented so that aircraft did not immediately over-fly the city of Elizabeth. These actions yielded the current runway configuration, plus a flight pattern requiring south-flow departing aircraft to turn left 30 degrees to 190 heading immediately after departure to avoid portions of the city of Elizabeth. This 190 degree turn procedure persists to this day.

1987: Completion of a Study by Landrum and Brown for The Port Authority of New York and New Jersey (PANYNJ). [PA87] The purpose of the study was to determine whether a new departure procedure for EWR Runway 22 might reduce impacts to Staten Island without increasing those to New Jersey. The ultimate goal was to reduce the impact of EWR to surrounding communities. 23 alternate departure procedures were formulated and examined for noise impact. Based on the results of the first 14 departure scenarios, it was determined that only departure headings of 195 degrees, 190 degrees, and 185 degrees would be studied because of the increased noise impacts to Elizabeth, New Jersey, from initial departure headings other than those of 190 degrees and 185 degrees. Angles below 180 degrees were rejected because of excessive impacts to Staten Island. Angles above 195 degrees were rejected because of excessive impact to the City of Elizabeth. The "Straight Out" departure angle was rejected because it would show a very large increase of impact to New Jersey. The study concluded that the 190 degree heading plus a fan marker based turn identifying when Elizabeth had been passed was a safe, flyable solution that would reduce overall population impacts. This fan marker strategy was subsequently changed to a turn at 3 miles from the new EWR DME (3 DME turn).

1987: EECF implemented. This was followed immediately by large public reaction and, within a short period of time, a request by the New Jersey Congressional Delegation to the Government Accounting Office (GAO) to investigate the changes in airspace over New Jersey and why the FAA had not done an EIS. The GAO issued its report in 1988, recommending an environmental assessment, and possibly an EIS, and better examination of the effects of future FAA airspace changes. [GAO] The FAA had originally failed to perform an EIS citing the 3000 foot categorical exclusion

1988: Harris, Miller, Miller and Hanson (Harris) issued a report commissioned by the PANYNJ studying the noise impacts of the EECF. [HAR88] This showed that significant public outcry occurred in areas subject to less than 50DNL and almost all occurred below 55DNL. Furthermore, some of the areas that reacted strongly were subject to increases as small as 2 DNL. This is important because it establishes the degree of noise sensitivity of the area and criterion for best predicting impact of new changes.

1990: FAA revised EWR south flow departure procedures to mitigate increased noise over Cranford, New Jersey. These procedures turned aircraft back to a 220 degree heading after they had passed

Elizabeth and had aircraft with western destinations travel over an industrialized corridor 3 – 8 miles south of EWR before distributing them to westerly navigation waypoints. The goal was to distribute the noise more evenly, and the FAA monitored flight tracks to ensure that the controllers were, in fact, doing a reasonable job of distributing the noise. These adjustments helped mitigate the original Cranford noise, but resulted in a sharp increase in noise to Scotch Plains and other westerly towns. The outcry from Scotch Plains caused the PANYNJ to request a supplementary Harris report studying these changes. The resultant report showed that Scotch Plains noise had increased 5DNL going from 46 to 51 DNL [HAR90]. Throughout the 1990's Scotch Plains continued as one of the most vigorous sources of noise complaints and activity to seek mitigation of aircraft noise.

- 1990: To address the continuing noise problem with no relief, Congress added provisions to ASECA provision requiring the FAA to perform an EIS of the effects of the EECP and search for mitigation.
- 1993: New Jersey Citizens for Environmental Research and NJCAAN proposed the Ocean Routing plan to the FAA. This is the plan studied as an alternative in the DEIS.
- 1995: PANYNJ issued an Environmental Assessment (EA) of changing the turn point from 3.0 Miles to 2.3 miles to provide some noise relief to Staten Island residents [PA95]. This change is done over the objection of the City of Elizabeth and noise activists in New Jersey who find increased noise due to reduced flying distances and more direct paths to their homes. "Straight out" EWR departures (without the 190 degree turn) were rejected to due to excessive noise impacts to New Jersey. This EA provided "noise grids" showing numerical noise values superimposed on enlarged maps of the region west of EWR, which were very helpful to the public for evaluating the effects of the changes.
- 1995: FAA released the Final EECP EIS, proposing to retain EECP routes, but introducing the Solberg Mitigation to reroute some traffic north and south to provide relief to some areas most heavily affected by EECP. [FAA95]. The FEIS admitted that it had not fully mitigated the EECP noise but included a statement referencing a future regional redesign in which further mitigation would be undertaken. The implementation of the Solberg mitigation was never fully successful.
- 1998: Then FAA Administrator Jane Garvey traveled to New Jersey to announce the start of the Metro Redesign. She met with noise groups and witnessed a demonstration of Ocean Routing. The FAA committed to seeking both noise reduction and operational improvements, and the redesign was promoted heavily as a joint effort to achieve both goals.
- 1999: In an effort to improve operational procedures, the FAA performed an Environmental Assessment (EA) exploring the use of a 260 degree departure heading following the 190 degree flight segment in departing EWR to the south. Straight out departures were included in the EA, but again rejected because of sharp increases in aggregate population noise exposure. Reaction in New Jersey to the 260 turn was highly negative due to increased noise exposure. The FAA rejected the 260 turn based on "*community concerns, lack of significant operational benefits, lack of significant noise or other environmental benefits...*" [FAA99A]
- 1999 – 2000 Metro Redesign Pre-scoping: Noise reduction advertised as major goal. [See Section X]
- 2001: Noise deemphasized as project goal "Commitment to the community slide retained." [See Section X]
- 2005: Metro Redesign DEIS issued. Profound negative noise impacts to New Jersey with no effort at all on noise mitigation

2.2 Lessons Learned and Apparently Not Learned

1. The city of Elizabeth and surrounding municipalities are very densely populated and in the past have taken strong action, including closing EWR, to minimize risk to their populations by avoiding low altitude over-flights. EWR “fanning” defeats these attempts. Recent crashes at Teterboro airport and the ensuing public reaction has reinforced the need to make every effort to reduce population exposure to aviation mishaps.
2. The PANYNJ and the FAA have spent great effort and resources on minimizing EWR impacts to surrounding communities. South flow departures in particular have been investigated and fine tuned extensively in four environmental evaluations, plus several experimental actions, to reduce impact. The “fanning” proposal would nullify all of these previous efforts.
3. New Jersey did not have significant problems with aircraft noise prior to the EECF, except in the immediate vicinity of airports. The EECF reaction was truly unprecedented in magnitude and extent with large angry meetings attended by hundreds of people throughout the state and numerous local noise organizations initiated to address the new problem. NJCAAN was formed as an umbrella group to coordinate the activities of the various groups. Following 1990 flight path changes, the FAA instituted periodic monitoring and distribution through Congressional representatives of flight track data for the region southwest of EWR to convince and ensure residents that the noise was being fairly distributed. Noise became a major concern of northern elected officials over a broad portion of New Jersey. The continuing outcry led to the Congress passing ASCEA provisions requiring an EIS and search for mitigation. When the outcry continued and the FAA was late in producing the EIS, the New Jersey Congressional delegation obtained passage of legislation to freeze the salaries of FAA personnel associated with the EIS. Noise organizations and infrastructure arising from the EECF persist to this day, almost 20 years later. The EECF proved to be a major “headache” for the FAA for many years to come.
4. *It is especially noteworthy that most of the EECF noise reaction occurred in areas below 50 - 55 DNL, which according to FAA designation in the current DEIS would be considered “slightly impacted.”* The EECF showed strong public reaction at noise levels far lower than the FAA was previously used to considering impact. The larger area of New Jersey affected by the EECF route changes is highly noise sensitive and doesn’t follow traditional FAA guidelines for evaluating impact. The FAA failed to predict EECF impacts and has yet to come up with criteria for predicting impact of similar changes. The FAA proposed changes with their large affected populations will yield an extensive public reaction. The DEIS does address or attempt to predict to the size of the anticipated noise reaction to its proposed changes relative to that experienced from EECF, and thereby ignores one of the most prominent environmental concerns for this broad airspace change. New management of the airspace redesign without knowledge and sensitivity to previous problems are on a track to repeat the mistakes and EECF experience. Feelings by the people of New Jersey of having been misled and betrayed will compound the problem.
5. Components of the DEIS proposal for EWR south flow departures have been previously investigated and rejected.

III. AIRSPACE FEATURES AND RESPECTIVE IMPACTS

3.1 Tri-State Overall Noise Impact

Even with the lenient noise thresholds used by the FAA, the number of people that are negatively impacted by the MOD and IA alternatives is very high as seen by Table 3. The ocean routing alternative, in comparison, offers substantial noise reduction. As threshold for impact is reduced, the number of people affected gets much higher, so Table 3 vastly understates the effects of the proposed changes. By comparison, the EECF EIS, showed only 45,622 people negatively impacted at the 5 decibel level. Based on this, the MOD, IA, and IA + ICC alternatives show 4.1, 4.2, and 7.3 times, respectively, the adverse noise impact of the EECF. This makes the EECF, which caused an unprecedented large public reaction and intervention by Congress, look benign.

	<i>Mods to Existing</i>	<i>Ocean Routing</i>	<i>Integrated Airspace</i>	<i>Integrated + ICC*</i>
<i>Increased Noise</i>	187,743	7,504	191,958	332,127
<i>Decreased Noise</i>	42,599	119,768	43,091	67,597
<i>Difference</i>	145,144	(112,264)	148,867	264,530

**Table 3
Tri -State Noise Affected Population by Alternative**

[*All alternatives show 2006 data from DEIS Table ES-2, except Integrated + ICC, which shows 2011 data from DEIS Table ES.3]

The vast preponderance of people impacted in the DEIS occurs in the 45 – 60 DNL range, which is similar to the EECp situation. While the DEIS counts impacts people in more than one state, as opposed to only New Jersey considered for the EECp EIS, the New Jersey impacts alone, particularly for the DEIS IA + ICC alternative, are much greater than those of the EECp. The affected regions of New Jersey are similar, and the noise impact thresholds are similar. Therefore EECp reaction the best available predictor of public reaction to the DEIS proposed changes. A major difference is that the EECp reaction occurred at the beginning of the mandated phase-out of noisier stage 2 aircraft, which introduced noise benefits that helped abate EECp reaction over time. Going forward, only slight further migration to quieter aircraft is forecast, which will be offset by aviation traffic increases. Therefore reactions to the DEIS noise increases are likely to be much more severe and sustained than indicated by the population numbers alone.

3.2 EWR Local Impact of Proposed South Flow Departure “Fanning”

3.2.1 FAA Projected Population Impacts

Among the most heavily impacting and least studied of the FAA changes is the proposal in the MOD and both IA Alternatives “fan” EWR south flow departures. Doing this discards PANYNJ noise abatements to minimize impacts to Elizabeth and Staten Island by utilizing the industrial areas and waterways south of EWR to allow aircraft to climb. The proposed “fanning” directs aircraft immediately over residential areas of Elizabeth and adjacent municipalities. *The FAA noise impact maps show greatly increased noise in residential areas, and sharply reduced noise over industrialized areas in which no one is living.* DEIS Appendix E [p E49, E50] for the MOD alternative, and [p66, 67] for the IA alternative report results that are very close or identical, primarily reflecting the effects of “fanning;” so in the following, we focus on the effects of the MOD alternative in the vicinity of EWR. Table 4 summarizes the population impacts.

	<i>People Affected</i>
<i>Increased Noise</i>	70,689
<i>Decreased Noise</i>	13,895
<i>Difference</i>	56,794

**Table 4
Impact on People of EWR South Flow Departure Fanning**

[DEIS Appendix E, Page E-49]

“Fanning” EWR departures would dramatically increase noise for more than 70,000 people, while benefiting only a small fraction of that number. Further insight to the anticipated impacts is obtained by reviewing Table 5, which was compiled from the FAA supplied census noise spreadsheets Union County and Richmond by simply counting the noise exposed people at the designated levels. [See enclosed CD.]

DNL Noise Level	2006 No Action		2006 Modified	
	Elizabeth	Richmond	Elizabeth	Richmond
65 or Higher	14,710	0	17,915	0
60 - 65	7146	1	44,333	0
Total	21856	1	62,248	0

**Table 5
Populations Impacted at 65 and 60 DNL**

Table 5 illustrates two points:

- 1) DEIS reporting of population impacts using counts of the population experiencing change at particular levels and thresholds can give a very misleading impression. The vicinity of EWR, provides an example. For the Modified 2006 alternative, the DEIS [Appendix E, p. E49] reports 5480 people as negatively impacted by 1.5 decibels above 65 DNL and 5969 people helped, leading to an inference that this alternative has beneficial impacts above DNL 65. However, NJCAAN counts of the total number of noise impacted people from the FAA supplied spreadsheets shows that the Modified alternative increases the population experiencing noise levels above 65 DNL from 14,710 to 17,915, yielding 3,205 additional people affected at DNL 65 and above. The Modified alternative thus offers a significant noise disbenefit. Relying solely on this DEIS method of presenting data hides rather than exposes impacts.
- 2) The “No Action” baseline likely no longer minimizes population noise exposure. The city of Elizabeth and borough of Richmond are located on opposite sides of a non noise-sensitive center area of industrialized, waterway, and vacant land. The PANYNJ strategy for minimizing noise impacts has been to concentrate traffic over this non noise-sensitive area, and balance impacts on both sides, seeking the smallest number of people impacted independent of geography. Previous analysis of varying departure angles [PA87] shows that movements of traffic east and west tend to move noise impacts between Elizabeth and Richmond, that there is a path that minimizes total impacts, and that total impacts tend to rise with significant departures from this optimum path. Table 5 shows 14,710 people in Elizabeth are affected at DNL 65. *Only one person in Richmond affected above DNL 60, and none above DNL 65.* This shows lack of balance of impacts on both sides of the non noise-sensitive area, revealing that the “No Action” alternative likely no longer minimizes population noise exposure and much better optimization is possible. It is especially important to investigate this because the affected population is covered by environmental justice protection. Therefore, FAA review of fanning related alternatives should explore departure angles below 190 degrees and departure segments lengths longer than 2.3 miles to determine combinations for reducing the DNL 65 environmental justice population, rather than simply accepting “No Action” as a baseline. Note also that the 1995 PANYNJ study used as a basis for the current routes [PA95; p 5-46] projected only 9800 people would be exposed to DNL 65 for the year 2004. The FAA data for “No Action” in Table 5 shows 14,710 people exposed at DNL 65, which is 50% higher than the PANYNJ projected. This could be due differences in the model routes and assumptions, possible changes in DME location or runway use, or that one or both modeling studies is incorrect. Changes in 2004 traffic levels and fleet mix relative to what the PANYNJ anticipated in 1995 would lead the 1995 estimates to be high rather than low, so something is clearly amiss here. This needs to be to be investigated and analysis conducted to determine flight paths to minimize noise exposure of environmental justice populations.

The DEIS departure fanning incorporates “straight out,” 240 degree and 260 degree headings. As was discussed earlier, “straight out,” 250 and 260 degree headings have been previously investigated and rejected in previous PANYNJ and FAA studies [FAA99A] because of environmental or operational issues. Given the high levels of impact found by the FAA and the extensive previous effort to minimize population impacts in this noise sensitive area, the FAA needs to closely examine and publicly seek input on proposed alternatives for departures in the vicinity of the airport prior to performing further environmental study to select a procedure. Furthermore, noise abatement procedures are the responsibility of the airport authority [i.e. PANYNJ], so there is question as to the appropriateness of FAA specification of such procedures, especially given the lack of study.

The DEIS did not examine alternatives to “fanning.” As a further example of the low weighting of environmental concerns throughout this DEIS, FAA’s simulation data for Alternative (2), [DEIS Appendix C, Figure 9-24] shows *no gain at all* from the 55 operations/hour in EWR departure capacity, yet the DEIS retained this negative feature within this alternative with its strong adverse noise and environmental justice impacts.

3.2.2 Errors in FAA Calculations of People Exposed to Noise Changes

Simple audit of the FAA supplied Union County census spreadsheet data showed that the DEIS calculations of people impacted are incorrect. Counts of people experiencing noise change by 1.5 decibels from or to DNL 65 using the DEIS criteria and spreadsheets showed 5857 people in Union County negatively affected by the MOD alternative as opposed to 5480 reported by the FAA, [DEIS Appendix E, p. E49] i.e. 377 more impacted than reported. Audit of the people helped showed 5724 helped versus the 5969 reported by the FAA i.e. 245 less people helped than reported. This reverses the assessment of relative merit.

Examination of the census block noise data spreadsheets for Union County supplied by the FAA showed significant further unexplained data anomalies in the DNL noise data at a level to very significantly affect the overall results. This is covered further in Section XI.

3.2.3 Mitigation May Not be Possible

The “fanning” change affects minorities and therefore is subject to environmental justice concerns. The DEIS states that possible mitigation will be given in the final EIS, citing four directions, none of which is applicable here. | 215
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1) *Use of continuous descent profiles:* This reduces noise from landing aircraft and is not applicable here because the noise in question is departure noise. | 217

2) *Moving aircraft over less noise sensitive areas:* This is not applicable, because previous efforts by PANYNJ have already attempted to minimize because aircraft traversal of noise sensitive areas near EWR by utilizing non noise-sensitive areas. | 218

3) *Use of different procedures at night:* Since most flights occur during the daytime hours, the potential benefits of this are limited and likely will not address the problem. | 219

4) *Use of sound proofing:* This provides limited help only for those who receive it. It is ineffective when people go outdoors or open their windows. It is also unlikely that the PANYNJ or FAA would seek to soundproof the dwellings of upwards of 70,000 or even 36,000 people. It also entails ongoing increase in air conditioning costs for the affected people. | 220

3.3 Previous Environmental Studies of EWR South Flow Departures

The extensive previous environmental work that has taken place south of EWR sets standards for environmental studies of any changes. EWR is a major airport located in an extremely densely populated area. Traffic at EWR has grown dramatically, and impacts to surrounding communities has been a major concern of the PANYNJ leading to prior environmental studies and changes to minimize impacts. The following describes some of the studies relating to EWR south flow departures and their results. It shows the previous careful examination of alternatives and rejection of proposals in the DEIS.

3.3.1 1987 Study

The 1987 Landrum and Brown study [PA87] is notable in the breadth of alternatives examined. Traffic departing EWR Runway 22 had, since the 1950’s, made a 30 degree turn to 190 heading following departure. This study looked at 23 departure scenarios that varied the initial heading, the distance subsequently traversed before making another heading change, and subsequent headings. From the Executive Summary, [Page iv] the report states following the preliminary examination of 14 preliminary scenarios:

“-The straight-out departure (220 degree) showed a very large increase in impact in New Jersey and therefore would not be studied in any more detail.

-Based on the results of departure scenarios 1 through 14 it was decided that only initial departure headings of 195 degrees, 190 degrees and 185 degrees would be studied in the second phase of the analysis because of the increased noise impact on Elizabeth, New Jersey from departure headings other than 190 degrees and 185 degrees. An initial departure heading of 180 degrees would create a greater noise impact on Staten Island and was not tested as part of this study.”

The second phase of the analysis looked at detailed impact, including additional departure scenarios 15 to 23. This later analysis looked at population impacts as well as sensitive uses such as churches, schools, hospitals, public health facilities and libraries and formulated a departure scenario that with minor refinements continues to be used. This scenario achieved about one third reduction in noise impacted population compared to the previously used procedure.

By comparison, the DEIS proposes elimination of the 190 degree segment and departure headings of 220, 240 and 260 degrees, without any environmental exploration of alternatives. The new directions are inconsistent with previous work.

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3.3.2 1995 Study

In 1995, the PANYNJ performed an Environmental Assessment study and ultimately implemented a refinement to the previous procedure that shortened the segment traversed at 190 degree heading from 3 miles to 2.3 miles. Four alternatives in addition to “no action” were explored – 2.3 miles, 2.5 miles, 2.0 miles, and a straight out departure without the 190 degree turn segment. The latter was done in response to a scoping request by Staten Island residents. Impacts on populations, schools, hospitals and religious facilities were tabulated for year 1993 and projected for year 2004. [PA95, Table 5-3 at p. 5-14, Table 5-6 at p. 5-23] The “straight out” (220 degree) departures were again rejected because of excessive population impacts.

Also of interest were two additional rejected alternatives. Alternative 6 consisted of switching between 190 degree, 205 degree and 220 degree headings every two hours to disperse noise impacts. Alternative 7 consisted of multiple departure headings by airspace fix using 190, 205 and 220 degree headings. Both of these alternatives were dismissed after preliminary consideration with the same comment. [PA95, p. 3-3 – 3-5]

“It was determined that this alternative would significantly increase overall noise exposure in developed residential neighborhoods in the immediate vicinity of the Airport. Therefore, it is considered neither feasible nor prudent and was eliminated from further consideration in this EA.”

This conclusion further re-enforced that of the 1987 study; that use of initial departure paths with angles greater than 190 degrees caused unacceptable noise impacts.

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A comment on Page 3-4 of this study further highlights concerns regarding this alternative for increased noise for areas west of EWR that were subject to EECF noise impacts and targeted for relief in the final EIS.

“Aircraft on the 205-degree and 220-degree headings would also tend to fly at lower altitudes over areas to the west of the Airport because the 190-degree heading provides additional flying distance, allowing aircraft to gradually gain altitude.”

3.3.3 1995 EECP EIS

The 1995 Environmental Impact Statement for the Expanded East Coast Plan again reviewed alternate departure procedures under an umbrella alternative called “Spreading Air Traffic” Notable in this analysis was the consideration of subalternative D4: “Proceed on course at runway end.” This alternative is pictured in [FAA95, Fig. 3-12] and appears identical to the “fanning” procedure proposed in the DEIS. This alternative was dismissed from further consideration with the comment [FAA95; Page 3-16]

“D4 was not selected because of the potential for additional significant noise impacts.”

3.3.4 1999 Study

The FAA revisited EWR south flow departures in a 1999 EA of a proposed and trailed a 260 degree departure procedure, which retained the 190-degree initial departure heading, but subsequently is similar to a 260-degree departure heading proposed in the DEIS. “Straight out” departures were again included in the analysis, and again rejected because of significant increases in overall population noise exposure and particularly in Elizabeth. . The EA noted that the 260 degree heading would produce a slight reduction in travel times, but judged this not to be significant [FAA99A; Page ES4]. The EA elected to retain the existing procedure:

“Based on community concerns, lack of significant operational benefits, lack of overall significant noise or other environmental benefits, and ongoing safe and efficient movement of air traffic accomplished today using existing procedures, the modified procedure utilizing a 20 degree departure heading and the straight-out departure are not recommended at this time.”

The 260 procedure was broadly opposed within New Jersey. The termination of the 260 trial was requested by ten members of the New Jersey Congressional delegation, Freeholder resolutions from Middlesex, Somerset, and Union Counties, and 16 municipalities. As an indication of the magnitude of concern over the 260 departure heading, there were more than 200 newspaper articles and “letters to the editor” regarding the procedure.

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3.4 North Flow EWR Departure Changes

The PANYNJ has previously worked to minimize noise exposure from north flow departures. [PA89] The DEIS gives only very brief treatment of it’s proposed changes to EWR north flow departures, to the extent that most readers missed this feature entirely. There was no separate environmental analysis of these. Tables 6 and 7 give the noise exposure population counts from the FAA supplied spreadsheet for Essex County for year 2006 MOD and IC and 2011 IA+ICC versus “No Action” for their respective years.

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	2006 “No Action”	2006 “MOD”	2006 “IC”
DNL 65 or Higher	13, 192	14,067	14,052
60 – 65 DNL	16,352	25,022	24,618
Total	29,544	39,089	38,670

**Table 6
Comparison of Airspace Alternative Noise Exposures for Essex County**

	2011 “No Action”	2011 “IA + ICC”
65 DNL or Higher	11,701	11,811
60 – 65 DNL	15,954	20,450
Total	27,655	32,261

**Table 7
IA+ICC vs “No Action” Noise Exposure for Essex County**

The DNL 65 and 60 noise exposed populations for the MOD, IA, and IA+ICC alternatives are universally higher than “No Action.” Since the increases occur for all of the FAA alternatives, they likely attribute to the change in Runway 4 departure procedures. The MOD and IA procedures result in a 6.5% increase in DNL 65 exposed population and more than a 50% increase in DNL 60 population. Year 2011 IA + ICC yields a 1% increase in DNL 65 and a 28% increase in DNL 60 population. These severe noise increases affect what are likely environmental justice populations and need to be presented and analyzed in the EIS. Alternatives for this procedural component need to be sought and examined. There is further no examination of benefits for this change.

3.5 Broader NJ Impacts of IA+ICC Flight Path Changes

Table 8 summarizes impacts to New Jersey of several arrival route changes included in IA +ICC. The impacts are almost always negative and the numbers of people affected is high. The negative effect of the Runway 22 arrival changes alone is more than twice the entire effect of the EECF. The effect of the PENNS arrival changes is, by itself almost equal to that of the entire EECF.

	<i>Rwy 22 Arrival Changes</i>	<i>Rwy 4 Arrival Changes</i>	<i>“PENNS” Arrival</i>	<i>Phl. Airport Changes</i>
<i>Increased Noise</i>	98,714 (Rutherford & Fairlawn)	1,523 (Plainsboro)	40,596 (Morris, Passaic, Sussex)	3,233 (Gibbstown)
<i>Decreased Noise</i>	16,145	5,058	19,804 (PA + NJ)	159
<i>Difference</i>	82,569	(3,535)	20,792	3,074

**Table 8
NJ Impacted Population for other Flight Path Changes**

Impacts due to the Runway 22 arrival changes are and extend to a much broader area of Bergen County, New Jersey than the towns of Rutherford and Fairlawn described in the DEIS. Furthermore, FAA noise census spreadsheets for Bergen County show 11,284 people with noise increases of 10 decibels to a level above 45 DNL. *These people will experience a more than a ten-fold increase in noise.* 959 people in Morris County will also experience a 10 decibel noise increase. NJCAAN found that towns in Northern Bergen County were largely unaware of the proposed IA+ICC noise impacts.

Based on previous experience in the affected region of New Jersey, which is similar to the areas previously affected by the EECF, the above impacts are severe and likely to cause widespread negative reaction and public distress. The DEIS does not anticipate or warn of the magnitude of these impacts. Furthermore, for each of the above routing strategies, or sub-alternatives, there should be examination and comparison of other alternatives with respect to environmental impact and benefit.

3.6 Need for DEIS to Present Total Populations Exposed at Various DNL Levels

The DEIS presents data on and emphasizes the number of people projected to receive a change in noise exposure of a specified amount. Section 3.2.1 shows that simply looking at the number of people experiencing change at a particular threshold gives a very misleading impression of the effects of the Modified alternative at EWR. Section 3.4 shows this for EWR north flow “fanning.” Previous environmental assessments, particularly at EWR, have also presented, as a more important metric, the total population impacted at each DNL level, and focused on minimizing this population. Information on the number of people likely to experience a specified noise change is valuable and informative. However, the counts of the number of people experiencing various DNL levels has been a preferred method of determining population noise exposure and merit for alternatives and is necessary information. Spreading air traffic may result in small increases for a lot of people and large decreases for a small number, thereby looking favorable in an audit of people experiencing change at a particular threshold. However, such a

change might result in higher total population noise exposure and therefore be less desirable. Review of numbers of people exposed, rather than looking at change, is also not subject to noise exposure “creep” where a number of small changes results in a large cumulative effect.

3.7 Reaction to the Expanded East Coast Plan and Extrapolation to DEIS Proposed Changes

This section points out that the FAA has not yet adjusted its methodology to assess large scale airspace changes and the resultant population impacts, and by focusing on impacts at the highest noise levels, understates and misses most of the human impact.

Fidell has critically reviewed use of the Schultz curve and Federal Interagency Committee on Noise (FICON) policies stating, “*In the United States, FICON’s doctrine has codified the status quo in understanding of community reaction to noise as of a quarter century ago, led to a repeated misprediction of community reaction to noise exposure, and generally reinforced policies that do not accomplish their own goals.*” [FID; p 3011]. Fidell argues the value of noise complaints for assessing annoyance and states, “*Regional airspace use and flight track modification controversies such as the Expanded East Coast Plan are typically complaint-driven and frequently require resolution of noise problems at exposure levels that are inconsequential from the perspective of federal land use compatibility guidelines.*” [p.3012] Fidell also argues the high-degree of variability in reaction to noise and the lack of clear indication for a DNL value of 65 dB as a policy point.

Because of the similarity of situations and affected populations, comparison to the EECF is the best indicator of the likely reaction to the proposed airspace changes. It is helpful to examine EECF noise levels and increases compare them to those projected within the DEIS. Initial public reaction to EECF caused the PANYNJ to contract with Harris to analyze effects. [HAR88] Some 5,700 broadly distributed noise complaints were documented within the first 16 months. The report identified sites with significant numbers of noise complaints and public reaction and characterized the noise change at these sites. The Town of Cranford initially experienced a 5 decibel increase in DNL from 52 to 57 DNL and had one of the most extensive reactions with both petitions (1600 people) and 300 complaints. As a result of subsequent airspace changes to relieve Cranford, Cranford noise was reduced, but then other communities such as Scotch Plains, Fanwood and Westfield were affected. Scotch Plains subsequently became the most prominent source of noise complaints and efforts to obtain noise mitigation. Following the changes to relieve Cranford, Harris analysis [HAR90. page 21] showed the following ranking among the towns that it examined

	1986	1988	1990	Change in DNL since Pre-EECF
Long Valley	42	49	49	+7
Scotch Plains	46	46	51	+5
Tewksbury	n/a	47	47	+5
Denville	45	49	49	+4
Allendale	42	46	46	+4
Mendham	45	47	47	+2
Short Hills	53	55	55	+2
Cranford	52	57	53	+1

**Table 9
Noise Levels and Changes in EECF Affected Areas**

All impacts were below 60 DNL, and most below 50 DNL. Based on the FAA’s DEIS nomenclature, the latter, by virtue of being in the lower part of the 45 – 60 DNL range would likely be deemed by the FAA to be “slightly impacted.” By this standard, the extensive EECF reaction took place as a result of people who according to FAA standards are “slightly impacted.” This indicates failure on the part of the agency to appropriately adapt it’s methodology and criteria to account for the EECF reaction and failure to candidly admit the prospect of large scale noise reactions larger than EECF. Note further that reaction occurred in

areas encountering increases as small as two decibels. This shows inadequacy of the FAA criterion in identifying geographic areas of concern and the need for geographic maps showing smaller changes.

A number of explanations have been offered for the EECF reaction– introduction of noise into suburban and rural areas with low ambient sound levels, presence of noise at a distance from the nearest major airport where there is not a public expectation of noise, the fact that the noise is newly introduced and not present when individuals moved into the area, and the very large number of people affected. The Environmental Protection Agency, in it’s “Level’s” document [EPA] pointed to most of these factors and the need to adjust criteria. The FAA criterion for noise impact is the same in rural areas as it is over Manhattan and does not take into account the scale of the change or other factors noted in analyzing the EECF reaction and EPA Levels Document.

Even with the criticized Schultz curve [DEIS Appendix E. Fig E-7; page 11], it is possible to demonstrate that the DEIS changes will create by far the most problems below DNL 60. The Schultz curve portrays the number of people “highly annoyed” as a function of DNL sound level. The number of “highly annoyed” people is the Schultz and Air Force metric for gauging severity of impact. The Schultz curves show a tapering off of people highly annoyed with DNL level, but a low fractional number yields a large absolute number when the number of people affected is large. Application of the Schultz data show that the FAA changes will generate more highly annoyed people below 60 DNL than in any of the other FAA noise ranges as shown in Table 10.

The last three columns of Table 10 show the projected numbers of new “highly annoyed” people projected as a result of the Modified (year 2006), IA (year 2006) and IA + ICC (year 2011) people based on DEIS Tables ES.2 and ES.3. DEIS Appendix E Table E-7 projects the number of highly annoyed people at 5 DNL increments between 40 and 90 DNL. The Schultz % for Table 10 are calculated by taking the difference between the percent “highly annoyed” for the upper and lower portion of the range in Column 1. For the 45 – 60 DNL range, the Appendix Table E-7 numbers for 55 and 50 DNL are subtracted to give a value representative of the midpoint of the DNL range. The FAA criteria for displaying impact is shown in Column 3 and is a 5 decibel change between 45 – 60 decibels; a 3 decibel change between 60 and 65 decibels; and a 1.5 decibel change above 65 decibels. Because 1.5 and 3 decibels are values are smaller than the 5 decibel increments in Appendix E, Table E-7, it is necessary to proportionately downward adjust the 5 decibel percentages calculated from DEIS Table E-7 to reflect the smaller noise change amount. Column 4 of Table 10 shows these downward adjusted Schultz percentages.

DNL RANGE	Shultz % for 5 Decibel Change*	FAA Threshold (decibels)	Adjusted Shultz %	Modified (2006) New “Highly Annoyed”	IA (2006) New “Highly Annoyed”	IA . + ICC (2011) New “Highly Annoyed”
45 – 60 *	1.91	5	1.91	2723	2652	5384
60 - 65	6.07	3	3.64	1340	1341	1284
65 - 70	9.74	1.5	2.92	236	476	454

Table 10
New “Highly Annoyed “ People Vs FAA Decibel Range
***Schultz 50– 55 % used as representative of 45 –60 DNL**

The last three columns show the calculated new “highly annoyed” people for the three FAA threshold ranges for the Modified, IA, and IA+ICC alternatives. This shows that in terms of creating new “highly annoyed” people, the impact in the 45- 60 decibel range is by far the highest, and is five to ten times as great as the impact in the range above 65 DNL. This basic conclusion is not sensitive to whether the Air Force Data or Schultz data from DEIS Appendix E, Table E-7 is used. The use of Schultz data for 45 – 60 DNL as representative for the 45-60 DNL range would lower somewhat the number of people affected, but no not alter the basic conclusion that the overwhelmingly predominant effect of the proposed flight path changes, in terms of creating new “highly annoyed” people, will occur in the 45 – 60 DNL noise range, where the FAA is describing “slight to moderate” impacts. The FAA has the detailed population impact

data per census block and should apply the Schultz or Air Force criteria calculate the number of people projected to be “highly annoyed” by the proposed airspace changes. The foregoing has focused on production of new “highly annoyed” people, but since the FAA changes have large net negative population impacts, the net number of “highly annoyed” people is also much larger for the proposed airspace changes. Furthermore, application of factors determined by the EPA Levels Document such as low background sound levels, new versus existing noise, etcetera also will tend to increase the projected number of impacted people at the lower sound levels. FAA failure to comply with previous noise reduction promises will also tend to increase the degree of annoyance.

Sleep disturbance was a major complaint for the EECF. The FAA presents information in [DEIS Appendix E, p. 13] projecting sleep disturbance as a function of sound level, but does not apply this data to assess the number of people likely to experience disturbed sleep as a result of the proposed flight path changes. Experiencing regularly disturbed sleep affects health and interferes with ability to use and enjoy ones property. Given the broad and unprecedented scope of the proposed changes, FAA should apply the sleep disturbance data to the very large number of people affected by the project and provide estimates of the number of people likely to experience disturbed sleep and the degree to which this is likely to be a problem following the proposed changes.

IV. ASCEA VIOLATION

The EECF related portion of the 1990 ASCEA was enacted in response to the overwhelming public outcry from aviation noise arising from the EECF implementation. It required the FAA to perform an EIS of the EECF and issue a report to Congress within 180 days of enactment of the results of the EIS investigation and containing “*recommendations for modification of the Expanded East Coast Plan as the Administrator considers appropriate or an explanation of why modification of such plan is not appropriate.*” The enactment of this provision of ASCEA at the same time as the mandate requiring the phase out of noisier Stage 2 aircraft indicates that Congress intended EECF relief actions over and above those mandated by the Stage 2 Phase-out.

The institution of the 180 day deadline for the EIS was a reflection the urgency of mitigating the noise problems within New Jersey. The actual EIS took five years. The final EIS and Record of Decision recommended the so called “Solberg Mitigation,” which attempted to partially restore pre-EECF flight patterns over the most affected areas, but also recognized that this would not fully mitigate the EECF noise. This was due to the FAA limiting the scope of the changes that it was willing to examine. In the 1995 Final EIS [FAA95, p. vi], the agency, in justifying the limited scope of changes it examined states:

“The FAA does not believe that the public interest would best be served by potentially delaying relief that could be implemented in the near future. Instead, the FAA proposes to complete the current EIS process, to expedite any potential noise relief actions for some affected communities, and to develop possible mitigation strategies as a part of a follow-on regional study.”

This statement excused full compliance with the mandate to mitigate EECF noise by pointing out that this might delay benefits of partial mitigation that might be accomplished immediately. As part of its proposal to perform only partial mitigation now and defer full mitigation, the FAA committed to developing possible mitigation in a “follow on regional study.” The NY/NJ/PHL Metro Airspace Redesign is that “follow on regional study.”

Implementation of the Solberg Mitigation entailed moving LaGuardia arrivals 10 miles to the south to allow for the wider dispersal of traffic. The FAA omitted this feature, and as a result, never even fully implemented the Solberg mitigation, thereby reducing the partial relief promised in the Final EECF EIS.

DEIS proposals to “fan” EWR departures into 240 degree and 260 degree headings abandon even partial implementation of the Solberg mitigation, without substituting equivalent mitigation. The DEIS further proposes changes that would aggravate EECF noise. The FAA provided census block noise data shows that EWR “fanning” increases noise for the EECF affected area. Furthermore, the IA+ICC alternative proposal to route JFK departures over this area further aggravates noise in the area that was intended to be mitigated.

The DEIS violates 1990 ASCEA because:

1. There was no exploration of further mitigation of EECF noise.
2. This mitigation was omitted from the DEIS "Purpose and Need," showing lack of intent to follow through with the Final EECF EIS commitment.
3. There was no attempt to preserve the original Solberg mitigation or provide an equivalent, thus destroying already provided mitigation.
4. DEIS proposed new south flow EWR departure procedures and movement of JFK departures over the EECF affected region for the IA+ICC alternative increase noise in the EECF affected area.

It is capricious on the part of the agency to provide partial noise mitigation in response to ASCEA, promise further attempts later, then to withdraw this mitigation and move in the opposite direction with the DEIS.

V. RADIO TECHNICAL COMMITTEE FOR AERONAUTICS (RTCA) INTERACTIONS

5.1 Introduction

The FAA has interacted closely and intensively with subgroups of the Radio Technical Committee for Aeronautics (RTCA) throughout the time period of this DEIS, with most interactions closed to the public. FAA statements and RTCA materials show that the RTCA has had a prominent role in defining details of various routing alternatives and profoundly affected the direction of this DEIS. The interactions are of grave concern because:

1. The membership of the RTCA is dominated by the aviation industry, most notably passenger and freight carriers, with no representation for the general public.
2. The carriers are primarily concerned about cost and antagonistic to addressing of environmental concerns, if this affects their cost. They are unlikely to devote any effort to finding environmentally attractive routes.
3. A prominent RTCA member, Continental Airlines, is known to be antagonistic to the Ocean Routing alternative. Continental has actively worked to fight any implementation of Ocean Routing. Continental has also promoted the use of simultaneous arrivals at EWR and the relaxation of EWR noise abatement.
4. The interactions violate FACA
5. The interactions violate National Environmental Policy Act (NEPA) provisions regarding equal access to information and ability to furnish input by all interested parties. The industry received ongoing status on the evolution of various alternatives throughout the DEIS, had ongoing ability to shape alternatives and promote introduction of new alternatives, and overall color the outcome of the DEIS

5.2 Details on RTCA Structure and Involvement in the Project

The RTCA is chartered by the FAA as an advisory committee under the Federal Advisory Committee Act. The RTCA is currently comprised of roughly 200 governmental, airlines, aviation services, consultant and other member organizations, including the FAA, the Department of Commerce, the consulting firm MITRE, the Air Transport Association of America, Boeing, Lockheed Martin and the National Business Aviation Association. The majority of RTCA's work is performed at the request of the FAA.

RTCA committees function on two levels. At the highest levels are committees that are formally constituted under FACA. Such committees must hold meetings open to the public after timely notice, keep detailed minutes, be fairly balanced in their membership, and retain all records, reports, working papers, drafts, studies and other documents for public inspection and copying. The FACA committee known as the Free Flight Steering Committee, and now known as the Air Traffic Management Advisory Committee, had formal responsibility for providing recommendations to the FAA on the Project. Much of the real work of

the RTCA, however, happens in subcommittees that are not constituted under FACA and thus do not comply with the act's open meeting and public recordkeeping requirements.

The bifurcated structure of RTCA committees has been criticized in a formal report by the Office of the Inspector General of the Department of Transportation, which noted that [IG00; p. 9] "significant deliberations are occurring and recommendations being formulated" at the non-FACA subcommittee level and that those recommendations are then adopted at the FACA committee level with little discussion. Those activities violate FACA because closed subcommittees cannot serve as proxies for open committees. Advisory committees must truly deliberate recommendations received from closed subcommittees, not "rubber stamp" them. The audit also recognized that FAA involvement with the RTCA is more pervasive than at other agencies, which gives the impression that "FAA is ultimately providing advice to itself," [IG00; p. iv] and concludes that "the lines have now blurred between RTCA providing advice through recommendations and providing elements of program decision-making and management" [IG00; p. iii]

The non-FACA subcommittees that have worked on the Project include the Free Flight Select Committee (FFSC), its Regional Subgroups and most specifically, the Airspace Work Group (AWG). (In early 2005, the Select Committee was retired and replaced by the "Requirements and Planning Work Group.") These groups are comprised of representatives of the FAA and aviation industry organizations, including Continental Air Lines, American Air Lines, the Air Transport Association of America and the National Business Aviation Association, Inc. The Airspace Working Group and the Select Committee did not advertise their meetings and did not invite members of the public.

NJCAAN obtained some RTCA documents that reported that the Airspace Work Group had access to Project information and that the FAA shared sufficiently detailed plans for the Airspace Work Group to assess the technical capability of the alternative routes. For example, minutes of a May 8, 2003, meeting of the Airspace Work Group [Exhibit A1] state that the New York subgroup will review updated information on the Integrated Airspace plan (one of the FAA's four alternative routes in the Project) including benefit estimates and distance impacts, at a meeting the following week. In a December 8, 2003, aviation industry seminar, Sabra Kaulia, the FAA designated representative to the AWG, reported that the FAA reviewed Project alternatives with the industry. [Exhibit A2] The report states that the FAA has "[c]ompleted user/industry review of the NY/NJ/PHL Metropolitan Airspace Alternatives." Minutes of a January 7, 2004, Select Committee meeting report that the Airspace Work Group "has been developing four proposals but has determined that more work is needed. An effort to develop a fifth proposal will convene shortly." [Exhibit A3; agenda item 3] Minutes of a September 9, 2004, meeting of the Airspace Work Group state that it "is expected that the [Airspace Work Group] will be re-chartered under the [Air Traffic Management Advisory Committee] and that the pending recommendations of the [Airspace Work Group] will be publicly discussed at this meeting." [Exhibit A4] The FAA, in a March 26, 2004, quarterly presentation to Congress, stated that the FAA expects additional recommendations directly from the RTCA: [FAA04; p. 9, emphasis added]

"Final recommendations from the RTCA group are expected in mid-April. These recommendations may result in either design modifications to current alternatives or the development of an additional alternative that will be followed by operational and environmental modeling."

The involvement of RTCA was considered so important to the FAA that it delayed release of the draft environmental impact statement. [FAA04; p.7] The presentation also notes that baseline and future no action preliminary noise analyses are complete. As to the Integrated Airspace alternative, the FAA states that it is "in development" pending "input from RTCA." [FAA04; p.14] Finally, FAA Administrator Marion Blakely has stated that the FAA has provided identified routings and modeling directly to the aviation industry and the Airspace Work Group, with sufficient detail for industry representatives to assess the technical requirements and models on an informal basis: [Exhibit A5]

"The FAA solicited input from the airline industry through RTCA to obtain technical knowledge and information pertaining to aircraft operations and airspace design. The airline industry provided a pilot's perspective on aircraft performance while in flight and advised airspace designers on the "flyability" of proposed routings under development. The aviation industry

provided airspace designers with the technical information and insight to issues that may not be obvious from modeling to ensure that the proposed routings are designed as efficiently as possible.”

The RTCA has stated that the FAA disclosed key, detailed elements of the Project to the Airspace Work Group on an ongoing basis since at least 2003: [Exhibit A5, at Attachment p. 2]

“Before providing specific recommendations, it should be acknowledged that the NY/NJ/PHL Airspace Redesign team’s work has been conducted in a highly cooperative and collaborative manner using the RTCA’s Free Flight Select Committee Airspace Working Group. In early August 2003, the design team presented a briefing to the airspace users on the integrated design. Discussion on the design, in the form of questions and comments was held with the design team.”

Technical people working in a “highly cooperative and collaborative manner” would have to have access to interim study results. It would be consistent with past practices for the FAA to have shared MITRE, Leigh Fisher, and other studies with carriers and other interested parties to obtain their feedback on data and outcomes.

NJCAAN further believes that the non-FACA subcommittees made specific suggestions for the airplane routes privately and directly to the FAA without adequate public vetting by the FACA committees. The few documents that are publicly available include many references to extensive and detailed alternative airplane routes that were proposed from the Airspace Work Group directly to the FAA, and also indicate that the FAA used the Airspace Work Group to review detailed proposals that the FAA generated.

There is no indication in the record that relevant non-FACA committee recommendations were adequately vetted at the FACA committee level. The RTCA did not provide notice or materials to the public before an ATMAC meeting on October 7, 2004, which was the first scheduled public meeting to discuss RTCA’s formal recommendations on the Project. Apparently, the non-FACA Select Committee had submitted a report to the FACA committee for that meeting, which the public has never seen. At the October 2004 meeting, however, the RTCA eliminated any discussion of the Project, which was the last agenda item, and did not distribute any material on the Project.

The RTCA rescheduled the public discussion of the recommendations for the Project to the February 25, 2005, Air Traffic Management Advisory Committee meeting. The RTCA did not provide any information about the Project to the public before the meeting. The RTCA presentation at that meeting included a single page with 14 bullet points of recommendation topics. [Exhibit A6] The RTCA devoted only 10-15 minutes to presentation of the Project. The FACA committee asked only a few questions at the most, did not deliberate, and did not vote on the recommendations in the public portion of that meeting. Despite these deficiencies, the RTCA apparently submitted five pages of formal, detailed recommendations to the FAA, and claims that the recommendations were adopted at the RTCA’s February 25, 2005, meeting. [Exhibit A5, attachment] The recommendations contain much more detail and additional proposals than the one-page, bullet-point list that the RTCA provided to the public at the February 25, 2005, meeting. In particular, the report by the RTCA provides detailed recommendations regarding the Integrated Airspace plan, separation between airplanes, arrival and departure routes, airspace capacity and routes for a runway extension at the Philadelphia airport, and parallel arrival routes at Newark airport. [Exhibit A5 at attachment, p. 2] The recommendations also admit that the FAA had worked “in a highly cooperative and collaborative manner using the RTCA’s Free Flight Select Committee Airspace Working Group” and had discussions at that non-FACA level years before anything was publicly vetted at the FACA level. NJCAAN believes that non-FACA channels of communication are likely because the FAA’s significant presence on the non-FACA subcommittees and working groups provides an opportunity for sharing information outside of public, formal channels. For example, the Airspace Work Group includes four FAA officials, two members of MITRE, an FAA consultant, and representatives of various airlines. [Exhibit A1, p.2] The Select Committee also included four employees of the FAA and one employee of its consultant, MITRE corporation. One of the FAA representatives on the Select Committee is Mike Cirrillo, Vice President of System Operations, who has overall responsibility for the Project from the FAA’s perspective. [Exhibit A3] The FAA’s presence is slightly less on the FACA committee level, where two committee

members are from the FAA, and one from its contractor MITRE. Non-FACA committee meetings also meet with greater frequency than the ostensibly public FACA meetings, indicating that the real work is done at the subcommittee level. The non-FACA Airspace Work Group and Select Committees met approximately on a monthly basis throughout the year, except in December. At the same time, the FACA Steering Committee met only three times in 2000 and twice each year from 2001 to 2003. Its successor, the Air Traffic Management Advisory Committee, met twice in 2004, and is scheduled to meet on a quarterly basis in 2005 and 2006. The FACA committee meetings are typically three hours long and cover a great number of topics, with little time to devote to any one topic.

5.3 Performance-Based Operations Aviation Rulemaking Committee

The foregoing discussion has discussed the RTCA Airspace Working Group, which was concerned with airspace management. The FAA has also utilized a second joint FAA/aviation industry committee for the Redesign Project—the Performance Based Operations Aviation Rulemaking Committee (PARC), whose major concern is the roll out of the next-generation satellite-based terminal area flight patterns, called RNAV procedures. The FAA has identified the latter as integral components of the Metro Redesign project. PARC replaced the Terminal Area Operations Aviation Rulemaking Committee (TAORC), which was concerned with operations around the airports, since the major technical initiative underway was introduction on new navigation technology into this airspace. David Nakamura of the Boeing Company chairs the PARC. This committee also is closed to public participation and PARC reports indirectly into ATMAC. Roger Wall, the former chair of the FFSC also served on the PARC and Mr. Nakamura served on the FFSC. Several airline representatives served on both committees, which suggests substantial information sharing between committees. Glenn Morse of Continental Airlines chaired an AWG subcommittee and Bill Vaughn also from Continental is a member of PARC

Both the New York AWG and TAORC were involved early in the development of the New York Integrated Control Complex (NYICC), which is the earlier name for the Integrated Airspace Alternative.

5.4 FACA Violations Summary

Violations of FACA related to the redesign are summarized as follows:

- 1) Deliberations have occurred within the workgroups and committees outside the “public eye.”
- 2) The RTCA has failed to assemble all information, including working documents in one place and available to the public as required by FACA Section 10(b). Only cursory minutes of the workgroup actions have appeared in violation of Section 10(c).
- 3) FACA Sections 5(b)(2) and 5(b)(3) require that membership of the advisory committees be fairly balanced and not influenced by special interests. The public is not represented in ATMAC nor in any of the workgroups. The abbreviated February 25, 2005 AWG presentation to ATMAC demonstrated that the imbalance has materially affected the recommendations, by promoting actions that run sharply counter to public sentiment in the affected areas. An example is the promotion of increased traffic to Teterboro airport, which the public and Port Authority of NY and NJ are on record as opposed to.
- 4) Heavy participation by the FAA in the workgroups raises the question as to whether the role extends beyond merely being advisory in conflict with FACA Section 2(b)(6).

[IG00] criticized the FAA – RTCA interactions. NJCAAN, observing that the criticized interaction modes were continuing and affecting the course of the DEIS, instituted a second IG complaint. On November 12, 2004, NJCAAN also filed suit seeking a halt to the interactions and access to the information given to the RTCA. NJCAAN had previously instituted FOIA requests for DEIS information and had been refused access.

VI. FURTHER NEPA ISSUES

The overall FAA airspace implementation program during the DEIS incorporates numerous violations of NEPA. This includes ongoing implementation of airspace actions during, but not covered by the DEIS, that are being treated as separate items, but which are linked to the broader design. Accompanying this is an

ongoing program of implementing RNP/RNAV procedures concurrently with the other actions in a process that is not being environmentally scrutinized. The failure to study these as a whole and the policy of incorporating some of these changes in the baseline for the DEIS violates the NEPA prohibition of segmentation of actions and also the prohibition of taking action during an EIS that forecloses the range of available options.

6.1 Integrated Airspace with ICC Identified as Preferred Alternative Prior to the DEIS

FAA published documents show a clear early intent to implement the Integrated Airspace Alternative, committing to this alternative, other features that depend on it, and implementing earlier airspace actions in preparation. The FAA reports in the 2002 Operational Evolution Plan (OEP) [FAA02; AD-3] that it is developing the New York Integrated Control Complex (NYICC) Concept of Operations in conjunction with the RTCA AWG and TAOARC. The view graph for the NYICC is labeled: “AD-3: Redesign Terminal Airspace and Routes Decision Tree”. Former FAA employee, Sabra Kaulia, was responsible for NYICC and was also the Federal Designated Official for the AWG. The FAA indicates a scheduled implementation date of 2008/2009 for the NYICC.

In the 2003 Airport Capacity Enhancement (ACE) report [FAA03D, p.51], the FAA identifies the Integrated Airspace Proposal for the NY/NJ/PHL Metro redesign as the NYICC. The FAA initially developed the NYICC in 1999 [see FAA03C], prior to filing a notice of intent for the NY/NJ/PHL Airspace Redesign Project. In addition, the NYICC is the only alternative that incorporates simultaneous (parallel) arrivals for Newark Airport.

In the July 2003 report entitled “Roadmap for Performance-Based Navigation” [FAA03B], the FAA identifies the following procedures scheduled for implementation at Newark Airport: 1) fanning of departures [p. 8]; and, 2) RNP Parallel Approach Transition (RPAT) procedures [p. 9]. The RPAT parallel-arrival procedure is based on next-generation GPS flight management technology that the FAA is implementing to replace the current Instrument Landing System (ILS). The FAA is developing this technology with PARC (formerly TAOARC). In the report titled “Applications and Priorities for RNP Instrument Approach Procedure Implementation dated February 2005, the FAA reiterates that it expects to implement the RPAT at Newark Airport (p. 17) in conjunction with its Required Navigation Performance (RNP) Special Aircrew and Aircraft Authorization Required (SAAR) program. (Note: the agency has currently published RNP SAAR procedures for Newark Airport.) Finally, the FAA implemented the Yardley-Robbinsville Flip-Flop procedure for Newark arrivals, which had been identified in a prior study [MAG] as necessary to migrate to parallel arrivals. The IA + ICC is the only alternative that incorporates parallel arrivals.

It is further noteworthy that Steve Kelley made a Technical Conference Presentation in 2003 on Integrated Airspace entitled, “New York Integrated Control Complex: Maximizing Airspace Capacity.” [KAL]

6.2 Piece-Meal Implementation of Procedures

The FAA implemented the following procedures during the course of the DEIS:

- The Yardley-Robbinsville Flip-Flop for Newark Airport arrivals;
- Dual Modena departure procedure for Philadelphia Airport departures; and
- Oceanic procedures in the metropolitan area including the “Florida Airspace Optimization” plan.

The first two of these are included in the project’s baseline. The third is not mentioned. Consequently, the DEIS fails to accurately report the Project’s noise and emissions impacts. In addition, the DEIS does not include the expected impacts from expanding Philadelphia Airport that is currently underway.

The FAA implemented the Flip-Flop and Dual Modena under the 3,000 foot categorical exclusion. The FAA discussed the Flip-Flop and Dual Modena in the DEIS. It determined that the procedures had “independent utility with regards to the Airspace Redesign. As these changes have been implemented, they are included as part of the Future No Action Airspace Alternative.” (DEIS p. ES-3). However, NEPA

prohibits the taking of action during the course of an EIS that might foreclose the range of available options. In this case, the FAA was already taking actions that meshed with its intended direction. The adoption of the Ocean Routing alternative would make available airspace west of EWR previously occupied by departures, potentially allowing alternate EWR arrival strategies not involving the “flip-flop.”

6.21: Yardley-Robbinsville “Flip-Flop:”

In December 2001, the FAA implemented the Flip-Flop in conjunction with its “choke-points” initiative. This procedure is identified in the FEIS for the EECF and also in the 2001 study of simultaneous offset (SOIA) procedures that showed the “flip-flop” as a necessary component of parallel arrivals. [MAG]

As stated earlier, the IA + ICC alternative includes the SOIA parallel arrivals as a component and is the only one that does. On March 21, 2006, at the Springfield, NJ FAA public meeting on the project, Robert Belzer asked Joe Hoffman, FAA airspace redesign team member, about the parallel arrivals. Mr. Hoffman confirmed that the parallel arrivals would use the SOIA procedures that would likely later be migrated to the RPAT procedure.

The Office of the Inspector General (OIG) audited the FAA’s development of the Flip-Flop at the request of New Jersey Congressman Mike Ferguson. In its audit published on May 20, 2003, the OIG determined the Flip-Flop to be embedded in a “*much larger initiative to redesign New York/New Jersey/Philadelphia airspace.*” The OIG recommended that the FAA “*avoid combining airspace redesign efforts that have vastly different implementation schedules, levels of review, need for public involvement, and anticipated impacts.*” [FAA03E, p. 2]. The FAA failed to notify elected officials or accurately predict the effects of this change, concluding that it would have minimal impact, which subsequently turned out to be incorrect.

6.22 Dual Modena:

In October, 2003, the FAA implemented the Dual Modena procedure for westbound departures at Philadelphia International Airport. This procedure expands departure gates at Philadelphia Airport and resulted in an increase in 5 DNL in noise for a number of neighborhoods west of the airport. The MITRE report states: [DEIS Appendix C, p. 2-2, (emphasis added)]

“Most important of these improvements is the split of the western departures from PHL into two streams. As of the base year (2000), all traffic was routed over the Modena VOR (MXE). A separate stream was established in 2003 for traffic headed to the inland south and southwest (Atlanta and Charlotte, for example) along jet airways J48 and J75. Now that this is in place, the capacity of the junction between PHL and the en route to the west has been effectively doubled.”

In an industry OEP presentation at MITRE’s headquarters in December 2003, Sabra W. Kaulia updated the industry on the AD-3, which was identified as the NYICC in the 2002 OEP. The slide is titled: “AD-3: Redesign Terminal Airspace And Routes”. The slide includes a reference to the Dual Modena (MXE) procedures. As a reminder, M. Kaulia is the federal designated official for the RTCA AWG and also apparently responsible for the NYICC development.

The FAA advance implemented the Dual Modena, which it had included as a component of the NYICC, ignoring the OIG’s recommendation from [FAA03E] to avoid piece-meal implementation of redesign procedures.

6.23 Oceanic Procedures:

In early 2000, the FAA increased use of offshore “oceanic routes” to increase capacity to traffic headed to Florida. The traffic is directed through corridors in the “special use airspace” (restricted military airspace) out to oceanic routes. In September 2005, it expanded use of these procedures (also known as “snowbird” routes) with the “Florida Airspace Optimization” (FAO) project to increase capacity during peak utilization periods.. The FAA does not discuss or otherwise address the oceanic procedures in the DEIS.

In its September 29, 2005 briefing on the Florida Airspace Optimization project, the FAA reports that the procedures “increase facility capacity”. The procedures also increase flight distances since flying aircraft out to proceed in courses over the ocean is not the most direct route to the south. [FAA05C]

6.24 Philadelphia Airport Expansion:

The FAA already has approved an expansion of a small runway (Runway 17-35) at Philadelphia Airport. In addition, it has begun a larger study to add an additional runway. Airspace redesign is a critical component of expanding capacity at an airport. In its May 13, 2005 report entitled “Airspace Redesign Efforts Are Critical To Enhance Capacity but Need Major Improvements,” the OIG concludes that airspace redesign are a key component of expanding an airport. The report concludes that without airspace redesign, the capacity benefit of physically expanding an airport will not be realized. [FAA05B] The FAA excluded all of the expected Philadelphia airport expansions from the DEIS.

In summary, the FAA included the Flip-Flop and Dual Modena procedures in the future “No Action” baseline for the project, despite the fact that these were actions taken during the course of the project, and steps towards published longer term FAA plans. The Florida Oceanic Procedures are relevant but not discussed. The FAA needs to exclude these procedures from the baseline, and include them in the alternatives, in order to properly present the noise and emissions impact. In addition, some of the airspace changes in the DEIS are in support of Philadelphia Airport expansion, yet the cumulative impacts of this expansion are not considered. The EIS needs to include the expected impact from the Philadelphia Airport expansion.

6.3 RNAV/RNP Procedures Are Not Detailed In The DEIS

The FAA has been engaged in an ongoing program of migrating to new navigation technology. Referred to as RNAV/RNP [FAA03B] this technology has potential to control routes more precisely and introduce environmental benefits. It also, however, can introduce impacts by concentrating or moving flight paths. RNAV/RNP has also been promoted a having potential to increase capacity.

The FAA is currently implementing RNAV/RNP procedures as overlays to existing flight patterns in the metropolitan area [FAA03B, p. 7] During the public meetings, the agency indicated that it modeled the Modified and Integrated Airspace Alternatives with this technology. The DEIS does not make clear which RNAV/RNP overlay procedures that it has implemented are included in the future “No Action” baseline. In general, there appears to have been very little examination within and outside the DEIS of the localized and cumulative impacts of the introduction of RNAV/RNP technology, and FAA plans for such analysis are unclear. The FAA should develop and publicize policy for analyzing the environmental aspects of RNAV/RNP migration.

The agency did not analyze the Ocean Routing alternative using RNAV procedures. Excluding it from the Ocean Routing alternative may have affected the determination of impacts and delays

In summary, the FAA needs to clarify in the DEIS how it utilized RNAV/RNP procedures in the alternatives and explore potential benefits of using this technology with the Ocean Routing alternative. Since this technology can increase capacity, the environmental implications of this broad FAA technology introduction program need to be examined, including cumulative effects.

VII. AIR QUALITY ANALYSIS AND MITIGATION STRATEGIES ABSENT FROM DEIS

The DEIS failed and needs to study the air quality implications of the proposed actions. DEIS Section 3.9 outlines and shows non-attainment of National Air Quality Standards (NAAQS) for a variety of pollutants including carbon monoxide, ozone and particulate matter. In some areas covered by the DEIS, such as the region surrounding EWR, air quality is notably poor. Air quality was determined during the DEIS scoping process to be one of the environmental areas of high public concern. Actions included in the DEIS support and promote growth in airspace activity, which leads to a corresponding increase in ground activities and

related pollution increases. Airspace activity is unregulated, so that the only limitations arise from carrier response to delays. Airport and airspace capacity limit overall activity and relaxation of these constraints affects air quality. State Implementation Plans (SIP) for meeting air quality standards prohibit actions that would increase pollution in non-attainment areas. However, by increasing airport and airspace capacity, FAA actions included in or related to those in the DEIS promote increased overall activity and hubbing that can aggravate already unacceptable regional air quality and void SIPs. The FAA therefore need to project and examine the cumulative direct and indirect effect of its proposed airspace actions and relate these to existing SIPs to project the effects on air quality.

Highlighting the forgoing, the State and Territorial Air Program Administrators and Association of Local Air Pollution Control Officials wrote a letter to FAA and EPA administrators on failed negotiations to reduce airport emissions that concluded: [STAPPA]

"The final proposal offered this summer was inadequate in terms of scope and stringency and placed unacceptable constraints on state and local air agencies' abilities to protect the public from the adverse health impacts associated with aviation-related pollution."

Furthermore the Northeast States for Coordinated Air Use Management of the Center for Clean Air Policy. States [CCAP03; p. ES-1]]

"While emissions from most source sectors are declining due to the implementation of more stringent control programs, the growth of air travel and the continued lack of federal control programs for aircraft engines is resulting in increased pollution from airports."

7.1 Initial Commitment to and Subsequent Exclusion of Air Quality Analysis from the DEIS

In the 2002, Project Scoping Report [DEIS; Appendix M.3, p. 6], the FAA notes participant concerns regarding emissions generated at the area airports.

"The majority of the comments concerning air emissions were generated from the following areas: northern New Jersey (including areas west of Newark airport and along the northern New Jersey shoreline), areas surrounding JFK airport in New York and areas surrounding both Wilmington (DE) and Philadelphia airports..."

The FAA further commits to performing an air quality analysis [DEIS Appendix M.3; p.6].

"EIS Analysis: It is neither within the FAA's regulatory authority nor expertise to carry out a health-effects type study of air quality in the study area for this EIS. However, the required air quality analysis will be done."

Despite its scoping commitment to provide an air-quality analysis, the agency summarily excludes it, citing in Section 4.9 of the DEIS:

The Proposed Action alternatives examined in this Draft EIS are exempt from analysis under the General Conformity Rule... ...EPA states in the preamble to this regulation that it believes, "air traffic control activities and adopting approach, departure and en route procedures for air operations" are illustrative of de minimus actions. "

7.2 Capacity Enhancement Aspects of the Proposed and Related Actions

The DEIS text emphasizes the reduced delay aspects of the proposed actions and does not acknowledge capacity enhancement objectives. This was done perhaps deliberately to circumvent the need to perform environmental analysis of air quality implications.

... "The purpose and need for the Proposed Action includes increasing efficiency and reducing delay in the airspace system. Qualitatively, reduction of delay and more efficient flight routing would serve to reduce fuel burn and thereby reduce air pollutant emissions." [DEIS Volume 1 Chapter 4, p. 4-57]]

Section 1.8 earlier in this Appendix describes some aspects of the redesign proposals that would warrant study of the potential effects on air quality. Furthermore, capacity and growth surface repeatedly as objectives in materials surrounding the DEIS. The following is a few of many examples:

- 1) "Meet projected demands" cited as objective in the March 26, 2004 Congressional update on the redesign. [FAA04]
- 2) The first newsletter on the redesign, issued during the pre-scoping period, contains the following as a motivation, "Continuing aviation growth is forecast and must be accommodated to keep the local economy strong." [FAA99B].

Specific aspects of the airspace redesign or other recent changes increase capacity.

- 1) Forecast of 6.7% increased arrival and 2.7% increased departure throughput for IA+ICC in DEIS Table ES.1.
- 2) Dual Modena procedures: Section 6.22 reports a doubling of capacity between PHL and the west.
- 3) Florida Airspace Optimization Briefing: "increase facility capacity." These procedures also increase flight distances and, therefore, emissions. [FAA05C]

Furthermore, the technology being introduced is cited a supporting capacity increase and growth.

- 1) [KAL] promotes NYICC as increasing capacity.
- 2) The only criteria listed in a synopsis of the "New York Integrated Control Complex" is "Greater Capacity." [FAANYICC]
- 3) Airspace Redesign Efforts Are Critical To Enhance Capacity But Need Major Improvements. This report by the OIG specifically cites increased expected departure capacity from the Redesign Project. [FAA05B]
- 4) [MAS99] and [MAS00] focus on capacity increases from simultaneous arrivals at EWR
- 5) Overview of the U.S Performance-Based National Airspace System: RPAT parallel arrival procedures increase arrival capacity by up to 60%. [ICAO]
- 6) Satellite-based navigation promises to increase capacity while enhancing safety: a report by the Air Transport Association that highlights capacity increases from RNAV/RNP procedures. [ATA]

Despite FAA denial of capacity enhancement in the DEIS, surrounding information argues to the contrary. NJCAAN believes that this would qualify the project for general conformity provisions in the Clean Air Act with proper mitigation strategies identified in the DEIS.

7.3 Cumulative Effects

Section 6.2 describes a number of projects that were implemented "piece meal." In some cases, these were incorporated in the project baseline, thereby escaping any evaluation of cumulative effects. The Dual Modena combined with planned expansion at Philadelphia airport will have a substantial effect on overall activity levels and affect air quality. The DEIS needs to look at the cumulative effects of all changes affecting the air quality in a region.

7.4 Existing and Projected Air Quality In EWR Vicinity

Area airports are material contributors to the area's poor air quality. In addition to severe non-attainment for ozone and particulate matters, hazardous air pollutants (HAPs) such as benzene and 1,3-butadiene, both common in aircraft emission, are above accepted health benchmarks in the airport vicinity. Air-quality inventories for the metropolitan area airports project a material increase in emissions. The United States Environmental Protection Agency (EPA) projects a 67% increase in nitrogen oxides and 47%

increase in volatile organic compounds over a 20-year period for Newark, LaGuardia, and Kennedy Airports combined. [EPA99] In addition, the Center For Clean Air Policy (CCAP) projects a 54% increase in nitrogen oxides over a 19 year-period for Newark, LaGuardia, Kennedy, and Philadelphia Airports combined. [CCAP05]

The area surrounding EWR is a notable “emission hotspot.” It is a severe non-attainment area for ozone and particulate matter. In addition, of the four HAPs sites that the NJ DEP maintains in the state, the readings for benzene and 1,3-butadiene are the highest in the state. Exhibit 4, Table 6 shows that nine health benchmarks are exceeded at the Elizabeth location. What is most alarming is that the pollutants are typically present in many times the benchmark amount, *often by more than a factor of ten*. Failure to take action and promotion of activities that will aggravate the Elizabeth situation is treating the health of the public recklessly.

In addition, the New Jersey Department of Environmental Protection (NJ DEP), projects a 38% increase in nitrogen oxides and 35% in volatile organic compounds over a 15-year period for EWR. [NJDEPB] Furthermore, EWR is adjacent to the Port of Newark and Elizabeth terminal facility. The PANYNJ is expanding this and emissions at this facility are projected to increase as well. A marine emissions inventory prepared by Starcrest Consulting for the PANYNJ [STAR] showed that a variety of pollutants were expected to increase over a 15 year period by amounts from 15% to 21% broadly in New Jersey, with local increases in Elizabeth area of 11% for nitrogen oxide and 8% for volatile organic compounds, due to marine sources. These will add to the increases from aviation related activity.

South and north flow fanning, proposed in the DEIS, will bring pollutant sources closer to people and aggravate the emissions hotspot issue described above. The lack of an emissions inventory and any discussion of mitigation are glaring omissions from the DEIS, given the expected increases in emissions and the material health concerns generated by the area airports. Given the high public concern, poor current air quality, projections for future air pollution increases, environmental justice nature of the affected populations, emissions analysis and identification of mitigation strategies are clearly mandated.

7.5 Urban Heat Island Effects

The Urban Heat Island (UHI) In The Metro Area: Research conducted by Dr. William Solecki of Hunter College, NYC and Dr. Cinthia Rosenzweig of NASA/GISS have detailed the urban heat island effect in the metropolitan New York area. Their research has identified all of the metro NYC airports as area heat hotspots. [UHIA, UHIB] They also have focused specifically on the Newark area and the UHI effect in this part of the region. All of the Newark area is identified as an UHI, with both Newark Airport and the Port Terminal facility identified specifically as heat hot spots. [UHIA] Solecki and Rosenzweig conclude: [SOLECKI-A, p. 43; SOLECKI-B]

“The air quality problems that Newark and Camden already experience are likely to be enhanced by interactions between climate change-related warming temperatures and the UHI (urban heat island) effect.”

In addition, the report titled “Inside the Greenhouse” from Harvard University concludes that minority populations will suffer disproportionately from the UHI effect and global warming. [HARVARD] Other studies too highlight significant concerns relevant to emissions “hotspots” and aviation related emissions in the Newark area in close proximity to the airport:

1. Ozone and Short-term Mortality in 95 US Urban Communities, 1987-2000. Michelle L. Bell, PhD, et. all. [BELL] This study identifies New York City, Newark, NJ, and Philadelphia, PA as the top three metropolitan areas with the highest mortality rates in times of high ozone levels.
2. Oil combustion and childhood cancers E G Knox [KNOX]
3. Controlling Airport-Related Air Pollution by Northeast States for Coordinated Air Use Management and Center for Clean Air Policy [CCAP03; Pp. II-14]

“Toxic emissions from the airports studied are high when compared with emissions from the largest stationary sources in each of the three states. While improvement is needed in the method used to calculate toxic emissions from aircraft, the inventory provides a rough approximation of emissions, indicating that toxic emissions from aircraft greatly exceed those of the largest stationery sources in the three states.”

VIII. SIMULTANEOUS ARRIVALS

The DEIS assumes simultaneous arrivals at EWR in its throughput calculations and these are responsible for a portion of the claimed throughput gain. However, no details are provided on the assumptions made to make simultaneous arrivals work at EWR and to obtain the projected throughputs. Furthermore, examination of the details surrounding this shows that EWR simultaneous arrivals were “in the works” during the DEIS and that interim route changes were made in support of it, as a piecemeal implementation of the metro area airspace changes.

8.1 Simultaneous Arrivals Not Shown to be Feasible or Safe at EWR

[MAG] describes a real time, human-in-the-loop study of simultaneous offset instrument approaches (SOIA) at EWR. It was intended to assess feasibility of the Air Traffic Control to support dual feed operations to EWR from the south. Five professional controllers plus one supervisor participated. The study decisively determined that SOIA was *not* feasible within the current EWR airspace configuration. The study determined that if the Robinsville/Yardley traffic flows could be switched, then the procedure “*might hold some promise*” [p. 16], but recommended a follow on study to determine this. The study expressed concern over the presence of “heavy” aircraft in the approach stream and ability to pair and sequence them. The study also stated that strategies for executing “breakouts,” when separation was compromised, and missed approaches, needed to be worked out that would need to be integrated within the larger airspace strategy. The DEIS needs to present additional information regarding its basis for assuming that SOIA procedures are feasible and safe and perform any necessary follow on studies assess this. The detailed assumptions need to be presented in the DEIS to enable critical evaluation of the operational aspects and benefits and to clarify environmental implications.

8.2 Joint MITRE/Continental Study of Simultaneous Arrivals at EWR

FAA contractor MITRE and the FAA performed a joint study simultaneous arrivals at EWR in 1999 [MAS99, MAS00]. The goal was increased capacity. The study ignored impact of noise effects on the surrounding populations. It is unclear how this study relates to [MAG]. Modeling was done including and not including ground operations. Some results of this study are helpful in understanding the sensitivity of delays to applied traffic levels have bearing on the FAA use of delays as a metric.

Small changes in assumed traffic levels can have large effects on delays. With ground operations were included, the study showed that increasing traffic by 10% resulted in increases in average aircraft delay by 37% and cumulative delays over 24 hours by 61%, without simultaneous arrivals. With simultaneous arrivals the 10% traffic increase caused a projected increase in average delay by 52% and cumulative delay by 82%, due to the effects of simultaneous arrivals being diluted by the effects of ground capacity, which are also significant limiters at EWR.

Improvements in one aspect of the system often yield limited benefits because of capacity limits elsewhere in the system. This may be why the capacity improvement benefit of the FAA proposed changes is as small as it is.

8.3 The FAA has Implemented Changes to Support it’s Preferred Alternative During the DEIS

The IA + ICC alternative is the only one that offers simultaneous arrivals. The FAA was working with Continental Airlines, who sought this change, during the DEIS. It performed both studies and route changes such as the Robinsville/Yardley flip flop,” in support of simultaneous arrivals during the DEIS. This underscores the FAA selection of a preferred alternative prior to the DEIS.

IX. ERONIOUS AND EXAGGERATED USE OF DELAYS AS METRIC

The FAA has focused very heavily on delays as a metric and embodied it in many of the other metrics that it uses to promote its airspace changes. This creates an erroneous and misleading impression of project benefits.

1. Delays are very sensitive to applied traffic levels
2. The FAA assumption that applied traffic levels would remain constant independent of delays is incorrect, yielding false delay projections.
3. The DEIS embodies the same delay savings in multiple metrics to exaggerate their importance.

Increase of delays with applied traffic level varies with the system being analyzed. NJCAAN does not have access to the FAA models. The previously described simulation study of simultaneous arrivals at EWR [MAG] showed that a 10% increase in applied traffic level with simultaneous arrivals would result in an increase in average aircraft delay of 52% and cumulative delay over 24 hours by 82%, not including ground operations. Notably, the FAA did not increase LaGuardia traffic levels for 2011 because it was clear that even modest projected increases would increase delays and result in excessive hours of operation that carriers would adjust scheduling to prevent. The pronounced effect on delays when attempts are made to increase traffic beyond certain point is shown dramatically in [FAA00, p. 6; Fig 4].

Carriers are not willing to operate with high delays and will reschedule flights and use larger aircraft to prevent them as acknowledged in the following statement from a joint FAA/PANYNJ report [FAA00, p28]:

“Figure 17 illustrates the delay per operation, or average delays for the various demand levels. The levels of average delay shown for the Do Nothing case at future activity levels, are probably too large for a viable operation. In other words, the delays and cancellations associated with these levels of operations at the existing airport, probably would not be acceptable for a hub operation, preventing the airlines from scheduling to such levels.”

An increase or excess of capacity has the reverse effect. [DEIS Appendix C, pp. B-2, B-3] showed that carrier use of small regional jets at EWR went from 16% projected from FAA year 2000 data to 38% observed in 2004. Regional jets hold from one third to half the number of passengers as the larger ones. The carriers took advantage of the excess capacity at EWR to convert to use of more smaller aircraft. Returning to the previous fleet mix would reduce operations by an estimated 11% to 14%. Complaints about EWR delays have been ongoing for many years. However, as this has occurred, carriers have maintained numbers of operations to keep delays at the limit of tolerable.

FAA personnel or contractors at the FAA DEIS meetings acknowledged that these operation adjustments took place. However, when queried on why they were not included in the modeling, the response was, “We don’t know how to model it.” However, the FAA relied on and emphasized data that it knew to be at variance with real life experience. Projections of throughput in DEIS Table ES.1 and Table 1 of this Appendix are more reliable, but because the improvements are very small, the FAA de-emphasized them.

The FAA forecast a 2011 increase from 2006 operation levels. Carriers had adjusted their 2006 operation levels to so that the earlier systems were already operating at the maximum tolerable delay levels and therefore at capacity. Since the 2011 operations levels were larger, delays were found to increase substantially. The FAA then introduced small (and largely unsubstantiated) capacity improvements, which caused delays to go down. The FAA then created multiple summary metrics that include the same delay reductions as a component, creating an impression that lots of things are better, as support for its desired alternative.

The following DEIS metrics in Table ES.1 incorporate delay reductions .

- 1) Jet route delays + time below 18,000 feet
- 2) Traffic weighted arrival delay

- 3) Traffic weighted departure delay
- 4) End of last days arrival push
- 5) Time below 18,000 feet
- 6) Change in block time (minutes per flight)
- 7) Delay saved per flight per day (Under flexibility in routing)

Of the thirteen metrics used, approximately half are based, and dependent on, delays, which as shown in the foregoing, are based on an erroneous assumption that carriers do not adjust operations levels in response to delays.

X. FAA PROMISES AND NOISE ABATEMENT POLICY

10.1 FAA Commitments and Promises

In addition to its overhanging ASCEA obligation and Final EECF EIS commitments to explore noise reduction in the next regional design, the FAA has made repeated promises and commitments to further noise reduction in its newsletters on the redesign, reports to Congress, and during the pre scoping and scoping process. The agency has behaved capriciously and with duplicity in abandoning promises, changing direction, and proposing airspace changes in a direction opposite to what it had promised the public and Congress.

The first newsletter on the redesign (Volume 1) [FAA99A] lists, “*Reduced Environmental Impacts (both air noise and emissions,*” as one of the five benefits to the region from the redesign. It also states, “*We are going to look at noise impacts in the communities and minimize them where feasible,*” FAA presentations to members of Congress, through 8/18/05, repeatedly contained a slide entitled “*Commitment to the Community,*” containing as listed items – “*-Increase altitudes,*” “*-Disperse or Concentrate Tracks, where appropriate,*” and “*-Overfly Less Noise Sensitive Areas, where feasible.*” [FAA03F]

The redesign did not do any of these things.

1. Altitudes are not increased. In fact, the Integrated + ICC alternative reduces altitudes
2. The “fanning” alternative spreads tracks in a region where it is most appropriate to concentrate them. Existing PANYNJ noise abatement procedures concentrate tracks over the non-residential area immediately south of EWR to minimize impacts.
3. “Fanning” redirects aircraft away from industrialized non-noise sensitive area south of EWR where they have the least impact and moves them over heavily populated residential areas of Elizabeth, again doing the opposite of what was promised. This is shown in Tables 4 and 5 showing the effects of the Modified Alternative, which, near EWR, are essentially the effects of “fanning”

In a 1999 presentation to the Newark International Airport Aviation Advisory Committee on the redesign, the redesign Manager at the time presented a slide entitled “Design Goals and Objectives” containing as a listed item, “*Incorporate increased noise abatement techniques wherever possible,*” [Exhibit 1, Slide 7].

There is no evidence of any effort at all to accomplish noise abatement during the seven year study.

There have been other strong statements by the FAA regarding emphasis on noise abatement. The 1999 FAA Environmental Assessment exploring changes in procedures contained as a first paragraph of the Executive Summary [FAA99; p. ES-1]

“EXECUTIVE SUMMARY

ES.1 BACKGROUND

The Federal Aviation Administration (FAA) is committed to reducing aircraft noise exposure in communities near Newark International Airport (EWR). For more than 30 years, the FAA has been actively working with the airlines, the Port Authority of New York and New Jersey, elected officials,

and community groups to identify and implement noise abatement measures. Because the area surrounding EWR has long been densely developed with urban land uses and because the land use pattern is unlikely to change dramatically in the future, noise abatement officials have focused on making adjustments to aircraft operational patterns in the airspace around EWR. Through careful planning, the FAA and its partners have implemented numerous procedures that have resulted in noise benefits for surrounding communities.

The existing noise abatement departure procedure from Runways 22L and 22R (i.e., aircraft taking off to the south on Runways 4R-22L and 4L-22R) was put into effect in 1996. The procedure, referred to as the Newark Six Standard Instrument Departure (SID), specifies that pilots perform an initial left turn after takeoff to a heading of 190° and then a right turn to a heading of 220° upon reaching a distance of 2.3 nautical miles from the DME (distance measuring equipment located on the Airport). Air traffic controllers then instruct pilots to turn to other headings based upon their destinations, whether they be eastbound, southbound, northbound, westbound, or southwest-bound. The procedure was designed to minimize overflights of residential neighborhoods by overflying waterways and industrial areas.”

November 4, 1999 testimony by then FAA Eastern Regional Administrator Arlene Feldman, before Aviation Subcommittee of the House Transportation and Infrastructure on Air Traffic Departures at Newark International Airport [Exhibit 2], contained the following excerpts (emphasis added):

Pursuant to the Aviation Safety Capacity Expansion Act of 1990, the FAA undertook an environmental impact statement ("EIS") to assess the effects of changes in aircraft flight patterns at altitudes of 3,000 feet above ground level, caused by the implementation of the EECF over New Jersey. After an extensive and lengthy process of study, including opportunities for public comment for approximately 500 days and a public hearing on Staten Island, the FAA took final action on the EIS by issuing a Record of Decision ("ROD") on October 31, 1995. The FAA decided to continue the procedures of the EECF, but adopted a measure to reduce noise for residents of New Jersey. This mitigation measure, called the Solberg Mitigation Proposal, was implemented in April 1996 and continues to be used for departures at Newark.

“...In addition to the Solberg Mitigation Proposal, in the Record of Decision the FAA committed to undertake a follow-on regional study to address the metropolitan New York area.”

“...As the Administrator (Jane Garvey) testified before you last month, the National Airspace Redesign will be part of the FAA’s efforts to improve air traffic management. The goals of the redesign project are: to maintain and improve system safety; improve the efficiency of the air traffic management and reduce delays; increase system flexibility and predictability; and seek to reduce adverse environmental effects on communities in and around our Nation’s airports...”

“...One of our stated goals is to enhance the environment to the degree consistent with safety and efficiency, both with noise abatement and improvements in air quality. Within this context, we intend to fully examine possible revisions to departure patterns at Newark, including an ocean routing concept for day and night traffic, as well as the straight-out departure concept...”

“...Throughout the redesign project, we will look for every opportunity to reduce the affects of unwanted aircraft noise for the citizens of New Jersey and New York. Indeed, as we move forward with our redesign project, we will take intermediate steps, consistent with NEPA, that may develop during the process provided that they will not adversely affect the safe and efficient management of air traffic to Newark, or to the neighboring airports...”

The FAA’s also stated commitment to continue to pursue noise mitigation in the October 1995 House Aviation Subcommittee Report when reviewing the FEIS for the EECF:

"FAA's decision was to incorporate the Solberg Mitigation Proposal." The FAA’s announcement stated, "This decision does not in any way signify the end of the agency's commitment to work

with New Jersey residents to reduce aircraft noise. FAA plans on continuing to seek noise mitigation strategies, but as part of a regional study as opposed to just focusing on New York and New Jersey."

In addition to underscoring FAA noise abatement goals and promises for the redesign, these quotes acknowledge the Solberg Mitigation as a noise abatement implemented following the EECF EIS. The withdrawal of this mitigation in the redesign proposals is capricious and unlawful.

10.2 FAA Noise and Airport Operator Roles and Responsibilities With Respect to Noise

The 1976 FAA "Noise Abatement Policy" states:

"The Federal Government has the authority and responsibility to control aircraft noise by the regulation of source emissions, by flight operational procedures, and by management of the air traffic control and navigable airspace in ways that minimize noise impact on residential areas, consistent with the highest standards of safety. The federal government also provides financial and technical assistance to airport proprietors for noise reduction planning and abatement activities and, working with the private sector, conducts continuing research into noise abatement technology."

The FAA "Aviation Noise Policy 2000," states that the year 2000 goals are to

"Design prospective air traffic routes and procedures to minimize aviation noise impacts in areas beyond legal jurisdiction of airport operators, consistent with local consensus and safe and efficient use of navigable airspace."

Volumes 1 and several other volumes of the FAA Newsletter on the Redesign assign noise abatement responsibility to the local airport operator,

"The airport authority is responsible for noise abatement procedures – their development, implementation, and enforcement. The Port Authority of New York and New Jersey is responsible for noise abatement procedures at John F Kennedy Airport, LaGuardia Airport, And Newark International Airport."

As shown earlier, in proposing the EWR "fanning" procedure with its increased population noise exposure, the FAA is going against its responsibility to control airport aircraft noise and usurping PANYNJ noise abatement role.

XI. TECHNICAL ANOMALIES, FLAWS, AND MODELING ERRORS

The assumption of constant applied traffic levels and failure to include carrier adjustments in traffic has already been discussed. Furthermore, most of the FAA modeling and projections are opaque in that, without the FAA software and input data, the public must accept the FAA answers on faith. Yet NJCAAN audits have shown anomalies and errors in portions of the data audited that cast doubt on the larger analysis.

11.1 Anomalies/Errors in Noise Modeling Data

DEIS Appendix E, states that the number of people projected to receive 1.5 decibel noise increases at the highest noise levels for the "Modified" alternative goes from 5480 year 2006 to 768 in year 2011. This seven fold drop appeared anomalous because neither the "No Action" nor "Modified" alternative changes between 2006 and 2011 and the effects of fleet mix and traffic volume increases are small. Exhibit A7 is an extract of the spreadsheet for Union County; the full spreadsheet is on the CD. As a check, the 2011 projected noise for the No Action alternative was subtracted from the 2006 noise. This exercise showed slight noise decreases over Union County averaging .6 decibel for "No Action." A similar exercise for the 2011 data showed a .7 decibel decrease across the county, which is close to the "No Action" average.

However, review of the data for the entire county showed wide unexplained variations from census block to census block. Differences for the “No Action” alternative ranged from –1.7 decibels [Census Tract/Block = 304/4006] to +.2 decibels [305/1008]. Differences for the “Modified” alternative ranged from –2.1 decibels [312/1004] to +.3 [306/4010]. These variations occur primarily in the high noise areas near EWR where the DNL 65 and DNL 60 impacts are calculated, with puzzling and unexplained variations from census block to census block. Given that the threshold for calculating impact is 1.5 decibels, this level of variation has potential to, and likely did, profoundly alter the population noise impact calculations. The data at lower noise levels is better behaved and more consistent.

Possible reasons are speculative. The 2011 modeled routes may have been different than the 2006 routes; there may have been changes in modeling assumptions, the modeling process may have flaws, or there may have been administrative errors in handling the data. Given the heavy emphasis placed on impacts at the high noise levels it is important that the modeling process be carefully reviewed and additional data and tools presented to the public that would allow verification of FAA conclusions.

11.2 Large Errors in Ocean Routing Noise Modeling Data

According to FAA data, Ocean routing benefits relative to “No Action” apparently disappear in 2011, despite the fact that neither of these two alternatives changes between these two model years. This is readily seen in comparing DEIS Appendix E, Figs. E23 and E24. This is a glaring apparent anomaly that should have warranted immediate further analysis by the DEIS noise modelers. Examination of the FAA provided census data shows two prominent anomalies as illustrated in the extract in Exhibit A8. The full spreadsheet is on the CD. [EX_A8_NJ_Union.xls]

- 1) Across Union County, the average Ocean Routing noise level is purported to *increase* by 1.1 decibel between 2006 and 2011, as compared to average noise for the No-Action alternative *decreasing* by .6 decibel with the same fleet mix and traffic level. One would expect the changes in averages for these two alternatives between these two years to be the same.
- 2) Exhibit A8 shows that in a region that benefits from ocean routing, the ocean routing noise increase between the two simulation years is as large as 2.9 decibels. The “No Action” baseline [Exhibit A7 and CD spreadsheet, NJ_Union.xls] shows a county average .6 decibel *decrease*, reflecting the changes attributable to fleet mix and traffic volume level. Ocean routing has been penalized for some worst-case individual census blocks by as much as $2.9 + .6 = 3.5$ decibels in this modeling. Differences between the two modeling years seem to be largest in the area that benefits from ocean routing.

These anomalies are not explained in the DEIS. Speculatively, (1) might have been explained by need to operate late into the evening hours and suffering the nighttime noise penalty in the DNL noise calculation. However, this nighttime operation would have had to be extensive and still might not be sufficient to account for (1). This would furthermore be unfair and inconsistent with the DEIS treatment of aircraft at LaGuardia airport where, when volume increases projected late hours operation, the FAA assumed that the carriers would alter scheduling and fleet mix to avoid this. The FAA did not and needs to apply consistent criteria across the two airports and modeling scenarios.

It is hard to foresee a rational explanation for (2). The DEIS makes apparent that the FAA does not want to implement ocean routing. It thus appears unduly convenient that these errors serve to disadvantage an alternative that the FAA seeks to deprecate. These uninvestigated and unexplained anomalies cause NJCAAN to question all of the DEIS study results.

Because of the lack of transparency of FAA modeling procedures, the public needs to accept on faith that modeling and simulations have been done correctly and carefully audited. The DEIS team should have pursued apparent anomalies and issues to assure that they do not reflect underlying errors in models, process, or data. This is part of sound engineering practice for assuring that data is correct.

11.3 Incorrect Calculation of Noise Affected Population

Two spot checks showed incorrect FAA population impact calculations:

1. For the Modified 2006 alternative in the vicinity of EWR, NJCAAN calculations of the number of people helped and hurt by 1.5 decibels at 65 DNL, based on the FAA census spreadsheets, gave substantially different results than given in DEIS Appendix E, p. E49, reversing the DEIS finding as to the relative merit of the alternative. (Please see Section 3.2; and CD file, NJ_Union.xls)
2. DEIS Table ES.2 lists the population receiving 1.5 decibel increases at DNL 65 or higher for the Integrated Airspace alternative without ICC as 16,290, with 12, 834 persons being a transient Rikers Island jail population. However for this same alternative and year, when counting DNL 65 affected population, DEIS Appendix E lists a 12,834 Rikers population suffering increases at LGA [p. E.65]; 5,480 receiving increases at EWR [p. E66], and 2,588 receiving increases at PHL [p. E67]. These total to 20,902, which is much higher than the 16,290 quoted in DEIS Table ES.2.

In every instance that NJCAAN checked the FAA data, it was found to be incorrect with the errors in a direction to show the FAA promoted alternative more favorably. It is alarming that finding some of these errors required access to the FAA census spreadsheets, which were not originally supplied by the FAA. Since checking data without access to the FAA tools and software is laborious, NJCAAN has only been able to perform a modest number of such checks. However, the experience with these checks indicates the likelihood of much more prevalent errors in the DEIS data. A thorough review of DEIS processes for developing data to improve its quality is needed as well as additional means for outsiders to verify the correctness.

11.4 DEIS Year 2011 Volume Projections Not Consistent with Those of PANYNJ

The DEIS performed its traffic volume calculations prior to the recent sharp increase in fuel prices. There have been and will likely be continued airline fare adjustments reflecting the increased fuel costs, which are likely permanent, and will affect passenger traffic. Information received verbally from the PANYNJ indicates that their volume projections are lower than those of the FAA. FAA traffic projections should be updated to reflect current energy costs and also to be brought into line with PANYNJ projections, which are likely to be more reliable since PANYNJ is more intimately familiar with the New York New Jersey transportation situation.

EXHIBIT A1

Meeting Summary
Fifteenth Meeting of the Airspace Work Group (AWG)
Of the Free Flight Select Committee
May 8, 2003
NBAA, Washington DC

Jack Ryan, AWG Chairman, and Sabra Kaulia, FAA, welcomed meeting attendees. The meeting summary from the previous AWG meeting and today's agenda were reviewed and approved. Topics for today's meeting included the status of High Altitude Redesign and local subgroups.

High Altitude Redesign:

Mr. Ryan asked Ms. Kaulia and John Timmerman to update the group on the comments raised at the last meeting on the HAR Advisory Circular. Mr. Timmerman passed out the latest AC and papers on the SUA information sharing, and presented a briefing on the overall program status. Discussion included:

- HAR Pitch Points: Mr. Timmerman said that the teams would look at necessity of the pitch points after the initial Phase 1 implementation. The program objective is get the first phase implemented and to refine the concept after.
- Rule on the Q-routes will be effective on May 15 and routes will be published on July 10 (targeted date). Eleven Q-routes will be in the July 10 publication (seven along the West Coast and four transitioning to the Canadian Routes).
- The SUA information website is operational for testing. By mid-/late-May the site will be linked to SUA ISE and operational. The URL will be in the HAR AC. Information is also being working with the ATA CDM Work Group. Preliminary feedback on the utility of the site should be given to Mr. Timmerman.
- Need to find a way to overlay SUA information, CCFP and FCA information for flight planning. Mr. Timmerman will discuss with ATP-200 and ATCSCC.
- A test database of the NRS waypoints should be available in late June
- Mr. Timmerman will work with ATP-500 on how to notify users about the Q-Routes

Local Subgroups:

New York: The NYSAWG will meet on May 15. Agenda includes updated information integrated airspace plan, benefits estimates and distance impacts.

Great Lakes: The GLSAWG met on March 24 at the AGL RO and April 19 at MITRE-CAASD. The group has done a detailed review of the MACE routes. The meetings have been productive, but we need to ensure that Washington Center attends future meetings.

Western Pacific: The WPSAWG met on May 6-7 in Sacramento, CA at Northern California TRACON. There are many projects ongoing that intersect with ZOA and NCT (HAR, Dual CEDES, NCT/ZOA Realignment, SFO PRM). The AWG should weigh in on how the FAA is prioritizing these efforts to ensure resources are being allocated for overall success.

Southeast: The SESAWG met on May 7 in Charlotte. This was the first meeting of the subgroup. It was very well attended and the briefings from ASO, ZTL, and CLT were very informative. Projects are focused on re-stratifying and re-sectorizing in the en route airspace and RNAV routes in the terminal area.

Future local subgroup meeting schedule:

GLSAWG: June 24 and September 24, both in Chicago, IL

SESAWG: June 12 in Orlando, FL and July 31 in Atlanta, GA

WPSAWG: Aug 12-13 in Oakland, CA

NYSAWG: TBD

Next Meeting Dates:

June 26, 9:00-2:00, NBAA; Agenda topics: HAR, Local Workgroups, PCT Redesign efforts, RNAV/RNP

August 15: 9:00-2:00, NBAA; Agenda topics: Focus Areas Update, RVSM, Gulf ADS-B

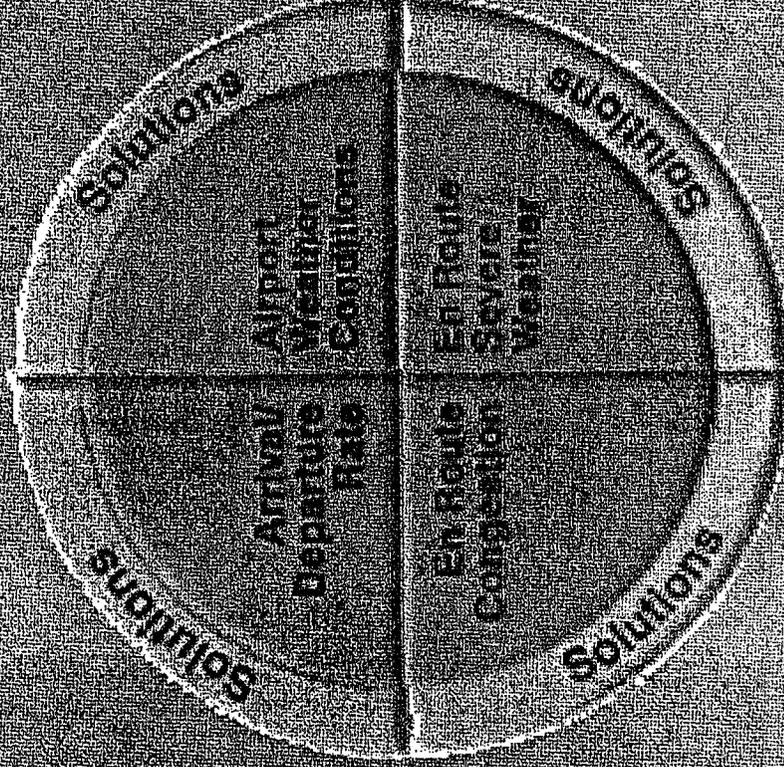
Meeting Attendees (May 8):

Hal Becker	AOPA
Bob Boetig	MITRE-CAASD
Lee Brown	MITRE-CAASD
Lorne Cass	Northwest Airlines
Mark Cato	ALPA
Bill Cranor	US Airways
Scott Foose	RAA
Ron Haggerty	United Airlines
Charlie Hall	American Airlines
Nancy Kalinowski	FAA, ATA-2
Sabra Kaulia	FAA, ATA-1
Bob Lamond	NBAA
Glenn Morse	Continental Airlines
Don Ossinger	NATCA, ATA
Eddie Parish	FAA, ATA-3
Jack Ryan	Air Transport Association
Bill Shedden	NATCA, HAR PMO
John Timmerman	FAA, HAR PMO
Steve Vail	FedEx

EXHIBIT A2

Operational Evolution Plan

POD Panel



AD-3: Redesign Terminal Airspace and Routes

(Sabra W. Kaulia)

- RNAV arrival development again underway (RNAV moratorium)
- Revised RNAV arrival and departure routes implemented at LAS
- Dual MEXE departure routes implemented at PHL
- Denver South airspace implemented

- Environmental scoping for Northern Utah Airspace Initiative, Midwest Airspace Plan (STL); other contracts underway
- Completed user/industry review of the NY/NJ/PHL Metropolitan Airspace Alternatives



EXHIBIT A3

**Meeting Summary – January 7, 2004
FREE FLIGHT SELECT COMMITTEE**

The Free Flight Select Committee convened on January 7, 2004 at 8:30 a.m. in the Colson Board room, RTCA, 1828 L Street, NW, Washington D.C. The meeting followed the outline below.

AGENDA ITEM 1

Review / Approve Summary of November 13, 2003 TelCon

The Select Committee met via telephone conference on November 13, 2003 to receive an update on the issues and recommendations associated with datalink convergence. Members were asked to provide comments on the information that was presented and the ensuing discussion.

During the January 7th meeting Mr. Wall reported that no comments were received. Members agreed that datalink convergence should be addressed. Mr. Wall asked Rich Heinrich, Rocky Stone, and David Strand to prepare a brief issue paper that defines the problem. The paper should be presented at the February Select Committee meeting.

AGENDA ITEM 2

Free Flight Select Committee Work Program

During the September 24, 2003 Free Flight Steering Committee meeting, Russ Chew, Designated Federal Official for the Steering Committee, suggested that RTCA serve as a vehicle for determining the aviation community's modernization investment priorities. After exploring alternatives, Mr. Watrous recently recommended formation of a Select Committee work group to address this task. The working group should be operationally driven and should consider not only technology initiatives but policy and procedures as well.

Select Committee members concurred in formation of the new working group which will be chaired by Roger Wall and Ken Speir. A Terms of Reference will be drafted. The group's product is expected in March 2004.

AGENDA ITEM 3

Working Group Reports

• **Airspace**

Bob Lamond reported. The Southeast Group will meet at MITRE later in the month. The New York group has been developing four proposals but has determined that more work is needed. An effort to develop a fifth proposal will convene shortly. Mr. Lamond reported that Airspace Working Group review material will be distributed in advance of the next Select Committee meeting during which a more detailed update will be provided.

- **Operational Evolution Plan (OEP)**

Lorne Cass reported that an OEP drill down meeting is scheduled for January 8th. The group is working on a template for drill down recommendations. OEP initiative "AW-1" will be reviewed first and serve as the template for subsequent reviews.

AGENDA ITEM 4

Free Flight Organizational and Programmatic Update

Mike Gough presented the update. Within FAA, responsibility for the Free Flight program will be placed under Charles Keegan in the en route business unit. The metrics team will report to Steve Brown in operations planning.

- **User Request Evaluation Tool (URET)**

Since July 2003 URET has entered Initial Daily Use (IDU) at three new centers:

- Jacksonville. Controllers are 100% trained and the capability is in operation
- Fort Worth and Minneapolis. Inter facility automation is operational with URET equipped adjacent centers.

URET Phase 2 hardware and software tech refresh is continuing with installations at Indianapolis, Memphis, and Cleveland.

Site surveys and deployment planning are underway for the next six Phase 2 sites: Salt Lake, Los Angeles, Miami, Seattle, New York, and Houston.

- **Traffic Management Advisor**

Adjacent center data feeds:

- Oakland to Los Angeles - improves release of those flights into the arrival stream. Gate delay for Oakland to Los Angeles flights has been reduced by 39%.
- Memphis to Atlanta - provides better information for miles-in-trail restrictions. A 22% reduction in restrictions has been achieved despite a 7% increase in traffic.

Houston:

- Metering to Houston International is in effect Monday through Friday
- While metering to Houston International is in effect, miles-in-trail restrictions from Fort Worth are eliminated. Additionally, the miles-in-trail restrictions that are normally placed on Albuquerque and Jacksonville are eliminated. The restriction from Atlanta is reduced from 15 to 10 miles-in-trail.

Miami has commenced the first application of multi-airport metering. Los Angeles is using time-based metering daily during the morning, afternoon, and evening rushes.

**AGENDA ITEM 5
Meeting Schedule**

Select Committee

Thr/ 26 Feb.....RTCA, 0830
Thr/ 18 Mar.....RTCA, 0830
Thr/ 15 AprRTCA, 0830
Thr/ 20 MayRTCA, 0830
Tue/ 22 Jun.....RTCA, 0830
Thr/ 15 Jul.....RTCA, 0830
Tue/ 17 AugRTCA, 0830
Thr/ 9 Sep.....RTCA, 0830
Thr/ 7 Oct.....RTCA, 0830
Thr/ 4 Nov.....RTCA, 0830
No Meeting in December

Steering Committee

.....TBD

The meeting adjourned at 1:50 p.m.

**Meeting Attendance – January 7, 2004
MEMBERS**

Roger Wall, <i>Chairman</i>	Federal Express
Chris Benich	Honeywell International
Charles Bergman	Air Line Pilots Association
Lorne Cass	Northwest Airlines
Mike Cirillo	Federal Aviation Administration
Brad Culbertson	Lockheed Martin
Jerry Davis	Airbus Industries
Douglas Fralick	National Air Traffic Controllers Association
Rick Heinrich	Rockwell Collins
Bill Jeffers	ARINC
David Jones	The Boeing Company
Randy Kenagy	Aircraft Owners and Pilots Association
Debby Kirkman	MITRE/CAASD
Bob Lamond	National Business Aviation Association
Glenn Morse	Continental Airlines
Phil Mullis	Southwest Airlines
John Scardina	Federal Aviation Administration
Neil Smith	U.S. Air Force
Ken Speir	Delta Air Lines
Rocky Stone	United Airlines
David Strand	American Airlines
Don Streeter	Federal Aviation Administration
Stephen Van Trees	Federal Aviation Administration
David Watrous	RTCA, Inc.

NON-MEMBERS

Jerry Bryant	RTCA, Inc.
Mike Gough	Federal Aviation Administration
Charles Hall	American Airlines

EXHIBIT A4

Meeting Summary
Twenty-Third Meeting of the Airspace Work Group (AWG)
September 9, 2004
MITRE2 Building, McLean, VA

Bob Lamond and Charlie Hall, AWG Co-Chairpersons, and Sabra Kaulia, Federally Designated Official for the AWG, welcomed meeting attendees. Charlie thanked the group for the flexibility in handling the cancellation of the May and July meetings (meetings cancelled due to scheduling conflicts for the majority of the AWG membership). Topics for today's meeting included the current state of RTCA, updates from the local subgroups and briefings from the HAR Program Office.

RTCA Update:

Bob briefed the group that the Free Flight Select and Steering Committees have been retired. A new committee, the Air Traffic Management Advisory Committee (ATMAC), has been created by RTCA, with membership similar to the previous Free Flight Steering Committee. Workgroups under the ATMAC may be developed but those decisions have not been reached yet. As Bob said in his email from June, the AWG and its subgroups can continue their work in the interim as an Industry/FAA Collaborative Airspace Issues Workgroup. The second meeting of the ATMAC is scheduled for October 7th. It is expected that the AWG will be re-chartered under the ATMAC and that the pending recommendations of the AWG will be publicly discussed at this meeting. To support this, the group needs to summarize the recommendations on NY/NJ/PHL Redesign, MACE and NUAI. The group agreed on the proposed set of recommendations. Bob will coordinate these recommendations with RTCA for presentation to the ATMAC in October.

High Altitude Redesign:

John Timmerman presented a briefing on the progress of High Altitude Redesign. Discussion focused on the expansion of HAR waypoints (SUA waypoints, NRR pitch and catch waypoints, and the NRS waypoints) and the potential issues with FMS boxes being able to contain the proposed increase in data. The group stated that there is a need for Sabra and John to work with Flight Standards to deal with the FMS data issues. It was the consensus of the group that there is an abundance of required, but unused data in the FMSs. Until that data can be removed, additional waypoints cannot be accommodated and use of the HAR expansion will be limited. Sabra stated that it was the intent of the HAR program office to continue to coordinate with Flight Standards.

Subgroup Updates:

- Northeast (NESAWG) – No meetings have occurred since our last AWG meeting. The next step for this subgroup is to expand its scope to look at the Boston, Philadelphia and Washington DC metropolitan areas. Glenn Morse is working with the FAA to schedule a meeting to kick-off efforts in these areas.

- Midwest (MWSAWG) – Ron Haggerty briefed that the group has completed the tasks identified as part of its initial scope, to review the Great lakes Integrated Design Plan (MACE, Chicago, Minneapolis) and to provide recommendations on the IDP. The group will stand-down until additional action is required.
- Southeast (SESAWG) – No meetings have been held since the last AWG meeting. Bill Cranor stated that there are still several issues that need to be addressed: Snowbird, Tobacco Road issues, RNAV reinstatement. Bill encouraged the AWG to reinvigorate this subgroup, but explained that he would need to step down as subgroup chair due to a pending change in position and asked Charlie and Bob to identify a new chair. Charlie and Bob agreed to discuss the issue and report back to the group at the next AWG meeting.
- Southwest (SWSAWG) – Jim Caudle briefed that the SWSAWG has had two meetings (kickoff in June and follow-up in August) since the last AWG meeting. The group has decided to tackle two main issues: the PAXTO/NE corner-post issue and the expansion of MOA/ATCAA airspace. The next meeting is planned for late October/early November and the FAA will brief on the airspace efforts to address the departure issues to the northeast.
- Western Pacific (WPSAWG) – Charlie briefed that the WPSAWG had met twice since the last AWG meeting. The May meeting in Seattle focused on information briefings from the airspace teams in the Northwest Mountain and Alaska regions. As a follow-up to the Seattle meeting, a meeting was held in August in Denver focusing on the RNAV work at DIA and the ski-country work at ZDV. In Denver, the group also received a brief from SCT that the LAX Departure Enhancement project will be implemented by the end of September. The next meeting is planned for mid November in Phoenix to review

Open Discussion:

Sabra stated that she will be retiring from the FAA in December. No idea who will replace her but she hopes there will be plenty of time for transition before she leaves.

Next Meeting Dates:

- November 30, MITRE-CAASD, Agenda: Subgroup brief-outs, HAR, RNAV.

Meeting Attendees:

Hal Becker	AOPA
Lee Brown	MITRE-CAASD
Mark Cato	ALPA
Jim Caudle	Southwest Airlines
Bill Cranor	US Airways
Scott Foose	RAA
Charlie Hall	American Airlines
Debbie Johannes	FAA, ATT
Sabra Kaulia	FAA, ATA-1

Bob Lamond
Glenn Morse
Mark Pallone
Ken Pender
Bill Reabe
John Timmerman
Steve Vail

NBAA
Continental Airlines (via phone)
NAR NATCA
Delta Airlines
MILREP
FAA, HAR PM
FedEx

EXHIBIT A5



U.S. Department
of Transportation

**Federal Aviation
Administration**

Office of the Administrator

800 Independence Ave., S.W.
Washington, D.C. 20591

MAY 9 2005

The Honorable Jon S. Corzine
United States Senate
Washington, DC 20510-3004

Dear Senator Corzine:

Thank you for your letter of March 22 about recommendations that the Radio Technical Commission for Aeronautics (RTCA) Air Traffic Management Advisory Committee made in regards to the modeling of air traffic routes over the New York/New Jersey/Philadelphia area.

The Federal Aviation Administration is committed to an open and inclusive process of working with the public, airport operators, and aviation industry representatives on the Environmental Impact Statement (EIS) for the New York/New Jersey/Philadelphia Airspace Redesign Project. The EIS is being developed within the framework of the National Environmental Policy Act that was enacted to ensure that environmental considerations are an integral part of the Federal decisionmaking process.

In 2001, the FAA held local public scoping workshops to solicit comments and concerns from the public, state and local officials and community groups. These workshops were held in various cities throughout the five-state study area. As a result, the various community residents provided their initial input to development of alternatives for the New York/New Jersey/Philadelphia Airspace Redesign Project. The Ocean Routing proposal submitted by New Jersey Citizens Against Aircraft Noise (NJCAAN) is one of the proposed alternatives being examined in the Draft Environmental Impact Statement (DEIS). In addition to these public outreach meetings, we brief congressional staff on the project as it develops.

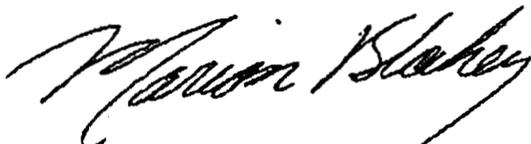
The FAA solicited input from the airline industry through RTCA to obtain technical knowledge and information pertaining to aircraft operations and airspace design. The airline industry provided a pilot's perspective on aircraft performance while in flight and advised airspace designers on the "flyability" of proposed routings under development. The aviation industry provided airspace designers with the technical information and insight to issues that may not be obvious from modeling to ensure that the proposed routings are designed as efficiently as possible.

On March 2, 2005, the RTCA's Air Traffic Management Advisory Committee provided recommendations on the proposed airspace alternatives to FAA for its consideration. A copy of their recommendations is enclosed. RTCA and NJCAAN, along with the public; aviation community; and Federal, state, and local agencies will have the

opportunity to review and comment on the proposed alternatives and their corresponding environmental impacts upon release of the DEIS, which is tentatively scheduled for release in late 2005.

If you or your staff have any questions, please feel free to give me or Mr. David Balloff, Assistant Administrator for Government and Industry Affairs, a call at (202) 267-3277.

Sincerely,

A handwritten signature in black ink, appearing to read "Marion C. Blakey". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Marion C. Blakey
Administrator

Enclosure

NY/NJ/PHL Metropolitan Airspace Redesign
Air Traffic Management Advisory Committee Recommendations
February 25, 2005

BACKGROUND and GENERAL COMMENTS

The airspace surrounding the NY/NJ metropolitan area stretching in a corridor from New England south to the Baltimore/Washington area is the most complex and congested airspace in the world. The airspace and procedures must support an intricate weave of air carrier, business and general aviation, and military air traffic flows in multiple directions. Historically, the capacity and efficiency of the major airports and the airspace have been limited by:

- Environmental constraints;
- Physical layouts of the airports (i.e., closely spaced parallel and intersecting runways);
- Proximity of the major airports resulting in overlapping arrival and departure airspace and conflicting instrument approach procedures;
- Variations in aircraft performance and navigation capability.

The newest factor affecting both traffic flows and airport capacity and efficiency is the transition by regional airlines from turboprop to regional jet (RJ) aircraft.

Finally, the efficiency of the airspace and traffic flows in and around the greater New York metropolitan area has been further constrained over time by political, regional, and facility boundaries that have evolved since the early 1980's.

An effective airspace redesign must take into account and mitigate all of the above factors.

The purpose of this document is to provide FAA with a broad-based set of consensus recommendations from the airspace users that identify critical design parameters and requirements for this airspace redesign project. Because of the complexity and scope of the project, the recommendations range from very specific airport and runway flow patterns and procedures to very general design philosophies and airspace use suggestions.

By definition, airspace design and redesign are evolutionary processes. Rapid advances in communication, navigation, and surveillance technologies, coupled with ever changing market demands and aircraft performance and capabilities will present continuing challenges to FAA airspace designers. Although it is understood that environmental processing and FAA resource planning and allocation requirements will drive a need to "freeze" airspace redesign in the future, every effort should be made to permit incremental changes at individual airports; or in the intermediate or high altitude airspace, where capacity, efficiency and safety benefits can be realized more quickly. Examples of these changes are airport specific RNAV arrival and departure procedures,

the planned FAA High Altitude Redesign (HAR) project, or new or offset routes using RNAV criteria to increase en route airspace capacity.

The duration and expense of the environmental approval process require that the preferred design alternative accommodate and allow for the evolving RNP/RNAV procedure capability. More than 80% of NJ aircraft are equipped with GPS-based FMS/RNAV systems and will have VNAV capability in 12 to 18 months; and an increasing percentage of air carrier and business aircraft have RNP/RNAV LNAV/VNAV capability. RNP/RNAV procedures must be utilized to eliminate the dependency of traffic flows and procedures at adjacent airports. The present RNP/RNAV debate should not detract from this effort, as firm policies, procedures, and standards should be available to support procedure design in the near future. In short, the airspace must evolve to a point that will allow for independent operations at adjacent airports in the New York and Philadelphia metropolitan areas. The only viable method to accomplish this is with RNP/RNAV procedures. It is understood that this independent capability might not be available or suitable for CAT I/II/III operations, but it is certainly well within the realm of marginal VMC and VMC operations, which occur a vast majority of the time.

To facilitate capturing all available capacity in various weather situations, it is recommended that three operational scenario variants be developed with target arrival and departure rates:

1. VMC – Visual approaches are being conducted at all New York Airports.
2. MVMC – Instrument approaches are required but precision and low minima are not required.
3. IFR – CAT I/II/III approaches are required.

~~Before providing specific recommendations, it should be acknowledged that the NY/NJ/PHL Airspace Redesign team's work has been conducted in a highly cooperative and collaborative manner using RTCA's Free Flight Select Committee's Airspace Working Group. In early August 2003, the design team presented a briefing to the airspace users on the integrated design. Discussion on the design, in the form of questions and comments was held with the design team.~~

The airspace redesign must truly start with a blank piece of paper. It should not pit one airport against another. The design must accommodate the system, not a particular airport. Since there are many benefits with the proposed NYICC facility, increased flexibility for arrivals as well as departures should be included in the overall package. In other words, enough flexibility should exist for a LGA heavy arrival demand to utilize a lower demand TEB, EWR or JFK arrival flow. Conversely, depending on demand periods, a heavy EWR arrival flow should be able to use a TEB, LGA or JFK flow.

RECOMMENDATIONS

The recommendations presented below are in two parts. The first is a summary of the recommendations encompassed in the General Comments presented previously, which should be applicable to all alternatives being considered in the NY/NJ/PHL Redesign. The second is a set of specific operating or design recommendations. This second set of recommendations relates primarily to the integrated design traffic flows.

General Recommendations:

1. Whenever possible and where it does not conflict with the current environmental process, the redesign process should support incremental changes at individual airports; or in the intermediate or high altitude airspace, where capacity, efficiency and safety benefits can be realized more quickly.
2. The current challenges facing the RNP/RNAV process (i.e., the moratorium) should not detract from the design alternatives fully utilizing a performance-based system that is not limited by ground based navigation. Firm RNP/RNAV policies, procedures, and standards should be available to support procedure design in the near future, certainly within the implementation timeframe for the NY/NJ/PHL Redesign.
3. With regard to modeling the operational impacts of the proposed alternatives, we recommend that three scenario variants (IMC, Marginal VMC, and VMC) be developed with target arrival and departure rates for each of the major airports under the NY/NJ/PHL Redesign.

Integrated Airspace Recommendations:

1. Terminalize the airspace in the study area and in particular, the airspace that supports the flows into the New York and Philadelphia metropolitan areas. Terminalization means the application of 3-nm separation, (or less, based on RNP capability and improved surveillance) except where wake turbulence standards require additional separation; and the use of other tools normally available to the terminal controller, such as use of 15-degree diverging headings to reduce in-trail separation, etc. Within this framework of reduced separation, develop route structure and departure and arrival transitions using navigation accuracies based on RNP/RNAV. Efforts should be made to further reduce separation standards between aircraft and between aircraft and airspace using RNP/RNAV, WAAS, and LAAS in close proximity to the airports where flight paths are predictable and repeatable with existing technology.
2. The airspace design should also include the capability to capture the maximum arrival/departure capacity that could be envisioned at any of the airports. For example, the airspace design should allow for EWR to operate continuous simultaneous arrivals to Runway 11/29 and the parallels, while at the same time providing for maximum capacity at TEB, JFK and LGA. The maximize arrival rate for each airport should be determined and then the airspace, procedures and ground and airborne equipage required to capture this capacity should be determined. This

will produce CBA's for airports, service providers, and users to develop and equip for a comprehensive plan implementation. As stated, it is understood that this is an extremely complex airspace goal. But due to the extent, length and cost of the airspace redesign, the optimum design must be pursued. Expected target arrival and departure rates should be established for each operating configuration at each airport in the three weather scenarios mentioned above. Maximum configuration capacities should be based on existing and future technologies (e.g., CRDA, PRM/SQA, RPAT, RNP/RNAV, where applicable) with airspace allocated to support the operations and validated through computer modeling. *To this end, the integrated airspace should be consistent with the airspace boundary and altitude assumptions proposed in the Integrated Airspace Alternative as developed by the NY/NJ/PHL Airspace Redesign team.* As noted above, the efficiency of airspace design in the corridor cannot be limited by existing facility, regional or political boundaries.

3. Shadow RNP/RNAV offset routes should be developed for major jet routes, e.g., J6, J80, and J64, etc., to increase en route capacity. These routes should be procedurally separated to ensure capacity gains, and augmented as necessary with RVSM, to supplement lateral separation and reduce controller workload. Additional/dual RNP/RNAV routes that traverse the East Coast from the northeast to Florida, supporting flight levels 240 and above should be implemented. These routes could parallel VSI, or be achieved by eliminating converging jet routes at ground-based NAVAIDS along the coast, e.g., ORF, ILM, and CHS. Existing and proposed RNP accuracies and resultant reduced separation standards coupled with RVSM may facilitate the creation of high altitude shelves/corridors along the extreme western edge of the warning areas along the coast, without compromising or infringing on military requirements.
4. Arrival route flexibility must be an integral part of the design. Transition airspace and facility design should facilitate the interchange of arrival routes in order to ~~provide the capability for flight plan route optimization. Example: when appropriate,~~ LGA arrivals should be able to utilize JFK arrival routes; EWR arrivals should be able to use TEB arrival routes, etc. This flexibility needs to be refined and developed for application during non-peak times, irregular operations and SWAP.
5. The design should support the capability to depart LGA Runway 13 to the southwest (Coney climb) simultaneously with JFK Runway 13L/R arrivals via the Canarsie or equivalent curved approach. Expedited environmental evaluation of this simultaneous operation may permit early implementation. Both procedures have been used independently for many years. If threshold environmental impacts are identified, then the simultaneous operation should be included as part of the integrated design alternative.
6. FAA must respond fully to the recommendations and airspace changes developed by Philadelphia Air Traffic Control Tower based on the December 2000, MITRE report "Philadelphia Airspace Expansion Study." The recommendations should be evaluated and incorporated into the integrated design, where feasible. Departure airspace capacity and in particular efficient, cost effective access to en route airspace from all available departure runways has been identified as a critical issue at

Philadelphia. Philadelphia departures need multiple diverging departure fixes and additional access to transatlantic and offshore ocean routes for normal and irregular operations to significantly reduce departure delays and increase fuel savings and efficiency. Runway 17/35 is being lengthened to accommodate a multitude of equipment types. The airspace design should be able to handle this traffic pattern without restrictions, making efficient use of the runway resource. The Philadelphia operation is currently impacted by traffic flows from the Northeast and Southeast at least as much if not more than from the other direction described above. These additional directional flows of traffic result in additional complexity and the need for constant traffic management initiatives. This complexity should be addressed in the design. The city of Philadelphia has also initiated a Master Plan update and has been identified as a candidate for expedited environmental review. Significant reconfiguration of the airport layout to expand airport efficiency is being considered. The integrated airspace redesign must support these efficiency enhancements to the maximum extent possible and to the extent they are known.

7. Full availability and utilization of arrival capacity are major issues for EWR. Airspace must be flexible enough to sustain multiple efficient arrival flows (see route flexibility above), and to accommodate landing on two runways in all weather conditions, and potentially three runways in good weather. CRDA should be enabled with enough airspace to support straight-in ILS approaches to 4L/R or 22L/R and runway 11 in MVMC and IMC. Airspace should be designed to support PRM/SOIA and RPAI for runways 4L/R and 22L/R in marginal VMC; and simultaneous visual approaches to 4L/R and 22L/R in combination with runway 11/29 departures.
8. The FAA should examine the operational feasibility and efficiencies of dual RNAV approaches to runways 13L/R at JFK. The procedures could be built east and west of the existing Canarsie (VOR 13L/R) approach and evaluated as charted visual/RNAV approaches prior to full implementation. The operational impact to LGA and EWR flows should be evaluated, including the use of a guided missed approach procedure for the LGA runway 22 ILS to provide procedural separation from the JFK 13L final approach course.
9. For JFK, a straight out, left turn and right turn for runway 4L/R departures should be accommodated. This operation should be evaluated using current procedures (4L departures) and for a flip-flopped operation (4R departures). The operational impact to LGA flows and potential mitigating airspace allocations/utilization should be evaluated.
10. Both left and right turns off Runways 04L/R and 22L/R at EWR should be considered to determine the operational benefits of additional departure headings and/or departure runways
11. TEB should have access to additional international departure routes and should be segregated from EWR arrival and departure flows to the extent possible.
12. Departures from all airports are free to make use of most departure gates. With the exception of SWAP operations, arrival efficiency requires the most improvement.

EXHIBIT A6

RTCA

Views – NY/NJ/PHL

- Terminalize the airspace
- Maximize arr/dep capacity
- Create shadow offset RNP/RNAV Jet Routes
- Arrival route flexibility
- Support simultaneous LGA 13 departure and JFK 13L/R arrival
- Fully consider Philadelphia Airspace Expansion Study
- EWR airspace must be flexible enough to sustain multiple efficient arrival flows
- Additional use of or access to airspace assigned to the military
- Dual RNAV approaches to runways 13L/R at JFK
- JFK straight out, left turn and right turn for runway 4L/R departures
- Consider Both left and right turns off Runways 04L/R and 22L/R at EWR
- Additional international departure routes for TEB and segregate TEB from EWR arrival and departure flows
- More departure gates for all airports
- EWR Rwy 11 or overhead 29 arrivals not dependent on TEB ILS 6 traffic and/or MUGZY workload



EXHIBIT A7

State	County	Census Tract ID	Census Block ID	Population (2000)	2006 Alternative		2011 Alternative		No Action Decibel Change 2006 - 2011	"Modified" Decibel Change 2006 - 2011
					No Action	Modifications to Existing Airspace	No Action	Modifications to Existing Airspace		
New Jersey	Union	311	3001	40	56.4	63.8	56.0	62.4	-0.4	-1.4
New Jersey	Union	311	3002	132	56.0	63.4	55.6	62.1	-0.4	-1.3
New Jersey	Union	311	3003	110	56.3	63.4	55.9	62.1	-0.4	-1.3
New Jersey	Union	311	3004	156	55.8	62.9	55.4	61.6	-0.4	-1.3
New Jersey	Union	311	3005	138	55.5	62.5	55.2	61.2	-0.3	-1.3
New Jersey	Union	311	3006	151	56.0	62.9	55.7	61.6	-0.3	-1.3
New Jersey	Union	311	3007	70	56.0	62.4	55.7	61.2	-0.3	-1.2
New Jersey	Union	311	4000	72	56.1	63.8	55.7	62.4	-0.4	-1.4
New Jersey	Union	311	4001	161	55.8	63.5	55.4	62.2	-0.4	-1.3
New Jersey	Union	311	4002	64	55.4	63.2	55.0	62.0	-0.4	-1.2
New Jersey	Union	311	4003	107	55.1	62.8	54.7	61.7	-0.4	-1.1
New Jersey	Union	311	4004	62	54.6	62.4	54.1	61.4	-0.5	-1.0
New Jersey	Union	311	4005	47	55.3	62.9	54.9	61.7	-0.4	-1.2
New Jersey	Union	311	4006	196	55.5	62.9	55.1	61.7	-0.4	-1.2
New Jersey	Union	311	5000	353	56.4	64.3	55.9	62.8	-0.5	-1.5
New Jersey	Union	311	5001	356	55.9	63.9	55.4	62.6	-0.5	-1.3
New Jersey	Union	311	5002	286	55.4	63.5	54.9	62.3	-0.5	-1.2
New Jersey	Union	311	5004	30	55.1	63.2	54.6	62.1	-0.5	-1.1
New Jersey	Union	311	5006	138	54.9	63.1	54.4	62.0	-0.5	-1.1
New Jersey	Union	311	5007	335	54.6	62.8	54.1	61.8	-0.5	-1.0
New Jersey	Union	311	5008	190	54.4	62.7	53.9	61.7	-0.5	-1.0
New Jersey	Union	312	1000	29	64.6	67.1	64.1	65.8	-0.5	-1.3
New Jersey	Union	312	1001	98	63.3	66.7	62.8	65.2	-0.5	-1.5
New Jersey	Union	312	1002	196	62.7	66.5	62.1	64.9	-0.6	-1.6
New Jersey	Union	312	1003	12	60.8	66.7	60.2	64.7	-0.6	-2.0
New Jersey	Union	312	1004	75	59.8	66.6	59.2	64.5	-0.6	-2.1
New Jersey	Union	312	1005	281	62.1	66.2	61.5	64.5	-0.6	-1.7
New Jersey	Union	312	2000	102	61.6	65.9	61.1	64.3	-0.5	-1.6
New Jersey	Union	312	2001	63	59.4	66.4	58.8	64.3	-0.6	-2.1
New Jersey	Union	312	2002	11	58.7	66.1	58.1	64.1	-0.6	-2.0
whole county average									-0.6	-0.7

EXHIBIT 7

"MODIFIED" DATA AUDIT: 2006 - 2011
EXTRACT FROM UNION COUNTY CENSUS NOISE SPREADSHEET

EXHIBIT A8

State	County	Census Tract ID	Census Block ID	Population (2000)	2006 Alternative		2011 Alternative		2006 Ocean Benefit	2011 Ocean Benefit	Benefit Difference 2006 - 2011
					No Action	Ocean Routing	No Action	Ocean Routing	2006 Ocean-No Action	2011 Ocean-No Action	2011 Ocean - 2006 Ocean
New Jersey	Union	367	1000	26	47.7	42.4	46.7	45.1	-5.3	-1.6	2.7
New Jersey	Union	367	1001	30	47.6	42.2	46.6	44.9	-5.4	-1.7	2.7
New Jersey	Union	367	1002	43	47.6	42.2	46.6	44.9	-5.4	-1.7	2.7
New Jersey	Union	367	1003	29	47.5	42.0	46.5	44.7	-5.5	-1.8	2.7
New Jersey	Union	367	1004	30	47.4	41.9	46.4	44.6	-5.5	-1.8	2.7
New Jersey	Union	367	1005	36	47.5	42.1	46.5	44.9	-5.4	-1.6	2.8
New Jersey	Union	367	1006	55	47.6	42.4	46.6	45.1	-5.2	-1.5	2.7
New Jersey	Union	367	1007	45	47.7	42.4	46.7	45.1	-5.3	-1.6	2.7
New Jersey	Union	367	1008	42	47.5	42.3	46.6	45.1	-5.2	-1.5	2.8
New Jersey	Union	367	1009	67	47.4	42.0	46.5	44.8	-5.4	-1.7	2.8
New Jersey	Union	367	1010	145	47.4	42.0	46.4	44.8	-5.4	-1.6	2.8
New Jersey	Union	367	1011	25	47.2	41.7	46.3	44.4	-5.5	-1.9	2.7
New Jersey	Union	367	2000	465	47.2	41.9	46.3	44.7	-5.3	-1.6	2.8
New Jersey	Union	367	2001	163	47.0	41.4	46.1	44.1	-5.6	-2.0	2.7
New Jersey	Union	367	2002	51	46.9	41.2	46.0	43.9	-5.7	-2.1	2.7
New Jersey	Union	367	2003	64	47.0	41.4	46.1	44.2	-5.6	-1.9	2.8
New Jersey	Union	367	2004	108	46.8	41.2	45.9	44.0	-5.6	-1.9	2.8
New Jersey	Union	367	2005	76	46.7	41.1	45.8	43.8	-5.6	-2.0	2.7
New Jersey	Union	367	2006	64	46.7	41.2	45.8	43.9	-5.5	-1.9	2.7
New Jersey	Union	367	2007	63	46.7	41.3	45.9	44.0	-5.4	-1.9	2.7
New Jersey	Union	367	2008	116	46.8	41.6	46.0	44.4	-5.2	-1.6	2.8
New Jersey	Union	367	2009	162	47.0	41.7	46.1	44.5	-5.3	-1.6	2.8
New Jersey	Union	367	2010	123	47.1	41.8	46.2	44.6	-5.3	-1.6	2.8
New Jersey	Union	367	2011	67	46.9	41.7	46.1	44.6	-5.2	-1.5	2.9
New Jersey	Union	367	2012	20	46.9	41.8	46.1	44.7	-5.1	-1.4	2.9
New Jersey	Union	367	2013	241	46.7	41.5	45.9	44.4	-5.2	-1.5	2.9
New Jersey	Union	367	2014	14	46.6	41.3	45.8	44.1	-5.3	-1.7	2.8
whole county average									-3.5	-1.9	1.1

region helped by ocean routing in 2006

EXHIBIT 8

OCEAN ROUTING DATA AUDIT: 2006 - 2011
EXTRACT FROM UNION COUNTY CENSUS NOISE SPREADSHEET

EXHIBIT 1



National Airspace Redesign

Overview of NY/NJ/PHL Airspace Redesign Project

Newark International Airport Aviation Advisory
Committee

September 13, 1999

NY/NJ/PHL Metropolitan Airspace Redesign



Briefing Overview

- Stakeholder involvement
- Problem definition and scope
- Goals and objectives
- Design teams
- Methodology
 - › Identify assumptions and challenges
 - › Define metrics and tools
 - › Develop baseline
 - › Develop alternatives
- Metrics and tools
- Schedule



Stakeholder Involvement

- Internal - FAA facilities/personnel
 - › Management/labor workgroup participation
- External - users, airport operators, communities, local and state governments
 - › Formal involvement
 - Pre-scoping, scoping, EIS process
 - RTCA Special Committee 192
 - › Informal involvement
 - Community meetings
 - User briefings
 - Airport briefings



Issue and Problem Identification

- Three of the top 10 most delayed airports are included in the study area, including the number one delayed airport for 5 of the last 7 years
- Last year local delays cost consumers over \$1.1 billion or over 27% of the national total
- Community noise concerns
- Inefficiencies due to route structure exacerbate delays, cause noise problems
- Present route structure does not provide sufficient flexibility to respond to inclement weather, resulting in large delays and many diverted or cancelled flights
- Continued aviation growth is forecast and must be

Traffic Flows



The Port Authority
All flight operations
within this boundary
is a violation of
the noise abatement
system.

LEGEND

- EWR, JFK, LGA & TEB
- EWR Airway 4
- EWR Dep Airway 4
- JFK Airway 31
- JFK Dep Airway 31
- LGA Airway 31
- LGA Dep Airway 4
- TEB Airway 4
- TEB Dep Airway 4
- Townships

SCALE

0 1 2 3 4 5 6 7 8 9 10
Miles

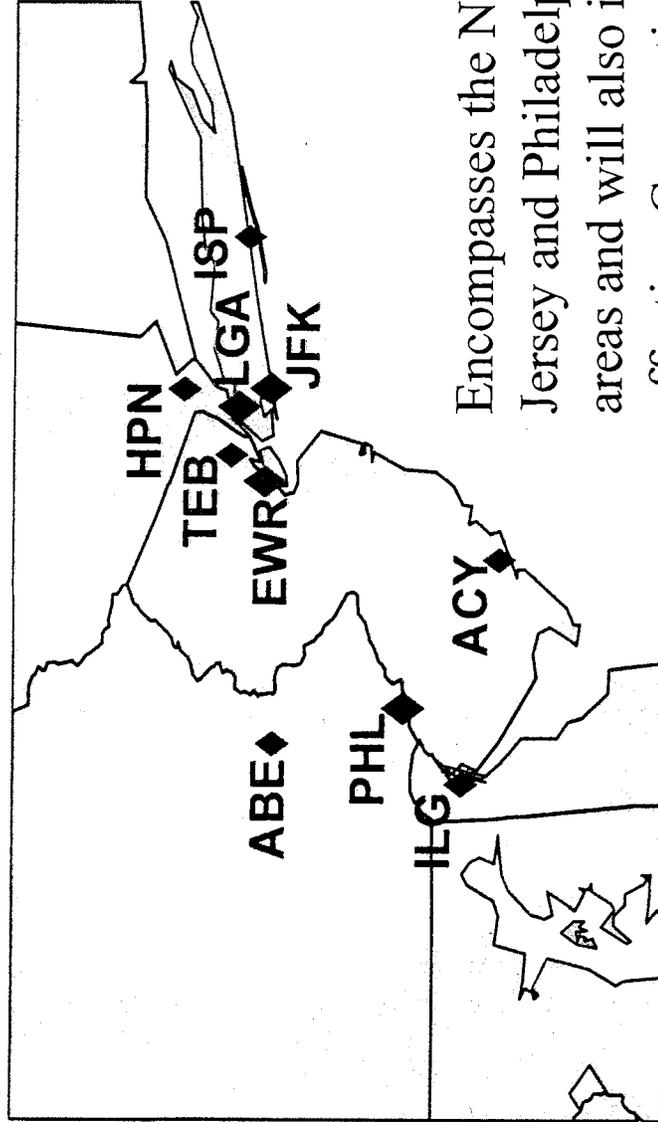
NOTE: Track widths are not to scale.

The Port Authority of NY & NJ
Aircraft Noise Abatement Monitoring System
EWR, JFK, LGA & TEB - September 19, 1996
24 Hour Period

NY/NJ/PHL Metropolitan Airspace Redesign



Geographic Study Area



Encompasses the New York, New Jersey and Philadelphia Metropolitan areas and will also include air traffic affecting Connecticut, Delaware, and Pennsylvania



Design Goals and Objectives

- Examine a full RNAV(point-to-point 3-Dimensional navigation) system, allowing for precise navigation on routes without the need to over-fly land based radio beacons
- Examine an arrival area concept to establish flexible routes and balance workload
- Examine an oceanic routing concept for day and night traffic
- Incorporate increased noise abatement techniques wherever possible



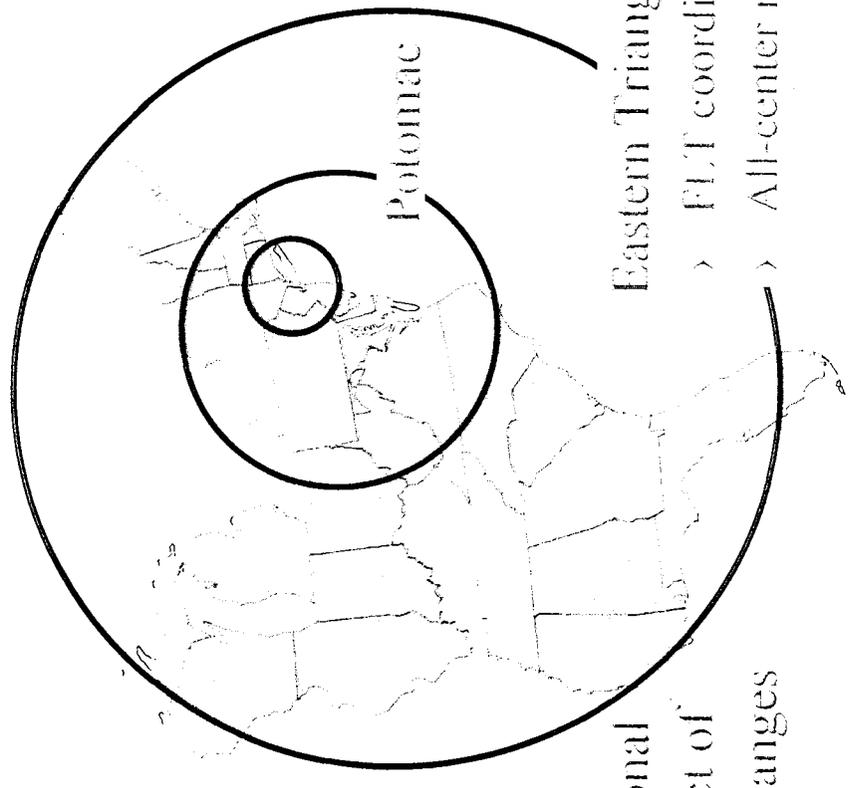
Airspace Team Composition

- Project Manager
- Design Teams
 - › Design airspace and concepts
 - › Validate models and simulations
 - › Utilize modeling expertise & contract support where appropriate
- New York Tracon, New York Air Route Traffic Control Center, Philadelphia Tower
 - › Air Traffic Controller, Traffic Management, and Facility staff expertise



Interconnectivities

- Coordination points
 - > Process
 - > Budgets
 - > Implementation timeframes
 - > Environmental
 - > Operational design elements
 - > Military interactions
 - > User interactions



National impact of local changes

Eastern Triangle
 > F/T coordination
 > All-center meetings



Assumptions

- Design to higher levels of aircraft capabilities, but accommodate lesser-equipped aircraft
- Employ new airspace management concepts where applicable (e.g., dynamic sectorization)
- Design without boundaries
- New technologies and procedures
 - › Navigation & communication: RNAV, Data-Link, Addressable Transponders
 - › Surveillance: Broadcast-Satellite Transponders, Precision Runway Monitors
 - › Controller tools (Free Flight Phase 1, Controller Automated Spacing Aid)
- New aircraft
 - › Tilt-Rotor aircraft, commuter jet fleets



Challenges

- Mixed-equipage
- New technologies
- Increases in traffic levels and types of aircraft
- Interconnectivity with Potomac airspace activities
- Interconnectivity with other regional design efforts



Design Concepts for Alternatives

- Start from runways and work out
- High downwinds for arrival aircraft
- Unrestricted departure climbs
- Reduce number of arrival fixes
- Fanned departure headings
- VFR flyway corridors



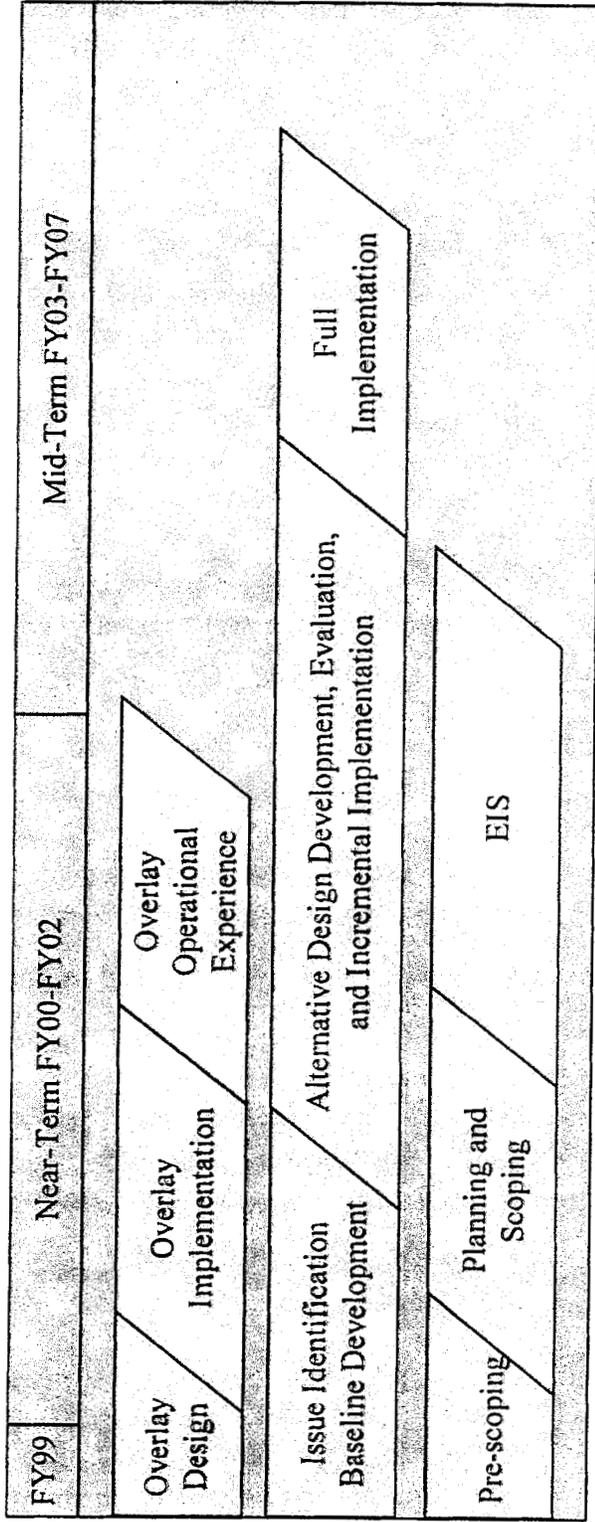
Incremental Alternatives

- Initial Phase:
 - › First step to GPS/FMS-RNAV-based airspace design
 - Develop overlays for existing routes (at least one per area)
 - › Implement routes in 9-12 months (approximate)
 - › Gain operational experience and familiarity with GPS/FMS-RNAV
 - › Improved efficiencies, predictability
 - › Minimal or no environmental impacts expected
- Later Phases:
 - › Enabled by initial phase
 - › Enhanced, efficient arrival and departure flows and airspace sectorization adjustments
 - › May require environmental impact studies



Overall Project Schedule

- Project lifetime will be 5-6 years
 - › Full implementation in the last year
- Design changes may be phased in incrementally, contingent upon environmental requirements





FY99 Accomplishments

- Engaged, empowered Design Teams
 - › Regular meetings at Facilities
 - › Established contacts, relationships, working schedules for inter- and intra-regional coordination
 - › Initial overlay designs developed
- Redesign support infrastructure established
 - › Trailer/office at NY TRACON
 - › Dedicated space in PHL and ZNY
 - › Initial equipment and materiel purchase for design teams
- Environmental process underway
- Effective cross-regional strategic and financial planning



Focus for FY00

- Environmental/Stakeholder involvement
 - › Pre-scoping meetings beginning in Sep 1999.
 - › Formal environmental scoping process projected to start by fall 2000
 - › Continue informal input process
- Design process
 - › Continue GPS/FMS-RNAV overlay development
 - › Formulate multiple alternative designs
 - › Expand scope to include satellite facilities
- Modeling
 - › Validate and refine baseline
 - › Evaluate initial design alternatives
 - Include environmental modeling

EXHIBIT 2

STATEMENT OF ARLENE B. FELDMAN, REGIONAL ADMINISTRATOR FOR THE EASTERN REGION, FEDERAL AVIATION ADMINISTRATION BEFORE THE AVIATION SUBCOMMITTEE OF THE HOUSE TRANSPORTATION AND INFRASTRUCTURE COMMITTEE ON AIR TRAFFIC DEPARTURES AT NEWARK INTERNATIONAL AIRPORT, NOVEMBER 4, 1999

Mr. Chairman, Mr. Lipinski, and Members of the Committee:

Thank you for the opportunity to appear here this morning to discuss with the Members of this Subcommittee and other interested Members of the Congress the Federal Aviation Administration's ("FAA") air traffic control of departing aircraft at Newark International Airport. I am Arlene Feldman, the Regional Administrator of the FAA for the Eastern Region. With me today is Mr. Franklin Hatfield, the manager of the air traffic division in the Eastern Region.

Almost four years ago to the day, I appeared before this Subcommittee with former Administrator David Hinson when he came before you to discuss the FAA's record of decision of the environmental impact statement on the Expanded East Coast Plan ("EECP") for air traffic management. I am pleased to have the opportunity to update the Subcommittee on recent developments in air traffic management, and in particular, with regard to departures from Newark International Airport ("Newark").

Let me begin with a brief review of the history. In the early 1980's, the FAA saw that it would be impossible for the then existing air traffic routes over the East Coast to handle the growing demand for airline travel. The advent of deregulation in 1978 brought explosive growth in air traffic. The biggest bottleneck in the East Coast system was the New York-New Jersey metropolitan area. Needless to say, the bottlenecks at New York-New Jersey had a ripple effect throughout the entire National air traffic system. The EECP was developed to change the aircraft routes and air traffic procedures in a way that would permit each of the major New York-New Jersey airports to more efficiently handle air traffic. This was a very ambitious plan at that time; one of the most far reaching changes the FAA ever made to the air traffic system.

With the implementation of the EECP we saw dramatic effects in the airspace system – delays were reduced, airlines were able to plan their flights more efficiently and controllers found that the new air traffic procedures let them handle more traffic without compromising safety. However, the EECP also produced unavoidable consequences. These new air traffic routes began to take aircraft over parts of New Jersey, which, until 1987, had not experienced the air traffic associated with these new routes. As a result, communities throughout Northern New Jersey began to experience increases in noise levels they found unacceptable.

Newark International Airport has three runways: one east-west runway (11-29) and two parallel north-south runways, 22 left and right ("22 L/R"). Staten Island is south of the airport and there are communities, such as the City of Elizabeth, which are southwest. Since 1952, aircraft departing runway 22 have turned south to avoid over-flying the city of Elizabeth. Since 1961, departures from Newark off runway 22 L/R have climbed to approximately 500 feet, at which point the aircraft make a left turn, heading 190 degrees. This departure route avoids over-flying the densely populated areas of Elizabeth. This route passes over an industrial area located between the City of Elizabeth and a waterway, known as the Arthur Kill, and then over the northwest corner of Staten Island. As air traffic operations at Newark have increased, residents of New York and New Jersey have been requesting a change to air traffic procedures to reduce noise in their communities.

Pursuant to the Aviation Safety Capacity Expansion Act of 1990, the FAA undertook an environmental impact statement ("EIS") to assess the effects of changes in aircraft flight patterns at altitudes of 3,000 feet above ground level, caused by the implementation of the EECF over New Jersey. After an extensive and lengthy process of study, including opportunities for public comment for approximately 500 days and a public hearing on Staten Island, the FAA took final action on the EIS by issuing a Record of Decision ("ROD") on October 31, 1995. The FAA decided to continue the procedures of the EECF, but adopted a measure to reduce noise for residents of New Jersey. This mitigation measure, called the Solberg Mitigation Proposal, was implemented in April 1996 and continues to be used for departures at Newark.

Even with the adoption of the EECF with the Solberg Mitigation Proposal, we know that citizens in communities in New Jersey and New York continue to experience levels of noise that they find unacceptable. In the Record of Decision, the FAA recognized the complexity of the airspace in the New York-New Jersey metropolitan area and the need for a comprehensive solution. When I was here in 1995, I stated that even with the decisions made with the EECF, we in the Eastern Region would continue to work with the Port Authority of New York and New Jersey ("Port Authority") and the local communities to explore alternatives to reduce noise and revise air traffic procedures and routes. *In addition to the Solberg Mitigation Proposal, in the Record of Decision the FAA committed to undertake a follow-on regional study to address the metropolitan New York area.*

Let me reiterate that Administrator Garvey and all of us in the Eastern Region are dedicated to working with the Port Authority to find a fair and balanced approach to address the issue of aircraft noise. But let me also state that noise abatement is a shared responsibility. The Port Authority has primary responsibility for abatement actions in the area surrounding Newark airport, whereas our primary role is to assure the safety and efficiency of air traffic operations. In that regard, at the request of the Port Authority, we have taken some measures to test ways to alleviate aircraft noise.

In 1996, based on a request from the Port Authority, a test over a four month period in 1993, and an environmental assessment, the FAA revised the standard instrument departure procedures for runway 22L/R to implement a second turn to the right to a heading of 220 degrees at 2.3 nautical miles.

In 1998, again at the request of the Port Authority, the FAA tested a change in the current standard instrument departure. Working with the Port Authority, we recognized that just south of Newark Airport and the City of Elizabeth, there is a heavy industrial area over which we could direct aircraft. This would require a variation in the heading from 220 degrees to 260 degrees. We conducted a test of the 260-degree heading ("260 test") from March until September 1998, followed by an environmental assessment. At the onset of the preparation of this environmental assessment, a variety of public agencies and other interested parties were notified of the proposed action and alternatives, and comments were requested.

Earlier this week, we released the conclusions of the environmental assessment. As a result of the analyses conducted and continued operational evaluation of the departure routing, it was determined that there was no significant environmental benefit derived from the alternative routing to 260 degrees. We have discontinued the environmental assessment because of the lack of operational benefit that would be derived by modifying the Newark procedure in the current overall configuration of airspace in the region.

At the same time that we began conducting the 260 test, in April 1998, Administrator Garvey announced the National Airspace Redesign project. *As the Administrator testified before you last month, the National Airspace Redesign will be part of the FAA's efforts to improve air traffic management. The goals of the redesign project are: to maintain and improve system safety; improve the efficiency of the air traffic management and reduce delays; increase system flexibility and predictability; and seek to reduce adverse environmental effects on communities in and around our Nation's airports.* While we expect that the complete redesign will take approximately eight years, we anticipate that tangible benefits are expected in the eastern portion of the United States within five years. The most congested and complicated airspace is what we in the FAA refer to as the Eastern Triangle. This consists of most of the airspace east of the Mississippi River. The redesign project will also include analysis of the enroute air traffic control centers that feed traffic into this area. Because this airspace poses the most challenges, it is the initial focus of our redesign.

The New York/New Jersey Metropolitan Airspace Redesign Project will encompass the New York, New Jersey and Philadelphia metropolitan areas and will also include air traffic affecting Connecticut, Delaware and Pennsylvania. There are over 8,000 flights a day into and out of the New York/New Jersey metropolitan area, more than any other major metropolitan area in the U.S., accommodating 300,000 passengers and 10,000 tons of cargo. *One of our stated goals is to enhance the environment to the degree consistent with safety and efficiency, both with noise abatement and improvements in air quality. Within this context, we intend to fully examine possible revisions to departure patterns at Newark, including an ocean routing concept for day and night traffic, as well as the straight-out departure concept.*

As Administrator Garvey told you in her last appearance, in the Eastern Region, we have already begun our community workshops in locations throughout the New York and New Jersey metropolitan area. These workshops are designed to provide a forum for early public involvement prior to any airspace redesign project initiatives. We are eager to solicit public comments and suggestions with respect to airspace redesign initiatives. These workshops are not limited to environmental concerns, but are open to a full range of community ideas. All comments will be compiled and reviewed by the FAA during the redesign process. Once design alternatives have been formulated, we will initiate a formal National Environmental Policy Act ("NEPA") process. During the NEPA process, we will revisit the communities and hold public meetings or hearings to solicit further environmental concerns and input.

We are sensitive to the concerns of the citizens living in and around Newark International Airport. We will continue to work in partnership with the Port Authority, community leaders and with you, the Members of Congress, to reach a balanced and fair approach to the issues at Newark. *Throughout the redesign project, we will look for every opportunity to reduce the affects of unwanted aircraft noise for the citizens of New Jersey and New York. Indeed, as we move forward with our redesign project, we will take intermediate steps, consistent with NEPA, that may develop during the process provided that they will not adversely affect the safe and efficient management of air traffic to Newark, or to the neighboring airports.*

Mr. Chairman, this concludes my statement. Both Mr. Hatfield and I would be happy to answer any questions that you or the other Members of the Subcommittee may have.

Internet Link: <http://www.house.gov/transportation/aviation/hearing/11-04-99/feldman.html>

EXHIBIT 3

House Report 104-631 - DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS BILL, 1997

Expanded East Coast Plan.--The Committee directs the FAA to work with affected representatives from the New York-New Jersey region, including appropriate citizens groups, to develop the most feasible and cost-effective noise mitigation solution for the expanded East Coast plan. Although the FAA promulgated a final environmental impact statement in 1995 for the expanded East Coast plan, this has not satisfactorily addressed the concerns of citizens in the State of New Jersey, and further analysis of noise mitigation remedies seems appropriate.

DOT Appropriations Bill, 2003:

http://www.aamva.org/Documents/legHouseRepReport107_722DOTAppropBill2003.pdf#search='department%20of%20transportation%20appropriations%20bill,%202003'

The committee directs FAA to submit quarterly reports on the New Jersey/New York airspace redesign effort, including funding expended to date; progress to date; and the schedule for completing and implementing the project. The report should include details on all planned components and elements of the redesign project, including details on any ocean routing modeling that has been conducted.

House Report 108-243 - DEPARTMENTS OF TRANSPORTATION AND TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2004

[http://www.congress.gov/cgi-bin/cpquery/R?cp108:FLD010:@1\(hr243\)](http://www.congress.gov/cgi-bin/cpquery/R?cp108:FLD010:@1(hr243))

National airspace redesign. The Committee directs that, of the funds provided for national airspace redesign, not less than \$6,500,000 shall be allocated to airspace redesign activities in the New York/New Jersey metropolitan area. The Committee also directs FAA to submit, not later than April 1, 2004 a report to the House and Senate Committees on Appropriations on the New York/New Jersey airspace redesign effort. This report should include details on all planned components and elements of the redesign project, including details on aircraft noise reduction and any ocean routing modeling that has been conducted.

New York integrated control complex.--The Committee recommends \$2,000,000, a reduction of \$3,000,000 below the budget estimate. The Committee notes that the Houston area air traffic system was initiated before this similar project, and believes the first priority should be given to ensuring the Houston project remains on schedule. Further, the Committee has not seen a firm cost estimate for this very expensive project. The FAA is directed to provide a report to the House and Senate Committees on Appropriations, not later than December 31, 2003, on the projected cost, schedule, and benefits of the New York integrated control complex, including the degree to which airspace will be redesigned.

**DEPARTMENTS OF TRANSPORTATION AND TREASURY AND
INDEPENDENT AGENCIES--APPROPRIATIONS BILL, 2005**

Internet Link:

http://www.washingtonwatchdog.org/rtk/documents/cong_reports/house/108/housereport108_671.html

New York/New Jersey airspace redesign.--The Committee directs that, of the funds provided for national airspace redesign, not less than \$5,000,000 shall be allocated to airspace redesign activities in the New York/New Jersey metropolitan area, and these funds shall not be reprogrammed to any other activity except through Congressional reprogramming procedures. These funds shall not be used to prepare an environmental impact statement for the redesign of this airspace, or to conduct any work pursuant to the National Environmental Policy Act or related laws, unless the FAA formally declares noise mitigation to be a primary objective of the redesign project.

2006 Appropriations Bill

<http://thomas.loc.gov/cgi-bin/cpquery/T?&report=hr153&dbname=cp109&>

New York/New Jersey airspace redesign.--No funds made available for national airspace redesign may be used to prepare the environmental impact statement for the redesign of the New York/New Jersey/Philadelphia regional airspace, or to conduct any work as part of the review of the redesign project conducted under the National Environmental Policy Act and related laws, as long as the FAA fails to consider noise mitigation.

EXHIBIT 4



2003 Air Toxics Summary

New Jersey Department of Environmental Protection

INTRODUCTION

Air pollutants can be divided into two categories: the criteria pollutants (ozone, sulfur dioxide, carbon monoxide, nitrogen dioxide, particulate matter, and lead); and air toxics. The criteria pollutants have been addressed at the national level for many years. The United States Environmental Protection Agency (USEPA) has set National Ambient Air Quality Standards (NAAQS) for them, and they are subject to a standard planning process that includes monitoring, reporting, and control requirements. Each of these pollutants is discussed in its own section of this NJDEP 2003 Air Quality Report.

Air toxics are basically all the other chemicals released into the air that have the potential to cause adverse health effects in humans. These effects cover a wide range of conditions, from lung irritation to birth defects to cancer. There are no NAAQS for these pollutants, but in 1990 the U.S. Congress directed the USEPA to begin to address a list of almost 200 air toxics by developing control technology standards for specific categories of sources that emit them. These air toxics are known as the Clean Air Act Hazardous Air Pollutants (HAPs). You can get more information about HAPs at the USEPA Air Toxics web site at www.epa.gov/ttn/atw. NJDEP also has several web pages dedicated to air toxics. They can be accessed at www.state.nj.us/dep/airmon/airtoxics.

HEALTH EFFECTS

People exposed to significant amounts of air toxics may have an increased chance of getting cancer or experiencing other serious health effects. The non-cancer health effects can range from respiratory, neurological, reproductive, developmental, or immune system damage, to irritation and effects on specific organs. In addition to inhalation exposure, there can be risks from the deposition of toxic pollutants onto soils or surface waters. There, they can be taken up by plants and animals, which are later consumed by humans.

The effects on human health resulting from exposure to specific air toxics can be estimated by using chemical-

specific "health benchmarks." These are developed by the USEPA and other agencies by looking at numerous health studies for a chemical. For carcinogens, the health benchmark is set at the concentration of the pollutant that corresponds to a one in a million increase in the risk of getting cancer if a person was to breathe that concentration over his or her entire lifetime. The health benchmark for non-carcinogens is set at a concentration not expected to have any adverse health effects, also known as the reference concentration. Health benchmarks for each of the air toxics are listed in Table 4. If ambient air concentrations exceed the set benchmarks then further action is warranted.

SOURCES OF AIR TOXICS

A few years ago, USEPA began a national study of air toxics, the National-Scale Air Toxics Assessment (NATA). To determine people's exposure to air toxics around the country, USEPA first prepared a comprehensive inventory of air toxics emissions from all man-made sources in 1996. The 1996 emissions inventory for New Jersey was briefly reviewed and revised by NJDEP before being finalized. Although there are likely to be some errors in the details of such a massive undertaking, the emissions inventory still can give us an indication of the most important sources of air toxic emissions in our state. The pie chart in Figure 1 (see page 2), based on the 1996 NATA emissions estimates, shows that mobile sources are the largest contributors of air toxics emissions in New Jersey.

On-road mobile sources (cars, and trucks) account for 35% of the emissions, and off-road mobile sources (airplanes, trains, construction equipment, lawnmowers, boats, dirt bikes, etc.) contribute 33%. Area sources (residential, commercial, and small industrial sources) represent 25% of the inventory, and major point sources (such as factories and power plants) account for the remaining 7%.

Air toxics come from so many different sources - not only manufacturing, but also other kinds of human activity. When New Jersey's emissions estimates are broken down by county (see Figure 2) it is evident that the areas with the

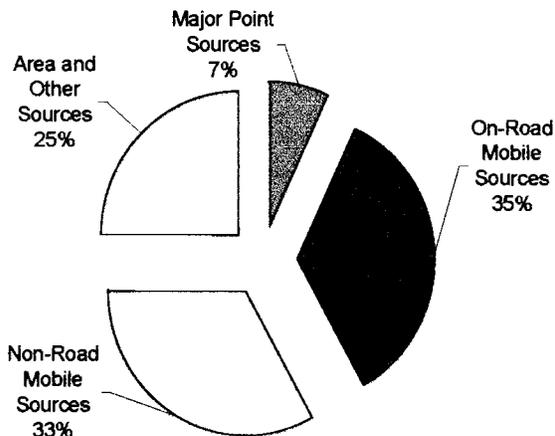
largest air toxic emissions are generally those with the largest populations. This is directly related to high levels of vehicle use, solvent use, heating, and other population-related activities in those counties.

ESTIMATING AIR TOXICS EXPOSURE

The next step in USEPA's NATA project was to use the emissions information in an air dispersion model. The model estimates the concentrations of air toxics that people may be exposed to in different parts of the country. The map in Figure 3 shows the predicted concentrations of benzene throughout New Jersey. The high concentration areas tend to overlap the more densely populated areas of the state, following the pattern of emissions. Not all air toxics follow this pattern, as some are more closely associated with individual point sources, but in general, larger populations result in greater emissions of, and exposure to, air toxics.

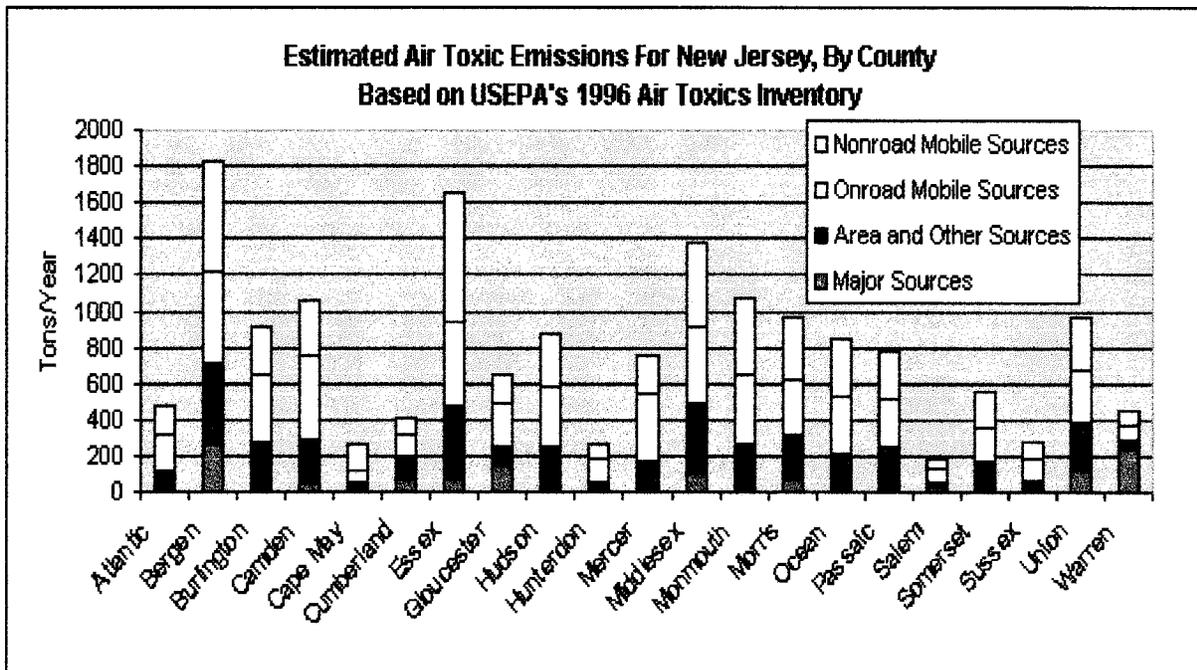
Our preliminary analysis of the state and county

Figure 1
1996 Air Toxics Emissions Estimates for New Jersey



Source: USEPA's National Air Toxics Assessment, 1996

Figure 2



average air toxics concentrations generated by NATA indicates that nineteen chemicals were predicted to exceed their health benchmarks, or level of concern, in one or more counties in 1996. Eighteen of these are considered to be cancer causing (carcinogenic) chemicals, and one (acrolein) is not. Estimated air concentrations of these 19 pollutants vary around the state, depending on the type of sources that emit them. This is summarized in Table 1.

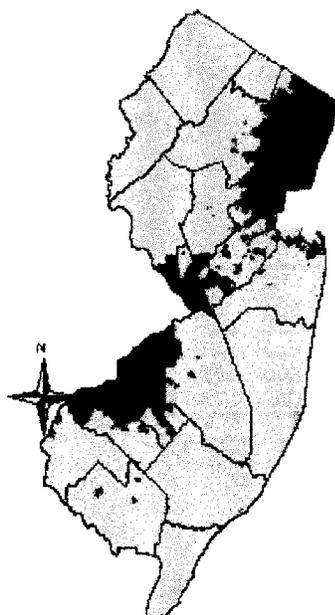
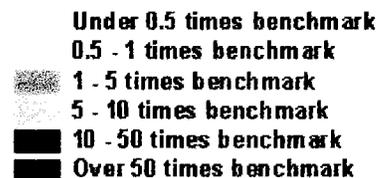


Figure 3
NATA PREDICTED CONCENTRATIONS
IN NEW JERSEY FOR 1996

Benzene



Maximum concentration is 4.5 micrograms per cubic meter, or 35 times the health benchmark

Health Benchmark = 0.13ug/m³

Table 1

Air Toxics of Greatest Concern in New Jersey
Based on 1996 National Air Toxics Assessment

Pollutant of Concern	Extent	Primary Source of Emissions
Benzene	Statewide	Mobile; Background Concentration
1,3-Butadiene	Statewide	On-Road Mobile
Carbon tetrachloride	Statewide	Background Concentration
Chloroform	Statewide	Background Concentration; Point
Diesel particulate matter	Statewide	Off-Road Mobile
Ethylene dibromide	Statewide	Background Concentration
Ethylene dichloride	Statewide	Background Concentration
Formaldehyde	Statewide	Mobile
Acrolein	20 Counties	Mobile
Polycyclic organic matter	20 Counties	Area
Chromium compounds	17 Counties	Area
Acetaldehyde	13 Counties	Mobile
Tetrachloroethylene	11 Counties	Area; Background Concentration
7-PAH	5 Counties	Area
Arsenic compounds	4 Counties	Area; Point
Cadmium compounds	4 Counties	Area
Nickel compounds	4 Counties	Area
Beryllium compounds	1 County	Area
Hydrazine	1 County	Area

AIR TOXICS MONITORING PROGRAM

NJDEP has established four air toxics monitoring sites around the state. They are located in Camden, Elizabeth, New Brunswick and Chester (see Figure 4). The Camden Lab site has been measuring several toxic volatile organic compounds (VOCs) since 1989. The Elizabeth Lab site began measuring VOCs in 2000, and the New Brunswick and Chester sites became operational in July 2001. Analysis of toxic metals at all four sites also began in 2001.

A comparison of the concentrations predicted by NATA and actual monitored levels can be made for the Camden Lab site. In 1996, thirteen of the compounds evaluated in NATA were measured in Camden. Table 2 compares the NATA predictions with the measured concentrations for 1996. Measured 2003 levels, and the percent of change from 1996, are also shown. Of the thirteen air toxics measured, three of them fell below detection limits in 1996, so no concentration can be reported for that year. For the remaining ten compounds, the comparisons are shown in Figure 5. It appears from this analysis that the agreement between predicted and monitored concentrations is remarkably good. Also, for most of the thirteen air toxics in Table 2, the 2003 levels measured at the Camden Lab were substantially lower than the concentrations measured in 1996.

Figure 4
2003 Air Toxics
Monitoring Network

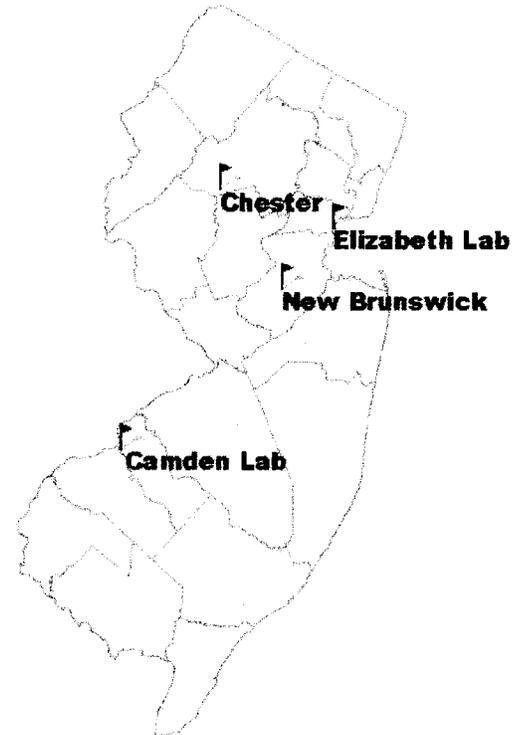


Figure 5
Air Toxics Levels Measured in 1996 at Camden,
New Jersey Compared to NATA Predicted Levels

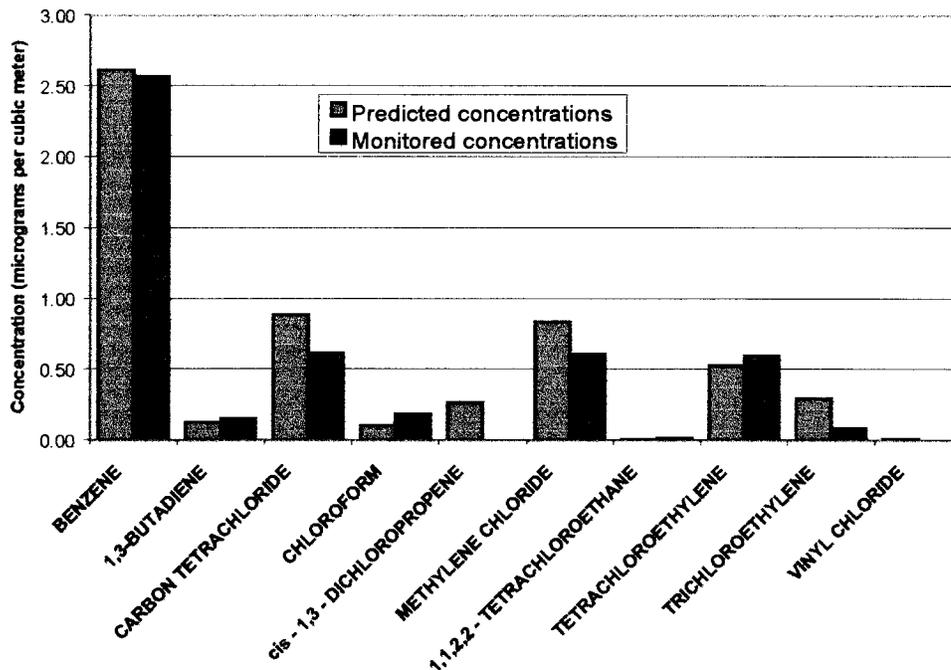


Table 2
Comparison of NATA Predicted to Measured Levels in Camden, NJ

NA – Not Available
 $\mu\text{g}/\text{m}^3$ - Micrograms Per Cubic Meter

Pollutant (HAP)	NATA Predicted 1996, $\mu\text{g}/\text{m}^3$	Measured 1996 Level, $\mu\text{g}/\text{m}^3$	Measured 2003 Level, $\mu\text{g}/\text{m}^3$	Percent Change in Measured Levels in 1996 and 2003
Acetaldehyde	1.74	4.53	NA	NA
Acrylonitrile	0.003	NA	0.02*	NA
Benzene	2.61	2.57	0.50	-80.5%
1,3-Butadiene	0.12	0.15	0.03*	-80.0%
Carbon Tetrachloride	0.88	0.61	0.08	-86.9%
Chloroform*	0.10	0.18*	0.00*	-100%
cis-1,3-Dichloropropene*	0.26	0.00*	0.00*	0.0%
Formaldehyde	2.20	14.63	NA	NA
Methylene Chloride	0.83	0.61	0.11	-82.0%
1,1,2,2-Tetrachloroethane*	0.00	0.01*	0.00*	-100%
Tetrachloroethylene	0.52	0.59	0.02*	-96.6%
Trichloroethylene	0.29	0.09*	0.00*	-100%
Vinyl Chloride *	0.01	0.00*	0.00*	0.0%

* Measurement fell below detection limits.

Negative values for percent change mean measured levels went down from 1996 to 2003

AIR TOXICS MONITORING RESULTS FOR 2003

The results of the air toxics monitoring program for 2003 are shown in Table 3. This table shows the average concentration for each air toxic measured at the four New Jersey monitoring sites. All values are in parts per billion by volume (ppbv). More detailed tables (Tables 4-7) that show additional statistics, detection limit information, health benchmarks used by NJDEP, and levels in ppbv and micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) can be found at the end of this section. The ppbv units are more common for monitoring results, while $\mu\text{g}/\text{m}^3$ units are generally used in modeling and health studies. Note that many of the compounds that were tested were often below the detection limit of the

method used. Concentrations below the detection limit, including zero values, were used in the calculation of the annual average concentrations.

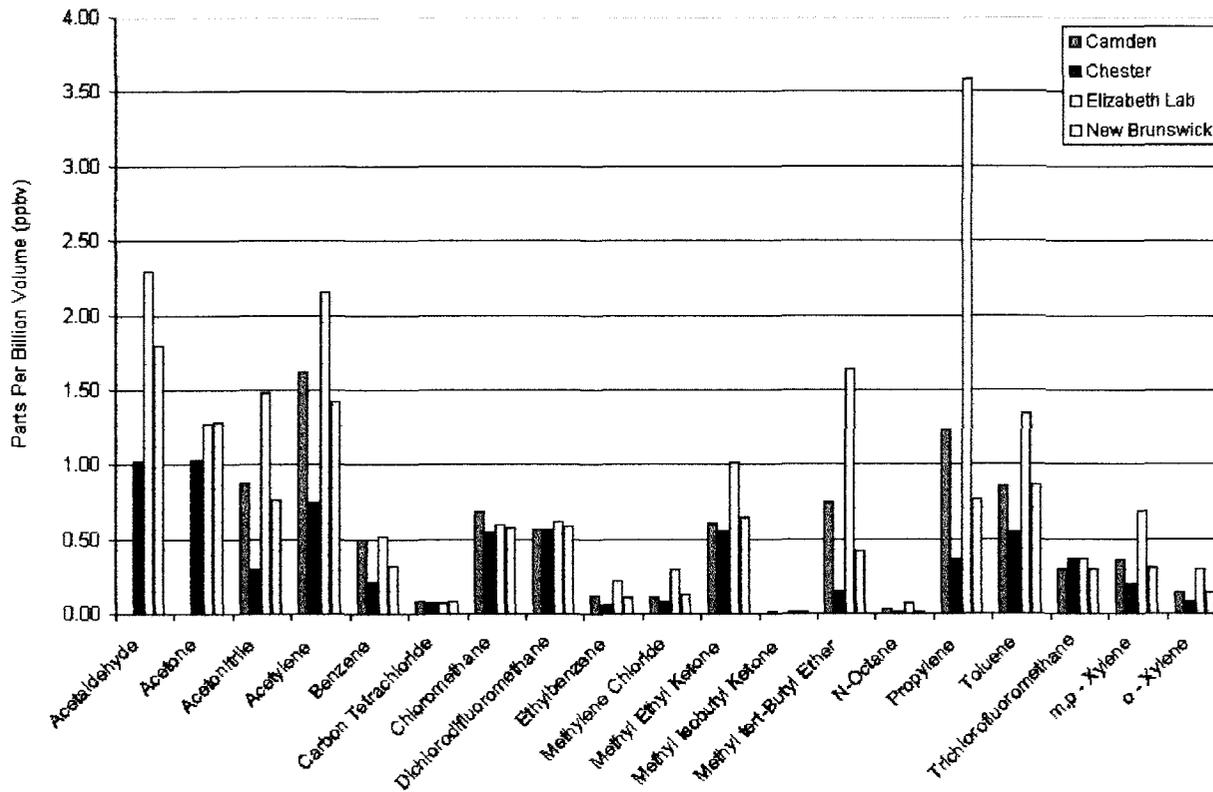
Reported averages for which a significant portion of the data (more than 50%) was below the detection limit should be viewed with extreme caution. Median values (the value of the middle sample value when the results are ranked) are reported along with the mean (average) concentrations because for some compounds only a single or very few high values were recorded. These high values will tend to increase the average concentration significantly but would have less effect on

the median value. In such cases, the median value may be a better indicator of long term exposures, on which most of the health benchmarks for air toxics are based. The average concentrations for some of the more prevalent air toxics are graphed in Figure 6.

The Elizabeth Lab site has the highest concentrations for the majority of the prevalent air toxics and also had the highest number of compounds (nine) with average concentrations that exceeded their health benchmark. New Brunswick also had nine

compounds exceeding health benchmarks. It is also important to note that instrumental malfunction caused unusually low readings for a portion of compounds at Camden from September 2002 through July 2003. This group of compounds are called carbonyls and are noted as not available (NA) in Tables 2-4. The toxic air pollutants that exceeded the health benchmark included acetaldehyde, benzene, carbon tetrachloride, chloromethane, and formaldehyde.

Figure 6
Selected Toxic Volatile Organics
2003 Annual Averages
New Jersey



**Table 3
New Jersey Air Toxics Summary – 2003**

**Annual Average Concentration
ppbv – Parts Per Billion by Volume**

Pollutant	Camden Lab^a	Chester	Elizabeth Lab	New Brunswick
Acetaldehyde	NA	1.02	2.30	1.80
Acetone	NA	1.04	1.27	1.28
Acetonitrile	0.88	0.30	1.48	0.77
Acetylene	1.61	0.74	2.15	1.42
Acrylonitrile	0.02	0.02	0.01	0.01
tert-Amyl Methyl Ether	0.00	0.00	0.02	0.00
Benzaldehyde	NA	0.03	0.06	0.03
Benzene	0.50	0.21	0.51	0.32
Bromochloromethane	0.00	0.00	0.00	0.00
Bromodichloromethane	0.00	0.00	0.00	0.00
Bromoform	0.00	0.00	0.00	0.00
Bromomethane	0.43	0.00	0.00	0.00
1,3-Butadiene	0.03	0.01	0.08	0.02
Butyr/Isobutyraldehyde	NA	0.11	0.18	0.17
Carbon Tetrachloride	0.08	0.07	0.07	0.08
Chlorobenzene	0.00	0.00	0.00	0.00
Chloroethane	0.00	0.00	0.00	0.00
Chloroform	0.00	0.00	0.01	0.01
Chloromethane	0.68	0.55	0.60	0.57
Chloromethylbenzene	0.00	0.00	0.00	0.00
Chloroprene	0.00	0.00	0.00	0.00
Crotonaldehyde	NA	0.07	0.09	0.10
Dibromochloromethane	0.00	0.00	0.00	0.00
1,2-Dibromoethane	0.00	0.00	0.00	0.00
m - Dichlorobenzene	0.00	0.00	0.00	0.00
o - Dichlorobenzene	0.00	0.00	0.00	0.00
p - Dichlorobenzene	0.01	0.00	0.01	0.00
1,1 - Dichloroethane	0.00	0.00	0.00	0.00
1,1-Dichloroethene	0.00	0.00	0.00	0.00
cis-1,2-Dichloroethylene	0.00	0.00	0.00	0.01
trans - 1,2 - Dichloroethylene	0.00	0.00	0.00	0.00
Dichlorodifluoromethane	0.57	0.57	0.61	0.58
1,2 - Dichloroethane	0.00	0.00	0.00	0.00
1,2 - Dichloropropane	0.00	0.00	0.00	0.00
cis -1,3 - Dichloropropene	0.00	0.00	0.00	0.00
trans - 1,3 - Dichloropropene	0.00	0.00	0.00	0.00
Dichlorotetrafluoroethane	0.00	0.00	0.00	0.00
2,5-Dimethylbenzaldehyde	NA	0.00	0.01	0.00
Ethyl Acrylate	0.00	0.00	0.00	0.00
Ethylbenzene	0.12	0.06	0.22	0.11
Ethyl tert-Butyl Ether	0.00	0.00	0.00	0.00
Formaldehyde	NA	2.68	3.23	2.82

Table 3 (Continued)
New Jersey Air Toxics Summary – 2003

Annual Average Concentration
 ppbv – Parts Per Billion by Volume

Pollutant	Camden Lab ^a	Chester	Elizabeth Lab	New Brunswick
Hexachloro-1,3-Butadiene	0	0.00	0.00	0.00
Hexaldehyde	NA	0.02	0.17	0.04
Isovaleraldehyde	NA	0.00	0.00	0.01
Methylene Chloride	0.11	0.08	0.30	0.13
Methyl Ethyl Ketone	0.60	0.56	1.02	0.65
Methyl Isobutyl Ketone	0.01	0.00	0.01	0.01
Methyl Methacrylate	0.00	0.00	0.03	0.00
Methyl tert-Butyl Ether	0.74	0.15	1.64	0.42
N-Octane	0.03	0.01	0.07	0.01
Propionaldehyde	NA	0.08	0.18	0.15
Propylene	1.23	0.37	3.58	0.76
Styrene	0.02	0.02	0.06	0.02
1,1,2,2 - Tetrachloroethane	0.00	0.00	0.00	0.00
Tetrachloroethylene	0.02	0.02	0.04	0.03
Tolualdehydes	NA	0.02	0.06	0.03
Toluene	0.86	0.55	1.34	0.86
1,2,4-Trichlorobenzene	0	0.00	0.00	0.00
1,1,1 - Trichloroethane	0.01	0.01	0.02	0.01
1,1,2 - Trichloroethane	0.00	0.00	0.00	0.00
Trichloroethylene	0.00	0.00	0.02	0.00
Trichlorofluoromethane	0.30	0.36	0.37	0.30
Trichlorotrifluoroethane	0.10	0.09	0.10	0.10
1,2,4-Trimethylbenzene	0.12	0.04	0.17	0.09
1,3,5-Trimethylbenzene	0.03	0.01	0.05	0.02
Valeraldehyde	NA	0.02	0.12	0.05
Vinyl Chloride	0.00	0.00	0.00	0.00
m,p - Xylene	0.35	0.19	0.68	0.30
o - Xylene	0.14	0.08	0.29	0.13

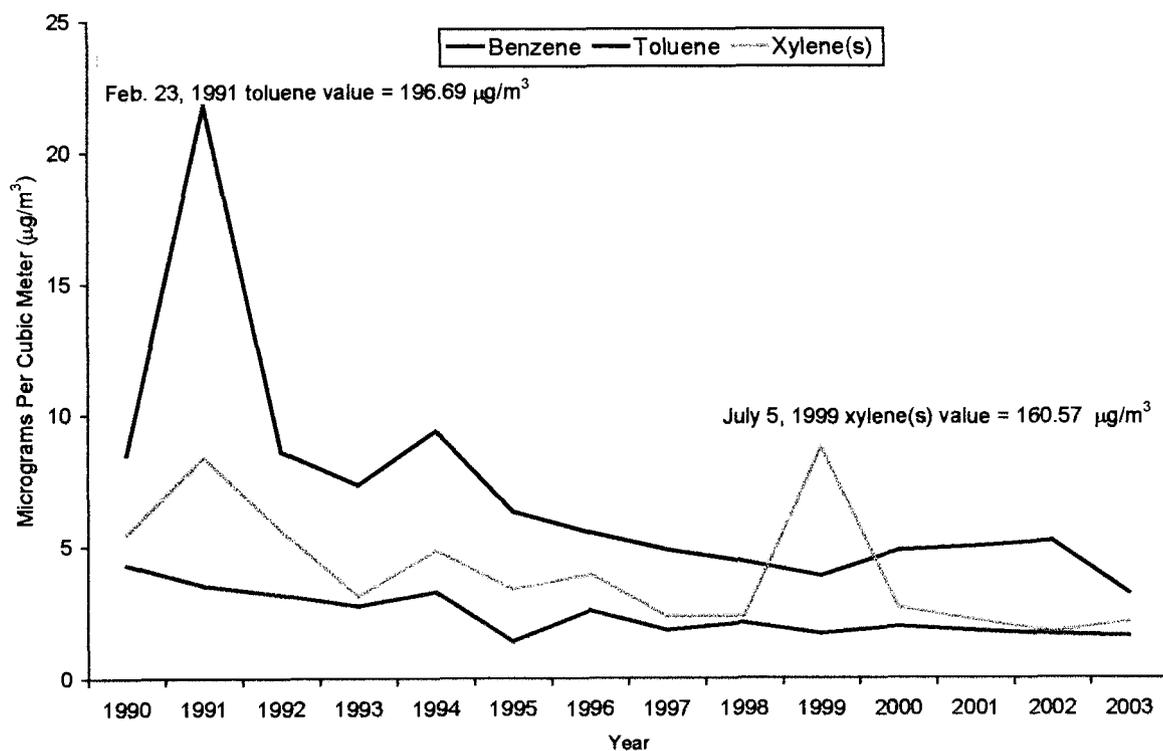
^a Data not available for the 4th quarter of 2003

TRENDS

The site in Camden is the only monitoring location that has been measuring air toxics for an extended period. The graph in Figure 7 shows the change in concentrations for three of the most prevalent air toxics (benzene, toluene, and xylene) from 1990 to 2003. The graph shows that while average concentrations can vary significantly from year to year, the overall trend is downward. High individual

samples may also result in high annual averages in some years. Concentrations of most air toxics have declined significantly over the last ten years. Because air toxics comprise such a large and diverse group of compounds, however, these general trends may not hold for other pollutants in different areas of the state.

Figure 7
Annual Averages for Selected Hazardous Air Pollutants (HAPs) at Camden Lab from 1990-2003



^aData not available for 4th quarter of 2003

Table 4
Air Toxics Data 2003
January – September
Camden Lab, New Jersey

$\mu\text{g}/\text{m}^3$ – Micrograms Per Cubic Meter
ppbv – Parts Per Billion by Volume

Compounds in **Bold** had Annual Mean Concentrations Greater Than Their Accepted Health Benchmark

Pollutant	Detection Limit ppbv	% Detects	Benchmark ¹ $\mu\text{g}/\text{m}^3$	Mean ^{2,3} $\mu\text{g}/\text{m}^3$	Mean ppbv	Max. ppbv	Median ppbv
Acetaldehyde	0.005	100	0.45	NA	NA	2.91	NA
Acetone	0.002	100	30881	NA	NA	1.02	NA
Acetonitrile	0.25	24	60	1.47	0.88	8.83	0.00
Acetylene	0.13	100		1.72	1.61	4.65	1.45
Acrylonitrile	0.21	11	0.015	0.05	0.02	0.34	0.00
tert-Amyl Methyl Ether	0.12	3		0.00	0.00	0.03	0.00
Benzaldehyde	0.003	97		NA	NA	0.05	NA
Benzene	0.04	100	0.13	1.59	0.50	1.30	0.43
Bromochloromethane	0.12	0		0.00	0.00	0.00	0.00
Bromodichloromethane	0.06	0		0.00	0.00	0.00	0.00
Bromoform	0.08	0	0.91	0.00	0.00	0.00	0.00
Bromomethane	0.09	41	5	1.67	0.43	11.09	0.00
1,3-Butadiene	0.07	35	0.033	0.07	0.03	0.21	0.00
Butyl/Isobutylaldehyde	0.011	100		NA	NA	0.44	NA
Carbon Tetrachloride	0.08	89	0.067	0.50	0.08	0.12	0.09
Chlorobenzene	0.06	0	1000	0.00	0.00	0.00	0.00
Chloroethane	0.08	0		0.00	0.00	0.00	0.00
Chloroform	0.05	11	0.043	0.01	0.00	0.04	0.00
Chloromethane	0.05	100	0.56	1.40	0.68	1.03	0.65
Chloromethylbenzene	0.07	0		0.00	0.00	0.00	0.00
Chloroprene	0.01	3	7	0.00	0.00	0.05	0.00
Crotonaldehyde	0.005	94		NA	NA	0.31	NA
Dibromochloromethane	0.08	0		0.00	0.00	0.00	0.00
1,2-Dibromoethane	0.08	0	0.0045	0.00	0.00	0.00	0.00
m – Dichlorobenzene	0.05	0		0.00	0.00	0.00	0.00
o – Dichlorobenzene	0.06	0	200	0.00	0.00	0.00	0.00
p – Dichlorobenzene	0.09	22	0.091	0.08	0.01	0.14	0.00
Dichlorodifluoromethane	0.04	100	200	2.25	0.57	0.90	0.57
1,1 – Dichloroethane	0.08	0	0.63	0.00	0.00	0.00	0.00
1,2 – Dichloroethane	0.06	0	0.000053	0.00	0.00	0.00	0.00
1,1-Dichloroethene	0.1	0	200	0.00	0.00	0.00	0.00
cis-1,2-Dichloroethylene	0.1	0		0.00	0.00	0.00	0.00
trans - 1,2 – Dichloroethylene	0.06	0		0.00	0.00	0.00	0.00
1,2 – Dichloropropane	0.07	0	0.1	0.00	0.00	0.00	0.00
cis -1,3 – Dichloropropene	0.1	0	0.25	0.00	0.00	0.00	0.00
trans - 1,3 – Dichloropropene	0.11	0	0.25	0.00	0.00	0.00	0.00
Dichlorotetrafluoroethane	0.05	0		0.00	0.00	0.00	0.00
2,5-Dimethylbenzaldehyde	0.004	3		NA	NA	0.00	NA

Table 4 (Continued)
Air Toxics Data – 2003
January - September
Camden Lab, New Jersey

$\mu\text{g}/\text{m}^3$ – Micrograms Per Cubic Meter
ppbv – Parts Per Billion by Volume

Compounds in **Bold** had Annual Mean Concentrations Greater Than Their Accepted Health Benchmark

Pollutant	Detection Limit ppbv	% Detects	Benchmark ¹ $\mu\text{g}/\text{m}^3$	Mean ^{2,3} $\mu\text{g}/\text{m}^3$	Mean ppbv	Max. Ppbv	Median Ppbv
Ethyl Acrylate	0.16	0	2	0.00	0.00	0.00	0.00
Ethylbenzene	0.04	89		0.50	0.12	0.29	0.10
Ethyl tert-Butyl Ether	0.15	0		0.00	0.00	0.00	0.00
Formaldehyde	0.016	100	0.077	NA	NA	4.11	NA
Hexachloro-1,3-Butadiene	0.06	0	0.0455	0.00	0.00	0.00	0.00
Hexaldehyde	0.003	100		NA	NA	0.07	NA
Isovaleraldehyde	0.004	3		NA	NA	0.02	NA
Methylene Chloride	0.06	65	2.1	0.39	0.11	0.62	0.09
Methyl Ethyl Ketone	0.15	46		1.77	0.60	6.34	0.00
Methyl Isobutyl Ketone	0.15	11	80	0.04	0.01	0.23	0.00
Methyl Methacrylate	0.18	0	700	0.00	0.00	0.00	0.00
Methyl tert-Butyl Ether	0.18	78	3.8	2.68	0.74	2.41	0.55
N-Octane	0.06	38		0.16	0.03	0.21	0.00
Propionaldehyde	0.005	94		NA	NA	0.18	NA
Propylene	0.05	100	3000	2.12	1.23	4.76	0.83
Styrene	0.07	30	1.8	0.07	0.02	0.12	0.00
1,1,2,2 – Tetrachloroethane	0.06	0	0.017	0.00	0.00	0.00	0.00
Tetrachloroethylene	0.06	30	0.17	0.13	0.02	0.11	0.00
Tolualdehydes	0.009	100		NA	NA	0.08	NA
Toluene	0.06	100	400	3.23	0.86	1.90	0.68
1,2,4-Trichlorobenzene	0.06	0	200	0.00	0.00	0.00	0.00
1,1,1 – Trichloroethane	0.06	35	1000	0.08	0.01	0.19	0.00
1,1,2 – Trichloroethane	0.06	0	0.063	0.00	0.00	0.00	0.00
Trichloroethylene	0.07	8	0.5	0.02	0.00	0.07	0.00
Trichlorofluoromethane	0.04	100	700	1.67	0.30	0.47	0.28
Trichlorotrifluoroethane	0.07	95		0.80	0.10	0.17	0.10
1,2,4-Trimethylbenzene	0.07	92		0.58	0.12	0.31	0.10
1,3,5-Trimethylbenzene	0.07	51		0.15	0.03	0.11	0.02
Valeraldehyde	0.05	94		NA	NA	0.06	NA
Vinyl Chloride	0.06	3	0.11	0.00	0.00	0.06	0.00
m,p - Xylene	0.05	97	100	1.53	0.35	0.87	0.28
o - Xylene	0.05	95	100	0.61	0.14	0.33	0.12

^{1,2,3} See table end notes on Air Toxics page 18

Table 5
Air Toxics Data – 2003
Chester, New Jersey

$\mu\text{g}/\text{m}^3$ – Micrograms Per Cubic Meter
ppbv – Parts Per Billion by Volume

Compounds in **Bold** had Annual Mean Concentrations Greater Than Their Accepted Health Benchmark

Pollutant	Detection Limit ppbv	% Detects	Benchmark ¹ $\mu\text{g}/\text{m}^3$	Mean ^{2,3} $\mu\text{g}/\text{m}^3$	Mean Ppbv	Max. Ppbv	Median ppbv
Acetaldehyde	0.005	100	0.45	1.84	1.02	2.39	0.92
Acetone	0.002	100	30881	2.46	1.04	1.97	1.03
Acetonitrile	0.25	30	60	0.50	0.30	5.11	0.00
Acetylene	0.13	96		0.79	0.74	1.96	0.70
Acrylonitrile	0.21	9	0.015	0.03	0.02	0.33	0.00
tert-Amyl Methyl Ether	0.12	0		0.00	0.00	0.00	0.00
Benzaldehyde	0.003	100		0.12	0.03	0.07	0.02
Benzene	0.04	98	0.13	0.68	0.21	0.45	0.20
Bromochloromethane	0.12	0		0.00	0.00	0.00	0.00
Bromodichloromethane	0.06	0		0.00	0.00	0.00	0.00
Bromoform	0.08	0	0.91	0.00	0.00	0.00	0.00
Bromomethane	0.09	4	5	0.00	0.00	0.02	0.00
1,3-Butadiene	0.07	12	0.033	0.02	0.01	0.26	0.00
Butyr/Isobutyraldehyde	0.011	100		0.33	0.11	0.24	0.10
Carbon Tetrachloride	0.08	86	0.067	0.44	0.07	0.15	0.08
Chlorobenzene	0.06	0	1000	0.00	0.00	0.00	0.00
Chloroethane	0.08	4		0.00	0.00	0.02	0.00
Chloroform	0.05	14	0.043	0.01	0.00	0.03	0.00
Chloromethane	0.05	98	0.56	1.14	0.55	0.74	0.57
Chloromethylbenzene	0.07	2		0.01	0.00	0.12	0.00
Chloroprene	0.01	0	7	0.00	0.00	0.00	0.00
Crotonaldehyde	0.005	96		0.20	0.07	0.45	0.05
Dibromochloromethane	0.08	0		0.00	0.00	0.00	0.00
1,2-Dibromoethane	0.08	0	0.0045	0.00	0.00	0.00	0.00
m - Dichlorobenzene	0.05	0		0.00	0.00	0.00	0.00
o - Dichlorobenzene	0.06	0	200	0.00	0.00	0.00	0.00
p - Dichlorobenzene	0.09	2	0.091	0.00	0.00	0.02	0.00
Dichlorodifluoromethane	0.04	98	200	2.25	0.57	1.19	0.57
1,1 - Dichloroethane	0.08	0	0.63	0.00	0.00	0.00	0.00
1,2 - Dichloroethane	0.06	0	0.000053	0.00	0.00	0.00	0.00
1,1-Dichloroethene	0.1	0	200	0.00	0.00	0.00	0.00
cis-1,2-Dichloroethylene	0.1	0		0.00	0.00	0.00	0.00
trans - 1,2 - Dichloroethylene	0.06	2		0.01	0.00	0.10	0.00
1,2 - Dichloropropane	0.07	0	0.1	0.00	0.00	0.00	0.00
cis -1,3 - Dichloropropene	0.1	0	0.25	0.00	0.00	0.00	0.00
trans - 1,3 - Dichloropropene	0.11	0	0.25	0.00	0.00	0.00	0.00
Dichlorotetrafluoroethane	0.05	0		0.00	0.00	0.00	0.00
2,5-Dimethylbenzaldehyde	0.004	2		0.00	0.00	0.01	0.00
Ethyl Acrylate	0.16	0	2	0.00	0.00	0.00	0.00

**Table 5 – (Continued)
Air Toxics Data – 2003
Chester, New Jersey**

µg/m³ - Micrograms Per Cubic Meter
ppbv - Parts Per Billion by Volume

Compounds in **Bold** had Annual Mean Concentrations Greater Than Their Accepted Health Benchmark

Pollutant	Detection Limit ppbv	% Detects	Benchmark ¹ µg/m ³	Mean ^{2,3} µg/m ³	Mean Ppbv	Max. Ppbv	Median ppbv
Ethylbenzene	0.04	61		0.25	0.06	0.75	0.04
Ethyl tert-Butyl Ether	0.15	0		0.00	0.00	0.00	0.00
Formaldehyde	0.016	100	0.077	3.29	2.68	11.35	2.20
Hexachloro-1,3-Butadiene	0.06	0	0.0455	0.00	0.00	0.00	0.00
Hexaldehyde	0.003	100		0.08	0.02	0.06	0.02
Isovaleraldehyde	0.004	20		0.01	0.00	0.04	0.00
Methylene Chloride	0.06	65	2.1	0.28	0.08	0.48	0.06
Methyl Ethyl Ketone	0.15	54		1.65	0.56	3.84	0.31
Methyl Isobutyl Ketone	0.15	4	80	0.01	0.00	0.14	0.00
Methyl Methacrylate	0.18	2	700	0.02	0.00	0.25	0.00
Methyl tert-Butyl Ether	0.18	61	3.8	0.54	0.15	0.73	0.12
N-Octane	0.06	16		0.06	0.01	0.37	0.00
Propionaldehyde	0.005	100		0.19	0.08	0.21	0.07
Propylene	0.05	96	3000	0.63	0.37	1.18	0.31
Styrene	0.07	18	1.8	0.07	0.02	0.61	0.00
1,1,2,2 - Tetrachloroethane	0.06	0	0.017	0.00	0.00	0.00	0.00
Tetrachloroethylene	0.06	25	0.17	0.13	0.02	0.49	0.00
Tolualdehydes	0.009	98		0.12	0.02	0.06	0.02
Toluene	0.06	100	400	2.06	0.55	10.62	0.30
1,2,4-Trichlorobenzene	0.06	0	200	0.00	0.00	0.00	0.00
1,1,1 - Trichloroethane	0.06	37	1000	0.06	0.01	0.05	0.00
1,1,2 - Trichloroethane	0.06	0	0.063	0.00	0.00	0.00	0.00
Trichloroethylene	0.07	2	0.5	0.00	0.00	0.01	0.00
Trichlorofluoromethane	0.04	98	700	2.03	0.36	3.50	0.28
Trichlorotrifluoroethane	0.07	95		0.69	0.09	0.14	0.10
1,2,4-Trimethylbenzene	0.07	61		0.19	0.04	0.56	0.03
1,3,5-Trimethylbenzene	0.07	26		0.04	0.01	0.21	0.00
Valeraldehyde	0.05	98		0.05	0.02	0.04	0.01
Vinyl Chloride	0.06	0	0.11	0.00	0.00	0.00	0.00
m,p - Xylene	0.05	93	100	0.84	0.19	1.19	0.17
o - Xylene	0.05	75	100	0.35	0.08	0.74	0.07

^{1,2,3} See table end notes on Air Toxics page 18

Table 6
Air Toxics Data – 2003
Elizabeth Lab, New Jersey

$\mu\text{g}/\text{m}^3$ – Micrograms Per Cubic Meter
ppbv – Parts Per Billion by Volume

Compounds in **Bold** had Annual Mean Concentrations Greater Than Their Accepted Health Benchmark

Pollutant	Detection Limit ppbv	% Detects	Benchmark ¹ $\mu\text{g}/\text{m}^3$	Mean ^{2,3} $\mu\text{g}/\text{m}^3$	Mean Ppbv	Max. Ppbv	Median ppbv
Acetaldehyde	0.005	100	0.45	4.13	2.30	7.18	1.80
Acetone	0.002	100	30881	3.02	1.27	5.99	0.88
Acetonitrile	0.25	49	60	2.48	1.48	6.34	0.00
Acetylene	0.13	100		2.29	2.15	8.38	1.57
Acrylonitrile	0.21	6	0.015	0.01	0.01	0.13	0.00
tert-Amyl Methyl Ether	0.12	25		0.10	0.02	0.23	0.00
Benzaldehyde	0.003	98		0.27	0.06	0.38	0.05
Benzene	0.04	100	0.13	1.63	0.51	1.31	0.45
Bromochloromethane	0.12	0		0.00	0.00	0.00	0.00
Bromodichloromethane	0.06	0		0.00	0.00	0.00	0.00
Bromoform	0.08	0	0.91	0.00	0.00	0.00	0.00
Bromomethane	0.09	11	5	0.02	0.00	0.07	0.00
1,3-Butadiene	0.07	70	0.033	0.17	0.08	0.30	0.07
Butyr/Isobutyraldehyde	0.011	98		0.54	0.18	0.92	0.15
Carbon Tetrachloride	0.08	89	0.067	0.46	0.07	0.12	0.08
Chlorobenzene	0.06	0	1000	0.00	0.00	0.00	0.00
Chloroethane	0.08	2		0.00	0.00	0.05	0.00
Chloroform	0.05	25	0.043	0.05	0.01	0.06	0.00
Chloromethane	0.05	100	0.56	1.23	0.60	0.83	0.61
Chloromethylbenzene	0.07	0		0.00	0.00	0.00	0.00
Chloroprene	0.01	0	7	0.00	0.00	0.00	0.00
Crotonaldehyde	0.005	98		0.25	0.09	0.37	0.06
Dibromochloromethane	0.08	0		0.00	0.00	0.00	0.00
1,2-Dibromoethane	0.08	0	0.0045	0.00	0.00	0.00	0.00
m - Dichlorobenzene	0.05	0		0.00	0.00	0.00	0.00
o - Dichlorobenzene	0.06	2	200	0.00	0.00	0.01	0.00
p - Dichlorobenzene	0.09	28	0.091	0.07	0.01	0.08	0.00
Dichlorodifluoromethane	0.04	100	200	2.43	0.61	0.77	0.62
1,1 - Dichloroethane	0.08	0	0.63	0.00	0.00	0.00	0.00
1,2 - Dichloroethane	0.06	0	0.000053	0.00	0.00	0.00	0.00
1,1-Dichloroethene	0.1	2	200	0.01	0.00	0.17	0.00
cis-1,2-Dichloroethylene	0.1	0		0.00	0.00	0.00	0.00
trans - 1,2 - Dichloroethylene	0.06	0		0.00	0.00	0.00	0.00
1,2 - Dichloropropane	0.07	0	0.1	0.00	0.00	0.00	0.00
cis -1,3 - Dichloropropene	0.1	0	0.25	0.00	0.00	0.00	0.00
trans - 1,3 - Dichloropropene	0.11	0	0.25	0.00	0.00	0.00	0.00
Dichlorotetrafluoroethane	0.05	0		0.00	0.00	0.00	0.00
2,5-Dimethylbenzaldehyde	0.004	31		0.04	0.01	0.08	0.00
Ethyl Acrylate	0.16	0	2	0.00	0.00	0.00	0.00

Table 6 – (Continued)
Air Toxics Data – 2003
Elizabeth Lab, New Jersey

$\mu\text{g}/\text{m}^3$ – Micrograms Per Cubic Meter
ppbv – Parts Per Billion by Volume

Compounds in **Bold** had Annual Mean Concentrations Greater Than Their Accepted Health Benchmark

Pollutant	Detection Limit ppbv	% Detects	Benchmark ¹ $\mu\text{g}/\text{m}^3$	Mean ^{2,3} $\mu\text{g}/\text{m}^3$	Mean Ppbv	Max. Ppbv	Median ppbv
Ethylbenzene	0.04	91		0.93	0.22	0.59	0.20
Ethyl tert-Butyl Ether	0.15	0		0.00	0.00	0.00	0.00
Formaldehyde	0.016	100	0.077	3.96	3.23	7.38	3.22
Hexachloro-1,3-Butadiene	0.06	0	0.0455	0.00	0.00	0.00	0.00
Hexaldehyde	0.003	98		0.69	0.17	2.62	0.04
Isovaleraldehyde	0.004	27		0.01	0.00	0.03	0.00
Methylene Chloride	0.06	94	2.1	1.03	0.30	3.90	0.20
Methyl Ethyl Ketone	0.15	79		2.99	1.02	5.85	0.86
Methyl Isobutyl Ketone	0.15	17	80	0.05	0.01	0.14	0.00
Methyl Methacrylate	0.18	8	700	0.10	0.03	0.53	0.00
Methyl tert-Butyl Ether	0.18	94	3.8	5.90	1.64	6.38	1.31
N-Octane	0.06	60		0.34	0.07	0.63	0.05
Propionaldehyde	0.005	98		0.42	0.18	1.46	0.08
Propylene	0.05	100	3000	6.16	3.58	47.50	1.82
Styrene	0.07	49	1.8	0.26	0.06	1.57	0.00
1,1,2,2 - Tetrachloroethane	0.06	0	0.017	0.00	0.00	0.00	0.00
Tetrachloroethylene	0.06	53	0.17	0.27	0.04	0.32	0.03
Tolualdehydes	0.009	100		0.28	0.06	0.28	0.04
Toluene	0.06	100	400	5.06	1.34	3.78	1.25
1,2,4-Trichlorobenzene	0.06	0	200	0.00	0.00	0.00	0.00
1,1,1 - Trichloroethane	0.06	49	1000	0.09	0.02	0.06	0.00
1,1,2 - Trichloroethane	0.06	0	0.063	0.00	0.00	0.00	0.00
Trichloroethylene	0.07	38	0.5	0.10	0.02	0.27	0.00
Trichlorofluoromethane	0.04	100	700	2.07	0.37	1.03	0.32
Trichlorotrifluoroethane	0.07	91		0.74	0.10	0.22	0.10
1,2,4-Trimethylbenzene	0.07	92		0.81	0.17	0.34	0.16
1,3,5-Trimethylbenzene	0.07	72		0.24	0.05	0.13	0.05
Valeraldehyde	0.05	98		0.41	0.12	1.49	0.04
Vinyl Chloride	0.06	2	0.11	0.00	0.00	0.02	0.00
m,p - Xylene	0.05	100	100	2.96	0.68	2.29	0.62
o - Xylene	0.05	94	100	1.27	0.29	0.82	0.27

^{1,2,3} See table end notes on Air Toxics page 18

**Table 7
Air Toxics Data – 2003
New Brunswick, New Jersey**

$\mu\text{g}/\text{m}^3$ – Micrograms Per Cubic Meter
ppbv – Parts Per Billion by Volume

Compounds in Bold had Annual Mean Concentrations Greater Than Their Accepted Health Benchmark

Pollutant	Detection Limit ppbv	% Detects	Benchmark ¹ $\mu\text{g}/\text{m}^3$	Mean ^{2,3} $\mu\text{g}/\text{m}^3$	Mean Ppbv	Max. Ppbv	Median ppbv
Acetaldehyde	0.005	100	0.45	3.24	1.80	4.43	1.50
Acetone	0.002	100	30881	3.03	1.28	6.15	1.15
Acetonitrile	0.25	48	60	1.29	0.77	8.78	0.00
Acetylene	0.13	100		1.51	1.42	5.57	1.20
Acrylonitrile	0.21	8	0.015	0.03	0.01	0.24	0.00
tert-Amyl Methyl Ether	0.12	4		0.00	0.00	0.03	0.00
Benzaldehyde	0.003	100		0.15	0.03	0.10	0.03
Benzene	0.04	100	0.13	1.02	0.32	0.80	0.29
Bromochloromethane	0.12	0		0.00	0.00	0.00	0.00
Bromodichloromethane	0.06	0		0.00	0.00	0.00	0.00
Bromoform	0.08	0	0.91	0.00	0.00	0.00	0.00
Bromomethane	0.09	4	5	0.00	0.00	0.01	0.00
1,3-Butadiene	0.07	32	0.033	0.05	0.02	0.15	0.00
Butyr/Isobutyraldehyde	0.011	100		0.51	0.17	0.46	0.13
Carbon Tetrachloride	0.08	90	0.067	0.49	0.08	0.13	0.08
Chlorobenzene	0.06	0	1000	0.00	0.00	0.00	0.00
Chloroethane	0.08	4		0.01	0.00	0.09	0.00
Chloroform	0.05	28	0.043	0.05	0.01	0.06	0.00
Chloromethane	0.05	100	0.56	1.18	0.57	0.78	0.56
Chloromethylbenzene	0.07	2		0.01	0.00	0.07	0.00
Chloroprene	0.01	0	7	0.00	0.00	0.00	0.00
Crotonaldehyde	0.005	100		0.29	0.10	0.55	0.04
Dibromochloromethane	0.08	0		0.00	0.00	0.00	0.00
1,2-Dibromoethane	0.08	0	0.0045	0.00	0.00	0.00	0.00
m - Dichlorobenzene	0.05	0		0.00	0.00	0.00	0.00
o - Dichlorobenzene	0.06	0	200	0.00	0.00	0.00	0.00
p - Dichlorobenzene	0.09	10	0.091	0.01	0.00	0.05	0.00
Dichlorodifluoromethane	0.04	100	200	2.31	0.58	0.71	0.60
1,1 - Dichloroethane	0.08	0	0.63	0.00	0.00	0.00	0.00
1,2 - Dichloroethane	0.06	0	0.000053	0.00	0.00	0.00	0.00
1,1-Dichloroethene	0.1	0	200	0.00	0.00	0.00	0.00
cis-1,2-Dichloroethylene	0.1	4		0.05	0.01	0.34	0.00
trans - 1,2 - Dichloroethylene	0.06	0		0.00	0.00	0.00	0.00
1,2 - Dichloropropane	0.07	0	0.1	0.00	0.00	0.00	0.00
cis -1,3 - Dichloropropene	0.1	0	0.25	0.00	0.00	0.00	0.00
trans - 1,3 - Dichloropropene	0.11	0	0.25	0.00	0.00	0.00	0.00
Dichlorotetrafluoroethane	0.05	2		0.00	0.00	0.02	0.00
2,5-Dimethylbenzaldehyde	0.004	11		0.01	0.00	0.03	0.00
Ethyl Acrylate	0.16	0	2	0.00	0.00	0.00	0.00

Table 7 – (Continued)
Air Toxics Data – 2003
New Brunswick, New Jersey

$\mu\text{g}/\text{m}^3$ – Micrograms Per Cubic Meter
 ppbv – Parts Per Billion by Volume

Compounds in **Bold** had Annual Mean Concentrations Greater Than Their Accepted Health Benchmark

Pollutant	Detection Limit ppbv	% Detects	Benchmark ¹ $\mu\text{g}/\text{m}^3$	Mean ^{2,3} $\mu\text{g}/\text{m}^3$	Mean Ppbv	Max. ppbv	Median ppbv
Ethylbenzene	0.04	88		0.48	0.11	0.26	0.12
Ethyl tert-Butyl Ether	0.15	0		0.00	0.00	0.00	0.00
Formaldehyde	0.016	100	0.077	3.46	2.82	12.31	1.75
Hexachloro-1,3-Butadiene	0.06	0	0.0455	0.00	0.00	0.00	0.00
Hexaldehyde	0.003	100		0.16	0.04	0.27	0.02
Isovaleraldehyde	0.004	48		0.03	0.01	0.05	0.00
Methylene Chloride	0.06	82	2.1	0.43	0.13	0.55	0.10
Methyl Ethyl Ketone	0.15	56		1.91	0.65	4.31	0.34
Methyl Isobutyl Ketone	0.15	8	80	0.04	0.01	0.20	0.00
Methyl Methacrylate	0.18	0	700	0.00	0.00	0.00	0.00
Methyl tert-Butyl Ether	0.18	78	3.8	1.51	0.42	1.57	0.38
N-Octane	0.06	20		0.06	0.01	0.15	0.00
Propionaldehyde	0.005	100		0.36	0.15	0.57	0.09
Propylene	0.05	100	3000	1.31	0.76	2.12	0.62
Styrene	0.07	42	1.8	0.06	0.02	0.08	0.00
1,1,2,2 - Tetrachloroethane	0.06	0	0.017	0.00	0.00	0.00	0.00
Tetrachloroethylene	0.06	46	0.17	0.18	0.03	0.19	0.00
Tolualdehydes	0.009	100		0.13	0.03	0.11	0.02
Toluene	0.06	98	400	3.24	0.86	2.61	0.79
1,2,4-Trichlorobenzene	0.06	0	200	0.00	0.00	0.00	0.00
1,1,1 - Trichloroethane	0.06	40	1000	0.08	0.01	0.07	0.00
1,1,2 - Trichloroethane	0.06	0	0.063	0.00	0.00	0.00	0.00
Trichloroethylene	0.07	12	0.5	0.02	0.00	0.06	0.00
Trichlorofluoromethane	0.04	98	700	1.70	0.30	0.59	0.28
Trichlorotrifluoroethane	0.07	96		0.76	0.10	0.38	0.10
1,2,4-Trimethylbenzene	0.07	84		0.44	0.09	0.22	0.09
1,3,5-Trimethylbenzene	0.07	54		0.12	0.02	0.09	0.02
Valeraldehyde	0.05	100		0.18	0.05	0.29	0.03
Vinyl Chloride	0.06	0	0.11	0.00	0.00	0.00	0.00
m,p - Xylene	0.05	98	100	1.32	0.30	0.67	0.29
o - Xylene	0.05	94	100	0.58	0.13	0.30	0.14

^{1,2,3} See table end notes on Air Toxics page 18

END NOTES FOR TABLES 4-7

¹ The Health Benchmark is defined as the chemical-specific air concentration above which there may be human health concerns. For a carcinogen (cancer-causing chemical), the health benchmark is set at the air concentration that would cause no more than a one in a million increase in the likelihood of getting cancer, even after a lifetime of exposure. For a non-carcinogen, the health benchmark is the maximum air concentration to which exposure is likely to cause no harm, even if that exposure occurs on a daily basis for a lifetime.

² Individual 24-hour pollutant concentrations were reported by the analyzing laboratory in ppbv (parts per billion by volume) and were converted to $\mu\text{g}/\text{m}^3$ using the following formula:

$$\frac{\mu\text{g}}{\text{m}^3} = \frac{(\text{ppbv})(\text{MolecularWeight})}{24.45}$$

where Molecular Weight is the molecular weight of a pollutant in grams, and 24.45 is the molar volume of an ideal gas in liters at the standard temperature of 25°C.

³ For a valid 24-hour sampling event when the analyzing laboratory reports the term "Not Detected" for a particular pollutant, the concentration of 0.0 ppbv is assigned to that pollutant. These zero concentrations were included in the calculation of annual averages and medians for each pollutant regardless of percent detection.

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EXHIBIT 5



December 21, 2005

New Jersey Lawmakers Protest Bush Admin. Proposal to Increase Aircraft Noise Over Homes and Businesses in New Jersey

By 2011, 500,000 More People in NJ/NY/PA Region Will Be Exposed to Increased Jet Noise

WASHINGTON, DC -- Today, New Jersey lawmakers reacted to a proposal by the Bush administration that would dramatically increase noise from commercial aircraft in northern New Jersey. It is estimated that 500,000 more residents in the NJ/NY/PA region will be exposed to air noise by the FAA proposal.

United States Senators Frank R. Lautenberg (D-NJ), Jon S. Corzine (D-NJ) and Representative Robert Menendez (D-NJ) expressed their concerns over the proposal by the Federal Aviation Administration (FAA).

"Instead of routing more aircraft off the coast, the Bush administration has decided more planes should fly over New Jersey homes and businesses," said Lautenberg. "This plan should be scrapped and the FAA should go back to the drawing board."

"The Bush Administration should be focused on improving the quality of life of the American people, not proposing ideas that undermine it. This latest proposal to route commercial aircraft over cities and towns could affect more than 500,000 people in and around New Jersey. The Bush Administration can do better than this," Corzine said. "At a time when New Jersey residents are subjected to more than their fair share of noise pollution, I am deeply disappointed that the FAA has so quickly dismissed the ocean routing proposal. I urge them to reconsider."

"If this is the best the FAA can come up with, they need to go back and try again. The FAA proposals make no attempt to limit noise for hundreds of thousands of New Jerseyans, and unfairly hit residents in places like Elizabeth, Sparta, and Paulsboro the hardest," said Representative Menendez. "Improving the efficiency of our airspace is critical for the economy, but it should not and cannot happen on the backs of New Jersey's families."

The Federal Aviation Administration (FAA) today released a series of proposals to re-route aircraft in the NY/NJ/PHI area. The FAA's long sought proposal would result in an additional half a million people being exposed to more noise from aircraft - many of whom do not live anywhere near an airport. Other proposals, including routing more aircraft over the ocean where possible, were not fully explored in the FAA's proposal.

In addition, the FAA proposal raises safety concerns by calling for tighter spacing of aircraft. Yet, President Bush has cut hundreds of millions in funding for new air traffic control equipment, and the FAA has not prepared for the impending wave of air traffic controller retirements.

The FAA's proposal can be found the following link:
www.faa.gov/nynjphl_airspace_redesign

[return to Senator Lautenberg's front page](#)



Congressman Donald Payne

Tenth District - New Jersey

For Immediate Release
February 9, 2006

Contact: Kerry McKenney
(202) 225-3436

Payne Opposes FAA Plan Increasing Air Noise

Tenth District Congressman Donald Payne has expressed his opposition to proposals put forth by the Federal Aviation Administration which would significantly increase air noise over communities surrounding Newark International Airport.

“While all of us recognize the importance of reducing delays at major airports, the health and safety of New Jersey residents must come first,” Payne said. “After carefully reviewing the Airspace Redesign Draft Environmental Impact Statement, I am very concerned about the impact on my Congressional District. One of the options put forth by the FAA would result in an increase of three times as much noise over Elizabeth as well as Roselle, Linden and Hillside. This is not a reasonable or balanced approach.”

Payne, a former Chairman of the Congressional Black Caucus, also expressed concern over the fact that the proposed change would have a disproportionate impact on minority communities. “Too many times in the past, minority communities have been subjected to unfair, excessive noise pollution. As a matter of environmental justice, we cannot allow minority communities to bear the brunt of increased air noise.”

Payne said he also plans to discuss the safety element of the redesign with FAA officials. “Many of us still recall the tragic air plane crashes in Elizabeth in the 1950s,” Payne said. “We have to be certain that any change in aircraft patterns maintains high safety standards. We cannot accept any plan that jeopardizes the safety of passengers and local residents.”

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House of Representatives
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**Congressman Steve Rothman's Statement on
FAA Airspace Redesign**

On April 6, a public meeting on the NY/NJ/PA Metropolitan Airspace Redesign Project is taking place in Hasbrouck Heights, NJ. Rep. Steve Rothman's (D-NJ) statement follows:

"It is clear from the Draft Environmental Impact Statement (DEIS) that the Federal Aviation Administration (FAA) ignored New Jersey's main concern for airspace redesign: noise abatement. The Congress directed the FAA to consider both noise abatement and ocean routing in their plan for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign. Instead of taking the Congress and New Jerseyans seriously, the FAA decided to make the lives of an estimated 500,000 people more difficult by significantly increasing the amount of noise that already erodes the quality of life for those of us who hear planes flying over our homes and places of work around the clock.

"Northern New Jersey will be impacted the most by the proposed redesign plans. The towns of Rutherford and Fair Lawn, in my district, are expected to be significantly affected with increased noise from the FAA's proposals. In addition, according to the DEIS, the rest of my constituents will get absolutely no reprieve from the level of noise they hear now.

"I do not believe that the FAA cares in any meaningful way about noise abatement or the quality of life of the people living beneath their airspace.

"I reject the DEIS for Airspace Redesign and I will do everything I can to try and force the FAA back to the drawing board for a new approach that seriously addresses noise abatement. For far too long New Jerseyans have suffered because of the deafening noise of planes overhead, therefore I demand that any plan to alter our airspace seriously address the issue of noise. I urge my constituents to join me in making their opposition to the FAA's proposals known by submitting their comments directly to the FAA."

###

April 18, 2006

The Honorable Marion Blakey
Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Administrator Blakey:

I am writing to express my strong concern about the Federal Aviation Administration's recent Integrated Airspace Proposal and the possible detrimental effects this proposal, an alternative under consideration as part of the airspace redesign, could have on many residents throughout North Jersey.

As you know, I have repeatedly stressed my concerns about the FAA's airspace redesign project in the New York/New Jersey/Philadelphia Metropolitan Area. I continue to believe that the FAA must figure possible adverse increases in noise pollution into their decisions on the locations of the new routes.

Three specific concerns I have with the recent Integrated Airspace Proposal are the low altitude holding patterns that are supposedly located over the arrival gates, the parallel arrival patterns for Newark airport, and the expanded arrival patterns for Newark Airport. These changes could pose dramatic increases in noise pollution for Bergen, Passaic, and Sussex counties – all located in the Fifth Congressional District of New Jersey.

Despite this dramatic impact on Fifth District residents, none of the FAA's public meetings were held there. My constituents deserve to have their views considered as part of this public process. I would appreciate the opportunity to meet with you and the elected officials of the affected communities to discuss this matter. I would also appreciate the FAA considering the addition of at least one public meeting in this area before the June comment deadline.

I recognize that the FAA is primarily concerned with air traffic efficiency and safety, not aircraft noise reduction. Yet, the FAA has determined that aircraft noise pollution is the strongest and most widespread concern raised by the public with regard to the redesign project. I want to reiterate my request that possible changes in aircraft noise play an integral part in FAA's decision making process on its airspace redesign project.

Please contact me or my Senior Legislative Assistant, Chris Russell, at 202-225-4465 to discuss the requested meetings or if you have any questions. I appreciate your prompt attention to this matter and look forward to hearing from you soon.

Sincerely,

Scott Garrett
Member of Congress



NEW JERSEY'S 11TH DISTRICT
Congressman Rodney Frelinghuysen

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FOR IMMEDIATE RELEASE
 April 04, 2006

Frelinghuysen: FAA "Tone Deaf" to Air Noise Impact in Northern Jersey

Congressman to submit statement for FAA public meeting on Airspace Redesign project in

Washington, DC - Rep. Rodney Frelinghuysen (NJ-11) tonight will submit a statement at the Aviation Administration's (FAA) public meeting in Parsippany, NJ, which is being held to discuss the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Draft Environmental Impact Statement (DEIS). A proposed change in flight patterns within the Metropolitan Area will greatly increase air noise in northern New Jersey, according to the FAA's DEIS.

Freeholder Jack Schrier is scheduled to read the following statement for the Congressman, to attend the public meeting because of votes scheduled in the House of Representatives in DC tonight.

"I am angered that despite the \$50 million that I obtained for the FAA airspace redesign project in the New York/New Jersey/Philadelphia Metropolitan Area - the first airspace redesign project of its kind - the FAA continues to ignore air noise concerns and show contempt for Congressional direction.

Over the past 12 years, my colleagues and I on the House Appropriations Committee have asked that air noise reduction be included as a primary factor in the redesign plan.

Knowing that northern New Jersey already sits at the center of the most densely populated country, I have stressed that the \$50 million in federal funding be used to include options that would decrease air noise.

Yet, after reviewing the Draft Environmental Impact Statement, I was outraged that the FAA did not include the reduction of aircraft noise as a formal goal of their regional redesign project.

In fact, it appears that the FAA is "tone deaf" once again to the tremendous impact air noise has on the quality of life.

Let me be clear: No one is suggesting minimizing the importance of passenger safety, traffic flow, or flight delays. But, by totally ignoring the impact of air noise and the viability of ocean route alternatives, the FAA is discounting the significant effect their plans could have on the health and quality of life enjoyed in northern New Jersey."

-000-

Congressman Rodney Frelinghuysen | Representing New Jersey's 11th District

FOR IMMEDIATE RELEASE

April 04, 2006

Frelinghuysen: FAA "Tone Deaf" to Air Noise Impact in Northern New Jersey

Congressman to submit statement for FAA public meeting on Airspace Redesign project in Parsippany

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Freeholder Jack Schrier is scheduled to read the following statement for the Congressman, who is unable to attend the public meeting because of votes scheduled in the House of Representatives in Washington, DC tonight.

"I am angered that despite the \$50 million that I obtained for the FAA airspace redesign project in the New York/New Jersey/Philadelphia Metropolitan Area - the first airspace redesign project of its kind in the nation - the FAA continues to ignore air noise concerns and show contempt for Congressional directives.

Over the past 12 years, my colleagues and I on the House Appropriations Committee have continuously asked that air noise reduction be included as a primary factor in the redesign plan.

Knowing that northern New Jersey already sits at the center of the most densely populated area of the country, I have stressed that the \$50 million in federal funding be used to include options that could decrease air noise.

Yet, after reviewing the Draft Environmental Impact Statement, I was outraged that the FAA failed to include the reduction of aircraft noise as a formal goal of their regional redesign project.

In fact, it appears that the FAA is "tone deaf" once again to the tremendous impact air noise has on our quality of life.

Let me be clear: No one is suggesting minimizing the importance of passenger safety, traffic control issues, or flight delays. But, by totally ignoring the impact of air noise and the viability of ocean routing as a serious alternative, the FAA is discounting the significant effect their plans could have on the health, welfare, and quality of life enjoyed in northern New Jersey."

Internet Link: <http://frelinghuysen.house.gov/cgi-data/press/files/188.shtml>

[First Reprint]

ASSEMBLY JOINT RESOLUTION

No. 88

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED FEBRUARY 6, 2006

Sponsored by:

Assemblyman ERIC MUNOZ

District 21 (Essex, Morris, Somerset and Union)

Assemblyman JOHN F. MCKEON

District 27 (Essex)

Co-Sponsored by:

Assemblyman Connors

SYNOPSIS

Opposes NY/NJ/Philadelphia Metropolitan Airspace Redesign proposals of Federal Aviation Administration.

CURRENT VERSION OF TEXT

As reported by the Assembly Environment and Solid Waste Committee on February 27, 2006, with amendments.



1 **A JOINT RESOLUTION** opposing the New York/New
2 Jersey/Philadelphia Metropolitan Airspace Redesign proposals.
3
4 **WHEREAS**, The basic air traffic structure of the New York/New
5 Jersey/Philadelphia Metropolitan Area airspace was designed and
6 implemented in the 1960s and last modified in 1987 with the
7 Expanded East Coast Plan (EECP); and
8 **WHEREAS**, The EECP proved inadequate in addressing the changes in
9 volume and type of aircraft used by the National Airspace System,
10 and also caused major noise problems that resulted in a
11 congressional mandate in the 1990 Aviation Safety and Capacity
12 Act requiring the Federal Aviation Administration (FAA) to
13 perform an Environmental Impact Study of the EECP and mitigate
14 the noise; and
15 **WHEREAS**, In the 1995 final Environmental Impact Study, the FAA
16 committed to mitigate noise in a “follow-up regional study”; and
17 **WHEREAS**, In 2001, the FAA determined that aircraft noise pollution
18 was the strongest and most widespread concern raised by the
19 public; however, the FAA failed to include the reduction of aircraft
20 noise as a formal goal of its regional redesign project; and
21 **WHEREAS**, On December 20, 2005, the FAA issued a Draft
22 Environmental Impact Statement containing several proposals to
23 redesign the New York/New Jersey/Philadelphia Metropolitan
24 Airspace; and
25 **WHEREAS**, The airspace redesign involves a 31,000 square mile, five-
26 state area with a population of 29 million residents, and 21 airports,
27 with particular focus placed on air traffic operations at five major
28 airports, including Newark Liberty International Airport and
29 Teterboro Airport in New Jersey; and
30 **WHEREAS**, Two of the FAA proposed plans would affect almost
31 190,000 people and the third more than 330,000 people with a
32 substantial noise increase, while benefiting relatively few; and
33 **WHEREAS**, The proposed plans would raise environmental concerns
34 for the State and would cost an estimated \$2.5 billion; and
35 **WHEREAS**, The FAA admits that none of the proposed plans
36 would result in major improvements in delays or throughput; and
37 **WHEREAS**, The New Jersey Coalition Against Air Noise and the
38 Union County Air Traffic Advisory Board oppose these proposals,
39 arguing that the interests of the citizens of New Jersey have not
40 been considered and that the proposals no longer promote aircraft
41 noise reduction; and
42 **WHEREAS**, It is in the best interest of the State to oppose the FAA’s
43 proposal to redesign the New York/New Jersey/Philadelphia
44 Metropolitan Airspace; now, therefore,

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

1 **BE IT RESOLVED** *by the Senate and General Assembly of the*
2 *State of New Jersey:*

3

4 1. **'[This Joint Resolution] The State of New Jersey'** opposes
5 the New York/New Jersey/Philadelphia Metropolitan Airspace
6 Redesign proposals set forth in the Draft Environmental Impact
7 Statement issued on December 20, 2005 by the Federal Aviation
8 Administration.

9

10 2. Duly authenticated copies of this joint resolution shall be
11 transmitted to the President and Vice President of the United States,
12 the Speaker of the United States House of Representatives, the
13 majority and minority leaders of the United States Senate and the
14 United States House of Representatives, each member of Congress
15 elected from this State, and the Administrator of the Federal
16 Aviation Administration.

17

18 3. This joint resolution shall take effect immediately.

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

3/9/2006

WHEREAS, in December 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing Modified and Integrated Airspace proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS, the three FAA promoted all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west; and

WHEREAS, the most heavily promoted alternative, the so called Integrated Airspace with Integrated Control Center has the largest noise impacts and estimated cost of \$2.5 billion dollars:

NOW, THEREFORE, BE IT RESOLVED that the Union County Board of Chosen Freeholders strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the "fanning" of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED that a copies of this resolution be forwarded to federal and state elected officials representing Union County, with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.

NO SUFFICIENCY OF FURTHER
[Signature]
3-3-06

RECORD OF VOTE																	
FREEHOLDER	Aye	Nay	Abs	Pass	Res.	Mot	Sec	NP	FREEHOLDER	Aye	Nay	Abs	Pass	Res.	Mot	Sec	NP
ESTRADA	X								SULLIVAN	X							X
HOLMES	X					X			WARD	X				X			
MAPP	X								KOWALSKI VICE-CHAIR	X							
PROCTOR	X								MIRABELLA CHAIRMAN	X							
SCANLON	X																

APPROVED AS TO FORM
[Signature]
COUNTY ATTORNEY

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Union on the date above mentioned.
[Signature]
CLERK

**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

RESOLUTION NO. 2006-138

RESOLUTION TO PROHIBIT INCREASED AIRPLANE NOISE OVER CRANFORD

WHEREAS, in December 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing "Modified" and "Integrated Airspace" proposals to redesign New York, New Jersey, and Philadelphia Metropolitan Airspace; and

WHEREAS, all three proposals will implement a "westward fanning out" of south-flow departures from New Liberty International Airport (EWR) moving traffic from non-inhabited industrial areas south of EWR and instead directing it over highly populated residential communities including Cranford, NJ; and

WHEREAS, the goal of the proposals is simply to increase capacity and efficiency of air carriers and does not take into account the harmful effects upon the communities impacted; and

WHEREAS, the projected capacity increases are very small, with two proposals offering less than 1% gain and the third proposal offering mid-single-digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS, the proposals discard previous noise abatement efforts and procedures, add a second layer of air flight over Cranford, and are expected to substantially increase the current airplane noise levels for the more than 23,000 residents of Cranford as well as hundreds of thousands of neighboring residents within our county, as well as the rest of the New York, New Jersey, and Philadelphia metropolitan areas, while benefiting relatively few; and

WHEREAS, the proposed actions would have obvious and significant negative impacts on Cranford residents directly affecting quality of life, property values, air pollution, hearing, and wellbeing; and

WHEREAS, the proposals would negatively impact from 4 to 7.2 times the 45,622 people found impacted by the 1987 Expanded East Coast Plan (EECP) which caused widespread outcry and led Congress to require, through the 1990 Aviation Safety and Capacity Expansion Act, the FAA to perform an EIS and mitigate the noise; and

WHEREAS, the FAA committed in the 1995 final EECP EIS to attempt EECP noise mitigation in a "follow on regional study" and in 2001 they determined that aircraft noise pollution was the strongest and most widespread concern raised by the public, yet failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, the proposed plans would raise environmental concerns for the state and would cost an estimated \$2.5 billion; and

WHEREAS, the FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, numerous surrounding towns, the Union County Board of Freeholders, the New Jersey State Assembly (resolution sponsored by Assemblyman Munoz and supported by Assemblyman Bramnick), U.S. Senators Lautenberg and Menendez, and Governor Corzine are in accordance with our concerns regarding this serious issue impacting residents; and

WHEREAS, the New Jersey State Senate Transportation Committee is currently considering a related resolution sponsored by New Jersey State Senators Kean and Scutari; and

WHEREAS, the New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interest of the residents of New Jersey have not been considered and that the proposals no longer promote airplane noise reduction; now therefore

BE IT RESOLVED, that the Township of Cranford strongly opposes the FAA's Modified and Integrated Airspace proposals, especially the proposal's "westward fanning out" of south-flow departures from EWR; and

BE IT FURTHER RESOLVED, that copies of this resolution will be forwarded to the Union County Board of Chosen Freeholders, as well as our State Assemblymen Munoz and Bramnick, State Senator Kean, U.S. Congressman Ferguson, U.S. Senators Lautenberg and Menendez, Governor Corzine, President Bush, and the Administrator of the FAA, with recommendation that they take and/or continue to take all reasonable measures to oppose and prevent implementation of the FAA proposals.

Certified to be a true copy of a resolution adopted by the Township Committee of the Township of Cranford at a meeting held March 28, 2006.


Rosalie Hellenbrecht, RMC
Township Clerk

Dated: 3/29/06

STATEMENT OF MAYOR J. CHRISTIAN BOLLWAGE IN OPPOSITION TO THE DRAFT ENVIRONMENTAL IMPACT STATEMENT PROPOSED BY THE FEDERAL AVIATION ADMINISTRATION

Thursday, February 23, 2006
Elizabeth Public School # 1
250 Broadway
Elizabeth, New Jersey
6:30 pm – 9:00 pm

COMMENTS:

- My name is Chris Bollwage, and I am the Mayor of the City of Elizabeth.
- Tonight, I will deliver my statement in opposition to the Draft Environmental Impact Statement proposed by the Federal Aviation Administration.
- The City of Elizabeth is the fourth largest municipality in the State of New Jersey, with a population of 124,724, according to the 2004 Census estimate.
- The City of Elizabeth is the Union County Seat, home to more than 30 educational institutions, the Jersey Gardens Mall, Trinitas Hospital, Union County College, several senior citizen centers, libraries, and numerous day care and social services facilities.
- Located in close proximity to the entire tri-state area, Elizabeth maintains thriving business districts, and an award-winning Urban Enterprise Zone.
- In addition to its designation as an economic development destination, Elizabeth is also a transportation hub - home to two Rail Stations, which transport riders on the North Jersey Coast Line and the Northeast Corridor Line, Port Newark/Elizabeth, as well as substantial portions of the Newark Liberty International Airport property, including the entire Terminal A and a hub of Terminal B.
- A segment of runways 22 L and R, including the takeoff and landing routes for these runways are also located within the City of Elizabeth.
- The City of Elizabeth is at the heart of the most significantly impacted area of airplane noise in the State of New Jersey, and most likely -- in the entire tri-state area.
- Because of its proximity to Newark Airport, many portions of the City of Elizabeth are already beyond the FAA's maximum threshold of 65 D.N.L. for noise.
- Any increase in airplane noise triggers great concern for the City of Elizabeth.

- In 1995 and 1996, the City of Elizabeth led the fight against the Federal Aviation Administration's plans to deflect the flow of airplane traffic from Staten Island directly over the City of Elizabeth.
- The FAA's routing change at that time unfairly shifted the burden of airplane traffic over the City of Elizabeth. In fact, that "190 degree noise abatement maneuver," which intended to lessen airplane noise over Staten Island, had the opposite effect on the City of Elizabeth.
- Because Staten Island would not share the burden of the airplane noise, the residents of the City of Elizabeth were unfairly and significantly impacted with late night rumblings overhead and window shaking vibrations. These problems, I regret to inform you, continue today.
- In 1995, the FAA demonstrated little regard for the residents of Elizabeth.
- Today, more than a decade later, the FAA has issued its Draft Environmental Impact Statement ("DEIS"), and again has shown a blatant disregard and lack of consideration for the health and quality of life of the residents of Elizabeth.
- According to the FAA, the purpose behind issuing this Draft Environmental Impact Statement is to effectively and efficiently modernize airplane traffic at Newark Airport.
- The FAA's DEIS may seek to increase the efficiency of airspace utilization; however, what the Statement actually increases is the already heightened level of airplane noise, resulting in an adverse effect on the quality of life of Elizabeth's residents, under the guise of modernization and efficiency.
- Included in this most recent Draft Environmental Impact Statement are five proposed plans:
 1. The Future No Action Option
 2. The Ocean Routing Airspace Option
 3. The Modifications to Existing Airspace Alternative Option
 4. The Integrated Airspace Alternative without Integrated Control Complex (ICC) Option, and the
 5. Integrated Airspace Alternative with ICC Option
- What is particularly troubling is that the DEIS, which is several hundred pages long, contains only a few select paragraphs on noise exposure over the City.
- The changes proposed in these plans ignore current noise abatement techniques and disregard the profound negative noise impact on the residents of Elizabeth.
- These proposed plans drastically impact the large urban minority and low income population of the City of Elizabeth.

- The FAA needs to effectively address the measure of environmental justice as it relates to this segment of the population in Elizabeth. Yet, the FAA continues to act in a deplorable fashion by not releasing these measures until the Final Environmental Impact Statement.
- If the FAA has submitted the DEIS under the guise of modernization and efficiency, then it has essentially singled out the Future No Action and Ocean Routing plans as condemned from the start. That, too, is unacceptable.
- The residents of the City call on the FAA to view these two plans as serious options and not just “pie in the sky.”
- In the 1950’s there were several horrific plane crashes that occurred in the City of Elizabeth. In 1951, Miami Airlines C-46 crashed into the Elizabeth River killing 56 people. In 1951, American Airlines Convair crashed into Elizabeth, killing 7 residents and 23 individuals on the plane. In 1952, National Airlines DC-6 crashed in the City of Elizabeth, killing 26 people.
- With critical historical events such as this, why would the FAA subject the City of Elizabeth to increased risk?
- The City does not and will not support plans that severely, deliberately, and adversely impact the residents of the City of Elizabeth.
- With an expected increase of more than 40% in airplane traffic throughout the tri-state area over the next ten years, the residents of the City implore the FAA not to force feed a plan, but rather to work to ensure that a responsible and quality course of action is implemented.
- These critical concerns must be addressed in an effort to remedy the deteriorating quality of life that will result from increased noise pollution.
- The City of Elizabeth is therefore requesting that the FAA release any proposed mitigative and environmental justice remedial measures prior to the issuance of the Final Environmental Impact Statement so that the residents will have an opportunity to review and comment on these measures.
- The millions of dollars the FAA is spending to minimize delays is ridiculous. The minutes saved do not and cannot justify the expense and noise. After all, the FAA is forcing our community to hire an expert at Taxpayer expense for eventual court proceedings in order to protect the City’s interests.
- Environmental justice is for the people living around the airports - not so the FAA and airlines can save a few minutes and fuel.

- I would like to thank Senators Lautenberg and Menendez, Congressman Payne, the Union County Board of Chosen Freeholders and the City Council of the City of Elizabeth for their public support in opposition of any plan furthered by the FAA which would increase airplane noise over the City of Elizabeth.
- Doesn't the FAA think it means something when two U.S. Senators, Members of Congress, and hundreds of thousands of people say you have a bad idea?
- When is the FAA going to start listening and to whom? Obviously the FAA won't listen to our senators, legislators, representatives, and the residents who are directly impacted - so who will it take?
- Will the FAA wait for more disasters to occur, such as the ones in Elizabeth during the 1950's, before the appropriate action is taken?
- The City of Elizabeth will not sit idle while the FAA displays a blatant disregard for the residents of our City and continues to take advantage of an already crucial situation.

--30--

R-06-064

RESOLUTION OPPOSING METRO AIRSPACE RE-DESIGN PROPOSALS

WHEREAS, in December of 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing "Modified" and "Integrated Airspace" proposals to redesign the New York/New Jersey/Philadelphia Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realized in practice; and

WHEREAS, the three FAA promoted proposals all include a "fanning" of south flow departures from Newark Liberty Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 22,000 residents of Hillside and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west; and

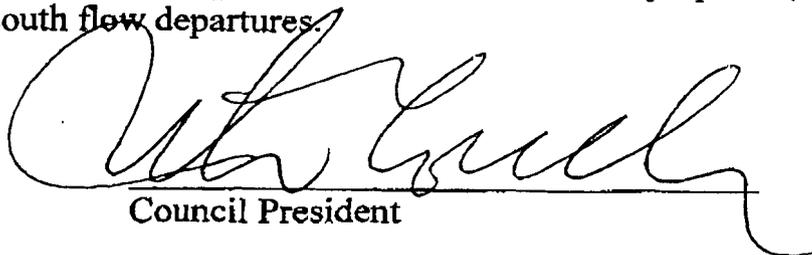
WHEREAS, the most heavily promoted alternative, the so called, "Integrated Airspace with Integrated Control Center" has the largest noise impacts and an estimated \$2.5 billion dollars; and

WHEREAS, simultaneous arrival procedures as proposed in the DEIS would move large turbojet departures to relatively short EWR Runway 29 increasing noise and reducing safety to Hillside.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Hillside strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the fanning of EWR south flow departures that are part of these proposals; and

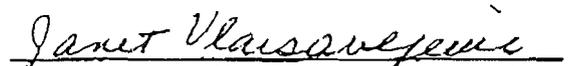
BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Union County Board of Chosen Freeholders, with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.

Adopted:: March 14, 2006



Council President

Attest:


Janet Vlasisavljevic, Township Clerk

RESOLUTION

No. 10 Kenilworth, N.J. April 12, 2006
 Introduced by Frederick Soos
 Adoption moved by same
 Seconded by Anthony DeLuca

WHEREAS, In December 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing Modified and Integrated Airspace proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain; and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice, and

WHEREAS, the three FAA promoted all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west; and

WHEREAS, the most heavily promoted alternative, the so called Integrated Airspace with Integrated Control Center has the largest noise impacts and estimated cost of \$2.5 billion dollars.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Board of Kenilworth strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the "fanning" of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to federal and state elected officials representing Union County, with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.

BOROUGH OF KENILWORTH	
APR 12 2006	
ROLL CALL	
GLENN	✓
	✓
	✓
	✓
	✓
	✓
	✓
	✓
	✓

Approved *Anthony DeLuca* Mayor
 Date April 12, 2006

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-136-06Date of Adoption MAY 8 2006

A RESOLUTION OPPOSING METRO AIRSPACE REDESIGN PROPOSALS

Factual Contents Certified to by

WHEREAS, in December of 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing "Modified" and "Integrated Airspace" proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS, the three FAA promoted proposals all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west; and

WHEREAS, the most heavily promoted alternative, the so called, "Integrated Airspace with Integrated Control Center" has the largest noise impacts and an estimated cost of \$2.5 billion dollars;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Rahway strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the fanning of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Union County Board of Chosen Freeholders, with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.

M-Scaturo

S-Brown

Certified to be a true copy of a resolution adopted by the Municipal Council of the City of Rahway at the Regular Meeting held on 5/8/06.

YES: Brown, Janusz, Mione, Rachlin, Saliga, Scaturo, Steinman, Wenson Maier

ABSENT: Jones


Clerk

RESOLUTION NO. 49-06

BY: COUNCILMEMBER

Rubilla

WHEREAS, on March 2, 2006 Assembly Joint Resolution 88 sponsored by Assemblyman Eric Munoz and Assemblyman John McKeon which opposes NY/NJ/ Philadelphia Metropolitan Airspace Redesign proposals of Federal Aviation Administration. was overwhelming approved by the General Assembly and now heads for the Senate for consideration,

WHEREAS, the basic air traffic structure of the New York/New Jersey/ Philadelphia Metropolitan Area airspace was designed and implemented in the 1960's and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, the EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the EECP and mitigate the noise; and

WHEREAS, in the 1995 final Environmental Impact Study, the FAA committed to mitigate noise in a "follow-up regional study"; and

WHEREAS, in 2001, the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public; however, the FAA failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, on December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, the airspace design involves a 31,000 square mile, five-state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, two of the FAA proposals would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, the proposed plans would raise environmental concerns for the State and would cost an estimated \$2.5 billion; and

WHEREAS, the FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, the New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, it is in the best interest of the State to oppose the FAA's proposal to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; now, therefore

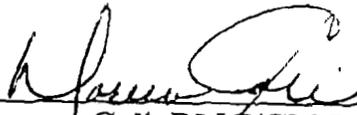
BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that:

1. This resolution opposes the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals set forth in the Draft Environmental Impact Statement issued on December 20, 2005 by the Federal Aviation Administration.
2. Duly authenticated copies of this resolution shall be transmitted to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of Congress elected from this State, 21 municipalities of Union County, Union County Legislature and the Administrator of the Federal Aviation Administration.

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Roselle Park support AJR88 and urge members of the State Senate and Governor Corzine to approve a similar measure

ADOPTED: March 16, 2006

I hereby certify that the foregoing resolution was adopted by the Council on March 16, 2006



 Doreen Cali, RMC/CMC
 Borough Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
DEIORIO						
BADILLO		✓	✓			
HARMS			✓			
MATARANTE			✓			
ZEGLARSKI			✓			
RUBILLA	✓		✓			
DINARDO			✓			
ON CONSENT AGENDA		✓	YES	NO		

132
84-06

RESOLUTION

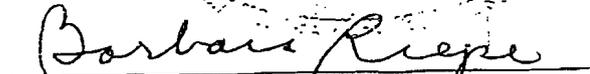
- WHEREAS,** in December 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing Modified and Intergrated Airspace proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace, and
- WHEREAS,** these proposals would dramatically increase noise for 187,000 to 330,000 Residents over the tri-state area and New Jersey, while benefiting relatively few, and
- WHEREAS,** projected capacity increases are very small, with two proposals offering Less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice, and
- WHEREAS,** the three FAA promoted plans all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding more noise for adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west, and
- WHEREAS,** the most heavily promoted alternative, the so called Integrated Airspace with Integrated Control Center has the largest noise impacts and estimated cost of \$2.5 billion dollars.
- NOW, THEREFORE, BE IT RESOLVED** that the Township of Scotch Plains opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the "fanning" of EWR south flow departures that are parts of these proposals; and
- BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Union County Board of Chosen Freeholders, and to Federal and State elected officials representing Union County, with a recommendation that our State Officials take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.

Dated: April 11, 2006

TOWNSHIP OF SCOTCH PLAINS


Barbara Riepe, Township Clerk

This is to certify that this is a true and exact copy of a resolution adopted on April 11, 2006 by the Township Council of the Township of Scotch Plains.


Barbara Riepe, Township Clerk

RESOLUTION OPPOSING METRO AIRSPACE REDESIGN PROPOSALS
UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD

WHEREAS, in December of 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing "Modified" and "Integrated Airspace" proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS, the three FAA promoted proposals all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west; and

WHEREAS, the most heavily promoted alternative, the so called, "Integrated Airspace with Integrated Control Center" has the largest noise impacts and an estimated cost of \$2.5 billion dollars,

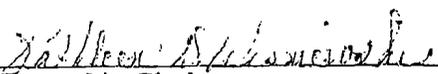
NOW, THEREFORE, BE IT RESOLVED, that the Union County Air Traffic Noise Advisory Board strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the fanning of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Union County Board of Chosen Freeholders, with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.



Mayor/Chairperson, Township Committee

Adopted:
February 14, 2006



Township Clerk

**RESOLUTION OPPOSING
METRO AIRSPACE REDESIGN
PROPOSALS**

March 7, 2006

WHEREAS, in December of 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing "Modified" and "Integrated Airspace" proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace, and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few, and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice, and

WHEREAS, the three FAA promoted proposals all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west, and

WHEREAS, the most heavily promoted alternative, the so called, "Integrated Airspace with Integrated Control Center" has the largest noise impacts and an estimated cost of \$2.5 billion dollars, and

WHEREAS, prior proposals to modify arrival and departure patterns Newark Liberty International Airport would have had a negative affect on the quality of life for Summit residents as well as all residents along the route patterns, and

WHEREAS, reasonable approaches were then taken to address the needs of the Airport and the air transportation industry while limiting any additional negative affects on Summit and the other effected towns.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

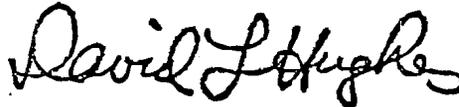
1. That it strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the fanning of Newark Liberty International Airport south flow departures that are parts of these proposals.

2

2. That a copy of this resolution be forwarded to the Federal Aviation Administration, Senator's Menendez and Lautenberg, Congressmen Ferguson and Frelinghuysen, Governor Corzine, Senator Kean and Assemblymen Braunick and Munoz, Union County Board of Chosen Freeholders and all Union County Municipalities.

Dated: March 7, 2006

I, David L. Hughes, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at a regular meeting held on Tuesday evening, March 7, 2006.



City Clerk

Resolution No. 2006-102
Twp. Mtg. March 28, 2006

RESOLUTION

WHEREAS, on March 2, 2006 Assembly Joint Resolution 88 which opposes NY/NJ/Philadelphia Metropolitan Airspace Redesign proposals of the Federal Aviation Administration was overwhelmingly approved by the General Assembly and now heads for the Senate for consideration; and

WHEREAS, the basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960's and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, the EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the EECP and mitigate the noise; and

WHEREAS, on December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, the airspace design involves a 31,000 square mile, five state area with a population of 29 million residents, and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, two of the FAA proposals would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, the proposed plans would raise environmental concerns for the State, would cost an estimated \$2.5 billion and all proposals included a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities in Union County rather than directing air traffic over the Atlantic Ocean; and

WHEREAS, the FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, the New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, it is in the best interest of the Township of Union to oppose the FAA's proposal to redesign the New York/ New Jersey/ Philadelphia Metropolitan Airspace.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Township of Union, County of Union, State of New Jersey does hereby oppose the FAA proposed Modified and Integrated Airspace proposals and especially opposes "fanning" of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to all federal and state officials representing Union County and all Union County municipalities.

I, **EILEEN BIRCH**, Township Clerk of the Township of Union, in the County of Union, State of New Jersey, do hereby certify that the above is a true copy of RESOLUTION NO. 2006-102 , passed at a REGULAR TOWNSHIP COMMITTEE meeting of said Township, held on the 28th day of March, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Township of Union, this 28th day of March, 2006.



EILEEN BIRCH,
Township Clerk

Approved as to form by
Daniel Antonelli, Township Attorney

RESOLUTION

2006-143

PUBLIC SAFETY, TRANSPORTATION, AND PARKING COMMITTEE APRIL 18, 2006

WHEREAS, in December 2005, the Federal Aviation Administration (FAA) issued a Draft Environmental Impact Statement (DEIS) containing Modified and Integrated Airspace proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, these proposals would dramatically increase noise for 187,000 to 330,000 residents over the tri-state area and New Jersey, while benefiting relatively few; and

WHEREAS, projected capacity increases are very small, with two proposals offering less than 1% gain, and the third offering mid single digit percent gains that depend on questionable assumptions that may not be realizable in practice; and

WHEREAS, the three FAA promoted all include a "fanning" of south flow departures from Newark Liberty International Airport (EWR) which discards previous noise abatement procedures and moves traffic from non-inhabited industrial areas south of EWR to direct it over heavily populated residential communities of New Jersey, yielding a two to three fold increase in over-flight noise for 70,000 residents of Elizabeth and adjacent communities, with disproportionate impact to minorities, and further negative effects on Union County communities further west; and

WHEREAS, the most heavily promoted alternative, the so called Integrated Airspace with Integrated Control Center has the largest noise impacts and estimated cost of \$2.5 billion dollars;

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield Town Council strongly opposes the FAA proposed Modified and Integrated Airspace proposals and especially opposes the "fanning" of EWR south flow departures that are parts of these proposals; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to federal and state elected officials representing the Town of Westfield with recommendation that they take all reasonable measures to oppose and prevent implementation of the FAA proposals, particularly the "fanning" of EWR south flow departures.

REFERENCES

Most of the following should be available to the FAA. Where noted, the reference is being supplied with this submission in hard copy or CD form.

- [ATA] RNAV: Building Highways in the Sky. Air Transport Association (ATA) article dated May 10, 2005. [supplied as hard copy]
- [BELL] M. Bell, et al. "Ozone and Short-Term Mortality in 95 US Urban Communities, 1987 – 2000," JAMA, Vol. 292, No. 19, November 17, 2004.
- [CCAP03] "Controlling Airport-Related Air Pollution" Northeast States for Coordinated Air Use Management, Center for Clean Air Policy (CCAP), June 2003. [on CD]
- [CCAP05] J. Schmidt, "Aircraft NOx Emissions: Analysis of New Certification Standard and Options for Introducing an Airport Bubble" the Center For Clean Air Policy (CCAP), February 2005. [on CD]
- [DAM] J. Damato, "Reduce East Coast Departure Delays, Fly the Offshore Routes," NBAA Presentation, 9/29/05. [on CD]
- [EPA74] Environmental Protection Agency, "Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety," U.S. Environmental Protection Agency ONAC 550/9-74-004, Washington, DC.
- [EPA99] United States Environmental Protection Agency (EPA) "Evaluation of Air Pollutant Emissions from Subsonic Commercial Jet Aircraft, April 1999." [on CD]
- [FAA76] Federal Aviation Administration, "Aviation Noise Abatement Policy," November 18, 1976.
- [FAA95] Federal Aviation Administration, "Final Environmental Impact Statement, Expanded East Coast Plan, Changes in Aircraft Flight Patterns Over the State of New Jersey."
- [FAA96A] Federal Aviation Administration, "Record of Decision, Final Environmental Impact Statement, Expanded East Coast Plan, Changes in Aircraft Flight Patterns Over the State of New Jersey," 1995-1996.
- [FAA96B] Federal Aviation Administration, Eastern Region, "Runways 22 Left and Right Modified Standard Instrument Departure Procedure, Record of Decision and Finding of No Significant Impacts," 1995-1996.
- [FAA99A] Federal Aviation Administration, "Changes in Air Traffic Procedures for Runway 22L and 22R Newark International Airport, Newark New Jersey, Environmental

Assessment,” Prepared by KM Chang Environmental Inc. and Ricondo & Associates, Inc., May 11, 1999. [supplied as hard copy]

- [FAA99B] Federal Aviation Administration, “New York/New Jersey Metropolitan Area Airspace Redesign Project, “ First Newsletter, 1999. [on CD]
- [FAA00A] Federal Aviation Administration and Port Authority of New York and New Jersey, “Newark International Airport Capacity Enhancement Plan,” May 2000 [on CD]
- [FAA00B] Federal Aviation Administration, “Aviation Noise Policy 2000,”
- [FAA02] US Department of Transportation, Federal Aviation Administration, National Airspace System Operational Evolution Plan, A Foundation for Capacity Enhancement 2003 – 2013, Version 5.0, December 2002 (Section AD-3.2). [on CD]
- [FAA03B] Federal Aviation Administration, “Roadmap for Performance Based Navigation, Evolution for Area Navigation (RNAV) and Required Navigation Performance (RNP) 2003 – 2020,”Version 1.0, July, 2003. [on CD]
- [FAA03C] Federal Aviation Administration, “New York Integrated Control Complex (NYICC) Concept of Operations, “ December 2003 [on CD]
- [FAA03D] Federal Aviation Administration, 2003 Aviation Capacity Enhancement (ACE) Plan, Chapter 5, Page 51 [on CD]
- [FAA03E] Federal Aviation Administration, Office of the Inspector General, letter to U.S. Congressman Ferguson giving the results of audit of the Robinsville-Yardley “flip-flop,” May 16, 2003. [on CD]
- [FAA03F] Federal Aviation Administration, Quarterly Report to Congress, Status of the NY/NJ/PHL Metropolitan Airspace Redesign, May 5, 2003. [on CD]
- [FAA04] Federal Aviation Administration, Quarterly Report to Congress, Status of the NY/NJ/PHL Metropolitan Airspace Redesign, March 26, 2004. [on CD]
- [FAA05A] Federal Aviation Administration, Application and Priorities for Performance Based Navigation, February 2005 [on CD]
- [FAA05B] Federal Aviation Administration, Office of the Inspector General, “Airspace Redesign Efforts Are Critical To Enhance Capacity but Need Major Improvements,” May 13, 2005. [supplied as hard copy]
- [FAA05C] FAA Florida Airspace Optimization Briefing dated September 29, 2005 [supplied as hard copy]

- [FAA05D]] Federal Aviation Administration, Quarterly Report to Congress, Status of the NY/NJ/PHL Metropolitan Airspace Redesign, December 20, 2005. [on CD]
- [FAANYICC] Project definition of the NYICC concept from FAA Internet site [supplied as hard copy]
- [FID] S. Fidell; "The Schultz Curve 25 Years Later: A Research Persepective," J. Acoust.Soc. Am. 114 (6), Pt. 1, Dec 2003.
- [GAO] United States General Accounting Office, "AIRCRAFT NOISE, Implementation of FAA's Expanded East Coast Plan," August 1988. . [supplied as hard copy]
- [HAR88] Harris Miller Miller and Hansen Inc., "Noise from Expanded East Coast Plan Operations," Report Submitted to the Port Authority of New York and New Jersey, November 1988. [supplied as hard copy]
- [HAR90] R. Miller, K. Larson, R. Montgomery, M. Eagan, "Noise From Expanded East Coast Plan Operations, Supplemental Analysis of Cranford and Scotch Plains, New Jersey," Report Submitted by HARRIS Miller Miller and Hanson, Inc. to Port Authority of New York and New Jersey, August 1990. [supplied as hard copy]
- [HARVARD] Paul R. Epstein, M.D., M.P.H. and Christine Rogers, Ph.D., " Inside the Greenhouse - The Impacts Of CO2 And Climate Change On Public Health In The Inner City," Report from the Center for Health and the Global Environment, Harvard Medical School, April, 2004. [on CD]
- [ICAO] International Civil Association Organization (ICAO) conference in Lima, Peru from May 10-14, 2005. Slide show from conference on RNAV implementation. [on CD]
- [IG00] US Department of Transportation, Office of the Secretary of Transportation, Office of the Inspector General, " Report on the FAA's Use of RTCA, Inc, as an Advisory Committee," AV-2000-095, May 15, 2000 [on CD]
- [KAL] Timon, Kalpaxis, Steve Kelley, "New York Integrated Control Complex: Maximizing Airspace Capacity," Transportation Research Board 82nd Annual Meeting, Washington DC, January, 2003. [supplied as hard copy]
- [KNOX] E.G. Knox, "Oil Combustion and Childhood Cancers," J. Epidemiol Comm Health, 2005; 59: 755-760.
- [MAG] S. Magyarits, P. Kopardekar, N. Sacco, K. Carmen, "Simultaneous Offset Instrument Approaches at Newark International Airport," U.S. Department of Transportation, Federal Aviation Administration, DOT/FAA/CT-TN02/01, Document available through National Technical Information Service, Springfield, Va., 22161. [on CD]

- [MAS99] P. Massimini [MITRE], T. Stull [Continental Airlines], "Using TAAM in Airline Operations and TAAM Analysis of EWR Capacity for Parallel Arrivals," slides presented to Transportation Research Board, January 9, 1999. [on CD]
- [MAS00] P. Massimini [MITRE], T. Stull [Continental Airlines], "Using TAAM in Airline Operations and TAAM Analysis of EWR Capacity for Parallel Arrivals," Airport-Airspace Simulations for Capacity Evaluation, Transportations Research Board 79th Annual Meeting Workshop, Jan 9, 2000, Washington DC, Transportation Research Circular E-C3035. [on CD]
- [NJCAAN] "Newark Airport Capacity and Delay Analysis for NJCAAN Aircraft Noise Mitigation Proposal," prepared by Geospec Inc. for New Jersey Citizens for Environmental Research, Inc, Final Report, July, 1994. [supplied as hard copy]
- [NJDEPA] New Jersey Department of Environmental Protection, "2003 Ozone Summary" [on CD]
- [NJDEPB] New Jersey Department of Environmental Protection, "Aviation Emissions Inventory" [Excel worksheet supplied on CD]
- [NJIT] New Jersey Institute of Technology, "Strategies to Evaluate Aircraft Routing Plans," January 28, 1999, <http://www.njit.edu/old/Home/noise/>, (pp. 8, Recommendation 5)
- [PA87] Port Authority of NY and NY, "Study of Runway 22 Departure Procedures and Associated Noise Impacts at Newark International Airport," presented by Broadwater Associates, Carpenter Environmental Associates, Landrum and Brown, November 20, 1987. [supplied as hard copy]
- [PA89] "Runway 4 Departure Procedures and Associated Noise Impacts Newark International Airport," KPMG Peat Marwick report prepared for the Port Authority of New York and New Jersey, March 1989. [supplied as hard copy]
- [PA95] Leigh Fisher Associates, "Final Environmental Assessment Modified Departure Procedure for Runways 22L and 22R Newark International Airport," Report prepared for Port Authority of New York and New Jersey, June 1995. [supplied as hard copy]
- [SOLECKI-A] Drs. William Solecki and Cynthia Rosenzweig "The Urban Heat Island in the Greater Newark and Camden Regions of New Jersey: Current and Future Dimensions" slide show [on CD]
- [SOLECKI-B] Drs. William Solecki and Cynthia Rosenzweig "The Urban Heat Island in the Greater Newark and Camden Regions of New Jersey: Current and Future Dimensions" report [on CD]

[STAPPA] State and Territorial Air Pollution Program Administrators (STAPPA) and Association of Local Air Pollution Control Officials (ALAPCO) letter dated November 22, 2004 to the EPA and FAA [on CD]

[STAR] Starcrest marine terminal facility emissions inventory [supplied as Excel spreadsheet]

[UHIA] Slide from "The Urban Heat Island in the Greater Newark and Camden Regions of New Jersey: Current and Future Dimensions" [on CD]

[UHIB] Slide from Dr. Cynthia Rosenzweig presentation at Columbia University [on CD]

Response to Comment 4100: New Jersey Citizens Against Aircraft Noise (NJCAAN) by Rutgers Environmental Law Clinic

Comment Number	Comment response
1	The FAA did not identify the Preferred Alternative in the DEIS.
2	The FAA completed the DEIS in accordance with NEPA and the analysis requirements and standards of the Council of Environmental Quality regulations and the FAA. The FAA feels that the DEIS discloses the potential environmental impacts of the Proposed Action and its alternatives and presents them in an objective manner.
3	The DEIS, published in December 2005, was complete and adequate. The noise grid points referred to by the commenter were released as an interpretive supplement to noise information already modeled and published in the document. These grid points allowed any resident in the 5-state Study Area to log on to a website and find noise grid point information for his/her census tract/block. This information was for public disclosure and individual interpretation purposes only; it went well above and beyond any noise data required for a NEPA analysis in an EIS. The noise analysis provided in the EIS is the information upon which the FAA will make its decisions related to alternatives and for comparison with any noise mitigation strategies proposed in the FEIS. While it was not necessary or required by the NEPA process or because of the release of this informational data, the FAA did extend the comment period for an additional 30 days, as it had had various requests for various reasons. With more than six months to comment, the FAA believes no additional extension is necessary.
4	The purpose of the FAA's Proposed Action is to increase efficiency and reliability of the airspace structure and ATC system. Increasing efficiency will allow the system to accommodate natural growth and that natural growth is considered in the analysis. The Proposed Action does not induce traffic in itself but accommodates the natural growth projected for the study area with or without the Proposed Action.
5	None of the alternatives reduce aircraft altitudes. In the Integrated Airspace Alternative Variation with ICC, the increased distance below 18,000 ft is due to a longer path in an area where arrivals are currently already at 6,000 ft. This was the result of a tradeoff – since departures are much louder than arrivals, expediting departures was seen as more valuable to airspace users, air traffic controllers, and neighbors alike.

Response to Comment 4100: New Jersey Citizens Against Aircraft Noise (NJCAAN) by Rutgers Environmental Law Clinic

Comment Number	Comment response
6	<p>Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that the Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.</p>

Response to Comment 4100: New Jersey Citizens Against Aircraft Noise (NJCAAN) by Rutgers Environmental Law Clinic

Comment Number	Comment response
7	<p>The FAA will not be reopening route development. It is true that noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the study area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible.</p> <p>The FAA will not be developing new alternatives where minimizing noise is a part of the purpose and need. Any plan that extensively addresses the airspace limitations of the region cannot simultaneously extensively improve the noise situation. Airspace redesign can not remedy noise problems for the 29 million people living in the study area. In fact, for many people within 10 to 15 miles of an airport, depending on where they live in relation to the runway alignments, there may be little or no mitigation possible and no noise benefits possible. Additionally, in heavily populated areas, such as those surrounding Philadelphia, Newark, LaGuardia, and Kennedy Airports, mitigation of noise in one neighborhood usually means moving the noise to another neighborhood, not moving it to an unpopulated area. The FAA will not be looking at incremental impacts of pieces of the airspace redesign. The overall, cumulative, noise effects of the project have been developed to give a comprehensive picture of the effects of noise on residents in the study area. To look at incremental pieces may only give them part of the noise picture.</p>
8	<p>The FAA did not identify a preferred alternative in the DEIS, rather it chose to use the DEIS as a mechanism for soliciting input on the 4 alternatives proposed in the DEIS. Therefore, the FAA did not present detailed, alternative-specific, mitigation because it would have required extensive and prohibitively costly operational and noise modeling which is also time consuming. The FAA did, however, describe to the public the general mitigation strategies that it would attempt to apply to whichever alternative it ultimately identified as the preferred. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, was provided. This method of analysis was without objection by the Environmental Protection Agency (EPA), which has certain oversight authorities regarding NEPA. For these reasons, the DEIS was adequate and in compliance with NEPA.</p>

Response to Comment 4100: New Jersey Citizens Against Aircraft Noise (NJCAAN) by Rutgers Environmental Law Clinic

Comment Number	Comment response
9	<p>The FAA has no statutory control over aviation operational levels but is responsible for controlling the use of the navigable airspace and regulating civil and military operations in that airspace in the interest of maintaining the safety and efficiency of both of these operations. Operational levels are determined by airlines and other aviation users, including passengers.</p>
10	<p>The commenter is referring to information provided in Appendix E of the DEIS that is intended to provide context and a basic understanding of sound, and its measurement. Outdoor speech interference was not specifically discussed as it tends to occur at similar, if not slightly higher, levels as does indoor interference. Of course, many factors come into play when identifying the levels of interference for a specific setting. The numbers presented represent generalized estimates and not absolute thresholds. Furthermore, the noise metric required by FAA and used for this analysis is the DNL metric. Consequently, extensive discussion of the vagaries of speech interference was not considered necessary.</p>
11	<p>While use of DNL has often been the subject of controversy in airport noise studies, its use has also been the subject of scrutiny by government agencies. In their 1992 report, the Federal Interagency Committee on Noise (FICON) group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. The EPA "Levels Document" identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)." Finally, it should be noted that the findings of the 1992 FICON report reaffirmed the use of the DNL metric and the use of 65 DNL for land use compatibility.</p> <p>FAA Order 1050.1E, Environmental Impacts: Policies and Procedures, characterizes noise increases that are equal to or greater than 1.5 DNL within the 65 DNL range as a "significant impact". Furthermore, in consideration of the public response to past air traffic changes, the FAA has identified a threshold of a +/- 5 DNL change between 45 to 60 DNL and +/- 3 DNL between 60 to 65 DNL to identify slight to moderate levels of impact. The results of the changes in noise that meet this threshold are thoroughly documented in the DEIS.</p>

Response to Comment 4100: New Jersey Citizens Against Aircraft Noise (NJCAAN) by Rutgers Environmental Law Clinic

Comment Number	Comment response
12	<p>While use of DNL has often been the subject of controversy in airport noise studies, its use has also been the subject of scrutiny by government agencies. In their 1992 report, the Federal Interagency Committee on Noise (FICON) group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. The EPA "Levels Document" identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)." Finally, it should be noted that the findings of the 1992 FICON report reaffirmed the use of the DNL metric and the use of 65 DNL for land use compatibility. While New Jersey seems to be particularly sensitive to noise, the FAA can not impose separate standards for New Jersey such an undertaking would risk "Balkanization" of procedures.</p>
13	<p>The purpose of the Airspace Redesign is misinterpreted. The FAA has been clear from the beginning of the process what the purpose and need was for the project: that noise impacts would be thoroughly analyzed using NIRS modeling, and noise mitigation measures would be examined. There has never been a joint commitment to noise reduction and operational improvements.</p>
14	<p>At the time of scoping the FAA had not yet conceived details on any other alternatives beyond the No Action and Ocean Routing Airspace Alternatives. During scoping the FAA provided basic concepts of redesign to allow the public to understand different elements of airspace design that would be considered as alternatives were developed. The scoping process does not require that all alternatives be completely described or even developed, scoping can be a tool for the agency to received input on alternatives that could or should be considered.</p>
15	<p>The FAA included a complete analysis of the Ocean Routing Airspace Alternative to satisfy requests made by the NJ Coalition Against Aircraft Noise (NJCAAN). Despite not meeting the purpose and need for the project the Ocean Routing Airspace Alternative was retained for detailed environmental analysis as the alternative was proposed by NJCAAN. All of the alternatives considered in the DEIS were carefully modeled and analyzed for environmental impacts. The FAA recognizes that NJCAAN seeks to reduce noise levels over NJ however the Ocean Routing Airspace Alternative does not align with FAA's congressionally mandated mission to control the use of navigable airspace in the interest of safety and efficiency. Additionally, while the Ocean Routing Airspace Alternative helps some residents of New Jersey it does not provide help for all. Although the Ocean Routing Airspace Alternative initially provides decreases in noise of 1.5 DNL in the 65 DNL and above to a small number of people 3 DNL in 60-65 DNL to a small number of people, those benefits are gone in 2011 and there is a net increase in those affected by noise in the 45-60 DNL interval of 2,467 people.</p>

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Comment Number	Comment response
16	<p>Comment noted. Part of the purpose and need for the airspace redesign is to increase the efficiency, fanning increases efficiency. After identifying a Preferred Alternative, the Integrated Airspace Alternative Variation with ICC, the FAA considered ways to mitigate noise impacts. The Noise Mitigation Report, Appendix P, of the FEIS investigated the minimum number of dispersed headings required to increase efficiency to meet forecast demand. This investigation included use of reduced dispersed headings when traffic levels would permit fewer dispersed headings.</p>
17	<p>The EECF did not include noise reduction as a purpose and need for the project; however mitigation was applied for the EECF in the form of the Solberg Mitigation Proposal. Review of the EECF indicates that the mitigation provided by the Solberg Mitigation Proposal helped to reduce the number of Union County residents experiencing noise levels of 45-60 DNL. The Preferred Alternative, Integrated Airspace Alternative Variation with ICC, would not increase reportable noise levels (i.e. FAA criteria for determining impact of increases in aviation noise) within the areas that benefited from the Solberg Mitigation Proposal. See Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS for more detail.</p>
18	<p>See response to comment 4100 #12.</p>
19	<p>The results of the 1987 Landrum & Brown report were not specifically evaluated for the DEIS analysis. While it is beyond the scope of the DEIS analysis to make detailed comparisons to studies that are nearly two decades old, a brief review reveals several notable issues. The 1987 L&B study was developed based on 1985 data and many of its conclusions were based on the 65 DNL noise contour impacts associated with that year of operations. Since that time the Airport Noise and Capacity Act of 1990 has required the phase out of all Stage 2 aircraft. Furthermore, in 1985, the transition to (very quiet) Regional Jet aircraft had not yet occurred. The combination of just these two factors have significantly reduced the noise footprint at 65 DNL and higher at many airports around the country. This is in spite of increases in operational levels over the years since 1985. EWR is no exception to this trend. As such, the number of persons exposed to significant aircraft noise levels (65+ DNL) as well as lower noise levels around EWR has dropped significantly. Consequently, it is reasonable to revisit the concepts evaluated in the DEIS.</p> <p>It should also be noted that noise abatement measures are being considered as mitigation for the FAA's Preferred Alternative as part of the development of the FEIS. While it is likely that noise abatement may not be possible for all areas that would experience noise increases if the Preferred Alternative is selected for implementation, the FAA has considered measures related to all the areas of reportable noise increases and beyond. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>

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Comment Number	Comment response
20	<p>The results of the 1988 HMMH (Harris) report were not specifically evaluated for the DEIS analysis. While it is beyond the scope of the DEIS analysis to make detailed comparisons to studies that are nearly two decades old, a brief review reveals several notable issues. The 1988 Harris study was developed based on 1987 data and many of its conclusions were based on the 65 DNL noise contour impacts associated with that year of operations. Since that time the Airport Noise and Capacity Act of 1990 has required the phase out of all Stage 2 aircraft. Furthermore, in 1987, the transition to (very quiet) Regional Jet aircraft had not yet occurred. The combination of just these two factors have significantly reduced the noise footprint at 65 DNL and higher at many airports around the country. This is in spite of increases in operational levels over the years since 1985. EWR is no exception to this trend. As such, the number of persons exposed to significant aircraft noise levels (65+ DNL) as well as lower noise levels around EWR has dropped significantly. Consequently, it is reasonable to revisit the concepts evaluated in the DEIS.</p> <p>It should also be noted that noise abatement measures are being considered as mitigation for the FAA's Preferred Alternative as part of the development of the FEIS. Noise abatement measures were considered for all areas that would experience noise increases if the Preferred Alternative is selected for implementation, the FAA has considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided.</p>
21	<p>In accordance with FAA Order 1050.1E, the FAA used version 6.0c of the Noise Integrated Routing System (NIRS) to conduct the noise analysis. At the time of the analysis NIRS 6.0c was the most current version of the tool available for handling an airspace regional study of this magnitude. NIRS version 6.0c is consistent with INM version 6.0c which is the FAA model used to evaluate noise impacts at specific airports. In addition, there is no agreed upon scientific evidence that suggests significant impacts occur below 65 DNL. The DEIS analysis provided the evaluation of noise changes down to the 45 DNL level, which in many areas may begin to compete with ambient levels. Furthermore, FAA provided the results of the noise analysis at all Census Block locations within the Study Area regardless of noise level or thresholds.</p>
22	<p>The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided.</p>

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23	<p>The FAA disagrees with the commenter's summation that significant operational benefits are not provided by the Proposed Action, delay reductions for the Preferred Alternative are significant. Operational benefits are most directly compared by change in block time. As described in the EIS, Modifications to Existing Airspace Alternative provides a reduction of 0.9 minutes per flight, Integrated Airspace Alternative Variation with ICC provides a reduction of 1.4 minutes per flight. The Ocean Routing Airspace Alternative, the alternative proposed/advocated by NJCAAN does not provide operational benefits, in fact the alternative increases block time by 3.9 minutes per flight. Although the Ocean Routing Airspace Alternative does provide the least overall noise impact, the operational impacts are extensive and in no way meet the FAA's purpose and need for airspace redesign. Detailed operational benefits were reported for each of the alternatives in the appendices, environmental impacts of those operational benefits are addressed for the preferred alternative by the FAA's proposed mitigation strategies. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>

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Comment Number	Comment response
24	<p>Throughout the entire EIS process, there seems to have been considerable confusion regarding the terms noise impacts, noise reduction, and noise mitigation. Precise definition of these terms, while considering where each one fits in the context of the NEPA process, helps to clarify that the FAA's policy has been consistent, and in accordance with NEPA, throughout the EIS process. Regarding the first question, did the FAA formally consider including noise mitigation as a purpose and need to be addressed by the redesign project? The answer is no. That is because the FAA developed the purpose and need for the project, consistent with NEPA regulations, to reflect its mission. The FAA then initiated scoping for the project by publishing a Notice of Intent in the Federal Register, which included a description of the purpose and need for the project. In the EIS process, the agency first develops a purpose/need for a project, second, develops alternatives, third evaluates the environmental impacts (such as noise) of the project alternatives, and finally, develops mitigation (to reduce or minimize effects of the proposed project). NEPA was designed to have environmental considerations taken into account along with other factors.</p> <p>Regarding the second question, "When did the FAA narrow the scope of the project to eliminate noise mitigation as an explicit goal?" The FAA did not narrow the scope of the project to eliminate noise mitigation as a specific goal, but instead considered noise mitigation in its proper context in the process. The belief that FAA once promised to reduce noise by airspace redesign and then reneged on it stems from people taking its commitment to the communities out of context. The FAA has committed to the communities from the beginning of the project that it would consider means to reduce noise and other environmental effects where feasible and without derogating safety or efficiency of the national airspace system. It has consistently been the "where feasible" portion of the commitment that has been left out of reports on what FAA officials have promised the public. As for the question as to whether there was an opportunity for the public or elected officials to provide input before a final decision as to the scope of the project was made, the answer is yes. The FAA conducted a lengthy and comprehensive scoping process. In fact, the FAA had conducted "pre-scoping" with the same purpose and need in 1999-2000. So the FAA has been clear from the beginning of the process what the purpose and need was for the project: that noise impacts would be thoroughly analyzed using NIRS modeling, and noise mitigation measures would be examined. No promise of mitigation or ability to reduce noise for large portions of the population have ever been made, as FAA is well aware that this study area containing 29 million people, is heavily and densely populated, and opportunities for mitigation are slim.</p>
25	<p>Noise reduction was never part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing NEPA. The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region. The Purpose and Need is not unreasonably narrow, it is stated in broad terms.</p>

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26	<p>Throughout the entire EIS process, there seems to have been considerable confusion regarding the terms noise impacts, noise reduction, and noise mitigation. Precise definition of these terms, while considering where each one fits in the context of the NEPA process, helps to clarify that the FAA's policy has been consistent, and in accordance with NEPA, throughout the EIS process. The FAA did not narrow the scope of the project to eliminate noise mitigation as a specific goal, but instead considered noise mitigation in its proper context in the process. The belief that FAA once promised to reduce noise by airspace redesign and then reneged on it stems from people taking its commitment to the communities out of context. The FAA has committed to the communities from the beginning of the project that it would consider means to reduce noise and other environmental effects where feasible and without derogating safety or efficiency of the national airspace system. It has consistently been the "where feasible" portion of the commitment that has been left out of reports on what FAA officials have promised the public. The FAA has been clear from the beginning of the process what the purpose and need was for the project, that noise impacts would be thoroughly analyzed using NIRS modeling, and noise mitigation measures would be examined. No promise of mitigation or ability to reduce noise for large portions of the population have ever been made, as FAA is well aware that this study area containing 29 million people, is heavily and densely populated, and opportunities for mitigation are slim.</p>
27	<p>The purpose of this project is to increase efficiency and reliability of the air traffic system through the adjustment of traffic flows in the NY, NJ, and PHL areas to accommodate new technologies and reduce delays. The FAA has never included noise reduction as part of the purpose and need and has been clear on this topic throughout the process. That said, after identification of the preferred alternative, the FAA considered mitigation for noise impacts for the Preferred Alternative. The mitigated Preferred Alternative reduces the time flown at low altitudes in two ways. First, departures are expedited to higher altitudes. Aircraft are noisier when climbing than when descending. Second, continuous-descent approaches are used where practical. These approaches are frequently higher than conventional approaches and require lower engine thrust settings, which reduces noise.</p>
28	<p>The scoping process did indeed identify noise impact as the major concern from the public. However throughout the entire EIS process, the FAA did expressed that the purpose and need for the airspace redesign was not to reduce noise impacts but to increase the efficiency and reliability of the airspace structure and ATC system. The FAA did not narrow the scope of the project to eliminate noise mitigation as a specific goal, but instead considered noise mitigation in its proper context in the process. The belief that FAA once promised to reduce noise by airspace redesign and then reneged on it stems from people taking its commitment to the communities out of context. The FAA has committed to the communities from the beginning of the project that it would consider means to reduce noise and other environmental effects where feasible and without derogating safety or efficiency of the national airspace system. It has consistently been the "where feasible" portion of the commitment that has been left out of reports on what FAA officials have promised the public. The FAA has been clear from the beginning of the process what the purpose and need was for the project, that noise impacts would be thoroughly analyzed using NIRS modeling, and noise mitigation measures would be examined. No promise of mitigation or ability to reduce noise for large portions of the population have ever been made, as FAA is well aware that this study area containing 29 million people, is heavily and densely populated, and opportunities for mitigation are slim.</p>

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29	<p>The purpose and need for the Proposed Action never included noise reduction. The noise policy that is referenced required that "Not later than July 1, 1991, the Secretary of Transportation shall establish by regulation a national aviation noise policy that considers this subchapter, including the phase-out and non-addition of stage 2 aircraft as provided in this subchapter and dates for carrying out that policy and reporting requirements consistent with this subchapter and law existing as of November 5, 1990." Congress did indicate in its findings for the policy that "aviation noise management is crucial to the continued increase in airport capacity" however this policy was specific to phase-out of stage 2 aircraft and as of 2000 this phase-out was completed.</p>
30	<p>Responses to the commenter's discrete comments are as follows: (1) Since airspace redesign does not add capacity to the system, its benefits will look small compared to a new runway. The benefits are significant, however. See the section "Interpreting Average Delay" in the Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS. (2) The DEIS clearly indicated that some of the alternatives investigated had the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes are discussed in the document as well as the causes based on each alternative. It should be noted, however, that the FAA's Preferred Alternative actually provides a slight reduction in the number of persons exposed to significant noise levels of 65 DNL or more. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. Mitigation of the Preferred Alternative has eliminated any significant impacts of the Alternative by the year 2011. (3) The commenter misconstrues the standard against which "minimized" is defined. Numerous studies have suggested the arrival enhancements assumed in this analysis. See, for example, "Redesigning Flight Procedures for the New York – New Jersey Airspace", written for the Port Authority of New York and New Jersey by Louis Berger Associates in May 1999. Section III-13, to quote one example, says that to permit simultaneous arrivals to runways 22L and 22R, "the airspace would have to be restructured to permit EWR approaches in what is now LGA airspace". It should be noted that the approach to which the commenter is referring is different from the one in the Integrated Airspace Alternative. (4) The precise gains to be realized are unpredictable, but it is not necessary to predict exactly any particular day in order to establish that one airspace design is more efficient than another. The alternative cited in the comment actually does reduce the total number of persons exposed to 65 DNL or greater in the Study area. With No Action in 2011 the analysis estimates that some 74,519 persons will be exposed to noise levels of 65 DNL or higher. If the Integrated Airspace Alternative Variation with ICC, FAA's Preferred Alternative, is implemented it is estimated that this number will drop by some 690+ persons to 73,824. (5) Without clear definition of what other measures the commenter feels would be less intrusive the FAA can not adequately respond to the comment. The reduction in delay shown in the FEIS is an average over a large number of flights and can equate to a significant cost. It is difficult to assess the value of noise exposure, but the efficiency benefit to users of the aviation system is large. For the importance of the minutes saved, see the section "Interpreting Average Delay" in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.</p>

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31	<p>This comment is based on a misunderstanding of how safety and efficiency are modeled in a fast-time simulation. A fast-time simulation begins with an airspace (or in other cases, airport) design and a forecast of demand for air traffic control services (traffic). The simulation then separates the traffic into safe flows of aircraft. To achieve safe spacing, some aircraft have to wait for service. This waiting time is the delay. Delay metrics from a simulation are therefore a common currency for talking about capacity, safety, efficiency, or other elements of the purpose of a redesign. The public does benefit from this reduction in delay in reduced travel delays, ability for the aviation industry to meet future demand, and environmentally through reduced fuel burn and thus less air pollutant emissions when compared to the Future No Action Airspace Alternative.</p>
32	<p>The commenter is correct about the relationship among demand, capacity, and delay. It is generally true in any queuing system that, as the traffic reaches the theoretical capacity, delays increase without limit. It is also true that users of the queue will not tolerate endless delay, so demand will diminish in high-delay systems. However, those are theoretical arguments that must be applied with care in the unique environment of New York City. As the events of 2000 at LaGuardia Airport show us, there are other motivations behind airline scheduling that are more important than delay savings. In 2000, the High Density Rule that limited traffic at LGA was repealed. The result was a huge expansion of traffic: LGA was working as many as 1590 operations per day, at an airport where 1280 operations per day means running the maximum-capacity configuration for sixteen hours straight with no wasted spaces in the arrival or departure streams. Delays were enormous – in November, 28% of all delays in the country were at LGA, according to FAA’s OPSNET database. This was an extraordinary case, but it makes the point that flying to New York City is extraordinarily valuable. Airlines will accept delays here that they would be unable to tolerate elsewhere. The commenter’s observation about EWR between 2001 and 2004 is another fact that supports the idea that demand is inelastic in New York, since Continental did not reduce its schedule when it had the opportunity, despite large delays. Guarding market share against encroachment by a competitor is evidently important to carriers as well. Increasing the size of aircraft is one possible strategy for serving increased demand, but it only works if the increases in demand are coming from an airport already served. Hub-and-spoke operations, for which increased aircraft sizes are practical, are a diminishing part of the demand in the United States, so the forecast of increased numbers of aircraft at EWR is valid. LGA has a perimeter rule in place, which limits the airports that can connect to it, so a fixed number of larger aircraft is a valid forecast there. So, finally to answer directly: FAA modeling incorporated the best estimates of all these effects. The economy demands air travel to New York City, and carriers will serve that demand despite long delays. An airspace redesign is a relatively small change to the aviation system, so we do not expect radical changes in airline schedules in response to it. The large delay changes in the operational analysis are the result of small efficiency improvements close to the limit of a fixed-capacity system.</p>

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33	The Embraer E135, E145, and E45X Regional Jets flown by Continental Express, which make up the majority of Runway 29 departures today, are in the class of large turbojets. When the wind permits, aircraft as large as a Boeing 737-500 can be seen to depart Runway 29 as well. There is no operational reason to think they will be forbidden in the future. The commenter is correct that many studies have been completed to consider the possibility of dual arrivals at EWR. All have concluded that the reason dual approaches are not used is that the current airspace design can not support them. See, for example, Magyarits et al., Simultaneous Offset Instrument Approaches at Newark International Airport: An Airspace Feasibility Study, DOT/FAA/CT-TN02/01, which states, "They determined that, under the current airspace configuration, dual feed SOIA operations are not feasible. The reason is the lack of airspace south of the airport that is necessary to sequence, vector, and pair the aircraft for the final." The Integrated Airspace Alternative Variation with ICC provides the necessary changes to the airspace to allow simultaneous arrivals.
34	The NY/NJ/PHL Metropolitan Area Airspace Redesign is not a capacity enhancing project. Significant major improvements to capacity would primarily come from the construction of new runways. Since none are proposed for the NY metropolitan area major improvement to capacity will not be realized, therefore it is imperative that the efficiency of the airspace be increased to its maximum potential.
35	The FAA has tried to present easily understandable written and graphic descriptions of the potential noise impact associated with each alternative. The reader should pair the discussion of noise impact in Chapters 3, 4, and 5 with the general noise information provided in Appendix E to obtain a better understanding of the potential noise impact associated with the Proposed Action. The criteria applied to assess and classify impacts are based on FAA policies and requirements stated in FAA Order 1050.1E. This criterion was generally an adoption of the recommendations made by the FICON in 1992. Refer to those documents for more information regarding the evolution of the criteria. Predicted aircraft DNL values for each alternative were provided for the entire Study Area regardless of whether they met the FAA impact criteria. In consideration of the public response to past air traffic changes, the FAA has expanded its area of consideration beyond that of the Part 150 guidelines down to the 45 DNL. The agency has identified a threshold of a +5 DNL change (between 45 and 60 DNL) to identify slight to moderate changes at lower levels. The results of the changes in noise that meet this threshold are thoroughly documented in the DEIS.
36	The FAA disagrees that the information provided on noise impact is misleading for decision makers. The information is disclosed in the same manner as previous airspace EIS documents.

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37	<p>In describing the noise affects of each alternative two types of information were provided. First the total population for study is shown in three ranges (45 – 60 DNL, 60 – 65 DNL and 65 and greater DNL). These values are compared to No Action Airspace Alternative for each alternative. Additionally the DEIS also includes the changes to population in each of those three ranges. This information conforms to the pre-established FAA thresholds for "slight to moderate" and "significant" impact. The purpose of the project was not to minimize noise. Any increase of noise that was a result of the preferred alternative was examined during the FEIS process to determine what, if any, mitigation measures could be taken to reduce the impact of the noise on communities. In analyzing the alternatives for airspace redesign the FAA disclosed the potential impact of dispersed headings. In the Noise Mitigation Report, Appendix P of the FEIS, FAA refined the analysis to reduce noise impact while seeking the maximum efficiency with fewer dispersed headings.</p> <p>The FEIS contains explorations of headings for noise mitigation purposes. The headings specified were adopted to improve the safety and efficiency of the airspace, according to the purpose and need for the redesign. From the onset of the study, the FAA indicated that it would consider mitigation once the preferred alternative was chosen therefore the DEIS was not the place to consider headings for those purposes. The DEIS did indicate that there would be a disproportionate impact to minority populations near LGA and EWR and mitigation would be considered in the FEIS. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
38	<p>The DEIS and FEIS provide the potential noise impact associated with the Proposed Action, including potential impact associated with the Preferred Alternative with mitigation. During the development of the DEIS, consideration was given to the development of supplemental metrics, including sleep disturbance, for informational purposes. The metric for sleep disturbance is not readily available as an output from the NIRS model. Furthermore, it was found that the task of presenting such data in an efficient, meaningful, and understandable way for all persons within the 30,000+ square mile Study Area was not possible. With more than 7,000 flights at 21 airports, distributed over some 22,000 modeled flight tracks for two different years and four alternatives, the sheer magnitude of the data was considered to be overwhelming. There were also subjective issues such as how do you define an overflight of one of the 325,000+ population centroids. Would it any flight that crosses within 1-mile of the point, 2-miles, 500-feet? Given these complexities, the FAA decided to rely on the DNL metric for this study since it accounts for both the number of events and the noise levels of those individual events, as well as the fact that it is the sole metric that will be considered in the decision making process.</p>

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39	The numbers computed in DEIS are generated from the noise model which stores the raw noise values with six significant digits. The numbers presented in the FAA supplied census spreadsheets use one significant digit. The differences described between the FAA supplied census spreadsheets and the DEIS results stem from the rounding up of the raw noise exposure values. In example previously reported results of 1.499999 when rounded for the census spreadsheets would be 1.5 resulting in a potentially reportable significant change in noise exposure, there were a minimal amount of points that fell into this category. Results of the noise analysis are not skewed by these differences.
40	The FAA disagrees with the commenter's conclusion. Although the variations that the commenter cites are indeed in the DEIS results, they are not indicative of any systematic modeling or data errors. The variations cited by the commenter are not unreasonable and are indeed explained by the combination of fleet mix variations between years in conjunction with changes in departure routes for the Modifications Alternative. It should be noted that as EWR operations increase slightly (3.5%) in 2011 over 2006, the fleet mix shifts from older and noisier aircraft like MD-80's, B737-300's, and hushkitted B727's to quieter newer technology aircraft like B737-700's and Regional Jets. Although all aircraft over 75,000 pounds are noise stage 3 aircraft, hush-kitted aircraft are typically not as quiet as non-hush kitted aircraft. Therefore as newer aircraft that do not rely on hush-kits to meet stage 3 requirements become more prominent in the fleet mix the noise levels may be lower even with more operations. The nature of the newer technology aircraft, however, is that they tend to be much quieter on departure than their older counterparts, but their approach noise levels are very similar with only slight reductions if any. Consequently, the fleet mix shift can, in the face of minor traffic growth (3.5%) generate reductions in overall noise in areas that are affected mostly by departure noise. Conversely, the same fleet mix with slightly increased operational levels may create overall noise increases in areas that are dominated by arrival noise. The variations in noise levels between the years of analysis that the commenter cites tend to be in areas near the airport and near the boundary of where approach noise dominates directly on the extended runway centerlines and where departure noise dominates to either side of the centerline depending on the alternative. Thus, these variations are reasonable and expected given the fleet changes between the future years and the departure routing changes in the Modifications to Existing Airspace Alternative.
41	The commenter is correct in identifying the error in the DEIS. Further review of both the 2006 and 2011 Ocean Routing Airspace Alternative identified that a climb altitude restriction for EWR Runway 04 night departure flights was not modeled correctly in the Ocean Routing Airspace Alternative for 2006. The error has been corrected and the results can be found in the alternative section of the FEIS. In reviewing the updated results it should be noted that the number of people receiving a noise decrease in 2006 has been reduced to be more consistent with the 2011 results.
42	See comment response 4100 #39. Additionally, the population data posted on the FAA website was developed using 2000 census data and was not meant for use in computing the population disclosed in the DEIS but to allow readers to determine the projected noise levels for each census block. Note that the population disclosed in the EIS was projected for future years to account for population changes.
43	See comment response 4100 #42.
44	Corrections made within the FEIS are identified within each response to a comment that identified faults within the DEIS.

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45	<p>The DEIS presents the required noise information as described in the FAA Order 1050.1E. Though supplemental metrics were considered, it was found that the task of presenting such data in an efficient, meaningful, and understandable way for all persons within the 30,000+ square mile Study Area was not possible. The FAA relied on the DNL metric for this study since it accounts for both the number of events and the noise levels of those individual events, as well as the fact that it is the sole metric that will be considered in the decision making process. The FAA has taken extensive measures to inform the public about the potential noise impacts associated with the Proposed Action.</p>
46	<p>FAA Order 1050.1E, Environmental Impacts: Policies and Procedures characterizes noise increases that are equal to or greater than 1.5 DNL within the 65 day-night average sound level (DNL) range as a “significant impact”. In addition, the FICON recommended that “less than significant impacts” be reported as well. The “less than significant impacts” are increases that are equal to or greater than 3 DNL within the 60 to 65 DNL range, and increases that are equal to or greater than of 5 DNL within the 45 to 60 DNL range. The DEIS states that 5 DNL or more increases in the 45 to 60 DNL range amount to “slight-to-moderate” changes in the DNL. The DEIS also states 3 DNL or more increase in the 60 to 65 DNL range amount to “slight-to-moderate” changes in the DNL. These ranges are contained in FAA Order 1050.1E and are recommended by FICON.</p>
47	<p>The commenter is correct in that many things can and do cause increases and decreases to the noise levels throughout this large Study Area. The DEIS accounts for all changes where thresholds were exceeded by describing the air traffic changes that caused either the increase or decrease.</p> <p>FAA Order 1050.1E, Environmental Impacts: Policies and Procedures characterizes noise increases that are equal to or greater than 1.5 DNL within the 65 DNL range as a “significant impact”. In addition, the FICON recommended that “less than significant impacts” be reported as well. The “less than significant impacts” are increases that are equal to or greater than 3 DNL within the 60 to 65 DNL range, and increases that are equal to or greater than of 5 DNL within the 45 to 60 DNL range. The DEIS states that 5 DNL or more increases in the 45 to 60 DNL range amount to “slight-to-moderate” changes in the DNL. The DEIS also states 3 DNL or more increase in the 60 to 65 DNL range amount to “slight-to-moderate” changes in the DNL. These ranges are contained in FAA Order 1050.1E and are recommended by FICON.</p>
48	<p>See response to comment 4100 #47. Additionally, FAA provided the results of the noise analysis at all Census Block locations within the Study Area regardless of noise level or thresholds in the on-line noise data spreadsheets available on the project web site. The DEIS states that 5 DNL or more increases in the 45 to 60 DNL range amount to “slight-to-moderate” changes in the DNL. The DEIS also states 3 DNL or more increase in the 60 to 65 DNL range amount to “slight-to-moderate” changes in the DNL. These ranges are contained in FAA Order 1050.1E and are recommended by FICON.</p>

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49	<p>The FAA disagrees, using a metric of percentage change in noise energy, would, for most people, be as meaning less as the commenter believes DNL to be. Moreover the number of overflights or percentage change is also not meaningful because the noise level depends on exactly where the overflight is located overhead.</p> <p>An average noise metric such as DNL takes into account the noise levels of all individual events that occur during a 24 hour period, as well as the number of times those events occur. The DNL metric also accounts for the time that events occur by applying a 10 dB penalty to noise events which occur during nighttime hours (10pm-7am). As discussed in the following examples, the logarithmic nature of decibels causes noise levels of the loudest events to control the 24-hour average. Consider a 24-hour period during which a single aircraft flyover occurs in daytime and creates a sound level of 100 dB for 30 seconds. During the remaining 23 hours and 59.5 minutes of the day, the background sound level is low. The DNL for this 24-hour period is 65.5 dB. As a second example, consider another 24-hour period during which a total of ten similar flyovers occur. If all of the flyovers occur during daytime hours, the DNL for the 24-hour period would be 75.5 dB. If all of the flyovers occurred at night, the DNL would be 85.5 dB. Clearly, the averaging of noise over a 24- hour period does not ignore the louder single events, and the DNL metric includes consideration of both the sound level of individual events, the number of those events, and the time of day at which they occur.</p> <p>In the 1992 FICON report, the group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. The EPA "Levels Document" identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)." The FAA decided to rely on the DNL metric for this study since it accounts for both the number of events and the noise levels of those individual events, as well as the fact that it is the sole metric that will be considered in the decision making process.</p> <p>The FAA will continue to use the DNL metric to determine noise exposure impact and will not recalculate noise impact through a metric of percentage change in noise energy. The use of 3 DNL and 5 DNL ranges are contained in FAA Order 1050.1E and are recommended by FICON.</p>
50	<p>The commenter is correct in that it is valuable to display noise changes relative to the exposure level in the No Action Airspace Alternative. In the DEIS there are multiple tables presented in Chapter 4, as well as Appendix E, such as Table 12 page E-47, that show the population as they change from one category to another. In these tables cells that have a grey background and show decreases in noise exposure while cells with a red background show increases in noise exposure. Cells with a white background display population that did not change categories. However in response to the commenter, the FEIS includes No Action Airspace Alternative population discretely.</p>

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51	The DEIS does present number of people effected in each noise level. Tables presented in Chapter 4, as well as Appendix E, such as Table 12 page E-47, show the population at each of the DNL level range above 45 DNL. In response to the commenter the FEIS includes the No Action Airspace Alternative population discretely. Though an increase of noise may be associated with the preferred alternative, it does not exclude the alternative. The FAA minimized noise impacts as is disclosed in Appendix P, Noise Mitigation Report, of the FEIS. The noise impacts associated with the Preferred Alternative are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
52	See comment response 4100 #39. Consequently, census blocks that appear to have met FAA's threshold of change as computed from the spreadsheet based on rounding to one decimal place, may actually have not made it to the threshold when the computation was carried out at six decimal places of precision.
53	The FAA disagrees with the commenter's conclusions. All areas that are expected to experience reportable noise changes are discussed in the DEIS. The procedures mentioned in this comment are not changed from current operations. The noise impacts come from the fact that they will be used more in the future. Currently, the main Runways 4L/R are almost at 100% utilization. Therefore most traffic growth from now until 2011 will have to be accommodated by increased use of the overflow Runway 11/29. Fanning of departures off Runway 4L is rare today. It can only be used when Teterboro traffic is not using the ILS to Runway 6. DNL contours are not an output of NIRS and will not be provided to the commenter. NIRS is an airspace model used for analyzing large geographic areas with complex airspace interaction and generates change in population numerically and illustratively.
54	The noise analysis presented in the DEIS includes all changes associated with each alternative. Where design changes caused a reportable change in noise exposure, a detailed discussion was provided. While there were minor changes in EWR Runway 4L departures for some alternatives, these changes were not responsible for any of the changes in noise north of EWR that met FAA's thresholds. Those noise changes are generally due to EWR Runway 22L/R arrivals, which were extensively discussed in the DEIS.
55	The commenter has a different definition for significant impact than the FAA; the FAA definition of a significant impact is a DNL 1.5 or greater increase over a noise sensitive area exposed to DNL 65. The noise analysis presented in the DEIS includes all changes associated with each alternative. Where design changes caused a reportable change in noise exposure, or any significant change, a detailed discussion was provided. While there were minor changes in EWR Runway 4L departures for some alternatives, these changes were not responsible for any of the changes in noise north of EWR that met FAA's thresholds. Those noise changes are generally due to EWR Runway 22L/R arrivals, which were extensively discussed in the DEIS. Additionally, the population data posted on the FAA website was developed using 2000 census data and was not meant for use in computing the population disclosed in the DEIS but to allow readers to determine the projected noise levels for each census block. Note that the population disclosed in the EIS was projected for future years to account for population changes.

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56	<p>The FAA defines a significant noise change as an increase of +1.5 DNL at or above the 65 DNL noise level. Areas that are newly exposed to 65 DNL levels through a change of less than 1.5 DNL are not considered to be significantly impacted by a project. Additionally, the FAA defines two other categories of "Slight to Moderate" noise change that are considered notable. These are defined as areas where the change in noise associated with a project is 3 DNL or more in an area of 60 to 65 DNL noise levels, or where the change in noise associated with a project is 5 DNL or more in an area where noise levels will be between 45 and 60 DNL. The small noise changes cited by the commenter may very well occur as part of the EWR north flow changes, but they do not constitute a significant or even reportable change in noise. Since the environmental Justice analysis focuses on areas where there is Significant noise change, the areas cited by the commenter are not appropriate for EJ analysis. The Port Authority Study referred to by the commenter was conducted in 1989 and the noise analysis was based on 1987 operational and fleet mix data for EWR. Considerable changes have occurred in the fleet mix at EWR in the thirteen-plus years that have passed since that analysis. The Airport Noise and Capacity Act of 1990 required the phase-out of all of the Stage 2 noise certified aircraft in the air carrier fleet. These aircraft dominated the noise at EWR in the late 1980's and resulted in a substantially larger area exposed to 65 DNL than is the case today. Consequently, the analysis from that report was not considered as part of the DEIS since FAA has developed a new and current analysis in the DEIS. Because of the significant differences in the aircraft fleet between the late 80's and now, the conclusions related to 65 DNL noise impacts from that report are not necessarily valid and should nor be considered in lieu of a more current an relevant analysis..</p>
57	<p>The procedure to fan departures from Runway 4L exists today, but as the commenter notes, the popularity of the ILS approach to TEB limits its use. EWR fanning will be more common as usage of RNAV/RNP increases. The estimate of the noise impact includes the effect of increasing use of RNAV arrivals to TEB as the fleet becomes appropriately equipped over time. Emissions will decline from the use of fanning, since the aircraft are waiting less time on the ground and flying shorter distances; an estimate of the effect is included in Appendix R, of the FEIS.</p>
58	<p>Within Chapter 4 and Appendix E of the DEIS a discussion of each of the areas that experienced a change in noise that met the FAA criteria are presented. On page 4-35 and page E-77 a discussion of the area described by the commenter is displayed and described. In this case the commenter is incorrect in suggesting that a new holding pattern has caused the change. The air traffic change is the result of a shift east and extension of the base leg and final approach to Runways 22L and 22R at EWR, as described in the DEIS. Additionally, mitigation of the Preferred Alternative as described in Appendix P, Noise Mitigation Report reduces this impact.</p>
59	<p>The large area in Bergen County New Jersey that stretches northward into Rockland County New York is depicted by the yellow area marked PIWB-11EWR-E in Figure 4.23 in Chapter 4. The purpose of this figure is to show the size and position of the communities that are expected to receive an increase of greater then 5 DNL with a resulting noise exposure level between 45-60 DNL. With DNL levels less than 50, the noise falls within the ambient level of a small town or quiet suburban area (Figure E-6, Appendix E, page 9). It is true that these communities will see a greater number of aircraft arrivals than they do now which is the purpose for the graphic and the description of the change.</p>

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60	The “industry report” to which the commenter refers is a Concept of Operations document that predates all the alternatives. Therefore it has no detailed locations of any feature of any plan. A map of the holding patterns for the eight major airports in the study is in the attached graphic “holdingPatterns.jpg”. The noise modeling conducted for the EIS includes the holding pattern and therefore results of the noise analysis reflect this feature.
61	The FAA is not aware of multiple court decisions regarding the evaluation of sleep disturbance from aviation related project. The commenter cites the Davison Court ruling; this case hinged on the Air Force’s failure to adequately describe the impact of additional night time operations due to the addition of civilian air cargo operations at Rickenbacker Air National Guard Base. Increased night time operations were found to be the most significant environmental impact associated with the Air Force’s proposed action and a potential contributor to sleep disturbance. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep disturbance in the overall Study Area will not be increased. Furthermore, with mitigation of the FAA’s Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action.
62	The section preceding the reference in the comment, 14.5e, gives the procedure applicable to the Study Area for this airspace redesign, “where the Study Area is larger than the immediate vicinity of an airport, incorporates more than one airport, or includes actions above 3,000 feet AGL, noise modeling will be conducted using NIRS.” The commenters cited metrics are for use in special areas such as national parks.

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63	<p>The split of Philadelphia’s Modena departure fix was in response to airspace congestion in 2000, not in 2011 or 2015. It is operationally independent of all the airspace changes in this Redesign. The Integrated Airspace Alternative Variation with ICC has three westbound fixes for PHL, not just two, which contradicts the assertion that Dual Modena was an essential part of the Redesign. The second change, the Yardley/Robbinsville Flip-Flop, is likewise operationally independent of the Redesign. It was intended to resolve a chokepoint that was affecting airspace efficiency in the 1990s, not to handle expected growth. The third change, the Florida Airspace Optimization, caused changes to the airspace above 30,000 ft and 200 miles south of New York City. Its only low-altitude effect near New York, aside from delay reduction, is an occasional rearrangement of flights on existing procedures, not much different from the impact of a change in winds.</p> <p>The DEIS considered these operational modifications in the Future No Action Airspace Alternative as they were independent actions and are were implemented prior to 2006 and 2011, the analysis years. Further the Dual Modena Procedure and Robbinsville-Yardley Flip-Flop Procedure were categorically excluded from further NEPA analysis. According to FAA Order 1050.1E, paragraph 303(a), categorical exclusions represent actions that the FAA has found, based on past experience with similar actions, do not normally require and EA or EIS because they do not individually or cumulatively have a significant effect on the human environment. These changes are considered in the No Action Airspace Alternative correctly as they have or would have been implemented by the year 2006 the Study’s first year of analysis. The FAA will not develop an analysis that “undoes” actions that have already taken place to create a hypothetical No Action Airspace Alternative.</p>
64	<p>The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, was provided. Mitigation strategies for the Preferred Alternative are presented in the FEIS.</p>
65	<p>FAA disagrees with the commenter’s perspective that scoping comments were not considered in development of the DEIS. Each alternative was analyzed equally and the results of the analysis disclosed in the DEIS. At the request of NJCAAN the Ocean Routing Airspace Alternative was analyzed even though it did not meet the purpose and need for the Proposed Action. Mitigation was to be applied to the Preferred Alternative only and all mitigation measures for the Preferred Alternative are disclosed in the FEIS in Chapter Five, Preferred Alternative and Mitigation.</p>
66	<p>The actions proposed in the DEIS do not improve capacity. Airspace redesigns are intended to make more efficient use of the capacity that already exists. It is true that the delay reductions are smaller than those from, for example, building a new runway, but major capacity increases like that in the New York metropolitan area are not likely any time soon. The only choice for improving efficiency is airspace redesign. The delay reductions are important – see the section “Interpreting Average Delay Metrics” in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.</p>

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67	<p>The FAA understands that aircraft noise is considered a nuisance to most people. The FAA strives to minimize noise impacts while providing the best possible air traffic system. The Proposed Action alternatives strive to accommodate growth while maintaining safety and mitigating delays, and to accommodate changes in the types of aircraft using the system (e.g., smaller aircraft, more jet aircraft). The FAA has identified a preferred alternative and implemented several changes to mitigate the effects of the design. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. The FAA acknowledges that many of the residents of New Jersey are extremely sensitive to aviation noise however, standard noise impact analysis requirements were used as identified in FAA Order 1050.1E. Additionally, the purpose of an EIS is to disclose impacts in an objective manner and thus the use of standard noise impact analysis requirements is essential in development of EIS documentation.</p>
68	<p>The FAA acknowledges that there are significant changes in noise for all alternatives besides the Ocean Routing Airspace Alternative. Additionally the FAA reviewed all alternatives with equal analysis. In fact all alternatives reduce the total population exposed to 65 DNL or greater noise in 2011. The FAA developed the purpose and need for the airspace redesign, consistent with NEPA regulations, to reflect its mission. According to the Federal Aviation Act of 1958, the FAA's mission includes controlling the use of navigable airspace and regulating civil and military operations in that airspace in the interest of maintaining the safety and efficiency of these operations. Therefore, the purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. From the perspective of meeting the purpose of the study the other alternatives considered address the purpose better than the Ocean Routing Airspace Alternative. Likewise the project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region. NEPA was designed to have environmental considerations taken into account along with other factors.</p> <p>Noise was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. Appendix P, Noise Mitigation Report, of the FEIS provides the mitigation analysis undertaken for the Preferred Alternative.</p>

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69	<p>As mentioned in the response to comment 4100 #32, increasing the size of aircraft is one possible strategy for serving increased demand, but it only works if the increases in demand are coming from an airport already served. Hub-and-spoke operations, for which increased aircraft sizes are practical, are a diminishing part of the demand in the United States, so the forecast of increased numbers of aircraft at EWR is valid. Airlines fly so many regional jets, not because they can not sell enough tickets to fill a narrowbody, but because smaller jets enable nonstop flights to more connecting airports. Secondly, EWR has a 6800-ft overflow runway that can not be used by “standard-size” jets unless the wind is just right. There will be small jet traffic to EWR in any case. Third, and most important, demand for travel to EWR is high. If traffic is reduced in the way the commenter describes, more aircraft would quickly be scheduled to use the capacity that became available, and the benefits of fewer aircraft would quickly disappear.</p>
70	<p>See responses to comment 4100 #32.</p>
71	<p>The FAA considered airport congestion management alternatives such as peak hour demand control, slots, and other operational limits. As discussed in detail in section 2.3.3, such alternatives were dismissed from detailed study because they would not solve operational inefficiencies of the existing airspace or otherwise meet the purpose and need for the proposed action. In light of the above, it is not necessary to address FAA’s authority to impose operational controls. We note, however, that the perimeter rule at issue in <i>Western Air Lines, Inc. v. Port Authority</i>, 658 F. Supp 952 (SDNY 1986), aff’d 817 F.2d 222 (2d Cir. 1987) was imposed by the Port Authority, not the FAA.</p> <p>As explained in section 2.3.3.1, 49 USC 47101(a)(9)(A)(B) cited by the commenter was relied upon, by analogy, as an indication that Congress did not intend for the FAA to impose artificial restrictions on use of the airspace when airspace could be redesigned to provide greater efficiency and accommodate growth in operations. We disagree with the commenters’ view that FAA should dismiss redesign as an available alternative due to its noise impacts on communities. Indeed, that would be particularly in appropriate where, as here, the preferred alternative for airspace redesign would reduce significant noise impacts on residents in the study area.</p> <p>Finally, 49 USC 41722 referenced by the commenter relates to airport, not airspace, congestion. Since the proposed Airspace Redesign encompasses multiple airports as well as overflights, even if the traffic from some airports in the Study area was subject to peak pricing controls, such controls would not meet purpose and need because they would not address overflights.</p>
72	<p>The FAA does lack statutory authority for the Secretary and Administrator to call a schedule reduction meeting to address congestion in a generalized area. Additionally, it is unlikely that FAA would be able to secure authority from Congress.</p>

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73	<p>Peak-period demand controls are used to shift traffic from the peaks into less-congested hours. In Appendix C to the DEIS, there are charts showing the hourly throughput in 2011 at each major airport in the Study Area. At LGA, EWR, and PHL in particular, there are no longer any peak hours. Demand is so high that all daylight hours are congested. Peak-period traffic has no valleys into which to shift, so peak-period demand controls are not applicable at those airports. Additionally, peak-period pricing may have the effect of moving flights to night time hours with a potential impact on noise levels.</p>
74	<p>The purpose of this project was to redesign the airspace to make the most efficient use of the resources that FAA has available. Alternative Modes of Transportation was among the categories of alternatives considered and rejected in the DEIS. Use of other modes of transportation would not address present day inefficiencies of the NY/NJ/PHL Metropolitan Area airspace. Multi-modal solutions are for regional transportation authorities; FAA does not have authority over other modes of transportation and is outside the scope of this study.</p> <p>Additionally, in general it has been determined that the market for intercity rail service is from 150-500 miles (for travel less than 150 miles automobiles are still preferred). <i>The Past and Future of U.S. Passenger Rail Service, A Congressional Budget Office Study</i> (Congress of the United States, September 2003, p.19) determined that Amtrak had already captured 47 percent of the non-auto travel and 14 percent of all intercity travel along the New York to Washington DC segment of the Northeast Corridor (Boston to Washington D.C.). Congress has not been willing to provide more funding for rail, it would not be reasonable for the FAA to rely upon other modes of transportation to improve airspace efficiency.</p>
75	<p>EWR is not the hub of a hub-and-spoke network, the kind to which the commenter is referring, and has not been since the early 1990s. Capacity limits at EWR have already discouraged hubbing. A classic hub-and-spoke system has a bank of arrivals, which are intended to reach their gates all in a very short time, after which all the aircraft depart in a bank. Every two hours or so through the day, the process repeats. An examination of Continental's schedule in the Official Airline Guide for October 2006 shows that most of the day's schedule is a continuous flow of both arrivals and departures. As for travelers who "stop at those airports only briefly", an analysis of domestic traffic from Bureau of Transportation Statistics data shows that 85% of passengers using EWR are beginning or ending their flight there. To see the meaning of that number, at Cincinnati/Northern Kentucky Airport, a true hub, the comparable figure is 30%. "Hub" is also commonly used as a synonym for "major airport" in official FAA publications, which may have led to the confusion.</p>
76	<p>FAA has no statutory requirement to control growth in aviation and the Study's purpose and need was not manipulated to eliminate grow control alternatives. Growth in air traffic is coming, regardless of the airspace design. FAA is not encouraging growth so much as it is accommodating growth. The forecast of future traffic used in this analysis includes changes in aircraft gauge. Peak-hour controls are of limited utility, since there are few hours in the 2011 forecast that are not peak hours.</p>

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77	<p>FAA developed alternative airspace designs with components that are dependent upon each other and that could not be compartmentalized. It appears that the commenter is requesting analysis that would be considered segmentation from an environmental perspective. An alternative airspace design includes all of the changes to the airspace that have some operational dependence on one another. Operational dependence means that the efficiency of one change is affected by the presence or absence of another. For example, dual arrivals to the parallel runways at EWR are not independent of fanned departure headings, since the improved arrival efficiency would congest the ground infrastructure unless there was a complementary increase in departure efficiency from dispersed headings. It should be noted that incrementally changing airspace has ultimately lead to the current condition of the airspace.</p>
78	<p>The purpose of the FAA's Proposed Action is to increase efficiency and reliability of the airspace structure and ATC system. Fanning departures serves to increase efficiency. Noise reduction was not part of the purpose and need for the Proposed Action. After receiving and reviewing comments on the DEIS, the FAA identified the Integrated Airspace Alternative Variation with ICC as its Preferred Alternative. Upon identifying the Preferred Alternative the FAA examined viable mitigation. Since implementing the fanned departures at EWR would result in noise impacts, various mitigation measures were studied including different numbers and locations of departure headings. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
79	<p>The "alternate procedures or strategies" referred to by the commenter are properly included in the environmental-impact mitigation of the Preferred Alternative. It should be noted that previous studies were not given the opportunity to start from a "blank page" as far as airspace was concerned. Now that the preferred alternative has been identified, and mitigation measures have been considered, different departure headings are included in the proposed redesign. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the Final EIS. The Noise Mitigation Report, upon which this chapter is based, was vetted through a public process inclusive of public comment.</p>
80	<p>The FAA elected to include this alternative for a detailed environmental analysis due to the long standing concerns of the NJCAAN. From the environmental review the Ocean Routing Airspace Alternative did relieve noise exposure for some residents in the New York/New Jersey areas, however operational analysis of the alternative indicates that it did not reduce delay, balance controller workload, meet system demand, improve user access, expedite arrivals and departures, increase flexibility, nor maintain airport throughput. The purpose of the Proposed Action is to increase the efficiency and reliability of the entire NY/NJ/PHL Metropolitan Airspace. The Ocean Routing Airspace Alternative was evaluated and reviewed to the same level of analysis as the other detailed alternatives in the DEIS but it did not meet the purpose and need of the Proposed Action, this alternative will not be considered further.</p>

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81	<p>The FAA objects to the commenter's summation that FAA had already chosen a preferred alternative at the onset of the Study. The design in the 1994 report had a number of flaws, which were documented in the DEIS. The differences were resolved in the operational analysis of the Ocean Routing Airspace Alternative. Opening up arrival airspace on the west side of EWR will do nothing to decrease arrival delays, since arrival delays at EWR are overwhelmingly due to the existing runway capacity. The conflict with PHL departures must be considered in context. Specifically, PHL departures are the largest single airspace problem east of the Mississippi River. Requiring the PHL departure flows to merge with an overhead stream can not be an efficient part of any airspace redesign –worsening the worst problem to solve a minor one is usually not good engineering practice. There is an essential element of the Ocean Routing Airspace proposal that can not be corrected by any optimization: ocean-routed aircraft must fly 40 to 60 nautical miles further than the No Action Airspace Alternative routing. Flying 40 to 60 miles further causes a substantial delay, no matter what further development is done. See the section “Can Precision Navigation Increase the Efficiency of Newark Ocean Routing?” in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS for more details. Furthermore, the Ocean Routing Airspace Alternative does nothing to address delays at the other airports in the Study Area. In fact it increases delays at JFK and PHL; see Figures 9-1 and 9-6 in Appendix C of the EIS.</p>
82	<p>The Ocean Routing proposal has two fundamental flaws. First, it requires flights to fly many miles out of their way, through airspace that is needed for other purposes. Second, it requires flights to stay in a single file for many miles, which is antithetical to efficient airspace design. As a result, refinements of the Ocean Routing proposal can at best limit its harm to efficiency. They can not make it an efficient alternative. The only utility of Ocean Routing is as a noise mitigation technique for times at which demand is low. In recognition of this a refined version of ocean routing, usable for night-time operations, has been included in the mitigation of the Preferred Alternative presented in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. The night-time ocean routing mitigation begins after the last heavy departure push at EWR. Thus, the delays are limited to individual flights. The cascading delays that occurred during the daytime simulations of the Ocean Routing Airspace Alternative (see Appendix C of the EIS) do not occur at night, and the operational penalties will be manageable.</p>
83	<p>The analysis of Ocean Routing Airspace Alternative was conducted with the same care as the other alternatives. The positive operational aspects of Ocean Routing are called out in Section 9.2.1 of the Operational Analysis Appendix to the DEIS (Appendix C). They are small compared to the overwhelming negative aspects. As a result, refinements of the Ocean Routing proposal can at best limit its harm to efficiency. They can not make it an efficient alternative. The only utility of ocean routing is as a noise mitigation technique for times at which demand is low. In recognition of this a refined version of ocean routing, usable for night-time operations, has been included in the mitigation of the Preferred Alternative presented in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided.</p>
84	<p>That is correct. At the scoping stage of the NEPA process, alternatives are not required to be completely detailed. The scoping process for this Study was meant to solicit comment from the public on overall concepts for airspace redesign.</p>

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85	<p>In order to clarify some of the misconceptions in the comment the FAA offers the following detail. According to Order 1050.1E, "Scoping is an EARLY and open process for determining the scope of issues to be addressed in the EIS and identifying significant issues related to a proposed action. The purpose of scoping is to identify significant environmental issues to be analyzed in greater depth, identify and eliminate from detailed study issues that are insignificant or which have been covered by prior environmental review, and set the temporal and geographic boundaries of the EIS." It is noted that scoping meetings are not required. At the scoping stage of the NEPA process for the airspace redesign general alternatives were illustrated and discussed. The Clean Sheet "Area Concept" alternative was introduced in scoping, this alternative evolved into the integrated airspace concept. The DEIS provided all alternatives, none of which were yet identified as the FAA's preferred alternative. The FAA shared some concepts with RTCA, a Federal Advisory Committee, in order to obtain information uniquely in the hands of industry, for example, user efficiency, however user efficiency is only one of the factors that goes into the selection of the preferred alternative. RTCA and other industry sources had no input on the selection of a preferred alternative beyond their comments provided on the DEIS.</p>
86	<p>Terminalization is irrelevant to the Ocean Routing Airspace Alternative. Terminalization gives air traffic controllers more options to separate traffic laterally. By contrast, the essence of Ocean Routing is that all aircraft departing certain runways should follow a common ground track away from inhabited areas in northern New Jersey. When all aircraft are climbing on the same track, longitudinal separation is the only kind of separation that matters. Permitting reduced lateral separation while requiring aircraft to fly in line with each other does not affect efficiency. Lastly, the FAA has not committed to implementing terminalization except as a concept however the FAA does believe that it is a good idea.</p>
87	<p>Comments on the DEIS from the Port Authority were treated exactly like comments from other stakeholders. Details of the analysis of the Port Authority's suggestion about left and right turns are included in the "Left and Right Turns from EWR Runways" chapter of the Operational Analysis of Mitigation Proposals appendix. In short, clearing airspace for EWR departures on the east side of the runways causes large extra costs to LGA arrivals and departures. The effect on the whole airspace, treated as a system, is negligible benefit.</p>
88	<p>No opportunities for improving helicopter operations were found. The focus of the redesign was improving jet operations at the major airports. Helicopters generally do not share airspace with fixed-wing aircraft, so the changes in jet operations did not provide any benefit to helicopters. In Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS further analysis showed that sending EWR jets down the Hudson would create conflict with other traffic that would require large distance penalties to manage safely. The net result is a loss of efficiency.</p>
89	<p>Arrival altitudes are not reduced in the Integrated Airspace Variation with ICC Alternative. The commenter may be referring to the aggregate time below 18,000 ft. metric. That is taking one metric out of a multi-dimensional analysis, which has led to incorrect conclusions. The Purpose and Need were best served by expediting departures. Departures spend two minutes less on average at low altitudes which is a greater benefit to efficiency, noise, and fuel consumption than six more miles of arrival flight as shown in Table ES-1.</p>

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Comment Number	Comment response
90	<p>The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet its responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated operational and environmental impacts. Upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA believes that it has provided full and fair discussion of significant environmental impacts for the Proposed Action and that decision makers and the public were made aware of the reasonable alternatives for the Proposed Action.</p>
91	<p>Alternatives were developed to meet the purpose and need for the Proposed Action. Although Ocean Routing did not meet the purpose and need it was also "advanced" in the DEIS. Each alternative was carefully modeled to disclose operational and the FAA has taken a hard look at potential environmental impacts. FAA has no statutory requirement to control growth in aviation indeed FAA does not promote growth but works to accommodating growth. After the FAA identified a Preferred Alternative, mitigation was examined and designed to minimize the environmental impacts to the extent possible.</p>
92	<p>The following responses are offered: 1) The 190 heading off EWR Runway 22R is not a noise abatement procedure. It was instituted to improve perceived levels of safety. The conditions for the safety improvement no longer apply, so altering the heading for efficiency reasons is appropriate. 2) Arrival altitudes are not reduced in the Integrated Airspace Alternative Variation with ICC. (See the responses to comment 4100 #82 and #83.) 3) The southern departure fix was moved to reduce the complexity of en route airspace to the south, see section 8-2 of Appendix C of the EIS. According to the noise analysis in the DEIS, whose detailed results are on spreadsheets available from the public web site, there are no significant noise impacts in Monmouth County. Among the impacts too small to reach the threshold of significance, the median noise exposure drops by 1.5 DNL. Of the 9464 census blocks in Monmouth County, only 2053 experience any increase at all. 448,000 people are exposed to a lower DNL, versus 153,000 exposed to a higher DNL; therefore the allegation of "more noise pollution" is incorrect.</p>
93	<p>The assertion that improved efficiency in the New York/New Jersey/Philadelphia area benefits "relatively few" is an incorrect summation, given that the four biggest airports in the study area generated about \$62 billion in economic activity in 2005. Even small fractions of that number are important. The assumption that "zero weight" was given to environmental concerns is unfounded, the DEIS discloses the potential environmental impact associate with each alternative on an equal basis. The approach used for this analysis is substantially more detailed and informative that what was available for the EECP in the late 80's and early 90's. The FAA acknowledges that there was much public outrage at the EECP, but the commenter must also acknowledge that part of the outrage was because the action was taken without public environmental documentation. In this study the FAA has taken extensive measures to inform the public that airspace is being redesigned and that some areas will receive additional noise. Thus, comparisons to the EECP methodology and results are irrelevant.</p>

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94	<p>The FAA objects to the commenters' summation that the FAA had chosen an alternative prior to NEPA process. While the operational analysis clearly indicated that the Integrated Airspace Alternative Variation with ICC provided the most significant benefits, the public comments are fully considered prior to the agency designating its preferred alternative. The FAA notes your opposition to the Modifications to Existing Airspace and Integrated Airspace Alternatives.</p>
95	<p>Converting the Ocean Routing proposal to RNAV routes will not make it less obstructive to aviation. Using sophisticated precision navigation procedures, which did not exist when the airspace redesign began, allows a large part of the penalties to users to be reduced. However, no navigation can mitigate the fact that aircraft must fly 40 to 60 miles out of their way to meet the requirements of the Ocean Routing Airspace Alternative. The Ocean Routing Airspace Alternative still does not increase the safety or efficiency of the airspace around New York and Philadelphia. See the chapter entitled "Can Precision Navigation Increase the Efficiency of Newark Ocean Routing" in Appendix O Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS for further details.</p>
96	<p>The Future No Action Airspace Alternative does not include any changes to RNAV/RNP procedures. Where they existed in 2001, they are in the Future No Action Airspace Alternative. It should be recalled that RNAV/RNP overlays do not reduce noise, they concentrate noise. In places where the current procedure passes over inhabited areas, RNAV/RNP overlays could aggravate noise exposure. Additionally, there are many features of the current airspace design, especially in the New York TRACON, that would make a strict implementation of RNAV arrival and departure procedures inadvisable. Merging departures from the several airports onto a single jet airway, for example, will involve vectoring of departures, whether or not the aircraft were cleared on an RNAV/RNP departure.</p> <p>Specifically related to the noise modeling aspect of this question, the noise modeling for the DEIS was developed based on a sample of radar data from 2001. The flight route dispersion found in this sample was used in the noise analysis of all future alternatives. The flight route dispersions were only narrowed in cases where a specific portion of the alternative required a narrower dispersion or where the new flight track geometry indicated that a different dispersion would most likely occur. Flight route dispersions were specifically adjusted in the Ocean Routing Airspace Alternative to comply with NJCER's procedural definitions.</p>
97	<p>EO 12898/Order 5610.2 do not bar Federal actions with that potential impact minority and low income population, these orders do require adequate public involvement with affected communities and disclosure of potential impact for these communities. The DEIS addressed environmental justice in accordance with EO 12898 and Presidential Memorandum and Order DOT 5610.2 which indicates that "each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environment effects of its programs, policies, and activities on minority populations and low-income populations..." Although there are significant noise changes in the vicinity of EWR, any options for reducing noise impacts would impact other minority populations. This information is disclosed in the DEIS. The FEIS updates the environmental justice analysis to include the mitigated Preferred Alternative.</p>

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98	The purpose of the proposed action is to increase the efficiency and reliability of the entire NY/NJ/PHL Metropolitan Airspace. As the operational analysis of three of the alternatives shows, a right turn from the runway is more efficient than a left turn followed by a right turn. The FAA identified this as an area for mitigation with the Preferred Alternative. A detailed analysis of mitigation measures for the Preferred Alternative is included in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. FAA published the Noise Mitigation Report, Appendix P, and accepted comments on the proposed mitigation prior to producing the FEIS. The population analysis provided in Table 7 was developed using 2000 Census Data, the DEIS used projected population for the years of analysis.
99	While better optimization may be possible, the No Action Airspace Alternative represents the current procedures.
100	According to FAA Order 1050.1E, "When FAA determines that a project has significant effects pursuant to NEPA the potential for disproportionately high and adverse effects pursuant to environmental justice must be analyzed." It was determined that the Modifications to Existing Airspace and the Integrated Airspace Alternatives would result in significant noise impacts. Again in accordance with FAA Order 1050.1E, noise impacts are determined by comparing the future No Action condition with the future condition for the proposal and each reasonable alternative. The potential for the significant noise impacts resulting from Modifications to Existing Airspace and the Integrated Airspace Alternatives to disproportionately impact low income or minority communities was examined. It was determined that the significant noise impacts resulted in disproportionate impacts to minority communities and therefore significant environmental justice impacts. Therefore, upon identification of the Preferred Alternative the FAA considered mitigation measures to avoid, minimize, rectify, reduce, eliminate, or compensate for the significant environmental justice impacts. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
101	The document the commenter references was an EA focused on a departure procedure that considered the segment after the initial 190-degree heading, it was not an EA considering fanned headings. The most efficient way to use a departure runway is to disperse successive aircraft once they are airborne. When this is possible, tower controllers can separate aircraft in two dimensions (laterally and longitudinally), instead of just one. Where the purpose of a change is to increase efficiency, dispersion is the correct choice.
102	The DEIS presents the required noise information as described in the FAA Order 1050.1E. FAA Order 1050.1E states that "A significant noise impact would occur if analysis shows that the proposed action will cause noise sensitive areas to experience an increase in noise of 1.5 DNL or more at or above 65 DNL noise exposure when compared to the no action alternative for the same timeframe."
103	See comment response 4100 #42 specific to population counts. The FAA's definition of a significant noise impact is a DNL 1.5 DNL change at or above DNL 65. Only when FAA determines that a project has significant effects pursuant to NEPA, the potential for disproportionately high and adverse effects must be analyzed.

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104	<p>At the time it published the DEIS, the FAA had not identified a preferred alternative. After having received comments on the DEIS, the FAA determined the Integrated Airspace Alternative Variation with ICC to be its preferred alternative. After selecting a Preferred Alternative, the FAA developed mitigation measures. Some of these measures will provide a benefit to environmental justice populations. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. This chapter also addresses environmental justice impacts for the Preferred Alternative. It should be noted that that the Preferred Alternative is not broken into elements.</p>
105	<p>The reader has misinterpreted the information provided in the DEIS. As of the publication of the DEIS the FAA had not identified a Preferred Alternative. As you have stated the FAA did disclose that the Modifications to Existing Airspace and the Integrated Airspace Alternatives would result in significant environmental justice impacts. In addition the DEIS noted that all of the communities in the EWR Environmental Justice Study Area would be considered minority communities. Therefore, with the exception of the Future No Action Airspace Alternative, there does not appear to be an alternative to the particular airspace route causing the significant noise impact that would not also significantly impact a minority community. The Ocean Routing Airspace Alternative does not have environmental justice impacts however it does not increase efficiency of the airspace and thus does not meet the Purpose and Need of the project.</p>

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106	<p>Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that the Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.</p>
107	<p>There are no Federal standards for considering Hazardous (or toxic) Air Pollutants (HAPs) at the time of this study. The Clean Air Act, as amended, includes Section 112 Hazardous Air Pollutants. However this Section 112 does not identify airports or aircraft specifically among the sources of HAPs not do they meet the legal definition of the source types that are cover under the rule. FAA is developing methods to consider HAPs at this time and has completed only a few airport related studies as part of an Airport EIS where state standards have required a state analysis. Nationwide, limited testing has been performed to identify and quantify HAP emissions levels associated with airport sources in general and aircraft engines in particular. In previous coordination with EPA for airport environmental documentation it has been decided that, given the absence of HAP emissions data and the limitations of HAP speciation profiles for commercial jet aircraft engines, an accurate emissions inventory cannot be accomplished. Therefore, the consideration of HAPs is beyond the scope of this EIS. The FAA is providing mitigation for the Preferred Alternative to try and reduce environmental impacts. It should be noted that fanning would help to disperse pollutants.</p>

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108	<p>The Port Authority’s desire to accommodate 45 million passengers and increase cargo operations by 50% is not a consideration of this study. Urban heat islands are largely focused on the surface’s ability to absorb heat and climate patterns, air pollution can be worsened in these islands of urban heat. The FAA is providing mitigation for the Preferred Alternative to reduce environmental impacts. Additionally, the 2005 FAA released “Aviation and Emissions, a Primer” indicated that transportation made up about 27% of the greenhouse gases with aviation contributing about 2.7% of that total (U.S. Environmental Protection Agency, Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2001, 2003 op.cit.). Global warming is beyond the range of study for this EIS.</p>
109	<p>See response to comment 4100 #s106, 107, and 108. The FAA does not have the statutory authority to limit aviation growth and thereby reduce aviation related emissions however airport sponsors must coordinate with state agencies relative to conformance with State Implementation Plans (SIP) when the SIP is being updated or the Sponsor considers a Federally approved/funded improvement. Through SIP coordination aviation sources are being reduced or included in SIPs. The toxic emissions analysis within “Controlling Airport-Related Air Pollution (NESCAUM, 2003) used a simplified method of calculating toxics by percentage of hydrocarbons estimated to be emitted by operational mode. Using this simple method to estimate toxics the report indicates that the three airports analyzed (Boston-Logan International, Manchester, and Bradley International) toxic emissions from aircraft greatly exceed those of the largest stationary sources in the three states but notes that The EPA method of calculating toxic emissions from aircraft relies on only a few data points for toxic emissions and may not be representative of today’s fleet mix. As detailed in response to comment 4100 #108 there are no Federal standards for considering HAPs/toxics related to airports or aircraft. The DEIS provided the potential environmental impact associated with the Proposed Action, and the FEIS provides the potential impact associated with the Preferred Alternative with mitigation. The impact assessment was developed using current FAA Orders.</p>

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Comment Number	Comment response
110	<p>Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that "air traffic control activities and adopting approach, departure, and en route procedures for air operations" are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> (Federal Register: February 12, 2007 (Volume 72, Number 28)) which formally defines these types of actions as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reduced air pollutant emissions. The Scoping Report stated, "EIS Analysis: It is neither within the FAA's regulatory authority nor expertise to carry out a health-effects type study of air quality in the study area for this EIS. However, the required air quality analysis will be done." Because the FAA has decided not to rely on the preamble to final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans a fuel burn analysis was completed to compare the Future No Action Airspace Alternative to the Preferred Alternative. Because the total number of aircraft operations would not differ between the Future No Action Airspace Alternative and the other Airspace Redesign Alternatives a fuel burn analysis was completed to illustrate the FAA's conclusions that the project is de minimis. This analysis illustrates that fuel burn is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced, see Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption.</p>
111	<p>See section 4.9 of the EIS for the air quality analysis. The FAA typically analyzes air quality for airport development as airspace redesign projects typically serve to reduce delay and thereby emissions and this project is no exception. See response to comment 4100 #106.</p>
112	<p>The Proposed Action is not a "major capacity-enhancing measure". In previous airspace projects, EPA permitted FAA to rely on language in the preamble to the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans that states adopting approach, departure, and en route procedures was exempt from Conformity Requirements. FAA has determined that it can no longer rely on the language in the preamble. A fuel burn analysis, Appendix R, of the FEIS determined that the mitigated Preferred Alternative will save about 194.4 metric tons of fuel on an average day in 2011. By reducing fuel consumption air pollutants generated by aircraft activity will be reduced in the future with implementation of the Preferred Alternative and are thus de minimis. Additionally, for aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations.</p>

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Comment Number	Comment response
113	See response to comments 4100 #s 110, 111, and 112. To support the FAA's conclusions that air pollutant emissions are de minimis for the Proposed Action in the DEIS, the FEIS includes a fuel burn analysis comparing the Future No Action Airspace Alternative to the Preferred Alternative (Integrated Airspace Alternative Variation with ICC) which proves quantitatively that the Preferred Alternative reduces fuel burn for future activity levels and thus confirms that the FAA Proposed Action does not increase air pollutant emissions. General Conformity requires the comparison between the future No Action and future Proposed Action and since operational levels will be the same for both alternatives any reduction in delay equates to reduced air pollution.
114	In previous airspace projects, EPA permitted FAA to rely on language in the preamble to the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans that states adopting approach, departure, and en route procedures was exempt from Conformity Requirements. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> (Federal Register: February 12, 2007 (Volume 72, Number 28)) which formally defines these types of actions as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice. However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. The FEIS includes a fuel burn analysis, Appendix R of the FEIS, comparing the Future No Action Airspace Alternative to the Preferred Alternative (Integrated Airspace Alternative Variation with ICC) which proves quantitatively that the Preferred Alternative reduces fuel burn for future activity levels and thus confirms that the FAA Proposed Action does not increase air pollutant emissions and therefore does not require a Conformity Determination.
115	The Preferred Alternative (with and without mitigation) conforms to the applicable SIPs as fuel burn is reduced and therefore emissions will be reduced. Specifically the Preferred Alternative compared to the Future No Action in 2011 will reduce emission and is therefore de minimis. The Preferred Alternative is not regionally significant as it does not induce operations, reduces delay, and therefore reduces emissions.
116	Throughput is not the same as capacity. Throughput is the actually-achieved number of aircraft using a resource in a given time. It is measured by counting aircraft, whether in a real system or a simulated one. Capacity is the theoretical maximum number of aircraft that could use a resource in a given time. It is measured by surveying, queuing simulations, or mathematical models. A decrease in throughput does not mean a reduction in the number of flights, it means that delays increase. Likewise an increase in throughput does not mean an increase in flights; it means a decrease in delays. When throughput is below capacity, the system is inefficient. Reducing the difference between the throughput and the capacity is the purpose of this airspace redesign. The commenter's second point is incorrect: Ocean Routing will increase emissions for three reasons. First, aircraft waiting on the taxiways have their engines running, and aircraft will have to wait longer to depart. Second, aircraft burn more fuel to fly further, and Ocean Routing would add 40-60 miles to the route of the affected departures. Third, the interference of the ocean route with JFK airspace will cause extra flying time and perhaps even holding of JFK arrivals, which causes more fuel consumption.

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117	<p>The forecasts of future air traffic used in this redesign are derived from economic and demographic factors, not FAA policy. Air traffic will grow based on market demand without FAA encouragement. FAA has a mission to move air traffic in a safe, orderly, and efficient manner, which implies using the available capacity. For the distinction between capacity and throughput, see the response to comment 4100 # 116. Additionally, there is a difference between airfield capacity (e.g. EWR CEP considerations) and airspace capacity/efficiency (e.g. airspace redesign considerations). An airport can experience delays because of either airfield capacity or airspace capacity. In the case of delay because of airfield capacity improvements to the airfield such as a new runway or taxiway can help to reduce delay. However increasing airspace capacity/efficiency is not easily achievable because airspace is finite resource.</p>
118	<p>The time spent below 18,000 ft increases in the Integrated Airspace Alternative Variation with ICC, in part because the base leg of EWR arrivals is longer, and in part because speed control of arrivals is more important than vectoring or holding. Both of these involve arriving traffic. Arrivals spend longer below 18,000 ft because departures have been given greater access to airspace. Departing aircraft are heavier than arriving aircraft, and they are climbing. Departures use much more fuel than arrivals, which are going downhill. In terms of fuel consumption, it is well worth an increase in arrival distance to expedite a departure. For example, according to the Eurocontrol Base of Aircraft Data, an industry-standard database, a nominal-weight Boeing 737-300 climbing through 10,000 feet uses 224 lbs of jet fuel per minute. The same aircraft descending through 10,000 ft uses 27 lbs per minute. That is an 88% difference in emissions.</p>
119	<p>See response to comments 4100 #s 110-115. The only alternative that results in an increase in delay and therefore emissions over the Future No Action Airspace Alternative is the Ocean Routing Airspace Alternative.</p>
120	<p>Airlines will expand activities at an airport until the point is reached where the revenue from each additional flight is less than the cost of each additional flight. Therefore, they will increase activity as long as it is warranted by passenger demand. Providing additional capacity, by itself, will not cause an airline to add new flights. Many airports in the United States have unused capacity; the airlines have not added flights at these airports because additional service is not warranted by demand.</p>
121	<p>See response to comment 4100 #118.</p>
122	<p>Comment noted.</p>
123	<p>See responses to comments 4100 #s 110-115.</p>
124	<p>Additional coordination with the National Park Service was undertaken. Additional analysis regarding National Parks and National Wildlife Refuges has been conducted and is included in the FEIS.</p>
125	<p>Noise exposure values resulting from the implementation of each of the Airspace Redesign Alternatives were calculated for parks and historic sites within the Study Area. This data has been inserted into Appendix J. Also, additional analysis of potential noise impacts on the National Parks, National Wildlife Refuges and selected state parks has been included in the FEIS. Lastly, after receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible.</p>

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Comment Number	Comment response
126	All of the parks listed by the commenter are included in the EIS analysis. It should be noted that South Mountain Reservation is considered a local park and is therefore not included in the main document but is included in Appendix J. Noise exposure values resulting from the implementation of each of the Airspace Redesign Alternatives were calculated for parks and historic sites within the Study Area. This data has been inserted into Appendices F and J. Also, additional analysis of potential noise impacts on the National Parks, National Wildlife Refuges and selected state parks has been included in the FEIS. Lastly, after receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible.
127	In the DEIS the 4(f) sites where a significant change in noise (as defined in Order 1050.1E) occurred were identified. Since a quiet setting was not considered a generally recognized feature or attribute of these sites significance, Part 150 guidelines were applied to determine compatibility. In response to comments received on the DEIS additional 4(f) analysis has been completed. The FEIS includes additional analysis of potential noise impacts on the National Parks, National Wildlife Refuges and selected state parks. In addition the FAA examined mitigation to minimize the environmental impacts to these 4(f) sites to the extent possible.
128	FAA held 31 pre-scoping meetings throughout the Study Area to introduce the project. In 2001 28 public and three agency scoping meetings were held. During the development and analysis of alternatives, project newsletters were published and the project maintained a website providing information and updates about the project. The DEIS was published in 2005. FAA provided a six month comment period on the DEIS, well beyond the 45 day comment period required by CEQ regulations. Additionally, during the comment period, FAA held 30 public meetings on the DEIS, over a period from February to April 2006 throughout the Study Area. FAA received 2441 comments on the DEIS, all of which have been considered and the FAA has responded to each. Citizens' input into the design process was also requested during pre-scoping and the scoping process. In addition the Ocean Routing Airspace Alternative which was provided to the FAA by the citizens of NJ was considered as one of the alternatives detailed and evaluated in the NEPA process. NJCAAN is free to review all DEIS comment letters received and addressed in the FEIS to determine whether NJ elected official favored either the Modifications to Existing Airspace or the Integrated Airspace Alternatives.

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129	<p>The primary goal of the public meetings was to inform the public of the changes in route structure in an easy to understand format. Posters that displayed route information depicted only major flows, on the centerline flow of traffic, into and out of the five modeled airports to avoid confusion and ensure readability. Additionally each display station was manned by Air Traffic and Environmental experts who could explain the display.</p> <p>The displays for each of the project alternatives contained changes to the departure and arrival flows from the No Action Airspace Alternative as well as those flows that would remain the same specific to the five major airports in order to permit workshop participants to compare elements of alternative design without visiting multiple stations.</p> <p>The noise impact stations were staffed by noise modeler's who were available to answer all questions related to the noise modeling results. It should be noted that the noise impact stations were usually the busiest and the modelers remained at the stations during the panel question period to answer as many questions as possible. In addition, the FAA developed a web based tool that allowed any resident to enter in his/her address and display the modeled noise impacts for a particular alternative.</p>
130	<p>The FAA and FICON thresholds for reporting noise changes in air traffic projects (or actions) are only required to show thresholds at 5 DNL for areas where noise levels are between 45 and 60 DNL, 3 DNL for areas where noise levels are between 60 and 65 DNL, and 1.5 DNL for areas where noise levels are greater than 65 DNL. All areas that met these thresholds were mapped and discussed in detail in the DEIS document. The maps were also available at each of the public meetings and on the web site.</p>
131	<p>Altitudes for holding patterns remain the same with each of the alternatives. The noise modeling conducted for the EIS includes the holding pattern and therefore results of the noise analysis reflect this feature. A map of the holding patterns for the eight most affected airports in the study is in the attached graphic "holdingPatterns.jpg". No holding patterns have been lowered.</p>
132	<p>The concept of simultaneous arrivals means using Runways 4L/R or 22L/R for arrivals at the same time when conditions permit. The concept of simultaneous arrivals at EWR does not involve the increased use of Runway 29 for arrivals. In fact, the number of jet aircraft arriving and departing off of Runway 29 remains constant throughout the alternatives. There were almost 11 jet flights modeled as arrivals for the runway and 0.25 jet flights modeled as departures for the runway. These arrivals and departures occur both during the day and at night. The term "large jets" includes any jet more than 12,500 lbs -- a Gulfstream business jet, for example.</p>
133	<p>The FAA disagrees with the commenter's conclusions. All areas that are expected to experience reportable noise changes are discussed in the DEIS. The cause for the change in each of these areas is also discussed. Figure 2.29 presents the arrival routes for EWR for the Integrated Airspace Alternative Variation with ICC. The parallel runways at EWR are less than 1000 ft apart, centerline to centerline. On a scale that makes the arrival route visible, the two tracks look the same.</p> <p>The noise modeling input for the Integrated Airspace Alternative Variation with ICC included the use of both of the parallel runways at EWR for arrivals. Therefore, the analysis of noise and related impacts on the communities included in the DEIS accounted for this change from the Future No Action Airspace Alternative.</p>

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134	The main body of the DEIS focuses on reportable noise and environmental impacts in accordance with FAA Order 1050.1E. The impacts in Monmouth county were below the reportable level, so they were properly discussed in the Appendix. See the response to Comment 4100 #92 for details.
135	Copies of the DEIS Executive Summary were sent out to over 530 individual public officials, special interest and agencies in the five state study area. Over 71 libraries, located in specific counties in the study area were given their own copy of the DEIS for the public to access. Finally, using the most universal form of public outreach, the Internet, the FAA published the entire DEIS for the public to access or download directly to individual computers free of charge. While the FAA received some comments that the DEIS was difficult to access, these comments were not common. Additionally, it should be noted that CEQ regulations permit initial distribution of just the Executive Summary and NJCAAN requested and received 1 hard copy of the entire document and two copies of the executive summary when it requested them.
136	The FAA disagrees with the commenter regarding the detail presented in the DEIS. According to CEQ Regulations, the main body of the EIS is not to contain large voluminous amounts of technical data. This data should specifically be included in the appendices to the document in order to keep the main document non-technical and easily understood by the general public. With this said, Chapter Four, "Environmental Consequences" contained detailed noise impact data, both graphical and tabular. Emphasis was placed not only on displaying the impacts, but also on describing what was causing the impacts. All noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project web site allowing for further comparisons beyond that of FAA's change thresholds.
137	CEQ permits distribution of an Executive Summary initially. Hard copies of the DEIS were placed in 71 local libraries across the Study Area. For those who specifically asked for a hardcopy or indicated that they were unable to access the CD or website, such as NJCAAN, a hardcopy was provided. In addition to the distribution of the DEIS to the public, the FAA has undertaken an extensive public outreach program for the DEIS project. Over 90 public meetings have been held to date to explain and communicate the project to specific stakeholders. Numerous special interest briefings as well as meetings with elected and agency officials have been conducted. Additional public meetings presenting the Noise Mitigation Report were conducted prior to the release of the Final EIS.
138	The FAA strongly disagrees with your assertion that the DEIS is inadequate. The DEIS, published in December 2005, is complete and adequate. Based on the requirements set forth under NEPA and FAA Order 1050.1E, the DEIS adequately addressed the noise and other environmental impacts on all areas within the project Study Area. Noise impacts in particular were rigorously evaluated and noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative.
139	The FAA disagrees with the commenter's summation that all reasonable alternatives were not rigorously explored and objectively evaluated. For instance, the Ocean Routing Airspace Alternative submitted by NJCAAN was modeled and analyzed to the same level as all other airspace redesign alternatives that were retained for detailed analysis.

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140	The purpose and need of the NY/NJ/PHL Airspace Redesign Project is not unduly narrow. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with CEQ regulations implementing NEPA. The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas to accommodate new technologies and reduce delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.
141	The FAA disagrees that the DEIS contains misleading or inaccurate data. As for public access to the DEIS, see response to comment 4100 #129.
142	The reader has misinterpreted the information provided in the DEIS. The FAA did disclose that the Modifications to Existing Airspace and the Integrated Airspace Alternatives would result in significant impacts in environmental justice communities. In addition the DEIS noted that all of the communities in the EWR Environmental Justice Study Area would be considered minority communities. Therefore, with the exception of the Future No Action Airspace Alternative, there does not appear to be an alternative to the particular airspace route causing the significant noise impact that would not also significantly impact a minority community. It is noted that the Ocean Routing Airspace Alternative has basically the same initial route for EWR 22 departures as the Future No Action Airspace Alternative. Lastly, upon identification of the Preferred Alternative the FAA considered mitigation measures to avoid, minimize, rectify, reduce, eliminate, or compensate for the significant environmental justice impacts.
143	<p>Comment noted.</p> <p>The FAA has addressed noise concerns for the Preferred Alternative in the form of mitigation in the FEIS. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
144	The DEIS, published in December 2005, is complete and adequate. Note that the initial comment period was five months; well beyond the 45-day period required by CEQ regulations. The noise grid points referred to by the commenter were released as an interpretive supplement to noise information already modeled and published in the document. These grid points allowed any resident in the 5-state study area to log on to a website and find noise grid point information for his/her census tract/block. This information was for public disclosure and individual interpretation purposes only; it went well above and beyond any noise data required for a NEPA analysis in an EIS. The noise analysis provided in the EIS is the information upon which the FAA will make its decisions related to alternatives and for comparison with any noise mitigation strategies proposed in the FEIS. While it was not necessary or required by the NEPA process or because of the release of this informational data, the FAA did extend the comment period for an additional 30 days, as it had had various requests for various reasons.
145	See response to comment 4100 #81.

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146	The air traffic control system in the United States is the safest in the world and FAA works with airlines to make sure that safety is priority one. Fanned departure procedures are less complex for pilots and controllers than the current departure procedure off EWR Runway 22, and they are better separated from other flows of low-altitude traffic around New York. The proposed procedures do not compromise safety and are at least as safe as current procedures.
147	Just as the current operation has been fine-tuned, the FAA's Preferred Alternative has also been modified as a result of public comments on the DEIS in order to mitigate impacts on surrounding communities. It should also be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives a part of the development of the FEIS. The FAA has considered measures related to the Preferred Alternative for all the areas of reportable noise increases and beyond. Details regarding the noise mitigation evaluation are presented in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
148	The FAA will not return to the drawing board to develop alternatives where minimizing noise is a part of the purpose and need. Any plan that extensively addresses the airspace limitations of the region cannot simultaneously extensively improve the noise situation. Airspace redesign can not remedy noise problems for the 29 million people living in the study area. In fact, for many people within 10 to 15 miles of an airport, depending on where they live in relation to the runway alignments, there may be little or no mitigation possible and no noise benefits possible. Additionally, in heavily populated areas, such as those surrounding Philadelphia, Newark, LaGuardia, and Kennedy Airports, mitigation of noise in one neighborhood usually means moving the noise to another neighborhood, not moving it to an unpopulated area. The FAA strongly believes that the process for this study has been open and accessible to all that desired to participate.
149	The FAA has addressed noise concerns for the Preferred Alternative in the form of mitigation in the FEIS. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.

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150	ASCEA states that the FAA shall issue an EIS pursuant to the NEPA of 1969 on the effects of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the EECF, conduct an investigation to determine the effects on air safety of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the EECF, transmit a report to Congress regarding the results of the EIS and investigation conducted pursuant to the EECF. The report was to contain such recommendations for modifications of the EECF as the Administrator considers appropriate or an explanation of why modifications of such plan is not appropriate. Finally, implementation of the modifications should occur within a year of enactment of the Act. The redesign is not required to follow ASCEA Section 401 as it was specific to the EECF. The current noise abatement procedures were set aside so the redesign would not be limited by these constraints. The redesign supplies alternatives that serve the purpose and need of the project, except the Ocean Routing Airspace Alternative. As part of the EIS process, mitigation possibilities were examined as they relate to the Preferred Alternative. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
151	The goals of the project are clearly stated in Section 1.4, Purpose and Need, of Chapter One of the DEIS. Increasing capacity was not one of them. The goal of the project, at the risk of being redundant, was to improve the safety and efficiency of the airspace.
152	The numbers in the table are correct. An increase of a few percent in airport throughput that occurs at exactly the right time can have very large benefits. These two airspace designs reduce average block time per flight in the study area by almost a full minute, and reduce departure delay by almost two minutes per flight. A change of this magnitude is valuable to users of the airspace. See the section "Interpreting Average Delay in an Aviation System" in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS for further information.
153	See the response to Comment 4100 #33 and 4100 #132.
154	In the first quarter of 2007 the five airports with the worst on time performance were EWR, LGA, ORD, JFK, and PHL. Now that four of the five worst delayed airports share this airspace, the balance has tipped toward the urgency of increasing airspace efficiency. The purpose and need for the proposed action was to accommodate growth while maintaining safety, reducing delays, and accommodating changes to the types of aircraft using the system. The "fanning" procedure was created and modeled to test its ability to meet the purpose and need of the project.
155	Designing anything involves tradeoffs. Table ES-1 shows that increased efficiency of arrival runway use outweighed the long approach paths. The block time per flight decreases by 1.4 minutes. Departures are expedited by the Integrated Airspace Alternative Variation with ICC. See Table 9-3 in Appendix C of the EIS.
156	The FAA disagrees with the comment. While RTCA, as disclosed in the DEIS, provided recommendations on the airspace concepts the alternatives were not biased by their recommendation. All coordination undertaken for the airspace redesign was given equal consideration. FAA complied with FACA during the development of the project and DEIS.

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157	<p>The FAA disagrees that a commitment was made for the NYICC/terminalization. In 2002 the agency explored the concept of the NYICC/terminalization. Reducing separation minima has the potential to increase efficiency no matter what the airspace design. Therefore the terminalization concept was determined to have independent utility from the airspace redesign study, and an independent track was developed.</p>
158	<p>Airspace designers fully recognize the runway limitations of the New York metropolitan area. The proximity of runways around New York City is the fundamental principle upon which any airspace design must be based. The long-recognized airspace problems identified by the commenter are, from the point of view of pilots and controllers, solutions to the underlying problem of the runways, not problems in and of themselves. It is correct that many features of the alternatives were anticipated from the start. In the first quarter of 2007 the four of the five airports with the worst on time performance were in the Study Area. Of all the factors that can cause delays, these airports have only one in common. Some are dominated by one or two carriers and others are not. Some have many foreign airlines, others have few. Some support hub-and-spoke operations and others do not. Some have very large aircraft, others have mostly smaller aircraft. Some are large, with long taxiways, others are small and cramped. At some, the traffic has grown substantially in recent years, at others it has not. The thing these airports have in common is the airspace used by their arrivals and departures. The airspace is therefore an important limiting factor in throughput.</p> <p>Version 1.0 of the Roadmap for Performance-Based Navigation, published July 2003, mentions EWR departures in a table of "Terminal RNAV Opportunities". These are not plans. They are places where, if the proposed change is made, there will be operational benefits. A new procedure addressing any of the opportunities in the table would go through an environmental impact assessment, in order for it to be implemented. Dual approaches at EWR are mentioned in the section on RPAT procedures. RPAT procedures are a way to use an approach designed for visual meteorological conditions in situations where the cloud ceiling or visibility are slightly less than the current minimum for visual approaches, so-called "marginal meteorological conditions". The Preferred Alternative contains dual instrument approaches, a new procedure that applies in instrument meteorological conditions. The Roadmap document does not refer to the Preferred Alternative.</p>

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159	<p>The split of Philadelphia’s Modena departure fix was in response to airspace congestion experienced in 2000. It is operationally independent of all the airspace changes in this Redesign. In fact, the Integrated Airspace Alternative Variation with ICC has three westbound fixes for PHL, not just two, so Dual Modena is not part of the Preferred Alternative. The second change, the Yardley/Robbinsville Flip-Flop, is likewise operationally independent of the Redesign. It was intended to resolve a chokepoint that was affecting airspace efficiency in the 1990s, not to handle expected growth. The third change, the Florida Airspace Optimization, caused changes to the airspace above 30,000 ft and 200 miles south of New York City. Its only low-altitude effect near New York, aside from delay reduction, is an occasional rearrangement of flights on existing procedures, not much different from the impact of a change in winds.</p> <p>The DEIS considered these operational modifications in the Future No Action Airspace Alternative as they were independent actions and are were implemented prior to 2006 and 2011, the analysis years. Further the Dual Modena Procedure and Robbinsville-Yardley Flip-Flop Procedure were categorically excluded from further NEPA analysis. According to FAA Order 1050.1E, paragraph 303(a), categorical exclusions represent actions that the FAA has found, based on past experience with similar actions, do not normally require and EA or EIS because they do not individually or cumulatively have a significant effect on the human environment. Although these actions were implemented they did not pre-empt the design of the Integrated Airspace Alternative, the basis which was the Integrated Airspace Alternative was the Clean Sheet Area Concept.</p>
160	<p>The FAA developed the purpose and need for the airspace redesign, consistent with NEPA regulations, to reflect its mission. According to the Federal Aviation Act of 1958, the FAA’s mission includes controlling the use of navigable airspace and regulating civil and military operations in that airspace in the interest of maintaining the safety and efficiency of these operations. Therefore, the purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. Likewise the project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area’s four major airports and other airports throughout the system that are impacted by air traffic in this region. NEPA was designed to have environmental considerations taken into account along with other factors.</p> <p>That said, noise was a major environmental consideration throughout the EIS process. From the beginning, during the FAA’s scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA included the five listed techniques where possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>

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161	Designing airspace requires balancing a complex set of interdependent routings to optimize efficiency. After optimizing efficiency, FAA identified a preferred alternative and designed mitigation which looked at areas where modifications to the initial design would be made to mitigate impacts without meaningfully impacting the efficiency of the design. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.
162	See response to comment 4100 #161. Upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible.
163	The FAA has committed to the communities from the beginning of the project that it would consider means to reduce noise and other environmental effects where feasible and without derogating safety or efficiency of the national airspace system. It has consistently been the "where feasible" portion of the commitment that has been left out of reports on what FAA officials have promised the public. The FAA has been clear from the beginning of the process what the purpose and need was for the project, which noise impacts would be thoroughly analyzed using NIRS modeling, and noise mitigation measures would be examined. No promise of mitigation or ability to reduce noise for large portions of the population have ever been made, as FAA is well aware that this study area containing 29 million people, is heavily and densely populated, and opportunities for mitigation are slim.
164	<p>While FAA has indicated that reduced environmental impacts would likely be a benefit of the Airspace Redesign, the Purpose and Need for the project has never included noise reduction. The Purpose and Need has always been to increase the efficiency and reliability of the airspace. From the beginning of the project, including during scoping, FAA committed to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce noise and other environmental impacts: 1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. The designs for all alternatives presented honored that commitment.</p> <p>Additionally, in the DEIS, FAA committed to designing mitigation after the public and agencies had an opportunity to comment on the DEIS to ensure their input is considered in developing mitigation. In April 2007 FAA published its Noise Mitigation Report for public comment and held seven public meetings.</p>
165	The FAA disagrees with the commenter regarding the detail presented in the DEIS. The DEIS noise modeling approach is indeed accurate and detailed enough to evaluate the noise exposure changes associated with each of the proposed alternatives in all regions of the Study Area. The noise analysis approach follows the current state-of-the art practices and FAA's current policy. All noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project Web Site allowing for further comparisons beyond that of FAA's change thresholds.

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166	The DEIS presents the required noise information as described in the FAA Order 1050.1E. While noise abatement is not possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA has considered measures related to all the areas of reportable noise increases and beyond. Details regarding the noise mitigation evaluation are presented in the FEIS document. Though supplemental metrics were considered, it was found that the task of presenting such data in an efficient, meaningful, and understandable way for all persons within the 30,000+ square mile study area was not possible. Given these complexities, the FAA decided to rely on the DNL metric for this study since it accounts for both the number of events and the noise levels of those individual events, as well as the fact that it is the sole metric that will be considered in the decision making process.
167	The FAA and FICON thresholds for reporting noise changes in air traffic projects (or actions) are only required to show thresholds at 5 DNL for areas where noise levels are between 45 and 60 DNL, 3 DNL for areas where noise levels are between 60 and 65 DNL, and 1.5 DNL for areas where noise levels are greater than 65 DNL. All areas that met these thresholds were mapped and discussed in detail in the DEIS document. The maps were also available at each of the public meetings and on the web site.
168	The use of the new headings from EWR Runways 4L and 4R is fairly rare because of a conflict with the ILS approach at Teterboro. The ILS will be less important in an environment where RNAV/RNP is common. The factors are included in the noise analysis. The noise changes cited by the commenter may very well occur as part of the EWR north flow changes, but they do not constitute a significant or even reportable change in noise. The environmental justice analysis focuses on areas where there will be significant noise impact. The areas referred to in the comment do not have a significant noise impact or even a reportable noise impact, thus an EJ analysis was not performed for those areas. The DEIS and FEIS provide the potential environmental impact for each of the detailed alternatives, use of RNAV/RNP technology is incorporated if part of the alternative.
169	A map of the holding patterns is attached. No holding patterns have been lowered for the Proposed Action. As a part of the noise analysis holding patterns were modeled by capturing dispersion around existing traffic patterns based on the original radar data and therefore results of the noise analysis reflect this feature. It should also be noted that an improvement in air traffic efficiency in and around the NY/NJ metropolitan area should reduce the need for such holding patterns.
170	There is no foreseen change in the types of aircraft using Runway 29. See the response to Comment 4100 #33 for further details.
171	Runway 29 is used by large jets in the current operation. Note that regional jets are considered large jets. During typical periods of dual arrivals more departures may use Runway 29 but they will be the same type of aircraft that are seen today. This change in traffic was included in the noise modeling. For additional information about this change refer to operational analysis in Appendix C.
172	The parallel runways are less than 1,000 feet apart so the tracks to them will look like a single line on all but the smallest map scales. The noise modeling input for the Integrated Airspace Alternative Variation with ICC included the use of both of the parallel runways at EWR for arrivals. Therefore, the analysis of noise and related impacts on the communities included in the DEIS accounted for this change from the Future No Action Airspace Alternative.

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173	On the segments of the routes that fly over Monmouth County, the aircraft are high enough that they are outside the Study Area. They did not contribute to noise exposure in this area. At this altitude, the aircraft are in an area of possible airspace congestion. Therefore the tracks appear in the operational analysis report.
174	The FAA acknowledged and recognized that while the general principals of mitigation were described in the DEIS, the specifics would be forthcoming in the FEIS. The FAA, therefore, committed to conducting one public workshop per state, to discuss mitigation. This method of analysis was without objection by, which has certain oversight authorities regarding NEPA. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. FAA informed the public of its availability through the FAA website and provided copies at 71 libraries within the study area. A 30 day comment period, as well as public meetings within the Study Area, was provided.
175	The FAA disagrees with the commenter regarding the detail presented in the DEIS. According to CEQ Regulations, the main body of the EIS is not to contain large voluminous amounts of technical data. This data should specifically be included in the appendices to the document in order to keep the main document non-technical and easily understood by the general public. With this said, Chapter Four, "Environmental Consequences" contained detailed noise impact data, both graphical and tabular. Emphasis was placed not only on displaying the impacts, but also on describing what was causing the impacts. All noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. For more detailed information on the noise analysis the reader was specifically referred to Appendix E. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project web site allowing for further comparisons beyond that of FAA's change thresholds.
176	Comment noted.
177	Comment noted.
178	See response to Comment 4100 #69.
179	See comment response 4100 #74. The purpose of this project was to redesign the airspace to make the most efficient use of the resources that FAA has available. The DEIS did address Alternative Modes of Transportation and this category of alternatives was among those considered and rejected in Chapter Two of the DEIS. The Proposed Action is needed to improve a specific mode of transportation as the current airspace structure was developed many years ago and better procedures and technology are now available to improve operational efficiency. Use of other modes of transportation would not address present day inefficiencies of the NY/NJ/PHL Metropolitan Area airspace. Therefore, this category of alternatives would not meet the purpose and need for the Proposed Action and was appropriately eliminated from further analysis.
180	See responses to comments 4100 #32 and #66.
181	See response to comment 4100 #75.
182	The constraint was correctly applied. LaGuardia Airport is closed for runway maintenance at night, so accommodating delayed traffic by extending the operating hours is not an option. Newark Liberty is open all night for cargo operations, so later arrival and departure hours are possible.

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183	<p>See response to comment 4100 #31 for discussion of the LGA experience when slots were lifted. Neither estimated nor actual costs have yet been developed for any of the Alternatives.</p> <p>The objective of the operational analysis is to estimate the relative efficiency of the alternatives. Two alternatives that perform exactly the same on an average day may have very different efficiencies on the 90th percentile day. The 90th percentile day occurs at least 36 times per year and the airspace must be able to accommodate that level of traffic. Traffic increase is the independent variable, and the air traffic management system responds to the traffic. The increased traffic is derived from economic and demographic growth, both of which are beyond FAA's ability to control. FAA's traffic forecasts reflect the best information available and were done using appropriate forecasting techniques. Appendix B, Aviation Activity Forecasts Report, of the EIS includes a comparison of recent operational levels compared to the forecast and found the forecasts to still be viable. The economy demands air travel to New York City, and carriers will serve that demand despite long delays. An airspace redesign is a relatively small change to the aviation system, so the FAA does not expect radical changes in airline schedules in response to it. The large delay changes in the operational analysis are the result of small efficiency improvements close to the limit of a fixed-capacity system.</p>
184	<p>FAA will never implement an airspace design that sacrifices safety. The parallel stream of arrivals is not running at minimum spacing in the simulations, because the redesign team (composed of Certified Professional Controllers) determined that 12 miles between arrivals would be necessary to maintain safe separations with flights to the main arrival runway. The reduction in the radar separation minima to 3 miles is permitted in the current FAA Order setting the rules for Air Traffic Control, but the current airspace and infrastructure is not in place to permit its use in the Future No Action Airspace Alternative. In the Integrated Airspace Alternative Variation with ICC, 3-mile separations could be safely applied.</p>
185	<p>See responses to comment 4100 #106.</p>
186	<p>The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas to accommodate new technologies and reduce delays. The EIS concludes that air pollutant emissions are reduced with the Preferred Alternative and presumed to be de minimis. State implementation plans take into account all regional pollutant sources (cumulative impact) are therefore considered when setting regional air pollutant limitations. The Proposed Action does not increase capacity and market demand project growth is included in the forecast used to analyze future impacts.</p>
187	<p>Arrivals are only half the story. The Integrated Airspace Alternative Variation with ICC is aimed at expediting departures, which burn much more fuel and generate much more noise than arrivals. Saving two minutes for each departure below 18,000 ft is much better for the users and the environment than adding two minutes to arrivals. See the response to comment 4100 #118 for further information.</p>

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188	Aircraft engines emit pollutants on the ground and in the air. On the ground, engines emit more volatile organic molecules and carbon monoxide; in the air, engines emit more nitrogen oxides. (See, for example, Evaluation of Air Pollutant Emissions from Subsonic Commercial Jet Aircraft, EPA420-R-99-013, April 1999). Fanning departures reduces the time aircraft spend running their engines on the ground and reduces airborne flying distance. These benefits more than offset the changed location of emissions. The exact balance between the two is hard to calculate, but in sum burning less fuel is an environmental benefit. Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, in the FEIS provides quantitative values for reduced fuel burn specific to the Preferred Alternative with mitigation compared to the No Action Airspace Alternative.
189	JFK west departures do not move in the Integrated Airspace Alternative Variation without ICC. With ICC, the aircraft pass over Newark at an altitude above 14,000 ft, well above the mixing height for ground based pollutants, which is typically assumed to be at or near 3,000 ft.
190	As mentioned in response to Comment 4100 #188 above, reduced idling time and reduced flying distance will decrease air pollutant emissions generated by aircraft at EWR. No capacity increases are foreseen to arise from the Proposed Action.
191	Comment noted. See response to comment 4100 #188. The Noise Mitigation Report identifies mitigation for EWR that includes refinement of the fanned headings necessary to increase efficiency for departures.
192	As mentioned in the response to comment 4100 #188 above, JFK departures are above 14,000 ft as they pass over northern New Jersey. Their contribution to the noise near EWR is negligible. The Aviation Safety and Capacity Expansion Act (ASCEA) states that the FAA shall issue an EIS pursuant to the NEPA of 1969 on the effects of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the EECP, conduct an investigation to determine the effects on air safety of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the EECP, transmit a report to Congress regarding the results of the EIS and investigation conducted pursuant to the EECP. The ASCEA did not direct FAA to see to provide relief but to disclose the environmental impacts associated with the implemented action.
193	According to the noise analysis in the DEIS, whose detailed results are on spreadsheets available from the public web site, there are no significant noise impacts in Monmouth County. Among the impacts too small to reach the threshold of significance, the median noise exposure drops by 1.5 DNL. Of the 9464 census blocks in Monmouth County, only 2053 experience any increase at all. 448,000 people are exposed to a lower DNL, versus 153,000 exposed to a higher DNL; therefore the allegation of “more noise pollution” is incorrect.
194	Changing one jet airway is not simple in congested airspace like that above New Jersey. A change to this route without integrated control would keep aircraft in en route airspace until much too late in their flight. Sequencing to the runway, and therefore arrival efficiency, would be degraded.
195	See response to comment 4100 #155.

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196	Operational improvements relative to Future No Action Airspace are not possible. Ocean routing can be made less bad for users than the NJCAAN proposal, but the result is still a loss of efficiency, contrary to the purpose of the Redesign. See the chapter "Can Precision Navigation Increase the Efficiency of Newark Ocean Routing?" in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS for further details.
197	The FAA disagrees that the Agency was committed to implementing the Integrated Airspace Alternative. The FAA agreed to analyze the Ocean Routing Airspace Alternative as submitted so as to not misrepresent the public's input. The 1994 study had a number of flaws. Most notably, the differences in aircraft performance as they make sharp turns were ignored. Also, Teterboro Airport was not nearly as busy then as it is now, so many of the arrival benefits listed in that study are not possible today. In addition the simultaneous use of a small space for JFK arrivals and EWR departures was assumed to be possible without harming throughput. Conflicts with Philadelphia traffic are unavoidable, since the airspace today is so congested that there is no place to put an additional jet airway westbound. See the response to comment 4100 #81.
198	The differences that the commenter has identified are caused by changes in the assignment of aircraft to modeled flight tracks as well as the evolution of the fleet and schedule of operations. When assigning actual operations to the noise model flight tracks the origin-destination pair as well as the time of day and aircraft type are used to associate a particular operation to a flight track. These changes cause the differences seen between the 2006 and 2011 for both the No Action Airspace and the Modifications to Existing Airspace Alternatives.
199	See response to comments 4100 #39 and #42.
200	See response to comments 4100 #39 and #42.
201	Although there were not severe anomalies in the Ocean Routing Airspace Alternative 2011 noise modeling, there were some anomalies in Ocean Routing Airspace Alternative in 2006. EWR departures off Runway 4 had a hold down that was not modeled. The input tracks for the noise model have been updated and noise has been recomputed. The results are presented in the FEIS document.
202	The criteria applied to assess and classify impacts are based on FAA policies and requirements stated in FAA Order 1050.1E. This criterion was generally an adoption of the recommendations made by the FICON in 1992. Refer to those documents for more information regarding the evolution of the criteria. Predicted aircraft DNL values for each alternative were provided for the entire study area regardless of whether they met the FAA impact criteria. The FAA has adopted FICON recommendations on reportable impacts for air traffic actions and report 5 DNL changes from 45-60 DNL and 3 DNL changes from 60-65 DNL. The results of the changes in noise that meet this threshold are thoroughly documented in the DEIS.
203	See response to comment 4100 #32.
204	Different forecasting methods can yield different projections. The forecast of 2006 operations was compared with actual traffic volumes and is provided in Appendix B2 of the Comparative Analysis of the NY/NJ/PHL Forecast and 2005 Actual Traffic of the FEIS. The projections were not found to be in error in any important way.
205	Comment noted. The FAA Design Team included air traffic specialists that were involved with previous airspace studies in the Study Area such as the EECF.

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206	The FAA acknowledges that the population within New Jersey is highly sensitive to aviation noise however; the FAA used relevant FAA Orders to determine noise impact. FAA Order 1050.1E, Environmental Impacts: Policies and Procedures FAA characterizes noise increases that are equal to or greater than 1.5 DNL within the 65 DNL range as a “significant impact”. Any variance from FAA guideline would create a patchwork system of noise significance. Furthermore, the FAA has adopted FICON recommendations on reportable impacts for air traffic actions and report 5 DNL changes from 45-60 DNL and 3 DNL changes from 60-65 DNL. The results of the changes in noise that meet this threshold are thoroughly documented in the DEIS.
207	Your concern is understandable. The air traffic control system in the United States is the safest in the world and FAA works with airlines to make sure that safety is priority one. Fanned departure procedures are less complex for pilots and controllers than the current departure procedure off EWR Runway 22, and they are better separated from other flows of low-altitude traffic around New York. The proposed procedures do not compromise safety and are at least as safe as current procedures.
208	Just as the current operation has been fine-tuned, the FAA's Preferred Alternative has also been modified as a result of public comments on the DEIS in order to mitigate impacts on surrounding communities. It should also be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives a part of the development of the FEIS. The FAA has considered measures related to the Preferred Alternative for all the areas of reportable noise increases and beyond. Details regarding the noise mitigation evaluation are presented in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
209	Comment noted. The FAA acknowledges that there was much public outrage at the EECF, but the commenter must also acknowledge that part of the outrage was because the action was taken without public environmental documentation. In this study the FAA has taken extensive measures to inform the public that airspace is being redesigned and that some areas will receive additional noise. Thus, comparisons to the EECF methodology and results are irrelevant.
210	See response to comment 4100 #39. The rounding to one significant digit for the FAA census spreadsheets caused an inflation in the number of people affected by an increase/decrease of 1.5 DNL at 65 DNL. Results of the noise analysis are not skewed by these differences.

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211	<p>The purpose of this project is to increase efficiency and reliability of the air traffic system through the adjustment of traffic flows in the NY, NJ, and PHL areas to accommodate new technologies and reduce delays. The FAA has never included noise reduction as part of the purpose and need and has been clear on this topic throughout the process. Additionally, the FAA is not required to balance noise exposure between any two specific areas within the Study Area. Past efforts to achieve the balance that the commenter refers to may have been attempted by the Port Authority, but the FAA has no such obligation. That said, after identification of the preferred alternative, the FAA considered mitigation for noise impacts for the Preferred Alternative.</p> <p>The fact that the noise exposure for the No Action Airspace Alternative does not reflect a balance between the City of Elizabeth and Richmond is not necessarily an indicator that further balance can be achieved. In fact, the dramatic reduction in the area exposed to 65 DNL since the 1987 study was conducted indicates that balancing 65 DNL noise exposure between Elizabeth and Richmond is no longer possible since Elizabeth is much closer to the runways at EWR.</p> <p>The mitigation analysis presented in the FEIS extensively evaluated various departure headings from Runways 22L/R at EWR. Headings less than 190 degrees; however, were not investigated as they are not operationally feasible due to the proximity of arrival airspace for LGA traffic immediately east of EWR.</p> <p>The comparison of population impact results between the DEIS and the 1995 Port Authority study are not valid. Each study is based on substantially different population, operations, and fleet mix data. The 1995 study is based on 1993 fleet mix data and population data from the 1990 Census. These data sets should produce substantially different results. Thus, no conclusions can be drawn regarding the validity of either study through their comparison.</p> <p>EO 12898/Order 5610.2 do not bar Federal actions with that potential impact minority and low income population, these orders do require adequate public involvement with affected communities and disclosure of potential impact for these communities. The DEIS addressed environmental justice in accordance with EO 12898 and Presidential Memorandum and Order DOT 5610.2 which indicates that “each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environment effects of its programs, policies, and activities on minority populations and low-income populations...” Although there are significant noise changes in the vicinity of EWR, any options for reducing noise impacts would impact other minority populations. This information is disclosed in the DEIS. The FEIS updates the environmental justice analysis to include the mitigated Preferred Alternative.</p>
212	<p>Comment noted. Mitigation for the Preferred Alternative as described in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, reduces the impact of the EWR departures.</p>

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213	In order to best address the purpose and need for the airspace redesign the FAA began with a "clean sheet" that did not require adherence to any specific airport noise abatement measure. FAA has statutory obligation to create procedures that use the airspace efficiently. FAA will permit an airport sponsor to request specific procedures in vicinity of its airport, consistent with safety and efficiency. After the Preferred Alternative was chosen, the FAA developed detailed, specific mitigation for the Preferred Alternative. However, in order to meet the safety and efficiency needs of the project, it was not be possible maintain all existing noise abatement measures. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
214	The differences described between the FAA supplied census spreadsheets and the DEIS results stem from the rounding of the raw noise exposure values. The numbers computed in DEIS are generated from the noise model which stores the raw noise values with 6 significant digits. The numbers presented in the FAA supplied census spreadsheets use one significant digit. Consequently, the analysis using the spreadsheet may identify some locations as meeting the FAA thresholds based on the one decimal place rounding where the NIRS model found them to not meet the threshold using six decimal places. Those locations would not be tallied in the DEIS.
215	See response to comment 4100 #100. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS. The noise mitigation proposed by the FAA reduces noise exposure for the communities that surround EWR when compared to the Future No Action Airspace Alternative.
216	Appendix P, Noise Mitigation Report, of the FEIS indicates that continuous descent approach (CDA), nighttime abatement procedures (ocean routing), and refined departure headings that aim for more noise tolerant land uses will be incorporated into the Preferred Alternative to reduce noise exposure in proximity to EWR.
217	Comment noted.
218	With the alteration of aircraft tracks associated with the Preferred Alternative, non noise-sensitive areas were considered as part of the mitigation process. The mitigated Preferred Alternative includes departure headings that aligned over more noise tolerant land uses were possible, Appendix P, Noise Mitigation Report, provides detailed information on the mitigation process. Additionally, use of the three departure headings will be based upon demand levels.
219	Though more operations occur during the day, operations at night are perceived as more annoying due to the ambient sounds associated with nighttime hours. Therefore implementing nighttime ocean routing is included in the mitigation, Appendix P, Noise Mitigation Report, provides detailed information on use of nighttime use of ocean routing.
220	Comment noted.
221	The FEIS includes such "environmental exploration". In response to concerns voiced by members of communities around the major airports, the Preferred Alternative has been modified to mitigate noise exposure.

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222	In the first quarter of 2007 the five airports with the worst on time performance were EWR, LGA, ORD, JFK, and PHL. Now that four of the five worst delayed airports share this airspace, the balance has tipped toward the urgency of increasing airspace efficiency. The 190-degree heading causes noise exposure to the east of the New Jersey Turnpike, most notably in Staten Island.
223	Comment noted.
224	Currently, the main Runways 4L/R are almost at 100% utilization. Therefore most traffic growth from now until 2011 will have to be accommodated by increased use of the overflow Runway 11/29. Fanning of departures off Runway 4L is rare today. It can only be used when Teterboro traffic is not using the ILS to Runway 6. Departures for Runway 4L for each alternative are discussed in the DEIS in Chapter Two, Section 2.5 Evaluation of Detailed Airspace Redesign Alternatives. See response to comment 4100 #77.
225	The population data posted on the FAA website and used by the commenter to develop Tables 6 and 7 was developed using 2000 census data and was not meant for use in computing the population disclosed in the DEIS but to allow readers to determine the projected noise levels for each census block. Note that the population disclosed in the EIS was projected for future years to account for population changes. Mitigation was explored as part of the FEIS process. EWR arrivals from the NE were examined and flights will remain higher, longer to help alleviate the noise increase experienced by the alternatives. The FAA disagrees with the commenter in that environmental justice impacts must be analyzed for areas that do not experience significant impacts.
226	The population data posted on the FAA website and used by the commenter to develop Table 8 was developed using 2000 census data and was not meant for use in computing the population disclosed in the DEIS but to allow readers to determine the projected noise levels for each census block. Note that the population disclosed in the EIS was projected for future years to account for population changes. It should be noted that both population and operations have increases since the EECP and therefore direct comparisons are not statistically sound.
227	Comment noted. The DEIS clearly indicated that some of the alternatives investigated would have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes in noise impact, including the reasons the changes occurred, were discussed in the DEIS. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternative. Noise abatement measures were considered for all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
228	Comment noted.
229	Analysis was completed in accordance with FAA agency-wide policies and procedures for compliance with NEPA as described in FAA Order 1050.1E Change 1.

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230	<p>While use of DNL has often been the subject of controversy in airport noise studies, its use has also been the subject of scrutiny by government agencies. In their 1992 report, the FICON group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. The EPA "Levels Document" identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)." Finally, it should be noted that the findings of the 1992 FICON report reaffirmed the use of the DNL metric and the use of 65 DNL for land use compatibility.</p> <p>FAA Order 1050.1E, Environmental Impacts: Policies and Procedures characterizes noise increases that are equal to or greater than 1.5 DNL within the 65 DNL range as a "significant impact Furthermore, in consideration of the public response to past air traffic changes, the FAA has identified a threshold of a +/- 5 DNL change between 45 to 60 DNL and +/- 3 DNL between 60 to 65 DNL to identify significant to moderate levels of impact. The results of the changes in noise that meet this threshold are thoroughly documented in the EIS.</p>
231	<p>The FAA acknowledges that the population within New Jersey is highly sensitive to aviation noise however, the FAA used relevant FAA Orders to determine noise impact and does not agree with the commenter's premise that comparison to the EECF is the best indicator of the reaction to Airspace Design. FAA Order 1050.1E, Environmental Impacts: Policies and Procedures characterizes noise increases that are equal to or greater than 1.5 DNL within the 65 DNL range as a "significant impact". Furthermore, in consideration of the public response to past air traffic changes, the FAA has identified a threshold of a +/- 5 DNL change between 45 to 60 DNL and +/- 3 DNL between 60 to 65 DNL to identify significant to moderate levels of impact. The results of the changes in noise that meet this threshold are thoroughly documented in the EIS.</p>
232	<p>The EPA's "Levels Document" does indicate that there are different outdoor DNL levels for varying urban settings. The document identifies 55 DNL as a value to protect public health and welfare within a 5 DNL margin of safety for outdoor areas in residential areas and farms and other outdoor areas where people spend widely varying amounts of time and other places in which quiet is a basis for use. However, in response to comments on the "Levels Document" the EPA specifically indicates that "Decisions about how much noise is too much noise for whom, for how long, and under what conditions demand consideration of economic, political, and technological matters far beyond the intent of the Levels Document. Such decisions are properly embodied in formal regulations, not informational publications such as the Levels Document.The Levels Document does not impose arbitrary Federal decisions about the appropriateness of noise environments upon any level of government, nor is it a source of prescriptions for solving local noise problems. It is best viewed as a technical aid to local decision makers who seek to balance scientific information about effects on noise on people with other considerations, such as cost and technical feasibility." [Protective Noise Levels Condensed Version of EPA Levels Document, p. 25, EPA, EPA 550/9-79-100, November 1978].</p>

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233	The DEIS presents the required noise information as described in the FAA Order 1050.1E. The commenter's suggestion of evaluating noise based on the number of persons expected to be "highly Annoyed" has been considered over the years in various forms including EPA's Level Weighted Population (LWP) methodology. The 1992 FICON Report states the following: "The LWP concept has not been well accepted by the scientific community or applied by Federal agencies, partly because of the degree of abstraction involved." As a result, FAA has not decided to use the LWP metric.
234	The DEIS presents the required noise information as described in the FAA Order 1050.1E. During the development of the DEIS, consideration was given to the development of supplemental metrics, including sleep disturbance, for informational purposes. The metric for sleep disturbance is not readily available as an output from the NIRS model. Though some supplemental metrics were considered, it was found that the task of presenting such data in an efficient, meaningful, and understandable way for all persons within the 30,000+ square mile study area was not possible. Given these complexities, the FAA decided to rely on the DNL metric for this study since it accounts for both the number of events and the noise levels of those individual events, as well as the fact that it is the sole metric that will be considered in the decision making process. Furthermore, DNL incorporates a 10 dB nighttime penalty to account for the potential effects of nighttime noise disturbance.
235	Airspace Redesign is a separate project from the EECF. Mitigation implemented for one project may be abandoned entirely by a future project, as long as the agency analyzes and discloses the consequences of doing so. Additionally, review of the EECF indicates that the mitigation provided by the Solberg Mitigation Proposal helped to reduce the number of Union County residents experiencing noise levels of 45-60 DNL. The Preferred Alternative, Integrated Airspace Alternative Variation with ICC, would not increase reportable noise levels (i.e. FAA criteria for determining impact of increases in aviation noise) within the areas that benefited from the Solberg Mitigation Proposal. Reduced use of the 260-degree heading is prominent among the techniques used to mitigate increases in noise exposure caused by the redesign.
236	FAA knows of no requirement that mitigation from a previous project be retained in a future project as long as the impacts of the future project are analyzed and disclosed, including the impacts of altering previous mitigation procedures. Furthermore, the Record of Decision (ROD) for the EECF EIS did not absolutely require further mitigation of the EECF noise. The ROD indicated that further mitigation MAY be explored in subsequent airspace design study. Since that time, Congress has required the retirement of the loud Stage 2 aircraft by 2000. This effectively reduced noise at EWR as well as most other airports throughout the country. Review of the EECF indicates that the mitigation provided by the Solberg Mitigation Proposal helped to reduce the number of Union County residents experiencing noise levels of 45-60 DNL. The Preferred Alternative, Integrated Airspace Alternative Variation with ICC, would not increase reportable noise levels (i.e. FAA criteria for determining impact of increases in aviation noise) within the areas that benefited from the Solberg Mitigation Proposal. Also see response to comment 4100 #235.

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237	RTCA, Inc. is a chartered Federal Advisory Committee within the meaning of the Federal Advisory Committee Act. During the development of the alternative designs, the project team consulted with RTCA with regard to certain design elements to obtain information uniquely in the possession of the aviation industry. RTCA's input was advisory only and FAA made independent decisions about the design elements to be included and excluded from each alternative. RTCA had no input with respect to the development of the DEIS nor was it privy to the DEIS prior to its publication. FAA did not violate the Federal Advisory Committee Act on NEPA. Moreover, FAA notes that the Ocean Routing Airspace Alternative analyzed in the DEIS was generated by NJCAAN.
238	See response to comment 4100 #237.
239	See response to comment 4100 #237
240	See response to comment 4100 #237.
241	FAA assumes that the airspace actions referred to are the Robbinsville-Yardley Flip-Flop procedure and the Dual Modena procedure. These procedures were implemented in 2001 and 2003 respectively because they had independent utility. Airspace procedures by their very nature are not permanent and capable of change. The Robbinsville-Yardley Flip-Flop and Dual Modena procedures are retained in the Airspace Redesign alternatives because they provide airspace efficiency. The DEIS considered these operational modifications in the Future No Action Alternative as they were independent actions and are were implemented prior to 2006 and 2011, the analysis years. According to FAA Order 1050.1E, paragraph 303(a), categorical exclusions represent actions that the FAA has found, based on past experience with similar actions, do not normally require and EA or EIS because they do not individually or cumulatively have a significant effect on the human environment. The on-going FAA program for creating RNAV approaches focuses on overlays of existing procedures that do not have significant effects.

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242	<p>In 2002 the agency explored the concept of the NYICC, that concept was determined to have independent utility from the airspace redesign study, and an independent track was developed. The Integrated Airspace Alternative Variation with ICC is the only alternative that incorporates parallel arrivals at EWR. The NYICC is a building. It has independent utility as a replacement for two aging facilities: NY Center and NY TRACON. FAA has not may any decisions on whether to construct such a building.</p> <p>FAA did not identify a preferred alternative until just prior to the announcement in March 2007. FAA still has not determined which alternative, including the No Action Airspace Alternative, to select.</p> <p>The need for improved efficiency at EWR has been recognized for years. Ideas for dual arrivals have been analyzed since before this project began and the same situation applies for dispersed headings. Version 1.0 of the Roadmap for Performance-Based Navigation, published July 2003, mentions EWR departures in a table of "Terminal RNAV Opportunities". These are not plans. They are places where, if the proposed change is made, there will be operational benefits. A new procedure addressing any of the opportunities in the table would go through an environmental impact assessment, in order for it to be implemented. Dual approaches at EWR are mentioned in the section on RPAT procedures. RPAT procedures are a way to use an approach designed for visual meteorological conditions in situations where the cloud ceiling or visibility are slightly less than the current minimum for visual approaches, so-called "marginal meteorological conditions". The Preferred Alternative contains dual instrument approaches, a new procedure that applies in instrument meteorological conditions. The Roadmap document does not refer to the Preferred Alternative.</p>
243	<p>See response to comment 4100 #63. The DEIS considered these operational modifications in the Future No Action Airspace Alternative and noise and air quality impacts are properly identified.</p>
244	<p>The Airport and the FAA are coordinating the ongoing planning for airspace redesign with the planning of runway improvements. The FEIS does not include the improvements being considered as part of the CEP for PHL as the project is not completely defined and the implementation timeline is beyond 2011.</p>
245	<p>See response to comment 4100 #241. Although the Robbinsville-Yardley Flip-Flop Procedure was implemented during the development of the airspace alternatives it did not pre-empt the development of airspace alternatives. The commenter is reminded that the Clean Sheet Area Concept was the basis the Integrated Airspace Alternative. These actions did not affect the analysis of the Ocean Routing Airspace Alternative as opening up arrival airspace on the west side of EWR will do nothing to decrease arrival delays, since arrival delays at EWR are overwhelmingly due to the existing runway capacity. See the section "Can Precision Navigation Increase the Efficiency of Newark Ocean Routing?" in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Redesign, of the FEIS for more details.</p>
246	<p>See response to comment 4100 #245. The project has independent utility with respect to the Airspace Redesign, in that each of the projects could proceed without the other. The Robbinsville-Yardley Flip-Flop procedure was retained in the Airspace Redesign alternatives because it increases airspace efficiency.</p>

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247	See response to comment 4100 # 245. The project has independent utility with respect to the Airspace Redesign, in that each of the projects could proceed without the other. The Dual Modena procedure was retained in the Airspace Redesign alternatives because it increases airspace efficiency.
248	The Florida Airspace Optimization is outside the Study Area for this project. It involves airspace at 30,000 feet and above.
249	The FAA disagrees with the commenter as these actions had independent utility from the airspace redesign and did not affect development of alternatives. The Florida Airspace Optimization, caused changes to the airspace above 30,000 ft and 200 miles south of New York City. Its only low-altitude effect near New York, aside from delay reduction, is an occasional rearrangement of flights on existing procedures, not much different from the impact of a change in winds. The DEIS considered these operational modifications in the Future No Action Airspace Alternative as they were independent actions and are were implemented prior to 2006 and 2011, the analysis years. The EIS properly includes the environmental affects of these independent and implemented actions as part of the Future No Action Airspace Alternative.
250	The Airport and the FAA are coordinating the ongoing planning. This EIS does not consider improvements being considered as part of the Capacity Enhancement Project (CEP) because FAA has not yet determined the reasonable alternatives to the project and the implementation timeline for CEP is beyond 2011, the future year of analysis for the Airspace Redesign. The CEP EIS will consider the cumulative impact of the changes in airspace design with the CEP. The Runway 17/35 extension has been included in the 2011 future year analysis.
251	The commenter is correct.
252	RNAV/RNP procedures cause aircraft to adhere to a preplanned track. At the lowest altitudes, this is not generally useful for efficiency, unless reduced pilot-controllers communication is important. It is most useful when a track over compatible land uses can be found; these places are where RNAV/RNP will be used in the Preferred Alternative. In other places RNAV/RNP will not be used a low altitudes because it neither improves efficiency nor noise exposure.
253	RNAV/RNP procedures can only increase capacity where some existing constraint such noise abatement procedures has reduced it. Removing those existing constraints is a primary means by which the Preferred Alternative increases efficiency. All potential benefits of these types of procedures that could be safely included were included. See Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, for explanation for the application to the Ocean Routing Airspace Alternative.
254	See response to comment 4100 #106.
255	See response to comment 4100 #106.

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Comment Number	Comment response
256	The FAA disagrees with the commenter's presumption that FAA circumvented the need to analyze air quality impacts. See response to comment 4100 #106. All of the alternatives were simulated under demand conditions that assume traffic is not discouraged from flying to New York by delays (as has been noted in many other comments). This converts all possible changes in traffic into one-dimensional metrics. Therefore, since traffic is constant at the highest possible level, the sense of air quality impacts can be obtained from the operational metrics. Relative to Future No Action, the Modifications and Integrated Airspace alternatives decrease the time spent waiting to depart and the time aircraft spend flying, so the change in emissions must be beneficial. The Ocean Routing Airspace Alternative increases both waiting time and flying time, so the total emissions must be higher (though the pollutants will be emitted over New York and the Atlantic Ocean instead of Northern New Jersey).
257	The Proposed Action does not induce a growth in operations therefore the number of aircraft operations in the future are the same regardless of the alternative. The only difference between the emissions would be the result of differences in delay. The only alternative that results in an increase in delay and therefore emissions over the Future No Action Airspace Alternative is the Ocean Routing Airspace Alternative.
258	There are so many definitions of the term "capacity" in transportation studies that some confusion is inevitable. See the response to comment 4100 #116 for the definition appropriate in this context. In documents written for the lay public, use of "capacity" is often used when in fact use of "efficiency" or "throughput" should be used. Specific to air pollutant emissions, the Proposed Action does not induce operations therefore the number of aircraft operations in the future are the same regardless of the alternative. The only difference between the emissions would be the result of differences in delay. Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, details the impact of reduced delay on fuel consumption. The Preferred Alternative with mitigation reduces fuel consumption by approximately 194 metric tons each day in 2011.
259	See response to comment 4100 #241.
260	The test for both NEPA and General Conformity is the difference in emissions between the Proposed Action and the No Action Airspace alternatives, with reduced delay emissions will also be reduced with the Preferred Alternative. The FEIS provides a fuel burn analysis that discloses the potential for fuel burn reduction with the Preferred Alternative. Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, details the impact of reduced delay on fuel consumption. The Preferred Alternative with mitigation reduces fuel consumption by approximately 194 metric tons each day in 2011.
261	Urban heat islands are largely focused on the surface's ability to absorb heat and climate patterns, air pollution can be worsened in these islands of urban heat. The FAA is providing mitigation for the Preferred Alternative to try and reduce environmental impacts. Additionally, the 2005 FAA released "Aviation and Emissions, a Primer" indicated that transportation made up about 27% of the greenhouse gases with aviation contributing about 2.7% of that total (U.S. Environmental Protection Agency, Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2001, 2003 op.cit.). The FAA can not comment on the disproportionate impact to minority and low income populations due to global warming; it is beyond the scope of this study.

Response to Comment 4100: New Jersey Citizens Against Aircraft Noise (NJCAAN) by Rutgers Environmental Law Clinic

Comment Number	Comment response
262	An airspace design is the first step in changing such a complex area. It is followed by procedure design, which determines the precise instructions controllers will issue to pilots, once the airspace design has determined where the flights will be routed. Once the Record of Decision is published, the procedure design phase can begin. At that point, it is appropriate to begin creating safe and efficient arrival procedures. Many studies have been conducted to suggest that, given the right airspace design, the procedures are possible. See response to comment 4100 #33. Since this emergency procedure is only used in rare, safety-critical conditions it is not practical to assess environmental impacts associated with it.
263	The studies cited in this comment show a general feature of delay in transportation systems. See the response to comment 4100 #32, 4100 #182, and 4100 #256 for discrete comments 1 and 2. In response to discrete comment 3, the different operational metrics are not meant to be added up to obtain a cumulative effect. They are intended to answer differently-phrased questions from different stakeholders.
264	See response to comment 4100 #32.
265	The preferred alternative is identified by comparing how each alternative responds to a common level of traffic demand. Four different levels of traffic (2006 and 2011, annual average, and 90 th percentile days) were used to estimate operational and environmental impacts. The Integrated Airspace Alternative showed the highest operational benefits in all cases. The small changes in demand that would result from delay changes would not change this conclusion. Also see response to comment 4100 #32.
266	Appendix C of the DEIS substantiates the improvements to the airspace. Though there is no capacity improvement, efficiency is shown to improve. The different operational metrics are not meant to be added up to obtain a cumulative effect. They are intended to answer differently-phrased questions from different stakeholders. For example, a traveler might be most interested in departure delay but an airline would be more interested in the change in block time. These are two different perspectives on the same delay change.
267	See response to comment 4100 #150. The FAA has never promised to reduce noise by airspace redesign. The FAA has committed to the communities from the beginning of the project that it would consider means to reduce noise and other environmental effects where feasible and without derogating safety or efficiency of the national airspace system.
268	The commenter's summation in discrete comment #1 is incorrect, altitudes are not reduced. See response to comment 4100 #155. In response to discrete comments 2&3 your comment is noted. After determining the Preferred Alternative, Integrated Airspace Alternative Variation with ICC, the FAA considered mitigation of environmental impacts for the alternative. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
269	Noise abatement was not part of the purpose and need for the project. Noise abatement alternatives were examined during the mitigation phase of the project. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.

Response to Comment 4100: New Jersey Citizens Against Aircraft Noise (NJCAAN) by Rutgers Environmental Law Clinic

Comment Number	Comment response
270	The FAA disagrees with the commenter that the Solberg Mitigation was eliminated with the airspace redesign. Review of the EECF indicates that the mitigation provided by the Solberg Mitigation Proposal helped to reduce the number of Union County residents experiencing noise levels of 45-60 DNL. The Preferred Alternative, Integrated Airspace Alternative Variation with ICC, would not increase reportable noise levels (i.e. FAA criteria for determining impact of increases in aviation noise) within the areas that benefited from the Solberg Mitigation Proposal. Moreover, even if the Solberg Mitigation procedure was eliminated, it is not unlawful to do so.
271	The Appendices to the DEIS contained extensive detail about input data and modeling assumptions. Software used to model noise (i.e. NIRS) is publicly available for purchase.
272	The differences that commenter has identified were caused by changes in the assignment of aircraft to modeled flight tracks as well as the evolution of the fleet and schedule of operations. When assigning actual operations to the noise model flight tracks the origin-destination pair as well as the time of day and aircraft type is used to associate a particular operation to a flight track. These changes caused the differences seen between the 2006 and 2011 for both the No Action Airspace and the Modifications to Existing Airspace Alternatives.
273	See response to comment 4100 #271 and #272.
274	The commenter is correct in identifying this error in the DEIS. Further review of both the 2006 and 2011 Ocean Routing Airspace Alternative identified that a climb altitude restriction for EWR Runway 04 night departure flights was not modeled correctly in the Ocean Routing Airspace Alternative for 2006, although it was modeled correctly for 2011. The error has been corrected and the results can be found in the alternative section of the FEIS. In reviewing the updated results it should be noted that the number of people receiving a noise decrease in 2006 has been reduced to be more consistent with the 2011 results.
275	See response to comment 4100 #274. LaGuardia Airport is closed for runway maintenance at night, so accommodating delayed traffic by extending the operating hours is not an option. Newark Liberty is open all night for cargo operations, so later arrival and departure hours are possible.
276	With more than 7,000 flights at 21 airports, distributed over some 22,000 modeled flight tracks for two different years and four alternatives, the sheer magnitude of this project is a significant undertaking. The modeling process for both the operational and environmental analysis is disclosed in the appropriate appendixes in the DEIS.
277	In response to your discrete comment #1 of all the numbers computed for the DEIS and presented in Appendix E use values that hold more significant digits than that which is provided in the FAA census spreadsheets. The rounding to one significant digit for the FAA census spreadsheets caused the increase in the number of people affected by an increase or decrease of 1.5 DNL at 65 DNL. Additionally, the population data posted on the FAA website was developed using 2000 census data and was not meant for use in computing the population disclosed in the DEIS but to allow readers to determine the projected noise levels for each census block. Note that the population disclosed in the EIS was projected for future years to account for population changes. In response to your second discrete comment, the number presented in Table ES.2 was a typographical error and should have totaled 20,902 as the commenter indicates. These tables have been revised in the FEIS to reflect correct numbers based on the revised analysis presented in the FEIS.

AIR CONSERVATION TRUST

Post Office Box 4383
Greenwich, Ct 06831

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President

The Honorable Janet K. Lockton

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The Honorable Livvy R. Floren

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John W. Walling, III

May 24, 2006

Steve Kelley, FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191
Via email with hard copy to follow

Dear Steve,

The Air Conservation Trust has reviewed the DEIS, Draft Environmental Impact Statement for the New York/Philadelphia Metropolitan Area Airspace Redesign's, CD's and attended the public meeting held in Stamford, Connecticut in February 2006.

There was no mention of Westchester County Airport's current or future flight tracks in the FAA's presentation at the February meeting. The informational material presented dealt with LGA, JFK and PHL. There were two HPN flight track charts on display but were not labeled as current, without ICC or with ICC. However, a careful review of the DEIS flight track contents does not list these in the DEIS. The charts available at the February meeting appeared to have satisfied, to a great degree, the recommendations put forth in the Study of Aircraft Noise Impacting the Community of Greenwich, Connecticut, prepared by Geospec, Inc. and found on page 21 of the Scoping Report, Environmental Impact Statement, March 2002.

That report requested:

a. New York TRACON to:

1. Increase the altitude of LaGuardia arrivals via the Carmel VOR to 5000 ft. MSL or above;
2. Cancel the LGA VOR/DME or GPS-E Instrument Approach Procedure (IAP)
3. Revise the LGA VOR/DME or GPS-G IAP to coincide the LGA LDA final approach course; and
4. Implement the Westchester County Airport Runway 34 FMS IAP as soon as practical.

b. Request the New York Metropolitan Airspace Redesign Team modify the New York Class B airspace by raising the 3000 foot floor to 4000 feet between the LGA 14 NM ring and the LGA 20 NM ring, from the north shore of Long Island to east shore of the Hudson River.

Were these points addressed in the DEIS?

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Westchester County Airport's flight tracks were not reviewed in the body of the DEIS. The FAA was contacted by the Air Conservation Trust in early May about the circle approach found in the appendices and its apparent absence from the full DEIS. As of this date no explanation as to why it was excluded has been forthcoming. References to the new looped climb for southern flows and the split of northern arrivals are found in the MITRE report Figures 8-46 and 8-47 and in the DIES Appendices C and E. These references make no statement as to how the looped climb out for departures from HPN and new takeoffs will impact underlying residential neighborhoods. The very limited detail provided in the appendices makes it impossible to determine the impact of these modifications to existing flight tracks. Aircraft executing these procedures will over fly residences and at least two schools, Brunswick School K-12 and Convent of the Sacred Heart, pre K-12. The environmental impact of the loop climb could seriously impact these facilities and was not discussed in the MITRE report nor the DEIS.

The DEIS was not available at the Greenwich Library, New England's second largest library, and a noise monitoring report of the areas directly surrounding HPN was not available in the DEIS. While the full DEIS was sent to the Stamford Library, that facility is not convenient to Greenwich residents. The high level of interest in the Town of Greenwich regarding the HPN's future warrants a hard copy of both the DEIS and EIS at the Greenwich Library.

The public hearing in Stamford was not well publicized. An article appeared the day before the hearing in the Greenwich Time. Please contact us in a timelier manner regarding any future meetings on the EIS.

It is our understanding that the Airspace Redesign modifications using the Integrated Airspace Alternative would not only allow the airspace to operate more efficiently but also allow access to higher altitude for aircraft using LaGuardia and Westchester County Airports. This should improve the environment near HPN while increasing operational efficiencies at LGA.

Thank you for your consideration,



Janet K. Lockton
Member, Metropolitan Aircraft Noise Mitigation Committee

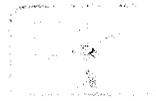
Cc: Metropolitan Aircraft Noise Mitigation Committee, Members
The Honorable Joseph Lieberman
The Honorable Christopher J. Dodd
The Honorable Christopher Shays
The Honorable M. Jodi Rell
Attorney General Richard Blumenthal
The Honorable Jim Lash

Response to Comment 4108: Janet K. Lockton, President, Air Conservation Trust, Member, Metropolitan Aircraft Noise Mitigation Committee

Comment Number	Comment response
1	<p>The descriptions of the Alternatives in Chapter Two of the DEIS were focused on the five major airports (JFK, LGA, EWR, TEB, and PHL) because these were the airports most impacted by the proposed airspace changes. The descriptions were intended to provide the reader a high level understanding of how the FAA moves aircraft into and out of the metropolitan NY/NJ and PHL areas. However, in the section describing the noise modeling input for the Integrated Airspace Alternative Variation without ICC (Section 4.1.6.1) the change at HPN is listed as one of the changes made to the No Action input data in order to model the Integrated Airspace Alternative Variation without ICC. In response to comments, written descriptions of the changes proposed for each alternative have been added to Chapter Two in the FEIS. Similar information regarding changes to HPN arrivals and departures as a result of the Integrated Airspace Alternative Variation with ICC has been added to the section describing the noise modeling input for the Integrated Airspace Alternative Variation with ICC (Section 4.1.7.1). Finally graphic representations of the proposed route changes at HPN are provided in the Attachment C, Alternative Flight Track Change Illustrations, of the Noise Modeling Technical Report included in Appendix E of the EIS.</p>
2	<p>Responses to the commenter's discrete comments are: comment #1) The changes in the airspace are focused on major jet flows. The low-altitude propeller-driven traffic on the east side was not affected; comment #2 & #3) RNP approach and departure procedures may be able to increase usage of the LDA approach to LGA Runway 22, but because of the proximity of the JFK ILS to Runway 22L airspace design alone can not; comment #4) No changes to the Class B definition are required by this redesign. Class B changes would be operationally independent of the changes in this redesign.</p>
3	<p>See response to comment 4108 #1.</p>
4	<p>The proposed departure flight routes associated with the Integrated Alternative with ICC do not change the current noise abatement procedures at HPN which specify an initial departure heading to be followed in both directions of flow. The modifications in departure routes referred to by the commenter occur beyond the initial departure headings and beyond the extent of the 2005 60 DNL noise contour published by HPN in their 2002 Aircraft Noise Study found on the HPN web site. All noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project Web Site allowing for further comparisons beyond that of FAA's change thresholds. It is noted that in response to comments on HPN impacts the noise model (Noise Integrated Routing System) was refined to more closely model differences at the higher elevation airports. The results of this refinement do not affect the results portrayed in the DEIS based on the comparisons between the No Action Airspace Alternative and the Proposed Action Alternatives presented in Chapter Four.</p>
5	<p>The noise measurements taken for this study are not the basis of the noise analysis or the evaluation of environmental impacts. They are intended only to provide a general context for reference for those readers that are interested when considering the noise modeling results. These measurements only represent a finite time frame and are not inclusive of all conditions at all areas near the measurement sites. Also, it is important to note that the changes in noise levels associated with each of the alternatives are solely based on the computations from the NIRS noise modeling and do not include any influence from the field noise measurement program and it is these results that the decision maker(s) will consider when developing the Record of Decision for this project.</p>

**Response to Comment 4108: Janet K. Lockton, President, Air Conservation Trust, Member,
Metropolitan Aircraft Noise Mitigation Committee**

Comment Number	Comment response
6	The FAA had to limit hard copy distribution of the DEIS and since it is approximately a six mile trip from Greenwich to Stamford the FAA feels it has met its obligation to distribute the document to the public in vicinity of HPN. The DEIS was also available electronically on the project website.
7	A public meeting was held in Stamford on 2/8/2006. Ads announcing the public meeting appeared in newspapers at least two weeks prior to the public meeting. Ads appeared in the Stamford Advocate and the Greenwich Times on 1/22/06 and 1/25/06 respectively. In addition public service announcements were run on several radio stations two of which include Fairfield County in their coverage area; WGCH 1490 AM and WXPB 107.1 FM.
8	Comment noted.



Faded header text, possibly including "Municipal..." and "..."

May 17, 2006

Mr. Steve Kelley
C/O Nessa Memberg
12005 Sunrise Valleys Rd
MS-C3.02 Stop
Reston, Virginia 20191

Re: Comment on FAA Draft Environmental Impact Statement (DEIS) of December 2005,
Concerning Redesign of Air Routes over New Jersey

Dear Mr. Kelley:

In 2001, the FAA's public opinion hearings for this DEIS determined, according to the FAA's own figures, that aircraft noise pollution was by a large margin the strongest and most widespread concern raised by the New Jersey public. The options for airspace redesign proposed and supported by the FAA in this DEIS are not acceptable, because they inadequately address and basically ignore the problems caused by aircraft noise pollution. This will have a substantially detrimental effect on the environment in our community.

The FAA proposals in the DEIS would negatively affect Cranford, among an estimated 500,000 other New Jersey residents, by increasing the amount of aircraft noise due to lower plane altitudes and increased plane routes over us. This increase is aircraft noise of 18% to 23% in Cranford, depending on which proposed plan is used, is unacceptable to our community.

As such, these FAA proposals by increasing aircraft noise, will erode the quality of life for our residents, and cause harm to the peaceful use of our parks, outdoor recreational facilities, and residential leisure-time pursuits.

While we recognize the importance of reducing delays at major airports, the health and welfare of our residents must come first. The FAA is discounting the significant effect its plans could have on the environmental well being of our residents.

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The FAA must focus on improving the quality of life of the citizens affected by airspace route changes, not undermining it. These plans will adversely affect the community of Cranford, where we are already subject to our fair share of aircraft noise pollution, and, therefore, we oppose the current FAA plans and encourage a more environmentally sound approach.

Sincerely,

A handwritten signature in black ink that reads "Nelson Dittmar". The signature is written in a cursive style with a large initial "N".

Nelson Dittmar
Chair

cc: Township Committee members

Response to Comment 4125: Nelson Dittmar, Chair, Cranford Township Committee

Comment Number	Comment response
1	<p>Comment noted. Noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth and mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region.</p> <p>Noise impact was a major environmental consideration throughout the EIS process. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the potential noise impacts. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p>
2	Comment noted. See response to comment 4125 #1.
3	<p>The FAA recognizes the quality of life issues impacted by aviation activities. The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet its responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated operational and environmental impacts. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible.</p>
4	Comment noted. See response to comment 4125 #3.

SCOTCH PLAINS AIRCRAFT NOISE COMMITTEE INC.
P.O. BOX 163 SCOTCH PLAINS, N.J. 07076

A quote from an FAA May 1999 Environmental Assessment of route changes at Newark Intl. Airport. " The FAA is committed to reducing aircraft noise exposure in communities near Newark Intl. Airport (EWR). For more than 30 years, the FAA has been actively working with the airlines, the Port Authority of N.Y./N.J., elected officials, and community groups to identify and implement noise abatement measures. Because the area surrounding EWR has long been densely developed with urban land uses and because the land use pattern is unlikely to change dramatically in the future, noise abatement officials have focused on making adjustments to aircraft operational patterns in the airspace around EWR. Through careful planning, the FAA and its partners have implemented numerous procedures that have resulted in noise benefits for surrounding communities."

After five years and millions of taxpayer dollars the FAA presents a redesign plan that provides a .4% to 2.9% increase in departure capacity, with devastating increases in noise. The plan scraps existing noise abatement procedures, removes air traffic from industrial areas and spreads it over all of Union County.

The FAA 1999 Environmental Assessment of 220 & 260 degree departure procedures rejected the 220 heading saying it would result in a significant increase in noise exposure for New Jersey, while reducing noise in a non-residential area on Staten Island. From March until September 1999, the 260 was live tested, and was scrapped because it increased noise in residential areas of N.J. causing a large public outcry.

A 1987 Port Authority study by Landrum & Brown of EWR runway 22 departures examined 23 different departure procedures. The 220 & 260 degree headings showed a very large noise increase in N.J. and was rejected.

In 1980 the FAA performed a live test of the 220 degree departure procedure for EWR runway 22. Due to increased noise in N.J. the procedure was rejected.

The FAA wants to scrap more than 30 years of noise abatement efforts for a miniscule .4 to 2.9 percent increase in departure capacity. The airlines will increase the number of departures negating this tiny increase.

The DEIS is available online and one hard copy at one library in Union County. Without a high speed internet connection it is impossible to review the DEIS. This appears to be an FAA attempt to limit public comment.

We request that all anti aircraft noise entities be supplied a hard copy of the DEIS, and a six month extension to review the data.

Section 9119 of the Aviation Safety and Capacity Expansion Act of 1990 directed the FAA to do an Environmental Impact Statement, and to report to Congress with recommendations for changes to reduce aircraft noise for New Jersey. Congress reiterated this in the 1992 and 1993 U.S. Department of Transportation Appropriations Acts.

The FAA never completed this mandate to reduce aircraft noise and is therefore still required to provide noise relief to N.J..

Following this Congressional mandate a determination was made by the FAA to establish an office for Air Traffic Environmental Issues at FAA headquarters. This office was to provide policy guidance to Regional Offices. This office was established as a unit in the Office of Air Traffic System Management, since it was to address operational issues in relation to the environment.

In October 1991 the FAA Eastern Region added a full time environmental specialist to the Air Traffic Division staff. The awareness and importance of environmental issues were heightened through the use of training workshops attended by air traffic managers and airspace procedural specialists. The Airway Facilities Division also added an environmental specialist to its staff. Guidance concerning environmental related issues in general became more readily available through these staff specialists.

In April 1992, the FAA Eastern Region created an Environmental Network. This internal network, consisting of full time and collateral duty environmental specialists, linked all operational divisions and was to meet regularly to discuss these matters.

On September 14, 1990, the FAA issued notice 7210.360, Noise Screening Procedure For Air Traffic Actions Above 3,000 Feet AGL. This notice provides instructions and guidance for determining whether a proposed air traffic action, between 3,000 and 18,000 feet AGL, will result in increases in overall community noise exposure caused by jet powered aircraft.

We request confirmation that the above FAA entities still exist. We also request transcripts of all meetings of these entities concerning the current redesign proposals.

We request documentation pertaining to FAA notice 7210.360 and the current redesign proposals.

The Modification to Existing Airspace and both versions of the Integrated Airspace will dramatically increase noise and air pollution in Union County and are not acceptable.

The No Action Alternative leaves in place current noise abatement procedures and is the only alternative we support.

The FAA is still under a 1990 Congressional mandate to provide aircraft noise relief to N.J., therefore the FAA must face the fact that the NJ/NY airspace has reached capacity and tell the airlines that you cannot put ten pounds of manure in a five pound bag.



E. Dennis Hardie
Chairman

Response to Comment 4130: E. Dennis Hardie, Chairman, Scotch Plains Aircraft Noise Committee Inc.

Comment Number	Comment response
1	The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet its responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. Upon receipt of public and agency comments on the DEIS, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. Reduced use of the 260-degree heading is prominent among the techniques used to mitigate increases in noise exposure caused by the redesign.
2	The purpose of the redesign was not to increase capacity, but to make better use of the capacity that exists. See the section "Interpreting Average Delay" in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign of the FEIS.
3	Comment noted. Hard copies of the DEIS were sent to libraries to accommodate those who do not have internet access. Hard copies were available at both the Union Public Library and the Elizabeth Public Library. Many libraries in Union County also provide internet access.
4	Comment noted.
5	ASCEA states that the FAA shall issue an EIS pursuant to the NEPA of 1969 on the effects of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the EECF, conduct an investigation to determine the effects on air safety of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the EECF, transmit a report to Congress regarding the results of the EIS and investigation conducted pursuant to the EECF. ASCEA did not include a mandate to reduce aircraft noise or to provide noise relief to New Jersey.
6	The Office for Air Traffic Environmental Issues at FAA headquarters became ATA-300 and is now referred to as the FAA System Operations Airspace and AIM Environmental Programs Group. The Environmental Network created by the Eastern Region of FAA in 1992 continues to exist informally.
7	Former FAA Notice N7210.360, Noise Screening Procedure for Certain Air Traffic Actions Above 3,000 Feet AGL has been cancelled.
8	Comment noted.
9	See response to comment 4130 #5.

Nagendran, Ram

From: MaureenRad@aol.com
Sent: Wednesday, May 31, 2006 7:21 AM
To: FAA DEIS
Subject: Re:Comments on Airspace Redesign Project
Attachments: FOS letter to FAA..doc

Dear Mr. Kelley,

Please find attached, comments on the DEIS for the Airspace Redesign Project from the Friends of the Shawangnks in Ulster County NY following the public information meeting in Kingston.

Maureen Radl
Vice President

6/2/2006

004176
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Friends of the Shawangunks

P.O. Box 270
Accord, NY 12404

May 30, 2006

Steve Kelley, FAA-NAR
C/o Nessa Memberg
12005 Sunrise Valley Road C302
Reston VA 20191

Dear Mr. Kelly:

As a resident of Cragsmoor and Vice President of the Friends of the Shawangunks, I wish to express my appreciation to the FAA for adding Kingston, NY to its itinerary of public meetings on the DEIS for the Metropolitan Airspace Redesign Program. Although this area may be the farthest away of the twenty-two sites where you held informational meetings, it has been seriously impacted by overflight noise from approaches to Newark Airport since the expanded East Coast Plan was initiated in 1989.

In recent years, there has been some reduction in overflight noise in our area as a result of advocacy on the part of Ulsterites Fight Overflight Noise, the Woodstock Overflight Focus Group and the support of Congressman Maurice Hinchey among others. The Redesign Program, however, gives us reason for renewed concern. From the computer generated models we observed on April 10, it is evident that air traffic on vector 213 will increase and become more concentrated at intersections TALCO over Woodstock, WEETS over Stone Ridge, and Helon over Cragsmoor. These are particularly sensitive areas because of the elevation of the communities and the Catskill and Shawangunk parklands which are located beneath this vector.

1

We are also concerned that the noise measurements done in this area are flawed. The FAA did not take into consideration that the impact of a single event, such as the overflight of one plane in a rural setting without ambient background noise, can have a greater impact than an event recording the same decibels in an urban environment with extensive background noise. It is essential that new formulas be created that factor in intrusiveness and audibility of noise which would be more applicable to rural area.

2

In addition, noise was only measured at three sites in Ulster County. None were done on the Shawangunk Ridge, a unique open space designated by The Nature Conservancy as one of the worlds "Last Great Places." The Shawangunk Ridge parklands of Minnewaska and Sam's Point are especially vulnerable because of their elevation and proximity to Stewart Airport. The altitude of the metropolitan traffic constrains the altitude of local Stewart and Westchester airport traffic, forcing planes from these locations to fly low over the ridge. The level of impact is especially problematic because Minnewaska's and Sam's Point's designation as park preserves means that they qualify

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for a higher level of natural resource protection than many parks in the New York State System.

After careful consideration of the information that was provided to us at the public meeting on the Airspace Design Program, we would like to make the following recommendations:

- Create a noise assessment formula that makes more accurately assesses areas close to airports than the present Part 150 averaging methodology which was designed to asses noise levels close to airports.
- Use that formula for measuring noise on the Shawangunk Ridge. Along with providing a valid assessment of present conditions, it will also establish a base line that can be used to compare nose levels before and after the new plan has been implemented.
- Examine carefully how arrivals and departures from Stewart International and Westchester Airport will interface with the new design and make this information available to the public.
- Give due consideration to the need for places of peace and quiet in the metropolitan area which is part of the mission of the State parklands on the Shawangnk Ridge.
- Seriously consider routing the Newark traffic over the NYS Thruway corridor where overflights will have much less impact because of the higher levels of background noise which already exists there.

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Our organization and other groups have worked tirelessly to protect open space in this region. Not to protect the air space above this land, however, would negate all of our efforts and that of the State to provide these rare havens of peace. We hope the FAA will acknowledge the need for such places proximate to the metropolitan area and work with us to maintain quiet skies over the Shawangunks and the Catskills.

Sincerely yours,

Maureen Radl
Vice President

Nagendran, Ram

From: Frans C. Verhagen, M.Div., M.I.A, Ph.D. [gaia1@rcn.com]
Sent: Wednesday, May 31, 2006 1:54 PM
To: FAA DEIS
Cc: Bill Mulcahy; Jack Saporito; Warren Woodberry; Hugh Weinberg
Subject: Comments made to Daily News Reporter Woodberry
Attachments: PRESS RELEASEMay 15.doc; Daily Herald.doc; MARCH06b.doc; Printer Friendly Version - Plan to expand air traffic hit as un-S_A_F_E.txt

Dear Mr. Kelley:

NYC May 31, 06

It was a pity that I could not have met you personally at the Howard Beach meeting and at the Queens Borough President's Aviation Advisory Council on account of your personal circumstance.

I want to respond your comments to the attached Warren Woodberry' article of May 30th in the Daily News entitled "Plan to expand air traffic hit as un-S.A.F.E." This was in response to SAFE, Inc's press release which I also have attached.

The proposed alternative 5 embedded in my 6 page attached testimony of March 22nd calls for a moratorium on airport expansion—not a tripling as suggested by Secretary Minetta in 2000—and an emphasis of doing more with less. This means first of all, increasing the efficiency of the air control system as suggested by many, including the recent Executive Club meeting in Chicago. Having corporate aviation pay its way as rightly pointed out during the same meeting's report would also reduce delays and reduce flights. There is of course the whole issue of fare pricing which not withstanding the fuel increase should also include the social and ecological costs of this premium mode of transportation. Again doing more with less than letting only the market and its political economy determine the direction under the mistaking notion that all growth is good. Richard Douthwaite 1999 presents convincing evidence that the Growth Illusion has enriched the few, impoverished the many and endangered the planet.

My main point in the March testimony about the need for an intermodal system of both air and surface transportation is exactly ignored by your statement that "the FAA in this particular initiative doesn't have direct control whether we use a rail station or not. It's not part of the scope [of the project]" Letting alone the denigrating misrepresentation of the notion of a comprehensive intermodal transportation system by using the terms of the "use of a rail system", redesigning the metro and later on the national airspace without considering the transportation system as a whole is doomed to fail in bringing about an efficient transportation system for the 21st century where peak oil will be one of its major characteristics. I am not blaming you personally or even the FAA because the NAR initiative, I assume, was taken by Mr. Minetta and Congress, both of whom still operate under the notion that bigger is better and the growth illusion. If our organization which represents two dozen civic organizations that are working towards a sustainable, equitable and accountable aviation, had been notified about the scoping and pre-scoping procedures, we would have made those points at that point and written letters to the DOT Secretary and our federal, state and local representatives.

Yours for a sustaining future and a sustainable aviation industry

Frans C. Verhagen, M.Div., M.I.A., Ph.D., environmental/sustainability sociologist,
 Founding Chair, Steering Committee, Moynihan Visitors Center on Intermodalism at JFK
 President, SAFE, Inc. www.metronyaviation.org; President, Citizens Aviation Watch, USA, Inc. www.us-caw.org
 Adjunct Associate Professor of Sustainable Aviation at Vaughn College of Aeronautics and Technology,
www.aero.edu and at the CUNY Aviation Institute at York College, <http://www.york.cuny.edu/aviation>
 Moderator <http://groups.yahoo.com/group/CAWInternational/?yguid=72581814>
<http://finance.groups.yahoo.com/group/aviationtaxation/?yguid=72581814>
<http://finance.groups.yahoo.com/group/Noaircargoexpansionism/>
<http://groups.yahoo.com/group/revampingaviationsystem/>

6/2/2006

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18/11

Director, Sustainability Research and Education
Earth and Peace Education Associates International (EPE)
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“...the verb sustaining holds open the actively normative questions that the idea of sustainability raises. We are required to probe: What truly sustains us? Why? And how do we know? Conversely, we must ask: What are we to sustain above all else? Why? And how may we do so?” Aidan Davison, *Technology and the Contested Meanings of Sustainability*, 2001: p.64



Sane Aviation for Everyone, Inc.

www.metronyaviation.org

PRESS RELEASE

May 13, 2006

Contact: Dr. Frans Verhagen, 718 275 3932

The FAA's National Air Space Redesign program: A Deceptive Disaster.

The FAA website states that the "FAA's Eastern Region Air Traffic Division is redesigning the airspace in the New York/New Jersey/Philadelphia Metropolitan area to reduce delays in the area. The current airspace environment is inefficient for aviation users and FAA."

While emphasizing reduction of delays and increasing efficiency the FAA is deceiving the metro NY and Philadelphia region by not explicitly mentioning the FAA Administrator's May 2005 announcement of the Next Generation Initiative of tripling aviation capacity.

Why is tripling aviation capacity a social, economic and ecological disaster?

It is an *economic disaster* because it further degrades an integrated transportation system where surface transportation is to be given a preference, particularly for short distances, because aviation is a premium mode of transportation with the highest costs in energy per passenger mile traveled. Moreover, most of the projected increase is in corporate travel that contributes less to the economy than high speed rail for the general population.

It is a *social disaster* because the burdens of increased operations will be mostly shared by airport communities whose health and quality of life will be further decreased by the increased noise and air pollution. It is also places more burdens than benefits on the general population.

It is an *ecological disaster* because aviation worldwide and particularly in the USA will be contribute more to global warming and dimming than all other modes of transportation combined in the next couple of decades on account of its exemptions and privileged position.

Daily Herald

American CEO: High taxes, antiquated air traffic control system hurt industry

BY ANNA MARIE KUKEC

Daily Herald Business Writer

Posted Thursday, May 25, 2006

The head of American Airlines Wednesday blasted the government for excessive taxes and an antiquated aviation system, which continue to force the industry into financial straits.

AMR Corp. Chairman and Chief Executive Officer Gerard Arpey also said consumers should expect to pay higher ticket prices in coming months, mostly due to soaring fuel costs.

"I don't think people are going to be happy about that any more than they're happy when they go to the gas station and fill their car up and it costs \$75," Arpey said. "But that's the reality of living in a world of \$70-a-barrel oil."

Arpey, who heads the nation's largest and only airline that hasn't filed for bankruptcy, addressed about 800 business executives before the Executive Club of Chicago. The industry has lost about \$50 billion in the last five years, including about \$7 billion to \$8 billion from American. "That can't go on," Arpey said. "Fares have been too low."

In the 1990s, he said American paid about 10 cents on the dollar for fuel. Today, it's about 30 cents on the dollar. The airlines also pay an additional premium called a crack spread that is \$15 per barrel. So if a barrel of oil costs \$70, American pays \$85.

Besides oil, taxes have soared. In 1972, three federal taxes were imposed on airlines. Today, there are 15. That amounts to about \$15 billion dollars a year for the industry, Arpey said.

"The federal government taxes air travel - an activity crucial to our economist vigor - more heavily than cigarettes or tobacco, products they are explicitly trying to discourage people from using," Arpey said.

Arpey also said the nation's air traffic control system is so antiquated, it increases the financial burden.

"It is a scandal that in 2006 our country continues to depend on an outdated technology that routinely bogs the system down, and compels airlines to fly inefficient, indirect routes - burning more fuel, creating more emissions, and wasting everybody's time and money," Arpey said.

Mike Boyd, aviation analyst with Boyd Group in Evergreen, Colo., agreed and said the

Federal Aviation Administration is about 10 years behind in technology. "It costs the industry \$10 billion a year in excess costs," said Boyd. "It's not always the weather that causes delays, it's an incompetent system."

Arpey also advocates user fees for private aircraft, while the business community opposes fees.

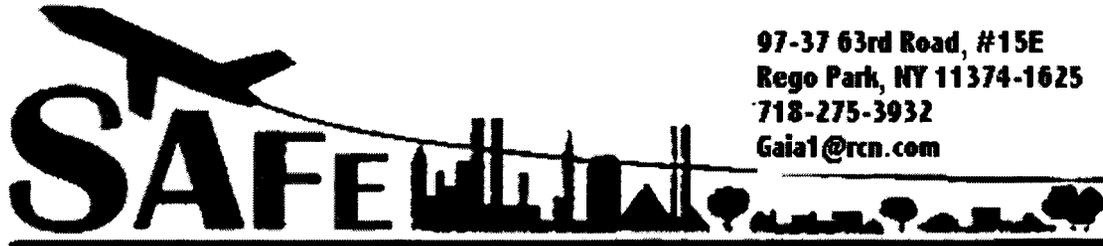
"Under the current system, they get a free - or almost free - ride," Arpey said. "Today, airlines use two-thirds of the system's services. But pay more than 90 percent of the cost. By contrast, business aviation uses 19 percent of services, but pays just 5 percent of the cost."

Arpey also said: While competitors have outsourced aircraft maintenance overseas, American actually does maintenance work for foreign airlines. It has launched such maintenance bases in Tulsa, Fort Worth and Kansas City.

American has had record numbers of domestic passengers and expects a busy summer. Internationally, its Asian market isn't as busy and needs to boost ridership.

More consolidation is expected in the industry as low-cost airlines continue to chip away from American and other legacy airlines.

dailyherald.com



Sane Aviation for Everyone, Inc.

www.metronyaviation.org

TESTIMONY ABOUT THE DEIS ON THE FAA AIRSPACE REDESIGN IN THE
METRO NEW YORK AND PHILADELPHIA REGION

BY

Frans C. Verhagen, M.Div., M.I.A., Ph.D.,

sustainability sociologist at www.globalepe.org

President, SAFE, Inc. and CAW, USA, Inc. www.us-caw.org

Adjunct Associate Professor of sustainable aviation at Vaughn College of Aeronautics
and Technology, formerly College of Aeronautics at LaGuardia Airport

March 22, 2006

Dear Steve Kelley, FAA NAR (via faa.deis@ngc.com)

My name is listed above and I am a resident in Rego Park, Queens County. For about 10 years I have been the president of SAFE, Inc. and, since April 2002, of the national organization, CAW, USA. I also serve on the Queens County BP Aviation Advisory Council, which, unfortunately, is more reactive than pro-active. I am also in the process of strengthening the International Citizens Sustainable Aviation (CSA) movement, particularly with the help of Dr. John Whitelegg, who has worked for 25 years on transport, environment and sustainable development issues and publishes of World Transport Policy and Practices Journal. <http://www.eco-logica.co.uk/index.html>

There are six main issues that I want to raise in this testimony which as you have seen from the CC and BCC list has been sent to various citizens, industry and media organizations. The issues are:

1. need for a comprehensive intermodalism policy and funding of air and surface transportation
2. need to review the methodology of growth projections by the FAA leading to expansionism in the local, regional, national and international aviation system
3. the process of aviation/transportation decision making
4. the feasibility of establishing a Queens County Aviation Trust Fund

5. absence of a fifth alternative for the NAR program
6. increase of noise impact by the adoption of alternative 4

You may think that the first 4 issues do not belong to a testimony about the NAR program. I want to point out that exactly by ignoring the larger context the real challenges of the NAR design are overlooked. Of course, it is in the interest of the aviation industry and, unfortunately, the closely allied FAA establishment to have a limited discussion about the DEIS, because in that way the public's air space can be populated with ever more airliners, corporate jets and even, horrors, air taxis. By ignoring a widely and deeply based discussion about policies and values the FAA allows citizens to rearrange somewhat the decks on the Titanic, but not to direct the course of the nation's transportation system.

1. Need for a comprehensive intermodalism of air and surface transportation

There is an absence of an overall sustainability perspective on the transportation in the USA. Unlike in other industrialized nations the US surface transportation system has deteriorated from its halcyon days in the fifties, the pride of the world. Presently, Germany, Japan, China and others are investing huge amounts of public and private funds in high-speed rail and even Maglev. The latter technology of great promise was invented at Long Island, but its application has only gone abroad.

If the US Congress and Administrations do not start planning for comprehensive intermodalism in the transportation sector both air and surface transportation modalities will suffer. Though Moynehan's ISTEA was a great step forward in making surface transportation more efficient by its emphasis on intermodalism, what is needed now is the integration of both air and surface transportation. Because intermodal transportation is generally understood to refer to surface transportation, I have coined the term of comprehensive intermodalism to point to the challenge of integration both air and surface transportation.

A first step in the development of such Comprehensive Intermodal TEA legislation is to remove the dichotomy of AIR 21 and TEA 21 legislation and funding the existence of which, it seems, is mainly due bureaucratic inertia and the lack of comprehensive sustainability thinking in transportation.

It is a great pity that the recent report to the US Congress "Aviation and the Environment. A National Vision Statement, Framework for Goals and Recommended Actions" still considers aviation to be completely separate from surface transportation and that its three recommendations are reflective of a very narrow vision, framework and set of goals.

I have attached a PowerPoint presentation on sustainable aviation that was presented in 2004 to faculty and students at Vaughn College of Aeronautics and Technology, formerly College of Aeronautics at LaGuardia Airport. What this means in practice, from a

citizens' point of view, is presented in the mission statement and objectives of my local coalition and the national organization in its pursuit for a national and international sustainable, equitable and accountable aviation system.

2 Reviewing the methodology of growth projections by the FAA leading to expansionism in the aviation system

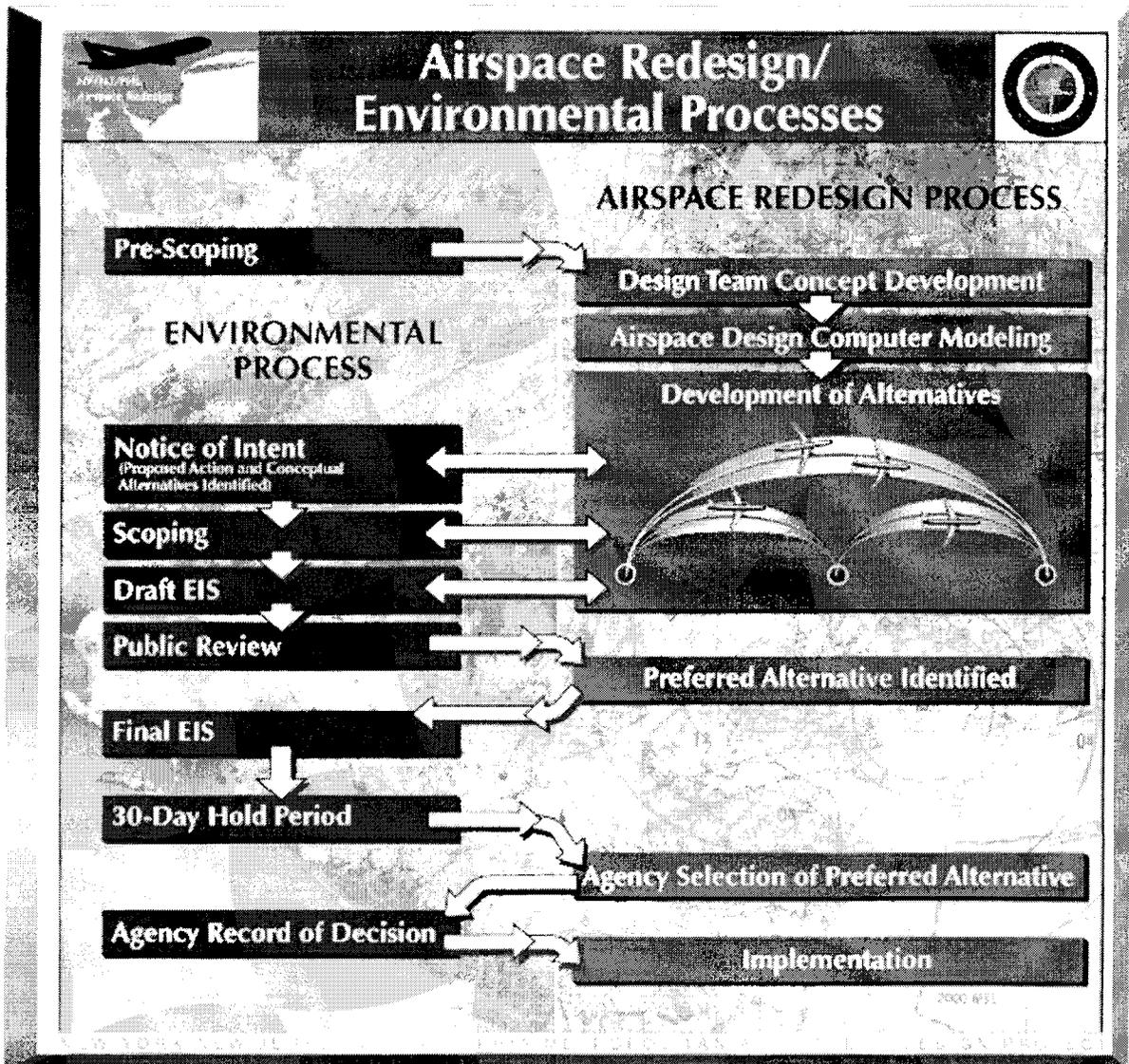
There is a complexity of forces at work in making the aviation industry expansionistic. One of them are the optimistic projections by airframe manufacturers, which either accompany or predate the FAA projections. Though these projections seem mostly to be made based upon straight line trend analysis with some adjustment for environmental constraints, its methodology is to be analyzed in its proper socio-political context, given that most FAA decisions seem to be made with very close cooperation (collusion?) of the industry. Even the 2006 A&E Report to Congress mentioned above suffers from limited citizens participation. It seems that even the federal legislation in respect to advisory committee membership and process is being violated as is argued by a lawsuit recently brought by NJ CAAN, a member organization of SAFE, Inc.

How does the FAA methodology and Boeing's for that matter incorporate the fact of peak oil and drastically increasing gas prices within the next five years? How do these methodologies incorporate the real social and ecological costs of aviation, especially if the next Administration begins including global warming costs in its negotiations with the EU within the Open Skies Treaty framework? Etc. etc.

3. Process of aviation/transportation decision making

Before dealing with the NEPA process I want to point out that federal transportation decision-making, like decision-making in other sectors is highly biased in favor of the industry. It is not only campaign contributions, the strong aviation lobbying force where spouses of congress members feature prominently, but also the revolving door dynamic that plays havoc with democratic decision-making. Obviously, the narrow connection of civil aviation with military aviation is predicated on the exclusion of authentic public input into the transportation decision-making process.

Like in many other federal projects the NEPA process is also slanted in such a way that real, value-based input by the citizenry is absent in the pre-scoping and scoping process. It is only when the DEIS stage is reached the public can make its input. The public is delegated to deciding the position of chairs in a room the size of which is determined without their input. In the graphic below the pre-scoping and scoping sessions are most important to set direction and direction is set by values and the normative context of the participants.



Recently, BP Marshall requested for additional public meetings in Queens County. You responded to the negative given the poor showing in Lawrence and Elmhurst. I agree with you, but for another reason. If my organization were to push for participation the room could be filled as we did with a hearing at Vaughn College about two years ago. Why should we bother? If the FAA and the Administration were serious in getting public input, they should make funds available so that they can hire their own consultants who would evaluate the alternatives on the basis of ecological sustainability, equity and accountability. The FAA could also budget funds to have local seminars with officials and citizens engage in an informed debate or choose other formats from the three dozen modes of public participation that are available. In order to make that possible I have been proposing for several years the feasibility of having a Queens County Aviation Trust Fund which also could fund such endeavors.

4. absence of a fifth alternative for the NAR program

I would like to propose a fifth alternative to be considered which would involve a moratorium on quantitative growth and an emphasis on qualitative growth. The latter growth would not only improve airport and airlines operations, but, more importantly, it would integrate aviation with surface transportation. This alternative demands doing more with less. It would be predicated on the thermodynamic notion that by definition air transportation is always more expensive energetically than surface transportation. (There are no low-cost airlines or LCAs, there are only low-fare air lines which do not pay for the social and ecological costs of their operations!) It would also be predicated on a national debate about the need for air taxis, increased corporate travel, the feasibility of shuttles. A major part of that national conversation would be the internalization of the social and ecological costs of all the modes of air and surface transportation. So, if business leaders who are now protesting against raising their share for the replenishing of the Aviation Trust Fund in 2007 want to use shuttles, air taxis, let the FAA make them pay a fully integrated price for this premium mode of transportation and not have tax payers shoulder the burden, particularly those that live near airports.

5. Increase of noise impact by the adoption of alternative 4

“What I find disturbing,” said Senator Kean of the New Jersey Legislature, “is that in 2001 the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public. Now, four years later, they ignore this study and develop a redesign project that would substantially increase noise pollution for as many as 330,000 residents.

Though I admire the efforts of the federal and state legislators of New Jersey like Senator Kean who are listening to their constituents and present comments on the DEIS—unlike our Queens County representatives who have not presented strong comments on the DEIS—, particularly on the increased noise impacts, I also believe that they are wanting in their responsibility to devise a comprehensive intermodalism system for air and surface transportation. Why not have AIR 21 and TEA 21 be integrated in a new transportation bill that is based upon public supported sustainability value framework?

6. Queens County Aviation Trust Fund

As mentioned above local airport communities are to be enabled to make proper input by setting the direction of airport operations in their community. As a matter of fact these communities are to form a network of communities that are interested in engaging a visioning and planning process that would include aviation as a major issue. Like the UK the USA should have SCAN-USA. Cf. <http://www.scan-uk.mmu.ac.uk/index.html> Another part of my work as a sustainability sociologist is the teaching and organizing of sustainable communities and one of my projects is SQ2030 which stands for Sustainable Queens 2030 and in which the future of the two airports are featuring prominently. (The strategy for this endeavor is based upon www.earthCAT.org)

The membership of such local aviation trust funds are to consists of an equal number of politicians and citizens, so that best arguments can win and not the political expediency of the day. Perhaps, the FAA, for a change, could promote the enabling of the local airport communities in that way when the 2007 Aviation Trust Fund is being debated. In any event, one might expect that besides the line up off commercial airlines, NBAA and NATA local officials could be included in promoting local aviation trust funds.

In conclusion, the FAA's Eastern Region Air Traffic Division is "redesigning the airspace in the New York/New Jersey/Philadelphia Metropolitan area to reduce delays in the area....The closeness of the airports results in complex pilot/controller and controller/controller coordination and circuitous flight paths. The current airspace environment is inefficient for aviation users and FAA." If the NAR program wants to reduce delays and also reduce the complexity of air traffic control in the metro NY and Philadelphia airspace, it has to go far beyond the 4 alternatives presented in the DEIS. One of the actions to be taken is to reconsider the connections between air and surface transportation modes, integrate them in a comprehensive intermodalism system, remove the separate legislation and funding in AIR 21 and TEA 21 and help make aviation become part of a sustainable communities movement that enables local communities with assistance of their state and federal representatives envisioning and planning for sustaining futures of their communities. Within a decade or so the aviation industry will be faced with enormous energy challenges given the advent of peak oil and the post carbon era. It is time now to consider the most efficient way of having the highest mobility with the least cost—more is to be done with less. How that has to happen, in last instance, is to have a national conversation or debate about the basic direction of aviation, transportation rather than to let these important decisions to be made by the FAA, DOT and the industry.

Response to Comment 4187: Frans C. Verhagen, SAFE, Inc.

Comment Number	Comment response
1	Comment noted; this is not an airport expansion project.
2	Comment noted. The purpose and need for the Proposed Action includes increasing the efficiency of the air traffic control system.
3	Comment noted.
4	Comment noted.
5	Comment noted.
6	Scoping Newsletters were sent to SAFE as well as several of SAFE's member organizations including the Browne Park Civic Association, Helicopter Noise Coalition of New York City, Ormonde Civic Association, Rockaway Beach Civic Association, Rosedale Civic Association, and EWR Runway 22 Coalition.
7	The Joint Program Development Office, a coalition of government agencies with an interest in the national airspace system, uses a tripling of demand by 2025 as a goal for the development of a completely-new air traffic management system. (By the end of Fiscal Year 2006, the target was lower: 1.4 to 3 times current demand.) That is 14 years after the future year of 2011 for the redesigned NY/NJ/PHL airspace, so the two programs are not comparable.
8	Comment noted.
9	Comment noted.
10	Comment noted.
11	Pages 6-11 are already addressed in comment # 3216.

Nagendran, Ram

From: Mike & Terrill [mid_tar@earthlink.net]
Sent: Wednesday, May 31, 2006 10:32 PM
To: FAA DEIS
Subject: REVISED COMMENTS ON AIRSPACE REDESIGN - DELETE COMMENTS RECEIVED YESTERDAY FROM THIS ADDRESS

Due to computer magic, I somehow mistakenly submitted an earlier, incomplete version of this yesterday. Please accept this revised version instead. Thank you.

Dear Mr. Kelley;

I am writing this comment on behalf of the Oak Knoll Neighborhood Association of Mendham, New Jersey. We are an association of 90 households ranging from families with lots of children to empty nesters who moved here when the neighborhood was first built thirty years ago. We all moved here to escape the noise of urban areas and to enjoy the peace and quiet of a wooded, rural area with houses on lots of five acres or more.

Mendham is a quiet, rural community that has some of the largest percentage of protected open space in all of New Jersey. It has an extensive network of wooded, natural hiking trails running through the town. Its protected open space includes woods, headwaters of major rivers, protected trout streams, a wildlife sanctuary, and a waterfall. In keeping with its quiet rural character, land use is limited to a mix of farms and single family homes. It has no businesses within its town limits. Mendham is bordered by a national park, the Jockey Hollow National Park, by a large Morris county park, and by other rural/suburban communities. People move here to enjoy the peace and tranquility of natural surroundings, and pay a premium for the peaceful surroundings.

As president of my neighborhood association, I attended the meeting on April 4 in Parsippany to learn about the proposals regarding the re-design of the airspace over the New Jersey, New York and Philadelphia areas. In addition to attending the meetings and talking with representatives of the FAA, I also spent many hours reading the environmental impact statement and the other materials on the FAA website, and discussing those materials with FAA representatives.

Based on this, The Oak Knoll Neighborhood Association is filing this comment against any proposals that would disproportionately increase air traffic over central Morris County. In particular, the Integrated Airspace Alternative with ICC would route almost all traffic over Mendham.

The present noise rate in Mendham is "small town and quiet suburban." Under the FAA's own calculations in the Public Meeting Information Sheet, some of the proposals would increase the noise level to that of an "urban area" or a "dense urban area with heavy traffic." This would substantially affect the quality of life, not to mention the property values, of our town.

The executive summary and the EIS both state that "All of the significantly impacted census blocks are...already exposed to extensive aviation noise. In addition, because of their urban setting, ambient noise levels are high...Therefore, socioeconomic impacts are not likely." This is simply not true. Mendham is a rural/suburban area with low ambient noise levels. Any socio-economic impacts of a doubling of noise -- a

6/2/2006

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1 of 2

raise in decibels of three or more as projected by the FAA-- will transform our noise levels from "rural" to "urban." This is significant.

In addition, we understand that the noisiest proposals may be the ones that save the airlines the most money and promote the most efficiencies. That benefits the airlines; but it is our community that must bear the burden of increased noise and decreased property values. Based on my review of the maps attached to the proposal and viewed at the meeting, it is clear that Morris County is the place that will suffer the most from noise increases. Except for areas directly adjacent to airports and a small part of Bergen County, central Morris County is the only part of the tri-state area that will bear the burden of increased noise. This is simply not fair. If the air traffic increase in efficiency is designed to benefit everyone, then the entire area, not just Morris County, should share equally in the noise burden.

Alternatively, the FAA or the airlines should reimburse Morris County residents for any increase in noise and decrease in property values. FAA has not quantified this cost, but it will be in the hundreds of millions of dollars, given that the median price of a house in Mendham is in the \$800,000 range. The FAA needs to study the economic impact of the noise, instead of simply dismissing the economic impact as not significant.

We support the ocean routing proposal that would not increase noise levels over residential areas.

Thank you.

Sincerely,

Terrill Doyle
5 Cross Way
Mendham NJ
07945

Response to Comment 4208: Terrill Doyle, Oak Knoll Neighborhood Association of Mendham, New Jersey

Comment Number	Comment response
1	Comment noted.
2	<p>The FAA recognizes the quality of life issues impacted by aviation activities. The property value impacts of aviation noise have been studied on multiple occasions with publication of study results beginning in the mid 1970s; to-date there is still no definitive answer. For individuals who might work at (or near) the airport or who use the airport for travel, the benefits of proximity can be reflected in residential property values. Because it is possible for an airport to have both negative and positive effects on property values, the net effect can be negative or positive. Separation of aviation noise from other noise emitters has always been at issue for determining a specific property value impact due to aviation noise. Some studies have found that impact due to aviation noise is negligible while others have found the impact to be upwards of 10 percent. A 2003 study by J. Nelson, Department of Economics, Pennsylvania State University entitled Meta-Analysis of Airport Noise and Hedonic Property Values: Problems and Prospects found that the “cumulative noise discount in the U. S. is about 0.5% to 0.6% per decibel at noise exposure levels of 75 dB or less”. For this study 20 hedonic property value studies are analyzed, covering 33 estimates of the noise discount for 23 airports in Canada and the United States. Although property devaluation is based on circumstance (i.e. frequency of airport use, economic ties to airport) it is clear that proximity to an airport is a key component to potential devaluation with higher noise levels having the most potential for property devaluation.</p>
3	<p>The Executive summary of the DEIS is correct regarding the noise impacts that meet FAA's threshold of significance of +1.5 DNL at a level of 65 DNL or greater. While the general noise levels in Mendahm may indeed fall into the range defined as Rural (40-48 DNL) shown in the meeting handout, an increase of 3 to 5 DNL would not put the area into the category of "Urban". Additionally, noise abatement alternatives were examined during the mitigation phase of the project. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five "Preferred Alternative and Mitigation" of the Final EIS.</p>
4	Comment noted. See response to comment 4208 #2.
5	<p>The DEIS disclosed that several alternatives would have some "significant" impacts to noise sensitive areas. These "significant" impacts all occur outside of Morris County. There are also a number of areas that are expected to experience noticeable increases in noise associated with the Preferred Alternative. These occur in Morris County, as well as other areas in New Jersey, New York, and Philadelphia. However, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five "Preferred Alternative and Mitigation" of the Final EIS.</p>
6	<p>The FAA's Preferred Alternative, the Integrated Airspace Alternative Variation with ICC, will potentially result in a slight to moderate level of impacts in parts of Morris County. The changes in levels are well below the FAA's threshold of significance for noise impacts. The FAA sometimes provides grant funding to airport sponsors for mitigation of noise impact (i.e. purchase property, aviation easements, sound insulation, etc.) but does not compensate for property devaluation.</p>

Response to Comment 4208: Terrill Doyle, Oak Knoll Neighborhood Association of Mendham, New Jersey

Comment Number	Comment response
7	<p>The property value impacts of aviation noise have been studied on multiple occasions with publication of study results beginning in the mid 1970s, to-date there is still no definitive answer. For individuals who might work at (or near) the airport or who use the airport for travel, the benefits of proximity can be reflected in residential property values. Because it is possible for an airport to have both negative and positive effects on property values, the net effect can be negative or positive. Separation of aviation noise from other noise emitters has always been at issue for determining a specific property value impact due to aviation noise. Some studies have found that impact due to aviation noise is negligible while others have found the impact to be upwards of 10 percent. A 2003 study by J. Nelson, Department of Economics, Pennsylvania State University entitled Meta-Analysis of Airport Noise and Hedonic Property Values: Problems and Prospects found that the “cumulative noise discount in the U. S. is about 0.5% to 0.6% per decibel at noise exposure levels of 75 dB or less”. For this study 20 hedonic property value studies are analyzed, covering 33 estimates of the noise discount for 23 airports in Canada and the United States.. Nelson, Jon P: Aircraft Noise and the Market for Residential Housing: 50/78/24, Sept. 1978 (Available from NTIS as PB 297 681). Specifically, at DNL above 65 dB, the effect is about 1% per additional dB; at DNL between 60 and 65 dB, the effect is about 0.5% per additional dB; below 55 dB DNL, no effect has been measured. Nelson, Jon P., “Hedonic Property Value Studies of Transportation Noise: Aircraft and Road Traffic”, Proceedings of the International Symposium on Hedonic Methods in Real Estate, Geneva, Switzerland, June 2007..</p>
8	Comment noted.

Nagendran, Ram

From: Bill Chappel [bchappel1@verizon.net]
Sent: Thursday, June 01, 2006 1:28 AM
To: FAA DEIS
Cc: John Samon; administrator@townofharrison.com; eastnewarkmayor@verizon.net
Subject: New York/New Jersey/Philadelphia Airspace Redesign

Steve Kelley, FAA
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Email: faa.deis@ngc.com

New York/New Jersey/Philadelphia Airspace Redesign

“ONE MINUTE MORE.” Over the Meadow Lands that is.

Newark Liberty Intl. Airport is the only airport in the US that has 10 miles of open space off the end of the runways that is largely not used for takeoff noise abatement. When taking off to the north the aircraft turn to the west at 1300 to 2800 feet and fly over Harrison, Kearny, East Newark and Newark at full throttle. If the planes maintained a northerly heading staying over the Meadow Lands for one more minute they would attain an altitude of 5000 feet or more before flying over populated areas. The flight pattern as it stands now is a flagrant environmental injustice.

The NJCAAN's Ocean Routing plan would make things worse and turn an injustice into an atrocity by doing away with “fanning” and keep the planes over New Jerseys most densely populated cities in a narrow flight path.

Regards,

Bill Chappel
The Historic James Street Neighborhood Assoc.
Air Noise Committee
73 James St.
Newark, NJ 07102
973-623-6490
Bchappel1@verizon.net

CC: Senator Sharpe James
Senator Ronald L. Rice
Mayor Raymond J. McDonough: Town of Harrison
Mayor Alberto G. Santos: Town of Kearny
Mayor Joseph R. Smith: Borough of East Newark
John Samon Pres.: The Historic James Street Neighborhood Assoc.

004210

Response to Comment 4210: Bill Chappel, The Historic James Street Neighborhood Association, Inc.

Comment Number	Comment response
1	The airspace described in the comment is used by LGA traffic above 2500 ft, so the departures from EWR must turn west.
2	Comment noted.
3	Comment noted.

Nagendran, Ram

From: New York Aviation Management Association [info@nyama.com]
Sent: Thursday, June 01, 2006 3:47 PM
To: FAA DEIS
Cc: New York Aviation Management Association
Subject: Comment
Attachments: FAA Airspace Redesign.doc

To Whom it May Concern:

Attached find comments written in response to the draft EIS with regard to the proposed New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign.

Thank you for the opportunity to submit these comments. Please confirm receipt of this document.

-Brian Shaughnessy

--

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Brian Shaughnessy, Communications Director
New York Aviation Management Association
119 Washington Avenue, Suite 100
Albany, New York 12210
518.432.9973 ph | 518.432.1712 fx
info@nyama.com | www.nyama.com

6/2/2006

004221
1 of 4



NEW YORK
Aviation Management Association
NYAMA

Advancing Aviation – Advancing New York!

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Brian P. Shaughnessy
Kathleen A. Van De Loo
Teresa York
Communications Directors
Association Development Group, Inc.

FAA Airspace Redesign

Comments Submitted by the New York Aviation Management Association

The New York Aviation Management Association (NYAMA) appreciates the opportunity to submit comments with regard to the Draft Environmental Impact Statement for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign, December 2005, as prepared by the US DOT Federal Aviation Administration.

NYAMA is a not-for-profit association representing the interests of the aviation industry throughout New York State. NYAMA's members include large commercial service airports to small general aviation airports, FBOs, consultants, engineers, suppliers, educational institutions, government representatives, and other partners in the industry.

NYAMA has several member airports impacted by the study, including the two Port Authority of NY/NJ airports located in New York State (JFK and LGA) and several affected satellite airports (Stewart International/SWF and White Plains/HPN). In addition, many of the upstate New York airports rely on connections and intrastate service through JFK and LGA, thus extending the impact of the proposed airspace redesign beyond the immediate geographic vicinity of the region being reviewed. Further, JFK serves as a major hub for JetBlue, an airline that has made significant commitments to airports across the State. Consequently, NYAMA takes great interest in the proposals considered in this draft environmental impact statement.

Redesigning Airspace

NYAMA applauds the FAA for recognizing the need to conduct significant study toward airspace redesign in the New York/New Jersey/Philadelphia metropolitan areas. Significant adjustments to the route structure in this region are long overdue, driven by the steady increase in air traffic throughout the area and the need for better operational efficiencies to help reduce delays.

Although it is good the FAA has spearheaded this redesign effort, the options presented in this draft document do not go far enough toward affecting the

degree of change necessary to ensure the future of aviation in this region can grow with expected demand. Specifically, NYAMA briefly notes two areas where the analysis and options presented fall short of what must be considered to make the most of this historic redesign process.

Integrated Airspace Alternative/ICC

Of the four options considered to improve airspace efficiency and reduce delays, the Integrated Airspace Alternative/Integrated Control Complex (ICC) is clearly the most promising. However, it fails to propose significant enough changes to meet the present and future air capacity demands of the region.

While a number of the recommendations under this option would certainly create improvements, particularly to JFK and LGA, it makes only minor modifications to the existing terminal airspace which has been in place since the 1960s. It fails to consider the broader-based changes that are necessary to truly impact efficiencies and ensure reduced delays. For example, the proposal makes very little changes to the Newark (EWR) airspace; fails to consider options for LGA traffic sequencing over Long Island Sound; and does not fully utilize the parallel runways at EWR for both arrivals and departures. In addition, the assumptions throughout the document do not adequately take into consideration changes in aircraft size demographics.

The concept of integrating the New York Center and New York TRACON into a single facility is conceptually useful, but does not adequately take into consideration the significant costs associated with such action. The integrated airspace alternative option should be explored with modified, less expensive solutions that seek to achieve the proposed benefits suggested by the ICC.

Noise Pollution Impact

One notable area of neglect in the FAA's report is with regard to noise pollution impact. Though not explicitly part of the purpose and need statement for the project, the FAA must analyze and factor into any proposed solution the potential impact of airspace redesigns on regional noise reduction efforts.

Several of the proposed changes in the Integrated Airspace Alternative would unnecessarily increase noise in surrounding communities, such as the use of straight and right turns as part of the strategy to implement fanned departures off Newark Runway 22. The existing noise abatement procedure over portions of the Arthur Kill would reduce delays, improve departure flows, and decrease noise over sensitive high impact residential areas. Examination should be made into time-of-day sequencing of runway utilization and land use compatibility to reduce noise impact, as well as further analysis of changes in aircraft size, as noted above.

The FAA's intent to address noise mitigation strategies after adoption of an airspace redesign plan is irresponsible. Changes in the airspace should consider and address noise issues as part of the planning process—not as part of the post-change clean-up process. Within this very densely populated region, the FAA cannot risk relegating noise mitigation to an afterthought band-aid solution. It can and should be an integral part of the entire plan.

Conclusion

Although these comments are very general in scope, we urge the FAA to consider them as they move forward with potential airspace redesign in the New York/New Jersey/Philadelphia metropolitan region.

This is an important time and important opportunity for the FAA to make significant, long-lasting, system-improving changes that will promote reductions in delays and ensure operational efficiencies throughout the airports in this region.

Should you have any questions about the Association or about these comments, please do not hesitate to contact me at (518) 432-9973, or info@nyama.com.



Brian Shaughnessy
Communications Director
New York Aviation Management Association

Response to Comment 4221: Brian Shaughnessy, Communications Director, New York Aviation Management Association

Comment Number	Comment response
1	Comment noted.
2	FAA has considered what is possible for airspace redesign in the NY/NJ/PHL metropolitan airspace. FAA has investigated and designed the most efficient alternatives, given the proximity of the runways.
3	Without radical changes in separation criteria (which may be possible in the 2020's), these problems can not be completely resolved. For example, sequencing aircraft for LGA over Long Island Sound would prevent the use of Runway 22 for arrivals at JFK under current separation rules. The Integrated Airspace Alternative Variation with ICC (FAA's Preferred Alternative) does attempt to make as extensive use of advanced technology as may be possible in 2011, considering that many aircraft will not have the latest equipment on board by that date. For the impact of full dual-runway use at EWR, see the chapter "Newark Departures" in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign of FEIS.
4	The traffic forecasts used in the Draft EIS analyses do take aircraft size into account. However, as shown in the Comparative Analysis of the NY/NJ/PHL Forecast Appendix of the FEIS, where the distribution of aircraft sizes did turn out different from the 2006 forecast, updating the traffic does not change the relative merits of the alternatives so the conclusions of the study are not affected.
5	The Integrated Airspace Alternative Variation with ICC depends on a single automation platform – which can be accomplished in the two existing buildings.
6	Noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives a part of the development of the FEIS. While noise abatement is not possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. Details regarding the noise mitigation evaluation are presented in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.
7	The DEIS indicated that several alternatives would have some "significant" impacts to noise sensitive areas. However, noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives a part of the development of the FEIS. While noise abatement is not be possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA has considered measures related to all the areas of reportable noise increases and beyond. Details regarding the noise mitigation evaluation are presented in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the Final EIS.
8	The procedures referenced in the comment are what is currently being used fro Runway 22 departures at EWR. Thus, it's not possible for their use to provide any reduction in delay over what is currently occurring. Additionally, the operational analysis presented in Chapter 2 of the DEIS and detailed in Appendix Confirms that fanned headings at EWR would improve delays substantially over the current procedures.
9	After selecting the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative the FAA considered mitigation for reducing the potential impacts of the Preferred Alternative. Reduced use of the 260-degree heading and use of headings that overfly the New Jersey Turnpike are prominent among the techniques used to mitigate increases in noise exposure caused by the redesign.

Response to Comment 4221: Brian Shaughnessy, Communications Director, New York Aviation Management Association

Comment Number	Comment response
10	<p>It seems the commenter has misinterpreted the FAA's intentions. The FAA does not intend to address noise mitigation strategies after adoption of an airspace plan as a post-change cleanup process.</p> <p>In the Draft EIS, the FAA described to the public the general mitigation strategies that it would attempt to apply to whichever alternative it ultimately selected as the preferred. Those general mitigation strategies included: (1) use of continuous descent approach (keeping aircraft on a higher altitude flight path at lower engine power levels for a continuous steady descent to landing, which lowers noise levels on the ground at certain distances from the airport); (2) nighttime noise abatement procedures; (3) additional use of water/industrial areas and proposed flight track refinements; (4) sound insulation of impacted buildings with educational or medical uses (this would require airport sponsorship and would be outside the control of FAA).</p> <p>The FAA acknowledged and recognized that while general principals of scoping were described in the Draft EIS, the specifics would be forthcoming in the Final EIS. The FAA, therefore, committed to an open comment period on mitigation presented in the Final EIS, and including one public workshop per state, to discuss mitigation. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>



NorthWest Greenwich Association, Inc.

P. O. Box 4842 Greenwich, CT 06831
info@nwga.info

Mr. Steve Kelley, FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

May 22, 2006

Mr. Kelley,

I am a resident of Greenwich, Connecticut and a board member of the Northwest Greenwich Association. I live approximately 1 mile from the Westchester County Airport. I have recently become aware of the NY/NJ/PHL Metropolitan Area Airspace Redesign and I have obtained a copy of the Draft Environmental Impact Statement (DEIS) Executive Summary.

I would like to submit the following comments to the FAA:

- 1) There were no public workshops on the DEIS in Greenwich to inform Greenwich residents of the Airspace Redesign. Additionally Greenwich residents were unaware of the FAA/DEIS workshops in held in other areas in the region. 1
- 2) There is no hard copy available in the town of Greenwich for residents to review the DEIS. 2
- 3) Westchester County Airport is not mentioned in the draft. However, in Appendix C and E of the DEIS, there is a proposed flight change to planes departing from Westchester Airport that would require planes to make a large loop over Greenwich before turning out to their destination. This would have a dramatic environmental impact on Greenwich residents. 3
- 4) We would like to request a public workshop to be held in Greenwich by the FAA regarding the DEIS and any proposed flight changes for the Westchester County Airport that would impact Greenwich residents. Going forward we would like to be included in a dialogue with the FAA regarding air traffic affecting our area. We encourage the FAA officials to contact our First Selectmen Mr. Jim Lash and Mr. Peter Crumbine directly to facilitate this dialogue. 3

We value our quality of life just as much as the residents of New Jersey do. We look forward to hearing from you.

Respectfully,
Erica Purnell
Erica Purnell
Northwest Greenwich Association Board Member.

004231

Response to Comment 4231: Erica Purnell, Northwest Greenwich Association Board Member

Comment Number	Comment response
1	A public meeting was held in Stamford on 2/8/2006, the FAA feels that Stamford is in reasonable proximity to Greenwich for the interested public to participate in a public meeting. Ads announcing the public meeting appeared in newspapers at least two weeks prior to the public meeting. Ads appeared in the Stamford Advocate and the Greenwich Times on 1/22/06 and 1/25/06 respectively. In addition public service announcements were run on several radio stations two of which include Fairfield County in their coverage area; WGCH 1490 AM and WXPk 107.1 FM. A hard copy of the DEIS was sent to the Stamford Library. The DEIS was also available electronically on the project website. Also a complete copy of the DEIS on CD was included with the Executive Summary.
2	The departure mentioned in the comment was described in Appendix C of the Draft EIS. The environmental impact, as computed in Appendix C, is not large. DNL changes are typically about 1 dB, except (1) on the bank of the Hudson just north of the Tappan Zee bridge, where there is a 5 dB increase and near Shippan Point, where there is a 7 dB decrease.
3	The following meetings were held in CT to discuss specific issues relating to changes resulting from the redesign: 1) 8/30/06 Stamford, CT-met with congressman Shays, 2) 10/17/06 New Canaan, CT- town hall public meeting with US Rep John Mica, Rep Christopher Shays, Town Selectmen, along with the public. 3) 5/31/07 Round Hill, CT-met with local civic association



Hartshorne Woods Association

May 25th, 2006

Steve Kelley, FAA-NAR
c/o Nessa Memberg
12005 Sunrise Valley Road, C302
Reston, VA 20191

Dear Mr. Kelley:

As vice president of the above neighborhood association I was most interested to attend your March 1st meeting on the DEIS for the NY/NJ/Phila Airspace Redesign Project. I would like to submit in writing a mitigation measure discussed at that meeting. I believe this measure could benefit not only our own membership, but also any of the general public that is impacted by aircraft over-flights.

The proposed measure is for flight controllers to assign flight paths so that sequential flights in a corridor do not fly the same path. That is, consider the people on the ground when assigning flight paths and avoid sending aircraft one after another over the same people.

This would be especially advantageous for low-altitude flights if the ground has buildings, vegetation, or terrain features that block noise arriving at low angles.

Since our quality-of-life hangs in the balance with this redesign project, we will be grateful for your attention to this and whatever else that can lower its impact on us. I am at 53 Hartshorne Road, Locust, NJ 07760-2310; (732) 291-5054; jblewis@worldnet.att.net.

Sincerely,

John B. Lewis

Response to Comment 4234: John B. Lewis, Hartshorne Woods Association

Comment Number	Comment response
1	The alternatives include dispersal headings to increase efficiency. As a result, there will be longer gaps between any two aircraft headed on the same course.

Sent in By
TRACY MORRIS
17 HICKORY DR.
CHESTER, NJ 07930
Recd.
06/02/06

New Jersey Flight Path Petition

FAA officials have been considering four plans to change flight plans:

Future No Action Airspace Alternative: The FAA says this plan results in more noise and does not increase efficiency at local airports.

Modification to Existing Airspace: The FAA says it would improve safety and efficiency but would increase aircraft noise to current residents by 2011

Ocean Routing: The FAA acknowledges that the plan would decrease noise but would increase delays by more than 6 minutes by 2011.

Integrated Airspace Alternative: This plan calls for planes to fly closer to one another farther from the airport. It would decrease delays by 2.5 minutes and would increase noise for people living in Morris, Passaic and Sussex counties by 2011.

The Integrated Airspace Alternative with Integrated Control Complex: This plan integrates two separate control complexes into one and would save 4 minutes on departure delays. It would increase noise for people living in Morris, Passaic and Sussex counties.

We, the undersigned, ask the FAA to implement the Ocean Routing Flight Route in order to relieve noise pollution in Morris Passaic and Sussex Counties.

Name

Address

Tracy Morris 857 Brown Rd, Bridgewater, NJ 08807

004241

10/12

We, the undersigned, ask the FAA to implement the Ocean Routing Flight Route in order to relieve noise pollution in Morris Passaic and Sussex Counties.

Name	Address
Jorge Duarte	Franklin Rd Mendham 07945
ERIK THOMPSON	21 N Fox BRIDGES RD Long Valley 07853
Jami Trehan	61-A Old Mill Rd. Chester 07930
Abraham	16 Glenbary Mendham 07945
Julie Hanafin	296 Fairview Ave Long Valley NJ 07853
Anthony Piccinillo	42 Foxwood Court Bedminster 07821
Kris Swaney	1 Kennedy Rd Mendham 07945
Cheryl	5 Farm Ridge Califon 07830
Cathi Walters	9 Ammerman Way Chester NJ 07930
Maria Schwabe	4 Downing Ct, Chester NJ 07930
Stephen Kan	3 Pawling Ct Chester NJ
AK BROOKS	31 Crowley's Mt. Long Valley NJ
GRACE WITTE	15 MAIN ST CALIFON, NJ 07830
Daryl Devlin	53 Fox Hill Rd Califon NJ 07830
Lorraine Cauce	67 Moste Rd. Far Hills, NJ 07931
myrlene David	Bedminster
Denise Mortenson	11 N. Linden Lane Mendham
Barbara Manso/Tina	22 Chestnutbrook Rd Chester
John H Ken	330 Len Lane Bedminster
Marionne Derk	116 Sunnyview Ave Hackensack NJ
Gayle	141 SOUTH RD CHESTER, NJ 07930
Wendy	27 Barkman Way, Chester, NJ 07930

We, the undersigned, ask the FAA to implement the Ocean Routing Flight Route in order to relieve noise pollution in Morris Passaic and Sussex Counties.

Name

Address

Myra Akel PO Box 77 Chester, NJ 07930

Ann Walker 27 Condit St Succasunna NJ 07876

Jane R. (M) 45 Trona Rd Mendham, NJ 07945

Katherine Roma Ursula Ct Mendham NJ 07945

Pat D'Atelle 16 E Maple Ave Long Valley NJ 07853

Loxanne Wallace 16 Liberty Hills Ct Long Valley NJ 07853

Storner 29 Barkers Mill Rd Weehawken NJ 07853
07840

N. McCarty 10 Forestview Dr. Ormer NJ 07930

William H. Davis 27 Sierra Drive mailing: Califon NJ 07830

Bruce B. Brinkman 133 Parker Rd Long Valley NJ 07853

Ch. Epp 348 Flocktown Rd OLV. NJ 07853

Jane Ellis 29 Schodley mtn rd Long Valley NJ 07853

Susan Shakerka 301 Hilltop Rd Mendham NJ 07945

Richard W. August 89 Old Farmer Rd Long Valley NJ

Beth Salt 10 Amherst Ln Long Valley NJ

John Lee 115 Hillside Rd Chester, NJ 07930

Suzanne Caputo 2 Fieldcrest Ct, Mendham 07945

Lyn M. L. 4 Vinant Tr. Long Valley, NJ 07853

Cynthia Reed 2 Fieldcrest Califon NJ 07830

Meryl Jarmel 70 Collis Ln Choiron NJ 07930

James Dym Chester NJ

Connie Cyomin 6 Trout Brook Ct Chester NJ 07930

We, the undersigned, ask the FAA to implement the Ocean Routing Flight Route in order to relieve noise pollution in Morris Passaic and Sussex Counties.

Name	Address
Joan Winter	10 Stonehouse Rd CALIFON NJ 07930
E. Caroline Duffy	9 Lake Chopin Dr. Randolph NJ 07869
Lee Adams	Old Turnpike Rd Calton
Kath. Friedman	9 Cromwell Dr Chester NJ 07930
Nichelle Els	10 Kim Lane Hackettstown 07840
P. De Graaf	9 Balbrook Dr. Mendham 07945
Waco Kegel	P.O. Box 398 Fair Hill NJ 07821
Ag. Ron	PO Box 633 Calton NJ 07930
RS Heddernoth	157 Parka Road Long Valley N.J. 07853
M. Hanney	6 Appleton C. V. NJ 07853
Ken Dond	466 TRIMMER RD CALIFON 07830
W. Moser	4 BODINE AVE, GLACKSTONE, NJ 07934
J. M. M. M.	8 Red OAK Row, Chester NJ 07930
M. M. M. M.	8 Red Oak Row, Chester NJ 07930
Nichelle Hedges	8 Cedar Tree Ln Chester NJ 07930
Red Tree	300 Sandstone Rd Budd Lake, NJ 07828
Mara Loup	13 Colby Park Rd Chester NJ
Kurt Cristler	29 Scholaps Mountain Rd. Long Valley, NJ 07853
Matthew Scarfo	125 A Main St. Chester 07930
Anna Thornton	130 Maple Ave Chester NJ 07930
Alfano	12 Forest View Dr Chester NJ 07930
Ken Hickey	1 Dawn Lane Randolph NJ 07869

We, the undersigned, ask the FAA to implement the Ocean Routing Flight Route in order to relieve noise pollution in Morris Passaic and Sussex Counties.

Name

Address

Mick Runk	20 Wynkoff Way Chester NJ 07930.
Laura Fishman	12 Meadowbrook Rd Chester NJ 07930
Martin Brodhan	91 Oakwood Village, Flanders NJ 07836
Bruce Perry	77 Wehrli Rd Long Valley NJ 07853
Mary Paris	4 Peachtree Lane Chester NJ 07930
Edson Moskowitz	312 Emmus Rd Flanders NJ 07836
Jessamine Medina	14 Lynn Ct Chester NJ 07930
Debra Finn	PO Box 35 Peapack NJ 07977
D. Gold	10 Blue Fern Mansfield NJ
Renzi	15 Hedges Rd Chester NJ 07930
M Friedlander	187 Park Ave Ironton NJ 07845
Claire Preston	36 Old Mill Rd Chester NJ 07930
Gary Lakritz	9 Knollwood Terrace Chester NJ 07930
L Shauland	3 Valley View Dr Mendham 07945
Gail Lavalette	15 Fieldcrest Rd Chester NJ 07930
Felicity Whimsey	55 Roxitus Mendham NJ 07945
Kimberly Mays	1 Connet La Mendham 07945
Feri Christman	35 Roxitus Rd Mendham NJ 07945
Pat Sheaffer	31 N. Four Bridges Rd. Long Valley, NJ 07853
Mary May	37 South Rd Chester, NJ 07930
Bruce Bishop	441 Fox Chase Rd, Chester, NJ 07930
Frederick A. Weispart	117 Schoolys Mt Rd Long Valley 07853

We, the undersigned, ask the FAA to implement the Ocean Routing Flight Route in order to relieve noise pollution in Morris Passaic and Sussex Counties.

Name	Address
Dean Walters	2 Farm Rd Chester NJ 07930
Jill Cohen	10 Rd Oak Row Chester 07930
Craig Cohen	10 Rd Oak Row Chester 07930
Ron Wagner	390 Old Chester Rd Chester 07930
Karl H. Grohm	8 Franklin Road, Mendham 07945
Susan Martione	8 Erick Ct., Chester 07930
Kelly Liang	3 Spring Lake Dr Far Hills 07931
Charlie Martone	8 Erick Ct. Chester NJ 07930
Sharon McHugh	64 Cliffwood Rd, Chester, NJ 07930
Lorai Wilda	4 Wolf Run Dr Long Valley NJ 07853
Larry Khon	3 Ruppelwood Dr Gladstone NJ
Merb Klebanoff	7 Rocoran Dr. Mendham NJ 07945
Georgia Zenser	19 Anthony Rd Califon NJ
Pauline Dugle	1025 Bed Chester Rd Far Hills NJ
Jandra Deegan	5 Knollwood Rd Flanders NJ 07836
Keith Appelbaum	51 Hickory Way Mt Arlington NJ 07856
Marc Appelbaum	114 Blad River Rd Long Valley NJ 07853
Maribee Mohr	585 Cherry Ln. Mendham NJ 07945
John D. Zenger	1 Foot Creek Dr Chester 07930
Shay Ky	132 Mt Olive Rd Flanders NJ 07836
J. R. King	40 Old Chester Rd Gladstone
Alice Miller	1 Barberry Row Chester NJ 07930

We, the undersigned, ask the FAA to implement the Ocean Routing Flight Route in order to relieve noise pollution in Morris Passaic and Sussex Counties.

Name Address

Travis Doss 52 Sanford Dr Randolph NJ 07869
 Jay W Honey 1 Acacia Ln Morristown NJ 07945
 Pat Loren Flanagan Shawnee, PA in St. CHARLTON NJ
 Kathleen Galdi 10 Warren Cottage, Chester NJ 07930
 Barbara Julcis 17 Dickerson Ct, Chester NJ 07930
 Shawn DeMass 100 Oakdale Rd. Chester NJ 07930
 Jack McCune 2 Hunters Trail Chester NJ 07930
 Aiden Napurano 5 Carlisle Court Chester NJ 07930
 Caledonia Neale 1 Lyonsville Rd BOONTON, NJ 07005
 Brett Sikora 12 Forlize St., 07869
 Scott Limback 37 Marsh Hawk, 07840
 BRUCE SIKORA 12 FORLIZE ST RANDOLPH, NJ 07869
 DAYMOND TRUNGACI 6 WOLFE Run Court, Long Valley 07853
 Barbara Trungaci 6 Wolfe Run Ct Long Valley NJ 07853
 KAY TRUNGACI 8 Pleasant Hill Rd Chester NJ 07930
 Marsha Trungaci 8 Pleasant Hill Rd. Chester NJ 07930
 Jen Bigmann 15 Chester Pl. Chester, NJ 07930
 Barbara Kipson 39 Montclair Rd (New Providence) 07974
 Sherry Cassis 25 Glen Alpine New Vernon, NJ 07976
 Blaine Davis 25 Glen Alpine New Vernon NJ 07976
 Bonnie Winant 7 Cramer Drive Chester, NJ 07930

We, the undersigned, ask the FAA to implement the Ocean Routing Flight Route in order to relieve noise pollution in Morris Passaic and Sussex Counties.

Name	Address
Theresa Quano	3 Hardin Ct Chester NJ 07930
Steve [unclear]	38 Harely Lane Basking Ridge NJ 07920
Ronald Clufford	9 Merlin Drive WASHINGTON NJ 07882
[unclear]	9 Merlin Dr WASHINGTON NJ 07882
Monon Orgera	2 Old Mill Rd. Chester NJ 07930
Casalia Levernman	26 Florio Farm Rd Mendham NJ 07945
Patricia A. Huskew	149 Mt. Arlington Blvd, Landing NJ 07850
A. L. Van Eastern	90 Pleasant Hill Rd. Chester, NJ 07930
C. D. Modiney	39 West Main St Mendham 07945
Carol Johnston	7 Sherwood Dr Long Valley 07853
Ann Marie Barbun	46 Stokes Ave Budd Lake, NJ 07828
Bill MacRugall	PO Box 345 Chester, NJ 07930
Marie Rumpka	35 Dogwood Dr. Chester NJ 07930
Sharon Schuk	12 Melrose Dr. Chester NJ 07930
K. Jaworski	51 Hillside Rd. Chester, NJ 07930
Jessie Monaghan	7 Berkman Way Chester NJ 07930
Jane [unclear]	64 Fairmount Ave. Chester NJ 07930
Therese [unclear]	162 Old Hempden Rd. Califon NJ 07830
Jayne Metzler	130 Pleasant Hill Rd. Chester NJ 07930
Lance [unclear]	375 Main St. Chester, NJ 07930
Mary Hartman	28 Long Hill Rd West Long Valley 07853
Catherine A. Franzen	13 Cromwell Rd Chester 07930

We, the undersigned, ask the FAA to implement the Ocean Routing Flight Route in order to relieve noise pollution in Morris Passaic and Sussex Counties.

Name	Address
Veronica Curto	1015 Hillside Ave. Succasunna
Kathleen	6 Chestnut Dr Chester
Liz Murray	23 Hickory Lane LV
TONY DAVIA	2 CRAIG LANE CHESTER NJ
Lori Canley	280 Fairview Ave Valley
Robert Piccolo	32 Beacon Hill Dr Chester
Stephanie Fusaro	1 Byron Ct Chester
Debbie Peterkin	4 Byron Ct Chester
Christina Caputi	59 Black Run Rd Long Valley
Jessie H. Jolly	21 Carriage Hill
Meelinda Scatelli	7 Second Place Chester
Barbara Key	2 Chestnut Chester, NJ
Riz Mary Mendoza	27 Furnace Road, Chester NJ
Fernando Mendoza	27 Furnace Road, Chester NJ
Barbara Jupiter	119 Eyland Ave Succasunna NJ
Melissa Phillips	296 S. Hillside Ave Plunkers NJ
Virginia J. Jada	2 Maple St, Peapack NJ
Ruth Willey	1 Anemula Chester NJ 07930
Robert B. B. B.	60 Fernmount Ave. Chester NJ 07930
Mary Parlin	34 Hilltop Rd. Medford, NJ 07945
Dorlan Dorsey	4 BOJINE GLADSTONE NJ
Gene Slawinski	39 Old Chester Rd Gladstone NJ

We, the undersigned, ask the FAA to implement the Ocean Routing Flight Route in order to relieve noise pollution in Morris Passaic and Sussex Counties.

Name Address

GEOFF SALAMY	30 WYCKOFF WAY CHESTER NJ
SCOTT PAPER	D CEDAR TREE CHESTER NJ
ROB SPENCER	19 KECHEDE METARY NJ
JANE MUTTART	14 JAKETOWN RD. LONG VALLEY, N.J.
BONNIE SULLY	121 CLOVERHILL DR. FLANDERS, N.J.
ALBERT W. JONES	34 PLEASANT HILL RD. FLORENCE NJ
MICHELLE LEPORE	14 SNEAD CT. FLANDERS, NJ 07836
DANIELLE HUGHES	5 OAK TERR. LONG VALLEY NJ 07853
TOM HEARD	179 EAST HILL RD. LONG VALLEY NJ 07853
ANNA CURTIN	32 Mt. View Dr. Chester 07930
JIM DAVIS	32 MOUNTAIN VIEW DR. CHESTER NJ 07930
KATHY DEKORZ	8 Shelton Road Mendham, NJ 07945
PAUL DEKORZ	8 Shelton Road Mendham, NJ 07945
MIKE FARLEY	418 WASHINGTON PLACE SENECAVILLE NJ
CAROL LITTLEWOOD	25 WILLOW DR CHESTER NJ 07930
MIKE GALLAGHER JR.	6 OAK STREET CHESTER NJ 07930
DAVID AUGUSTINE	41 OAK KNOLL RD. MENDHAM, NJ 07945
CONNIE AUGUSTINE	41 OAK KNOLL RD. MENDHAM, NJ 07945
KIMBERLY BONITA	302 Old Chester Rd. Chester NJ 07930
D. SCHINK	41 CALIFORNIA RD MENDHAM NJ 07945
AMY FENNER	25 Mt. View Ave L.G. 07853

We, the undersigned, ask the FAA to implement the Ocean Routing Flight Route in order to relieve noise pollution in Morris Passaic and Sussex Counties.

Name

Address

~~Ashley Azamian 6 Troutbrook Ct. 07930~~
~~Andrew J. Mamy 96 Mendham Rd, Gladstone NJ 07934~~
~~Susan Petrucci 7 So. Washington Valley Rd, Long Valley, NJ 07853~~
~~Dawn McKeon 42 Mountain View Dr. Chester NJ 07930~~
~~Dennis R. Normy 246 Old Turnpike Rd, Califon 07830~~
~~Eileen Spickard 3 Oriskany Lane, Chester 07930~~
~~Ken H. 24 Parker Rd, Chester 07930~~
~~Ken 15 Old Forge Rd, Chester 07930~~
~~Tom H. 121 Peapack Rd, Fair Hills 07931~~
~~V. Daly 4 Salmage Rd, Mendham 07945~~
~~R. Ambl 52 Blue Rd, Elm Branch 07826~~
~~Christy Connell 17 Airport Rd, Hackettstown, NJ~~
~~Deigh Ann E. 29 Deepth Circle, Green Brook NJ 08812~~
~~D. P. V. 125 Pleasant Hill, Chester.~~
~~R. Golub Chester, N.J.~~
~~Hubert 19 Old Farmer Rd, Long Valley~~
~~Dan R. Smith Byers Co, Paton, Ct, Chester.~~
~~Margaret Basilio 44 State Park Rd, Chester NJ~~
~~Boorne 7 Wadson Rd, Califon, NJ 07830~~
~~Daniel D. 5 Hickory Dr, Chester, NJ, 07930~~
~~W. W. 5 Hickory Dr, Chester 07930~~
~~Wayne H. 7 Shelly Rd, Hackett 07840~~

Response to Comment 4241: Tracy Morris, New Jersey Flight Path Petition

Comment Number	Comment response
1	Comment noted. The FAA has identified the Integrated Airspace Alternative Variation with ICC as the Preferred Alternative.

May 30, 2006

Steve Kelley, FAA-NAR
C/o Nessa Memberg
12005 Sunrise Valley Road C302
Reston VA 20191

Dear Mr. Kelly:

As a resident of Cragsmoor and Vice President of the Friends of the Shawangunks, I wish to express my appreciation to the FAA for adding Kingston, NY to its itinerary of public meetings on the DEIS for the Metropolitan Airspace Redesign Program. Although this area may be the farthest away of the twenty-two sites where you held informational meetings, it has been seriously impacted by overflight noise from approaches to Newark Airport since the expanded East Coast Plan was initiated in 1989.

In recent years, there has been some reduction in overflight noise in our area as a result of advocacy on the part of Ulsterites Fight Overflight Noise, the Woodstock Overflight Focus Group and the support of Congressman Maurice Hinchey among others. The Redesign Program, however, gives us reason for renewed concern. From the computer generated models we observed on April 10, it is evident that air traffic on vector 213 will increase and become more concentrated at intersections TALCO over Woodstock, WEETS over Stone Ridge, and Helon over Cragsmoor. These are particularly sensitive areas because of the elevation of the communities and the Catskill and Shawangunk parklands which are located beneath this vector.

1

We are also concerned that the noise measurements done in this area are flawed. The FAA did not take into consideration that the impact of a single event, such as the overflight of one plane in a rural setting without ambient background noise, can have a greater impact than an event recording the same decibels in an urban environment with extensive background noise. It is essential that new formulas be created that factor in intrusiveness and audibility of noise which would be more applicable to rural area.

2

In addition, noise was only measured at three sites in Ulster County. None were done on the Shawangunk Ridge, a unique open space designated by The Nature Conservancy as one of the worlds "Last Great Places." The Shawangunk Ridge parklands of Minnewaska and Sam's Point are especially vulnerable because of their elevation and proximity to Stewart Airport. The altitude of the metropolitan traffic constrains the altitude of local Stewart and Westchester airport traffic, forcing planes from these locations to fly low over the ridge. The level of impact is especially problematic because Minnewaska's and Sam's Point's designation as park preserves means that they qualify

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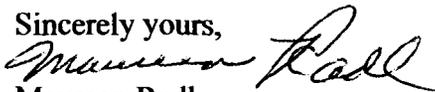
for a higher level of natural resource protection than many parks in the New York State System.

After careful consideration of the information that was provided to us at the public meeting on the Airspace Design Program, we would like to make the following recommendations:

- Create a noise assessment formula that makes more accurately assesses areas close to airports than the present Part 150 averaging methodology which was designed to asses noise levels close to airports. 3
- Use that formula for measuring noise on the Shawangunk Ridge. Along with providing a valid assessment of present conditions, it will also establish a base line that can be used to compare nose levels before and after the new plan has been implemented.
- Examine carefully how arrivals and departures from Stewart International and Westchester Airport will interface with the new design and make this information available to the public. 4
- Give due consideration to the need for places of peace and quiet in the metropolitan area which is part of the mission of the State parklands on the Shawangnk Ridge. 5
- Seriously consider routing the Newark traffic over the NYS Thruway corridor where overflights will have much less impact because of the higher levels of background noise which already exists there. 6

Our organization and other groups have worked tirelessly to protect open space in this region. Not to protect the air space above this land, however, would negate all of our efforts and that of the State to provide these rare havens of peace. We hope the FAA will acknowledge the need for such places proximate to the metropolitan area and work with us to maintain quiet skies over the Shawangunks and the Catskills.

Sincerely yours,



Maureen Radl
Vice President

Response to Comment 4262: Maureen Radl, Vice President, Friends of the Shawangunks

Comment Number	Comment response
1	That approach is untouched in the Integrated Airspace Alternative Variation without ICC. With the Integrated Airspace Alternative Variation with ICC, the route is moved slightly to the east, closer to the Interstate highway.
2	<p>The noise measurements taken for this study are not the basis of the noise analysis or the evaluation of environmental impacts. They are intended only to provide a general context for reference for those that are interested when considering the noise modeling results. The FAA in Orders 1050.1E, Environmental Impacts: Policies and Procedures, and 5050.4A, Airport Environmental Handbook, characterizes noise increases that are equal to or greater than 1.5 dB within the 65 dB day-night average sound level (DNL) range as a “significant impact”. Furthermore, in consideration of the public response to past air traffic changes, the FAA has identified a threshold of a +/- 5 dB DNL change between 45 to 60 DNL and +/- 3 dB DNL between 60 to 65 DNL to identify significant to moderate levels of impact. The results of the changes in noise that meet this threshold are thoroughly documented in the DEIS.</p> <p>In their 1992 report, the Federal Interagency Committee on Noise (FICON) group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. The EPA “Levels Document” identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)." Finally, it should be noted that the findings of the 1992 Federal Interagency Committee on Noise (FICON) report reaffirmed the use of the DNL metric and the use of 65 DNL for land use compatibility. .</p>
3	<p>See response to comment 4264 #2 for explanation of the use of DNL.</p> <p>The Preferred Alternative (Integrated Airspace Alternative Variation with ICC slightly reduces (by 0.1 to 0.3) noise over the Shawangunk Ridge State Forest.</p>
4	The local Stewart and Westchester County traffic is not likely to move in any alternative. Higher departure-fix altitudes for the larger airports may make it possible to raise these flows in certain weather conditions, but that will be at air traffic controllers’ judgment, not built into the design.
5	Additional analysis was completed regarding the Shawangunk Ridge State Forest. Chapter Five, Preferred Alternative and Mitigation, of the FEIS text incorporates revisions to include this analysis.
6	The FAA considered noise mitigation of the Preferred Alternative in the FEIS. However, it is not at all clear to FAA that the current traffic routes in this area create an adverse impact in the area. The noise levels due to aircraft noise in this area are well below any threshold of reportability or significance. Furthermore, comments received as part of this process indicate that residents near the cited developed areas (NY thruway etc.) do not agree that it is the best place for aircraft routes.



COUNCIL

Andrew J. Reilly
Chairman

Linda A. Cartisano
Vice Chairman

Mary Alice Brennan
Michael V. Puppino, Jr.
John J. Whelan

Delaware County Council
Government Center Building
201 W. FRONT STREET
MEDIA, PENNSYLVANIA

AREA CODE 610-891-4270
FAX NUMBER 610-892-9788
www.co.delaware.pa.us

May 25, 2006

Ms. Marian Blakey, Administrator
Federal Aviation Administration
800 Independence Avenue, Southwest
Washington, DC 20591

Dear Ms. Blakey:

Delaware County Council would like to request that the deadline for the public comment period for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project be extended from June 1 to September 1, 2006. In this letter, we also have additional comments on the draft Environmental Impact Statement for this project.

While the FAA published the draft EIS in December 2005, information on noise impacts was not placed on the FAA's website until March 2006. Furthermore, the FAA did not notify the Delaware County municipalities affected by noise increases about this project, the availability of the draft DEIS, the comment period, or the public meetings.

1

The additional time period will permit the County of Delaware to more thoroughly analyze the noise impact data and to notify the affected municipalities, so that they understand how the project will impact their residents.

We note that noise abatement procedures for Philadelphia International Airport would be discarded with the favored alternatives. These alternatives would increase aircraft noise by 200 to 900 percent in many areas of the County. Existing noise abatement procedures should remain in place.

2

The FAA did not conduct any analysis of air quality impacts, despite the fact that the project will likely increase air traffic and thus emissions of air pollutants. Because air traffic patterns would change, air quality impacts in Delaware County

3

004266
1 of 2

Ms. Marian Blakey
May 25, 2006
Page 2

would occur over areas that currently do not have much air traffic or aviation related air pollution. Air quality impacts should be examined.

Because the FAA did not initially provide the noise data with the draft EIS document and did not notify municipalities of this project, we conclude that the FAA worked very closely with the airline industry to develop this project and the DEIS to the exclusion of the general public. To that extent, it appears that the FAA's alternatives and what may be implemented were predetermined.

4

Very truly yours,



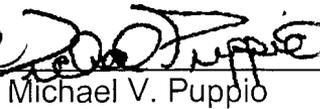
Andrew J. Reilly
Chairman



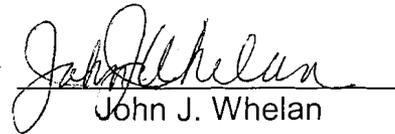
Linda A. Cartisano
Vice Chairman



Mary Alice Brennan



Michael V. Puppio



John J. Whelan

Cc: Congressman Curt Weldon
Congressman Robert Brady
Senator Rick Santorum
Senator Arlen Specter
Steve Kelley, FAA
Nessa Memberg, FAA

Response to Comment 4266: Delaware County Council

Comment Number	Comment response
1	<p>The DEIS accurately presents the results of the noise modeling for the alternatives and identifies all of the areas which could experience noise impacts in excess of FAA's threshold of significance. Data provided online in supplemental tables present further detailed information regarding the level of noise change associated with each alternative. The noise analysis provide in the DEIS is the information upon which FAA based its selection of alternatives and mitigation measures. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p> <p>In December 2005 a project newsletter announcing the availability of the Draft EIS and methods to obtain a copy was mailed directly to residents and public officials of Delaware County, PA. In addition, a second postcard identifying the specific public meeting locations was mailed out in February, 2006 also to residents of Delaware County. Newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers with circulation in Delaware County, PA: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk. In addition, Public Service Announcements were run in rotation on the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.</p>
2	<p>Comment noted. Additionally, it should be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives a part of the development of the FEIS. While noise abatement is not possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA has considered measures related to all the areas of reportable noise increases and beyond. Details regarding the noise mitigation evaluation are presented in the Final EIS document.</p>

Response to Comment 4266: Delaware County Council

Comment Number	Comment response
3	<p>Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.</p>
4	<p>The DEIS accurately presents the results of the noise modeling for the alternatives and identifies all of the areas which could experience noise impacts in excess of FAA’s threshold of significance. Data provided online in supplemental tables present further detailed information regarding the level of noise change associated with each alternative. The noise analysis provide in the DEIS is the information upon which FAA based its selection of alternatives and mitigation measures. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p>

Nagendran, Ram

From: crawley-haskins@att.net
Sent: Monday, June 05, 2006 10:05 AM
To: FAA DEIS
Attachments: FAA.doc

June 2, 2006

Mr. Steve Kelley, FAA-NAR
12005 Sunrise Valley Road, C302
Reston, VA 20191

Dear Mr. Kelley:

I am contacting you as chairman of the Philadelphia area African-American Chamber of Commerce, a business advocacy organization with 750 member firms, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity - the design of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving the 8 million people in the Greater Philadelphia metropolitan area and the Airport has recently advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvement has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Last year, PHL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control tower at PHL is the busiest in the FAA's Eastern Region. Accordingly, even the airfield improvements will not produce optimum benefits unless the airspace serving Philadelphia is concurrently re-engineered.

As improvements to the management of Philadelphia's airspace are evaluated along with those at the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that

you give strong consideration to whichever alternative will offer the most relief on congestion at PHL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative, enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHL. In addition, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of the decade, ultimately causing enormous economic harm to the entire metropolitan area.

Please be assured that, as part of the Greater Philadelphia business community, our region's African-American Chamber of Commerce will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Thank you for your consideration in this matter.

Sincerely,

A. Bruce Crawley
Chairman

Response to Comment 4279: A. Bruce Crawley, African American Chamber of Commerce of PA, NJ & DE

Comment Number	Comment response
1	Redesign of Philadelphia Airspace was an important component of the NY/NJ/PHL project, and two of the alternatives, Modifications to Existing Airspace, and Integrated Airspace included changes as compared to the Future No Action. Optimum benefits for Philadelphia Airport would be reached with the Integrated Airspace Alternative Variation with ICC. A summary of the changes from the Future No Action for the Integrated Airspace Alternative Variation with ICC include: West departure gate expanded to the northwest; new procedures for aircraft heading to the West departure gate, East departure gate is shifted to the east; new procedures for aircraft heading to the East departure gate; west arrival post shifts to the northeast; new distant procedures for aircraft arriving from the West arrival post; new departure headings for aircraft heading to the North, East, West, Southwest, and South departure gates; and an additional route added to the North arrival post. The additional departure headings would allow air traffic to expedite departures at PHL.
2	The importance of optimizing Philadelphia's airspace was an important component of the NY/NJ/PHL Airspace Redesign Project. In the designs, much importance was placed in the ability to integrate Philadelphia's traffic into the overhead traffic traversing the New York and Washington Centers' airspace.
3	Comment noted.

Rivervale at Holiday Farm
Condominium Association - Apartment Section, Inc.

521 Piermont Avenue South, River Vale, NJ 07675-5707 • Phone (201) 666-3626

May 18, 2006

Mr Steve Kelley
Federal Aviation Administration
C/o Nessa Memberg
12005 Sunrise Valley Drive
MS C3.02
Reston, Va. 20191

Dear Mr Kelley,

Enclosed is a petition signed by 137 residents of our building strongly objecting to the F.A.A.'s proposed re design of air space over northern Bergen County which would significantly increase the noise level and adversely impact our quality of life.

We hope the F.A.A. will re consider this ill-advised proposal and decide on another option which does not negatively affect thousands of New Jersey residents.

Thank you.

Yours truly,
Robert Planz, President

Rivervale At Holiday Farm
Condo Ass'n. - Apt. Section
521 Piermont Ave. South
River Vale, NJ 07675

00 4294
1 of 8

Rivervale at Holiday Farm Condominium Association - Apartment Section, Inc.

521 Piermont Avenue South, River Vale, NJ 07675-5707 • Phone (201) 666-3626

May 18, 2006

The undersigned residents of the Holiday Farm Condominium in River Vale, NJ, Bergen County, strongly object to the Federal Aviation Administration's proposed redesign of airspace which would have the effect of directing more aircraft over the Pascack Valley area of Northern Bergen County.

If approved, this measure would adversely affect our quality of life by generating significantly more noise pollution in our area. An estimated 10 decibel increase in the noise level caused by jet planes flying over us at all times of the day and night would certainly disturb the peace and quiet of our neighborhood, affect the welfare of our residents, many of whom are senior citizens with health problems, and might even negatively affect our property values. We object to any plan that brings planes over towns which are already struggling with growth and increasing noise.

We ask the F.A.A. to consider the concerns of those Bergen county residents who would be impacted by this ill-advised change, and put the welfare of our people first.

<u>Name</u>	<u>address</u>
Richard Musacchio	521 Piermont Ave, Apt 421, River Vale, N.J.
Ann Chardusse	521 Piermont Ave, Apt. 302, River Vale, N.J.
Mary Sullivan	521 Piermont Ave, Apt 111, River Vale, N.J.
Fred McBrien	521 Piermont Ave, APT 524, RIVERVALE, NJ
Cecilia Miller	521 Piermont Ave #227 River Vale NJ
Lucy Lauer	521 Piermont Ave River Vale, NJ
Leonard S. Kaufman	521 Piermont Ave #
PHYLLIS BLOOM	521 PIERMONT AVE RIVERVALE, N.J.
Seymour Aages	521 PIERMONT AVE RIVERVALE
Dawn Buckman	521 Piermont Ave River Vale NJ 07675
Alicia Toeter	521 Piermont Ave #210 River Vale NJ
Jean Gill	521 Piermont Ave #103 RIVER VALE NJ
June Standish	521 PIERMONT AVE #105 RIVER VALE NJ

<u>Name</u>	<u>address</u>
Natalie F. Lewis	521 Piermont Ave #218 River Vale NJ 07675
Phyllis T. Pallas	521 Piermont Ave #208 NJ 07675
S. Pine	521 Piermont Ave River Vale NJ 07675
M. Johnson	521 Piermont Ave Apt. 102 River Vale N.J. 07675
Anita Arenas	521 Piermont Ave
Ruth Dangler	521 Piermont Ave - Piermont
Hans Sommerhoff	521 Piermont # 528
J.J. KENNEDY	521 Piermont Ave
Freda A. Weil	521 Piermont Ave. River Vale, N.J. Apt 125
Bernard Colloff	521 PIERMONT AVE #523 RIVERVALE, NJ 07675
ROBERT A NICOLINO	521 PIERMONT AVE UNIT 521A RIVERVALE NJ 07675
Frank ...	" " " "
Mary Roberts	" " " "
Leonard DiBranco	" " " APT. 317
Elena D'Orsi	" " " 119
Therese ...	521 Piermont Ave River Vale NJ
Eber Markantus	521 Piermont Ave River Vale N.J. 07675
Clara ...	" " " Apt 504
E. FERRARA	" " " Apt 320
Jo ...	" " " "
John ...	" " " "
Nean ...	" " " "
Gerda Heibelberg	" " " "
M. Kaufman	" " " #329

<u>Name</u>	<u>Address</u>
Margaret Jones	521 P. # 110
Thomas DeCio	521 Piermont Ave, Riverdale N.J.
Gloria Hennes	" " "
Laura Hadden	" " "
Annika James	521 P.
Mary Alessio	" " "
Richard Teale	521 Piermont Av. 5, #122 Riverdale NJ 07675
Patricia Serna	521 Piermont Ave, #121 Riverdale NJ
Debra Wath	521 Piermont Ave
Mele Wigger	521 Piermont Ave. # 403
Ann Wigger	521 Piermont Ave # 403
Janette Gault	" " " Apt 4075
Richard	" " Apt 419
E. Schuch	" " Apt
Mary Cooney	521 Piermont Ave Apt 316
J. Serna	" " " 127
Eileen Wiley	521 Piermont Ave S. 330
Charles Schmitt	521 Piermont Ave Apt 310
Uech Schmitt	" " " "
Max Kelly	" " " # 208
Lucille Jorgensen	" " " 104
Thos. A. McCarty	" " " 209
A. Clause	" " " 507

<u>Name</u>	<u>address</u>
M Mess	229
Priscilla Anthony	115
Mary Meyer	521 Piermont Ave, apt 515
Josephine Monosky	521 Piermont Ave Apt 416 Poughkeepsie
R. Studdi	" " " " 426 " "
J. B. Connor	521 Piermont 124
Joseph Lotta	521 Piermont Ave - Apt. 212
Tom Collins	521 Piermont Ave Apt 431
A. Abou	521 Piermont Ave # 213
M. Bruninord	521 Piermont Industrial apt 366
Mr. & Mrs B. Plam	521 Piermont Ave 503
Mr/Mrs A Pellegrini	521 Piermont Ave apt 511
Verna Roman	521 " " " 321
Arwin Swenson	521 Piermont Ave. Apt 201 R/7/107675
Charles Kelly	521 Piermont Ave Apt 515 Poughkeepsie Cale
Grace Farrell	521 Piermont Ave apt 506
Mr/Mrs W. Bloom	521 Piermont Ave Apt 301
Marcel Piener	521 " " Apt. 217
Fred Small	521 Piermont Ave APT 117
DJ SOPKO	521 Piermont # 206
Beatrice Huppert	521 Piermont # 214 Poughkeepsie
Eileen Hegarty	514 Piermont # 514
Gerda Heintz	ERG 521 Piermont Ave. 216
Heidelberg	

<u>Name</u>	<u>address</u>
Margarita Mezzanero	521 Piermont Ave #308 ^{Riverdale, N.J.}
John McLoone 307	521 Piermont Ave ^{Riverdale 07675} N.J.
Norah Moore 307	" " " "
Rosa Considine ^{APT} 430	" " " "
Maureen Considine 430	" " " "
James Sherlock	" " " "
Hunt Douglis	" " " "
BARBARA SHERLOCK-408	521 PIERMONT AVE-
James Sherlock 408	521 PIERMONT AVE, N.J. 07675
Michael O'Keefe	521 Piermont Ave R/V N.J. 07675 #328
Zaven Poochian	521 PIERMONT Ave RIVERDALE N.J. 07675 #309
James McHenry	521 Piermont Ave R/V #327
John	" "
Lutz Sulda	" " #406
Santa began	509
Elizabeth SILWAN	505
Lucille Letito	" " " #412
Robert B. Stornik	" " " 418
Jeanne Demont	" " " 517
Mike May	" " " 525
John Aquino - Jennie	521 Piermont Ave #322
Elise Poochian	" " " 304
William Lucke	521 piermont Ave 325

<u>Name</u>	<u>address</u>
George Quinn	521 Piermont Ave # 401 River Vale NJ 07675
Mary Curry	521 Piermont Ave # 404 River Vale 07675
Neilson Tuller	521 Piermont 502 07675
Paula Agens	521 Piermont Ave # 305 07675
Angel J. Path	521 Piermont Ave # 100 - 07675
Cathy Botta	↓
Sybil Drzissek	521 Piermont Ave 07675
Keith Comylio	425 521 Piermont Ave 07675
Debra Cardam	521 Piermont Ave # 222 River Vale NJ
Betty Anastasio	521 Piermont Ave # 221 River Vale NJ
Arthur Young MD	521 Piermont Ave # 401 River Vale NJ
Charles Smith	521 Piermont Ave # 521 River Vale NJ
Irene Young	521 Piermont Ave R.V. # 409
John Cusack	" " " " # 205
Elizabeth Devine	521 PIERMONT AVE RIVER VALE # 411
Alan Kim	521 Piermont Ave River Vale NJ
Winifred Barmann	521 Piermont Ave
Bessie Clancy	521 Piermont Ave, # 45
Patty Foley	521 S. Piermont Ave # 331 River Vale, NJ 07675
Erleen Kwon	521 Piermont Ave 2341
Allen Kucharski	521 Piermont Ave
Nazze Bunn	521 Piermont Ave
Suzanne Clancy	521 Piermont # 315

<u>Name</u>	<u>address</u>
M. J. J.	521 PIERMONT AVE River Vale NJ
John Moore	521 Piermont Ave River Vale # 307
Mrs. Jane Berntson	521 - PIERMONT AVE # 529
Edna Berntson	521 PIERMONT AVE # 529
Eugene Lee	" " 314
Yvonne Lee	" " 314
Beradette Gray	521 PIERMONT AVE # 307
Frank Gray	" " "
Janice Zehr	521 Piermont Ave # 324
Florence Cascarden	" " " 428

**Rivervale at Holiday Farm
 Condominium Association
 Apartment Section, Inc.
 521 Piermont Ave.
 River Vale, NJ 07645-5707**

Response to Comment 4294: Rivervale at Holiday Farm Condominium Association-Apartment Section, Inc

Comment Number	Comment response
1	<p>The FAA recognizes the quality of life issues impacted by aviation activities. The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet their responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated operational and environmental impacts. Upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>

JOYCE GULDEN
TRI-STATE NOISE MITIGATION REVIEW COMMITTEE
31 Bowne Road
Locust, NJ 07760

April 27, 2006

Mr. Steve Kelly
1200 Sunrise Valley Road
C302
Reston, VA 20191

Dear Mr. Kelly:

As the representative from Monmouth County, New Jersey for the Governors' Tri-State Noise Mitigation Review Committee, I have been working on aircraft noise problems emanating from Kennedy Airport for approximately 20 years, ever since the expanded East Coast Plan took place. What was a quiet community with an ambient noise level of 20 decibels changed over night as a result of that plan.

Fortunately, your current plan for restructuring this airspace gives us the possibility of making some positive changes. Many community representatives, congressional aides and local officials have met with people at NY TRACON to try to "tweak" the present systems, but a fresh start is needed. Fifty thousand people live in the Monmouth County communities directly affected by Newark and Kennedy air traffic and your goal is to increase capacity so we both have a clear mandate.

The mantra for ocean routing from the Newark contingent is impractical at best and would give Monmouth County an extraordinary amount of noise, but a new ocean route emanating from Kennedy Airport would be practical and give the FAA a much needed public relations boost.

The scoping meeting at Tinton Falls on March 1st was a disaster in that the maps and information given were inaccurate. Your FAA representatives acknowledged this, resulting in confusion and anger from the people who attended. Let's hope we can make some progress from this point on.

004299

189

Mr. Steve Kelly
April 27, 2006
Page 2.

To keep things simple and clear, I am including copies of your maps and New York/New Jersey Port Authority tracking maps with comments and suggestions attached to each.

It is vital that we communicate since, from our prospective, much is at stake. I would be happy to meet with you or another representative in Virginia or New York at the Port Authority offices. I know that is a very complicated task the FAA embarked on and our whole county looks forward to the results.

Respectfully yours,



JOYCE GULDEN

Telephone No.: (732) 291-4436

Telefax No.: (732) 291-0618

JG:fh

Enclosures

cc: New York Aircraft Noise Mitigation Committee
Attn: Peter Malkin, Chairman *(w/copy of enclosures)*
Honorable Rush Holt *(w/copy of enclosures)*
Honorable Frank E. Pallone, Jr. *(w/copy of enclosures)*
Riverside Drive Association
Attn: Richard D. McOmber, President *(w/copy of enclosures)*

#1

SUGGESTED DEPARTURE COMMENTS

My suggestion for ocean routing would be feasible if departures from runways 13 and 22 would be kept on an easterly flow. I have put my suggested routes in blue/green lines on map. Keep the other departure route north as indicated by arrow on map. This is a route for which we have lobbied as it impacts fewer communities.

The easterly heading off shore will impact no one as the planes will come on shore at approximately 12,000 to 15,000 feet.



LEGEND

- JFK & LGA
- Townships
- JFK Dep Rwy 31
- LGA Arr Rwy *

The Port Authority of NY & NJ
Aircraft Noise Abatement Monitoring System
 JFK & LGA - July 20, 1997 - July 26, 1997
 24 Hour Period



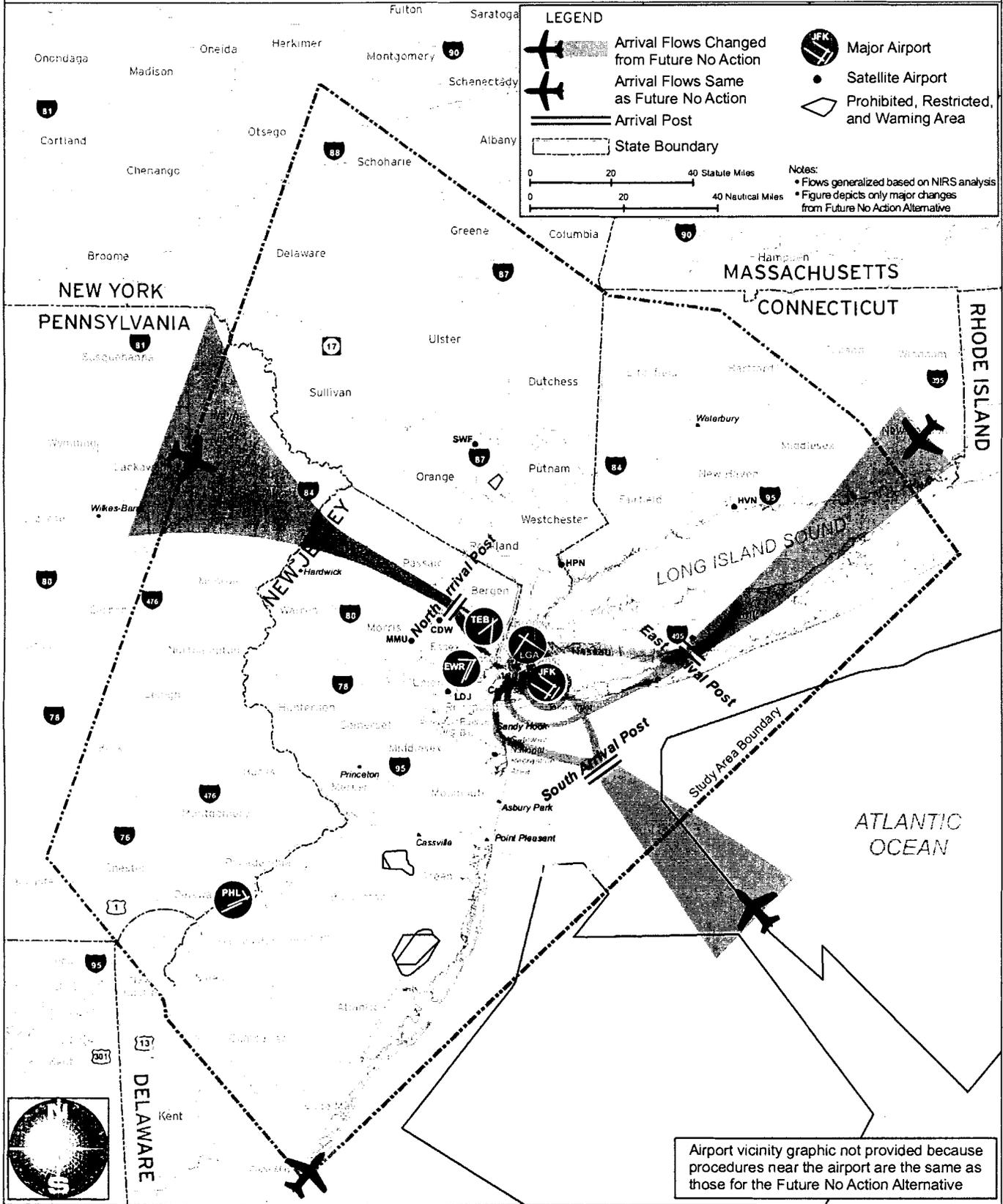
Miles
 NOTE: Track widths are not to scale



Integrated Airspace Alternative Variation with ICC JFK Major Arrival Flows

Figure 2.25

DRAFT ENVIRONMENTAL IMPACT STATEMENT



Airport vicinity graphic not provided because procedures near the airport are the same as those for the Future No Action Alternative

#2

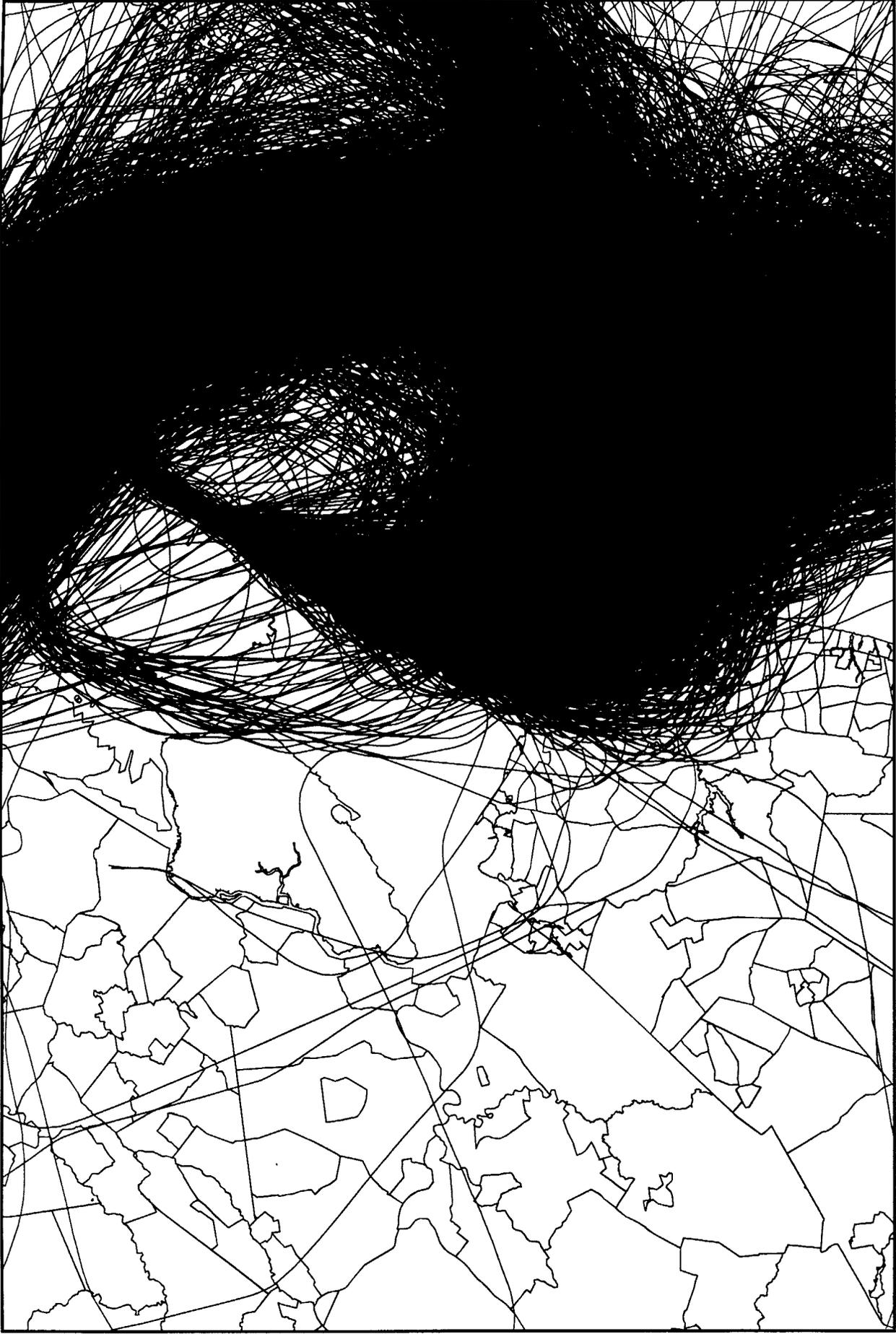
SUGGESTED ARRIVAL PROCEDURES CARNARSIE

The Carnarsie approach into JFK is the noisiest for our area. Presumably, arrivals must stay under departures dictating an approach of 2,000 to 3,500 feet over our area. We have tracking maps from NY/NJ Port Authority confirming this. What the maps don't show is the noise profile these arrivals make. Noise monitors have shown decibel levels of 80 and up. Frequently, the duration of these arrivals last eight hours until 12:00 a.m.

4

Your Integrated Airspace Alternative W/ICC Figure 2.25 shows the north arrival post traffic flying directly into runway 13 left. If this is correct, this is a big improvement over current circumstances as you can see from the tracking map dated July 30, 2000. I would imagine that would bring us relief. Would it be possible to absorb East Arrival Post arrivals into 13 left along with the Northerly Arrival Post arrivals? This would mean that the only flights using the ocean corridor would be the flights from the south. As a result, this would contain traffic better in the ocean rather than flying over land. By the way, the ocean corridor is 19 miles wide from Kennedy Airport to land fall and flights should be contained in the new plan rather than the current one.

5



LEGEND

- JFK
- Middletown
- Townships

— Art Rwy 13

The Port Authority of NY & NJ
Aircraft Noise Abatement Monitoring System
John F. Kennedy Intl. Airport - July 01, 2000 - July 30, 2000
24 Hour Period



Miles
NOTE: Track widths are not to scale

Response to Comment 4299: Joyce Gulden, Tri-State Noise Mitigation Review Committee

Comment Number	Comment response
1	Ocean Routing for any airport would require additional travel time and delay. During high-traffic hours, ocean routing does not meet the purpose or need of the redesign. After midnight, ocean routing of some departures can decrease noise exposure. It has been included, in tightly constrained circumstances, in the mitigation of the preferred alternative.
2	Comment noted.
3	This design is not possible. The airspace along the coast is tightly constrained on the east by the Warning Areas used by the Department of Defense. Civilian traffic may not use this airspace without coordination to make sure that no military missions are planning to fly there. Just west of the Warning Areas are the JFK arrival routes. Descending northbound traffic and climbing southbound traffic would be unmanageably complex without even longer delays than JFK is currently expecting.
4	Comment noted.
5	The north side arrivals are at 21,000 ft, so they must spiral down to runway 13L, much as aircraft do today. As the commenter suggests, the Integrated Airspace Alternative Variation with ICC makes more use of speed control en route to absorb necessary delays, which combined with increased use of RNAV/RNP approaches, will reduce the need for broadly-dispersed traffic over Raritan Bay, and should keep aircraft further from Monmouth County.

Nagendran, Ram

From: Danielle Cohn [DaniC@pcvb.org]
Sent: Thursday, June 15, 2006 8:45 PM
To: FAA DEIS
Cc: Danielle Cohn
Subject: TO: Mr. Steve Kelley

June 15, 2006

Mr. Steve Kelley, FAA - NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive
REston, VA 20191

Dear Mr. Kelley,

I am contacting you as President of the Philadelphia Convention & Visitors Bureau, a major employer in the Greater Philadelphia region, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity - the redesign of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving this metropolitan area, which is composed of over 8 million people. Under the auspices of a Presidential Executive Order (E.O. 13274) and with the support of the Federal Aviation Administration (FAA), the Airport has advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvements has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Improvements to PHL's airfield will not yield optimum benefits, however, unless the airspace serving Philadelphia is re-engineered in coordination with these runway projects. Last year, PHL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control Tower at PHL is the busiest in the FAA's Eastern Region.

As improvements to the management of Philadelphia's airspace are evaluated along with that of the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that you give strong consideration to whichever alternative will offer the most relief of congestion at PHL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative, enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHL. Furthermore, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of this decade, ultimately causing enormous economic harm to the entire metropolitan area.

Please be assured that the Greater Philadelphia business community will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Thank you for your consideration in this matter.

004433
182

Sincerely,

Tom Muldoon
President
Philadelphia Convention & Visitors Bureau 1700 Market Street Suite 3000 Philadelphia, PA
19103

Response to Comment 4433: Tom Muldoon, PHL Convention & Visitors Bureau

Comment Number	Comment response
1	Redesign of Philadelphia Airspace was an important component of the NYNJPHL project, and two of the alternatives, Modifications to Existing Airspace, and Integrated Airspace included changes as compared to the Future No Action. Optimum benefits for Philadelphia Airport would be reached with the Integrated Airspace Alternative Variation with ICC. A summary of the changes from the Future No Action for the Integrated Airspace Alternative Variation with ICC include: West departure gate expanded to the northwest; new procedures for aircraft heading to the West departure gate, East departure gate is shifted to the east; new procedures for aircraft heading to the East departure gate; west arrival post shifts to the northeast; new distant procedures for aircraft arriving from the West arrival post; new departure headings for aircraft heading to the North, East, West, Southwest, and South departure gates; and an additional route added to the North arrival post. The additional departure headings would allow air traffic to expedite departures at PHL.
2	The importance of optimizing Philadelphia's airspace was an important component of the NY/NJ/PHL Airspace Redesign Project. In the designs, much importance was placed in the ability to integrate Philadelphia's traffic into the overhead traffic traversing the New York and Washington Centers' airspace.
3	Comment noted.

RUTGERS ENVIRONMENTAL LAW CLINIC

123 Washington Street
Newark, NJ 07102-3094
Phone: (973) 353-5695

Rutgers, The State University of New Jersey
School of Law - Newark
Fax: (973) 353-5537

June 23, 2006

BY ELECTRONIC AND OVERNIGHT MAIL

Steve Kelley
Federal Aviation Administration
FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, Virginia 20191

Re: Supplemental Comments on the Draft Environmental Impact Statement for the NY/NJ/PHL Metropolitan Area Airspace Redesign

Dear Mr. Kelley:

Please accept these supplemental comments on behalf of New Jersey Citizens Against Aircraft Noise ("NJCAAN") regarding the Draft Environmental Impact Statement ("DEIS") issued in December 20, 2005, by the Federal Aviation Administration ("FAA") for the New York, New Jersey, and Philadelphia Metro Airspace Redesign Project ("Airspace Redesign").

1. The agency must include aircraft noise abatement as a Purpose of the Airspace Redesign. | 1
2. The FAA should integrate Ocean Routing patterns for Newark departures in its broader airspace redesign proposal, especially those proposals that integrate advanced navigation technology. Specifically, the FAA should develop Ocean Routing patterns for Newark departures using RNAV (aRea NAVigation) procedures. The DEIS's current evaluation of Ocean Routing withholds these advanced techniques and artificially creates an imbalance between the Ocean Routing alternative and the other alternatives evaluated. | 2
3. The FAA should develop night-time noise abatement procedures including Ocean Routing for Newark Airport departures. The agency deemed night-time Ocean Routing procedures feasible in the final environmental impact statement for the Expanded East Coast Plan, which it published in 1995. | 3
4. The agency should identify noise-abatement and other mitigation procedures that it deems feasible prior to issuing the Record of Decision for the project. | 4

Carter H. Strickland, Jr., Esq.+
Acting Director

Julia LeMense Huff, Esq.*+
Staff Attorney

Richard Webster, Esq.+
Staff Attorney

* Admitted in New Jersey Pursuant to 1:21-3(c)

+ Also admitted in New York

004639

5. The volume of operations at each of the three commercial airports in the New York Area has changed dramatically since the FAA developed the current terminal airspace configuration in the 1960s. As a result, the FAA should reallocate the terminal airspace between the area's three commercial airports to reflect the changes in traffic at each facility since the 1960s and the projected level of operations at each facility.

5

6. The DEIS is based upon incorrect assumptions about aircraft operations at Newark. As the Port Authority stated in its comments on the DEIS,

6

As a consequence of the many years necessary to develop and complete airspace redesign, some FAA assumptions and estimates were extrapolated based on the operational experience of year 2000. This approach resulted in over stating the likely number of operations for model year 2006 at EWR and JFK. Similarly, based on information we have of operations for 2005, the anticipated fleet-mix of our airports is likely to be significantly different at some airports from that which was estimated for 2006 and 2011 in the redesign models.

For example, the FAA model predicted 506,985 operations per year at Newark Airport in base year 2006 (Appendix B, p. 14), while the actual number is approximately 440,000 to 450,000 operations per year (see enclosed operating date from the Port Authority, which would need to be adjusted to account for the seasonality of air travel). The number of operations predicted by the model is not only in excess of the most recent and accurate data, but appears to exceed the designed capacity of the airport. In short, the numbers for Newark overstate operations by more than ten percent, which would significantly alter the FAA's calculation of current and future delays in the DEIS and the justification for many of the changes. Although a more realistic and lower number of operations would also lower the noise impacts to some degree, this effect is quite small and we estimate that the effects relative to no action would be less than .5 decibel, which would likely not alter the overall conclusions about noise impacts. Due to the sensitivity of delays to operational levels, however, NJCAAN expects that new operational figures would alter the delay calculations very substantially, and may reduce the benefits of the FAA's preferred alternative. The FAA should recalculate its predictions regarding delays and its conclusions about the need for all elements of the redesign in light of the more recent data and full capacity design of the airport

7

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7. The agency should evaluate the independent components of the Integrated Airspace alternative, which bundle together actions that could be taken on a more incremental and less harmful basis.

9

8. Further, where noise abatement routes are being modified or abandoned, each instance needs to be examined separately, with thorough identification of alternatives, respective environmental impacts and benefits, and environmental justice issues.

10

9. The FAA should share more of the details of its plans such as the proposed locations of aircraft “holding patterns,” details and impacts of simultaneous arrival and departure procedures, and the route changes and impacts for the smaller airports. 11

10. The FAA should include a comprehensive analysis of the air-quality impacts. 12

11. The agency should make data, assumptions and modeling available and at the same time and on the same terms they are made available to aviation industry groups. 13

12. The DEIS does not provide the public with adequate detail with regard to changes at separate airports. Specifically, the document should separately disclose the impacts of changes made to Newark Airport, Morristown Airport and Teterboro Airport. None of the changes at each airport can be assessed on an individual facility basis. In addition, Appendix E illustrates changes to smaller airports such as Morristown, Islip and Westchester airports; the main document is entirely silent on these changes, which should be discussed in detail. The changes at Westchester Airport in particular appear significant. The proposals appear to keep aircraft traffic over residential communities for longer distances and periods of time. The FAA should detail these noise and emissions impacts on the surrounding communities.

13. The FAA buries other material changes in Appendix E to the DEIS. NJCAAN believes that the DEIS needs to be expanded to include a detailed discussion of any proposed changes that are buried in that appendix. In addition, the DEIS illustrates simulated flight patterns that are only disclosed in aviation industry terminology. It is impossible for the public to determine how the routes would affect individual communities. All flight pattern proposals should be disclosed in a manner understandable by the public so that individual communities can assess these impacts on their communities. This should include illustrations of specific flight patterns for all of the proposed changes with maps that can be understood by the public. 14

14. The Port Authority comment included some rough investigation of alternate departure procedures for Newark, all of which shift more noise to New Jersey relative to the current procedures. NJCAAN strongly disagrees with this suggestion. Any exploration of alternate south flow departure procedures from Newark should be done in a manner similar to that done in the 1987 Landrum and Brown Study for the Port Authority. Initial headings less than 190 degrees should be explored as part of any investigation of “fanning.” In addition, the FAA must determine procedures that minimize impacts to environmental justice communities. In short, if the FAA insists upon “fanning departures” it must explore fanning to the east as well as to the west relative to current procedures. 15

For all of these reasons, the DEIS is inadequate in addressing the environmental impacts of the FAA's proposed action. We demand that the FAA take a harder look at the adverse effects of its proposed alternatives and the advantages and potential of the Ocean Routing alternative.

Very truly yours,

/s/ Carters H. Strickland, Jr.

Carter H. Strickland, Jr.
Attorney for NJCAAN

Enclosures

cc: Robert Belzer, President, NJCAAN

The 100 million revenue passenger mark is within grasp for the region, with traffic rising at 99.8 million, but escaped when hurricane Wilma pounded Florida in late October. December passengers were up 4% with year-over-year up 6.3%.

THE PORT AUTHORITY OF NY & NJ DECEMBER 2005 TRAFFIC REPORT

Current month, 12 months ending, year-to-date totals
Showing percentage change from prior year period

EWR

	Month		Year-to-date		12 Months Ending	
	Current	%	Current	%	Current	%
PASSENGERS						
Domestic	2,098,318	9.4	23,681,082	2.8	23,681,082	2.8
International	719,254	3.2	9,356,672	5.6	9,356,672	5.6
Total Revenue Passengers	2,817,572	7.8	33,037,754	3.6	33,037,754	3.6
Non Revenue Passengers	78,061	9.4	962,236	-5.4	962,236	-5.4
<i>Note: Commuter - Regional Pax incl. in above</i>	419,283	6.5	5,089,279	10.2	5,089,279	10.2
FLIGHTS						
Domestic	29,987	0.9	344,670	-1.4	344,670	-1.4
International	6,148	5.1	76,212	4.8	76,212	4.8
General Aviation	1,066	-24.2	14,992	-0.7	14,992	-0.7
Total	37,201	0.6	435,874	-0.4	435,874	-0.4
<i>Note:freighter flights included in above</i>	2,952	0.3	26,719	-1.5	26,719	-1.5
<i>Note: Commuter - Regional Flights incl. in above</i>	12,519	0.0	152,273	3.3	152,273	3.3
FREIGHT (in short tons)						
Domestic	68,239	-2.7	718,347	-2.8	718,347	-2.8
International	21,988	-5.2	238,946	-6.8	238,946	-6.8
Total	90,227	-3.3	957,293	-3.8	957,293	-3.8
MAIL (in short tons)						
Total	13,607	35.2	90,042	-0.6	90,042	-0.6
Ground Transportation						
Paid Parked Cars	360,201	3.2	4,306,993	-2.1	4,306,993	-2.1
Ground Transpo. Counter Passengers	9,565	-32.9	105,572	-35.7	105,572	-35.7
Airport Coach Passengers	35,098	-8.5	374,322	-3.5	374,322	-3.5
Taxis Dispatched	78,235	3.8	940,440	7.4	940,440	7.4
NJ Transit: Port Authority Bus Terminal	26,141	0.4	272,357	-7.1	272,357	-7.1
EWR Air Train Passengers	144,085	0.0	1,445,035	5.6	1,445,035	5.6
Air Transport Association Carriers (USA)						
Passengers:Domestic Enplaned (000)	38,978	-2.2	483,287	0.2	483,287	0.2
Passengers:International Enplaned (000)	5,320	6.6	62,479	7.5	62,479	7.5
Freight:revenue ton miles (000)	2,160,853	3.4	24,140,774	1.8	24,140,774	1.8

Airline Ranking by Passengers						Ranking by Freight Volume			
Rank	Airline Name	Domestic	Intl	Total	Cum %	Rank	Airline Name	Tons	Cum%
1	CONTINENTAL	11,583,280	5,586,712	17,169,992	52.0	1	FEDERAL EXPRESS	510,585	53.3
2	CONTINENTAL EXPRESS/	3,817,720	421,620	4,239,340	64.8	2	UNITED PARCEL	152,247	69.2
3	AMERICAN	1,832,412	125	1,832,537	70.3	3	CONTINENTAL	138,666	83.7
4	DELTA	1,207,989	0	1,207,989	74.0	4	AIRBORNE	25,362	86.4
5	UNITED	1,176,909	0	1,176,909	77.6	5	BRITISH AIRWAYS	17,144	88.2
6	NORTHWEST	719,836	362	720,198	79.7	6	SAS	15,465	89.8
7	AMERICA WEST	501,409	0	501,409	81.3	7	VIRGIN ATLANTIC	14,163	91.3
8	US AIRWAYS	454,377	0	454,377	82.6	8	AIR TRANSPORT INT'L	13,464	92.7
9	VIRGIN ATLANTIC	0	368,668	368,668	83.8	9	EVA	7,667	93.5
10	BRITISH AIRWAYS	0	363,838	363,838	84.9	10	KITTY HAWK AIR CAR	7,177	94.2
11	AIRTRAN AIRWAYS	341,441	0	341,441	85.9	11	AIR PORTUGAL(TAP)	5,082	94.7
12	JETBLUE AIRWAYS	296,111	0	296,111	86.8	12	ALITALIA	4,775	95.2
13	SAS	0	295,155	295,155	87.7	13	ASTAR AIR CARGO, II	4,601	95.7
14	USA 3000 AIRLINES	205,564	85,502	291,066	88.6	14	AIR FRANCE	4,587	96.2
15	ALITALIA	0	262,776	262,776	89.4	15	ALLCANADA EXPRES	3,744	96.6
16	ATA AIRLINES	259,239	494	259,733	90.1	16	KLM	2,816	96.9
17	LUFTHANSA	0	252,547	252,547	90.9	17	LUFTHANSA	2,645	97.2
18	AIR INDIA	0	246,299	246,299	91.7	18	EL AL	2,548	97.4
19	AIR CANADA	0	233,524	233,524	92.4	19	SINGAPORE AIRLINE	2,403	97.7
20	EL AL	0	187,238	187,238	92.9	20	UNITED	2,253	97.9

Passengers & Freight by Market Group		
2 Month Ending Data	Passengers	Freight
DOMESTIC	23,681,082	718,347
CANADA	885,954	429
CARIBBEAN + BERMUDA	997,402	6,852
CENTRAL AND SOUTH AMERICA	527,249	6,675
MEXICO	442,463	1,463
TRANSATLANTIC	5,977,078	203,348
TRANSPACIFIC	526,526	20,178

Passenger Demographic data:		Survey from May 2004 - Jun 2004	
Business	38%	Local Origin & Destination	78%
Personal	62%	Connecting	22%
Male	54%	Average Age	41
Female	46%	Average Household Income	\$98,200
Access: residents (adds > 100%)		Local Passenger Residence	
Private car/parking	57%	Manhattan, NY	13%
Limo car service	22%	Other NY City	6%
Taxi service	15%	New Jersey	63%
Rental Car service	11%	Westchester	1%
Airport Bus	6%	Long Island	1%
AirTrain	10%	Connecticut	2%
		Other NY State	4%

OAG schedules: airlines serving EWR		
Domestic Passenger Service	Flights (daily)	Airlines
Scheduled	270.4	14
Commuter	184.8	7
@Sub-Total	455.2	21
International Passenger Service		
Scheduled: USA Flag	54.0	2
Scheduled: Foreign Flag	21.9	16
Commuter: USA Flag	17.6	1
@Sub-Total	93.5	19
Freighter Service		
All Cargo: USA Flag	12.2	4
Scheduled Passenger: USA Flag	0.4	1
@Sub-Total	12.6	5
USA Airlines(Un-duplicated)	537.8	17
Foreign Airlines(Un-duplicated)	30.1	17

OAG schedules: Nonstop Destinations		
Domestic nonstop cities served	Flights (daily)	Cities
Jet Service Provided	348.0	52
Service Exclusively by Regional Airlines	107.2	36
@Sub-Total	455.2	88
International nonstop cities served		
Jet service provided		
Canada	27.1	7
Central America Less Mexico	3.7	7
Mexico	6.9	6
Caribbean and Bermuda	12.6	15
South America	4.3	5
Transatlantic	38.0	28
Transpacific	4.1	5
Service exclusively by regional airlines: Canada	0.0	0
@Sub-Total	96.7	73
Total number of cities having nonstop services	551.9	161

THE PORT AUTHORITY OF NY & NJ MARCH 2006 TRAFFIC REPORT

Regional passenger traffic increased 3.1% in March, split 4.1% for domestic growth to (1.4%) international. Easter came in April this year and in late March in 2005, leading to the expectation of roughly a 3% shift of March traffic to April this year. This shift put JFK negative with a (1.7%) decline and LaGuardia on the edge with 0.3% growth. Regional freight increased 1.7% --the first monthly increase since January 2005, led by 1% international growth.

Current month, 12 months ending, year-to-date totals
Showing percentage change from prior year period

EWR

	Year-to-date		12 Months Ending	
	Current	%	Current	%

Month	
Current	%

PASSENGERS

Domestic	2,300,078	13.1	5,980,642	13.2	24,540,006	6.2
International	814,670	6.0	2,124,289	3.6	9,447,247	4.8
Total Revenue Passengers	3,114,748	11.2	8,104,931	10.5	33,987,253	5.8
Non Revenue Passengers	83,882	9.0	236,648	14.3	991,776	0.4
<i>Note: Commuter - Regional Pax incl. in above</i>	445,187	7.1	1,157,245	6.7	5,161,877	7.9

FLIGHTS

Domestic	31,598	5.8	84,691	3.4	347,578	0.3
International	6,863	10.3	18,734	6.4	77,437	5.8
General Aviation	1,176	2.4	3,264	-5.7	14,794	-2.7
Total	39,637	6.4	106,689	3.6	439,809	1.1
<i>Note:freighter flights included in above</i>	2,962	25.9	7,815	24.2	28,303	4.9
<i>Note: Commuter - Regional Flights incl. in above</i>	13,030	2.1	35,277	-0.5	152,104	2.1

FREIGHT (in short tons)

Domestic	65,475	0.8	178,076	-0.9	716,576	-3.0
International	26,059	26.0	66,427	16.5	248,794	-1.6
Total	91,534	6.9	244,503	3.3	965,370	-2.6

MAIL (in short tons)

Total	7,515	-20.0	21,805	-19.8	84,662	-13.1
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Ground Transportation

Paid Parked Cars	390,256	6.6	1,039,615	5.0	4,356,301	0.4
Ground Transpo. Counter Passengers	8,804	18.9	23,028	4.9	106,650	-29.9
Airport Coach Passengers	16,458	-48.1	54,977	-33.3	346,877	-14.1
Taxis Dispatched	86,059	5.6	219,870	3.1	947,048	6.1
NJ Transit: Port Authority Bus Terminal	30,241	41.9	76,846	36.9	293,070	1.5
EWR Air Train Passengers	126,940	5.2	320,639	5.9	1,462,903	5.1

Air Transport Association Carriers (USA)

Passengers:Domestic Enplaned (000)	43,036	-3.0	114,533	-1.5	481,601	-1.2
Passengers:International Enplaned (000)	5,789	2.8	15,546	2.6	62,866	5.1
Freight:revenue ton miles (000)	2,255,680	6.6	5,960,062	4.1	24,373,471	2.1

Airline Ranking by Passengers					Ranking by Freight Volume				
Rank	Airline Name	Domestic	Intl	Total	Cum %	Rank	Airline Name	Tons	Cum%
1	CONTINENTAL	12,224,406	5,755,799	17,980,205	52.9	1	FEDERAL EXPRESS	521,282	54.0
2	CONTINENTAL EXPRESS/	3,902,056	420,620	4,322,676	65.6	2	UNITED PARCEL	150,276	69.6
3	AMERICAN	1,843,472	125	1,843,597	71.0	3	CONTINENTAL	135,805	83.6
4	UNITED	1,190,793	0	1,190,793	74.5	4	AIRBORNE	26,185	86.3
5	DELTA	1,183,203	0	1,183,203	78.0	5	BRITISH AIRWAYS	18,255	88.2
6	NORTHWEST	706,511	10,534	717,045	80.1	6	SAS	15,063	89.8
7	JETBLUE AIRWAYS	649,323	0	649,323	82.1	7	VIRGIN ATLANTIC	14,580	91.3
8	AMERICA WEST	478,476	0	478,476	83.5	8	AIR TRANSPORT INT'L	13,713	92.7
9	US AIRWAYS	416,829	0	416,829	84.7	9	EVA	8,640	93.6
10	VIRGIN ATLANTIC	0	361,655	361,655	85.7	10	KITTY HAWK AIR CAR	7,189	94.4
11	BRITISH AIRWAYS	0	360,670	360,670	86.8	11	AIR PORTUGAL(TAP)	4,987	94.9
12	AIRTRAN AIRWAYS	352,096	0	352,096	87.8	12	ALITALIA	4,611	95.4
13	SAS	0	288,115	288,115	88.7	13	AIR FRANCE	4,505	95.8
14	USA 3000 AIRLINES	175,803	83,479	259,282	89.5	14	KALITTA AIR LLC	3,022	96.1
15	ALITALIA	0	252,708	252,708	90.2	15	ASTAR AIR CARGO, II	2,997	96.4
16	AIR INDIA	0	241,694	241,694	90.9	16	KLM	2,816	96.7
17	LUFTHANSA	0	237,828	237,828	91.6	17	ALLCANADA EXPRES	2,691	97.0
18	ATA AIRLINES	207,322	1,125	208,447	92.2	18	SINGAPORE AIRLINE	2,625	97.3
19	AIR CANADA	0	205,730	205,730	92.8	19	LUFTHANSA	2,536	97.5
20	EL AL	0	183,158	183,158	93.4	20	EL AL	2,410	97.8

Passengers & Freight by Market Group		
2 Month Ending Data	Passengers	Freight
DOMESTIC	24,540,006	716,576
CANADA	875,293	547
CARIBBEAN + BERMUDA	1,003,726	6,245
CENTRAL AND SOUTH AMERICA	545,397	6,505
MEXICO	421,472	1,457
TRANSATLANTIC	6,004,604	210,626
TRANSPACIFIC	596,755	23,414

Passenger Demographic data:		Survey from May 2004 -Jun 2004	
Business	38%	Local Origin & Destination	78%
Personal	62%	Connecting	22%
Male	54%	Average Age	41
Female	46%	Average Household Income	\$98,200
Access: residents (adds > 100%)		Local Passenger Residence	
Private car/parking	57%	Manhattan, NY	13%
Limo car service	22%	Other NY City	6%
Taxi service	15%	New Jersey	63%
Rental Car service	11%	Westchester	1%
Airport Bus	6%	Long Island	1%
AirTrain	10%	Connecticut	2%
		Other NY State	4%

OAG schedules: airlines serving EWR		
Domestic Passenger Service	Flights (daily)	Airlines
Scheduled	281.2	14
Commuter	191.2	5
@Sub-Total	472.4	19
International Passenger Service		
Scheduled: USA Flag	58.9	2
Scheduled: Foreign Flag	20.6	15
Commuter: USA Flag	17.8	1
@Sub-Total	97.3	18
Freighter Service		
All Cargo: USA Flag	11.5	3
@Sub-Total	11.5	3
@USA Airlines(Un-duplicated)	559.1	15
@Foreign Airlines(Un-duplicated)	28.9	16

OAG schedules: Nonstop Destinations		
Domestic nonstop cities served	Flights (daily)	Cities
Jet Service Provided	359.9	50
Service Exclusively by Regional Airlines	112.5	35
@Sub-Total	472.4	85
International nonstop cities served		
Jet service provided		
Canada	29.3	7
Central America Less Mexico	3.7	7
Mexico	6.0	5
Caribbean and Bermuda	12.3	13
South America	4.1	5
Transatlantic	44.4	28
Transpacific	4.9	5
Service exclusively by regional airlines: Canada	0.0	0
@Sub-Total	104.7	70
Total number of cities having nonstop services	577.1	155

Response to Comment 4639: Carters H. Strickland, Jr., NJCAAN (Rutgers Environmental Law Clinic)

Comment Number	Comment response
1	Noise abatement is not part of the Purpose and Need. The Purpose and Need is consistent with the FAA's mission to ensure safe and efficient use of airspace. However, noise impacts were a consideration in the design.
2	RNAV will not solve all the problems with the Ocean Routing proposal. Using sophisticated precision navigation procedures, which did not exist when the airspace redesign began, allows a large part of the penalties to users to be reduced. However, no navigation can mitigate the fact that aircraft must fly 40 to 60 miles out of their way to meet the requirements of Ocean Routing. The Ocean Routing Airspace alternative still does not increase the safety or efficiency of the airspace around New York and Philadelphia. See the chapter entitled "Can Precision Navigation Increase the Efficiency of Newark Ocean Routing" in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign of the FEIS for further details. It should be noted that ocean routing during nighttime hours is part of the mitigation for the Preferred Alternative.
3	In response to your and others' suggestions, night-time ocean routing has been included in the noise-mitigated version of the Preferred Alternative.
4	The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.
5	The Preferred Alternative goes further than a simple reallocation of airspace among facilities. It intends to dissolve the boundaries between facilities wherever possible. Not only the changes recently seen in the balance of traffic among the airports is accommodated but also many other possibilities such as the expansion of business aviation and jet air-taxi services.
6	The commenter is correct regarding the use of 2000 as the base year for the forecasting effort. Since several years have passed since the development of the forecasts and the completion of the DEIS, further analysis was conducted to determine the degree of divergence between the forecasts and the current conditions. The MITRE Corp. conducted an evaluation of the forecasts in comparison to the 2005 and 2006 actual traffic volumes. Additionally the analysis included a comparison of the difference in fleet mix between 2005 and the forecast 2006 aircraft types. Overall, the 2005 fleet mix has a larger proportion of regional jets and business jets, with a decreased proportion of narrowbody jets compared to the forecast traffic. However because each of the alternatives used the same fleet mix the relative ranking of the alternatives would not be affected. This report is presented in Appendix B.2 "Comparative Analysis of the NY/NJ/PHL Forecast" of the FEIS. It concludes that the projections were not in error in any important way.
7	The operational analysis of the alternatives was conducted with annual-average and 90th percentile days in 2006 and 2011, which provided a wide range of traffic levels. The conclusions of the study were the same no matter what level of demand was used. Appendix C of the Draft EIS contains an analysis of changes in the mix of aircraft sizes as well.
8	Although the amount of delay on a high traffic day is higher than on the annual average day in all alternatives, the relative ranking of the alternatives is the same at both traffic levels.

Response to Comment 4639: Carters H. Strickland, Jr., NJCAAN (Rutgers Environmental Law Clinic)

Comment Number	Comment response
9	Independent components of the selected airspace redesign may be phased in over time, but the NEPA process calls for an examination of the total impact of a project. In fact, legal precedents under NEPA specifically discourage the segmentation of a larger project into smaller incremental pieces to avoid the disclosure of the totality of environmental impacts.
10	The DEIS evaluates each alternative as a complete package. There is no requirement under NEPA or issued by CEQ that demands that portions of alternatives be evaluated separately. In fact, much of CEQ's requirements focus on ensuring that project alternatives are not segmented. Specifically, the FAA uses the NIRS model because it provides the flexibility of calculating multiple aircraft at various locations and altitudes across the wide geographic area. Examination of separate individual routes may not give the cumulative noise footprint or properly display the environmental justice issues associated with this project. Some areas of northern New Jersey and Staten Island, for example, experience overflights from multiple airports and the analysis of an individual airport alone would be denying those people and accurate analysis of the noise in their area.
11	A map of the holding patterns is attached. No holding patterns have been lowered for the Proposed Action. The noise modeling conducted for the EIS includes the holding pattern and therefore results of the noise analysis reflect this feature. There are no route changes for the smaller airports that are not included in the DEIS.

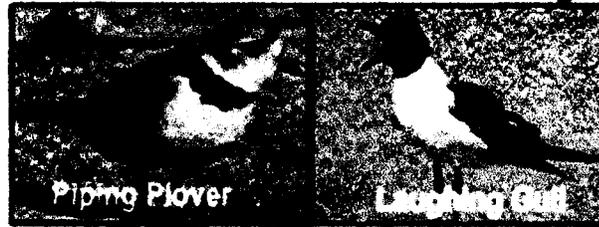
Response to Comment 4639: Carters H. Strickland, Jr., NJCAAN (Rutgers Environmental Law Clinic)

Comment Number	Comment response
12	<p>Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that the Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.</p>
13	<p>This was done. Aviation interests were briefed on the potential impacts of route lengths and times for the alternatives for their input into the process. The FAA does not see this as a violation of the NEPA process. The FAA must have the ability to obtain the input of the users of the National Aviation System to insure that it is designing realistic, workable plans. NEPA does not prohibit the FAA from meeting with and soliciting input from its customers, the airlines. NEPA does not encourage the development of hypothetical, theoretical plans simply to go through and alternatives exercise with no meaning.</p>

Response to Comment 4639: Carters H. Strickland, Jr., NJCAAN (Rutgers Environmental Law Clinic)

Comment Number	Comment response
14	<p>To separately disclose the impact of changes made at EWR, MMU, and TEB would result in providing an incomplete picture of changes occurring at areas affected by these airports. The vicinity of the three airports cause a need to examine the total affects of the noise created by operations at all the airports. When creating the documentation for the DEIS, it was decided that the large changes to major airports would be discussed and that Appendix E would be used to explore the changes at the reliever airports. The overall noise impacts on the surrounding areas at HPN, while not large enough to meet FAA's thresholds, were calculated and presented on the website.</p> <p>The noise impacts on the surrounding communities were fully disclosed in the DEIS. Additionally, through a grid-point system on the internet, any of the 29 million people in any of the communities within the five-state area could obtain information regarding the noise impacts in their census block for each of the alternatives. These noise grid points, obtainable on the internet, were released as an interpretive supplement to noise information modeled and published in the DEIS. CEQ regulations provide that agencies can summarize data in a DEIS and place technical information in appendices. In fact, CEQ regulations encourage this practice and provide page limitations to try to keep the main documents short and readable in layman's language. Technical information is encouraged to be placed in appendices for those who desire more detailed and technical information. Regarding the display of specific flight patterns, in a project of this magnitude with thousands of flight patterns being measured by the model, it is impossible to illustrate on maps the precise flight pattern and/or altitude of each aircraft over each citizen's community. For that reason, general flight track areas were indicated on the maps for public display and disclosure.</p>
15	<p>After identifying a Preferred Alternative, the Integrated Airspace Alternative Variation with ICC, the FAA considered ways to mitigate noise impacts. The Noise Mitigation Report, Appendix P, of the FEIS investigated the minimum number of dispersed headings required to increase efficiency to meet forecast demand. This investigation included use of reduced dispersed headings when traffic levels would permit fewer dispersed headings. Chapter Five, Preferred Alternative and Mitigation, provides information on environmental just impacts with noise-mitigated Preferred Alternative,</p>
16	<p>FAA disagrees that the EIS is inadequate. The FAA completed the DEIS in accordance with NEPA and the analysis requirements and standards of the CEQ regulations and the FAA. The FAA feels that the DEIS discloses the potential environmental impacts of the Proposed Action and presents them in an objective manner.</p>

Friends of Rockaway, Inc.



67-11 Beach Channel Drive, Arverne, NY 11692

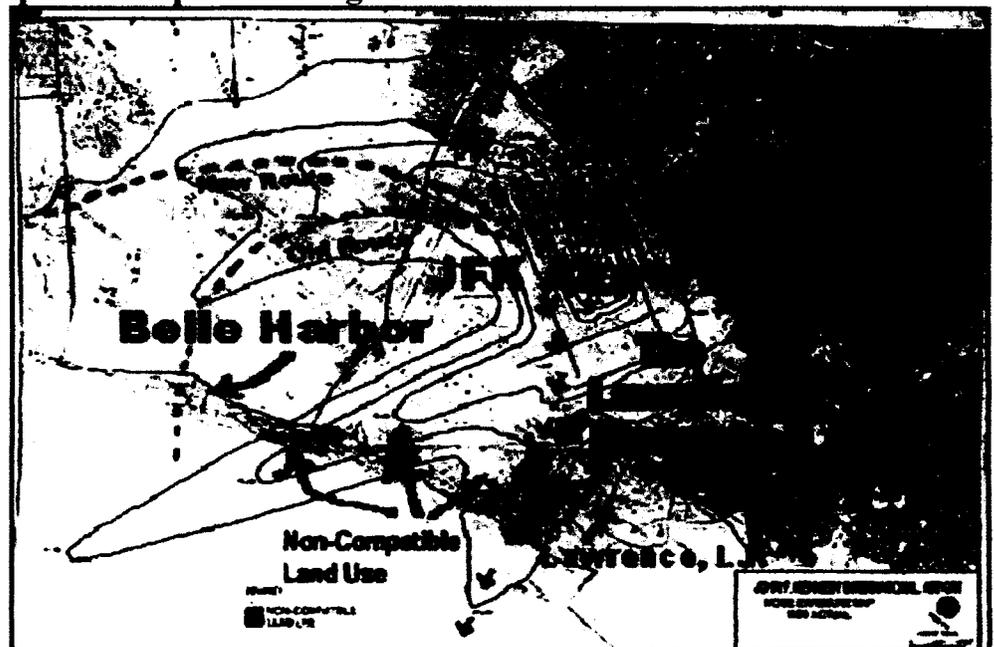
June 25, 2006

Steve Kelley,
FAA-NAR
C/o Ram
Nagendran
12005 Sunrise Valley Drive,
C3.02
Reston, VA 20191

Re: Corruption, deliberate distortion and misrepresentation of information in the New York/New Jersey/Philadelphia Airspace Redesign Plan DEIS

The NY/NJ/Philadelphia Airspace Redesign DEIS, although cleverly crafted to look scientific, is actually designed to maintain many of the unscientific, politically influenced, unjust aircraft routes. It demonstrates the deep arrogance and contempt the FAA has for NEPA and their lack of concern for environmental and health impacts of aviation on the public.

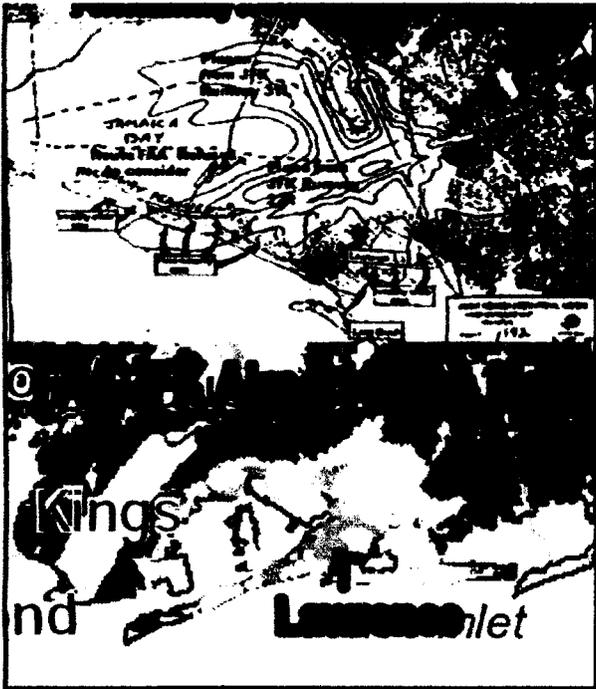
While my comments focus mainly on JFK Airport which impacts, having lived there from 1990 to 1997, I am sure they apply to many other communities in Airspace Redesign Plan area. The plan's intention to deceive can easily be seen by the way the language that the FAA uses to hide their real intent. The one word the FAA never uses in their routing rationales is fairness.



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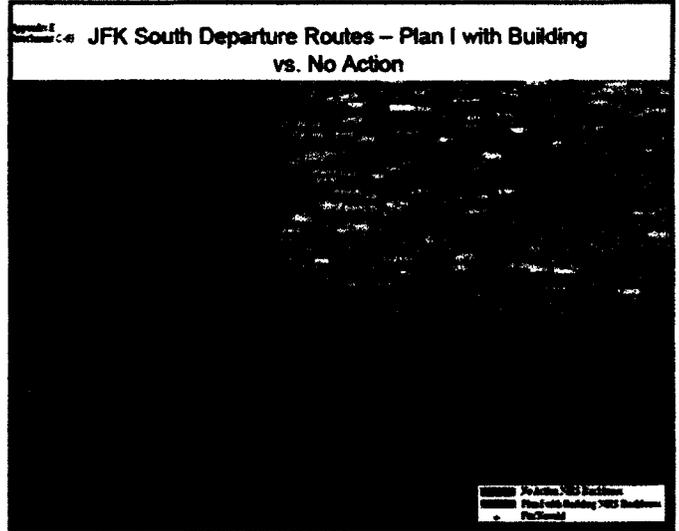
1 of 6



This DEIS can only be described as a official con job designed to expand aviation at the expense of those least able to defend themselves. I request that this severely flawed DEIS be thrown out and redone using science and fairness as its basis instead of official corruption and political influence.

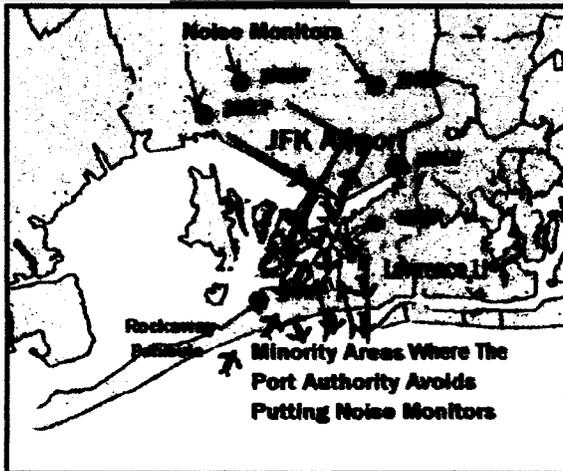
My reasons for requesting that the FAA's DEIS be thrown out and/or redone are:

1. Heavy use of technical jargon in unintelligible,



unreadable maps , charts with columns of numbers with no interpretation and extremely large online files (58 megabytes) readable to only those with high speed Internet connections. The FAA has made no effort to put technical information into a form understandable to the public. No one but engineers involved in airspace planning could possibly understand most of their aircraft routing maps. This is obviously an example of the FAA hiding impacts from the public in this plan. The typical JFK Airport routing map on the left not only doesn't show the airport, it doesn't even show one landform!!!

2. Continued concentration and increased flights over poor and minority JFK Airport communities.



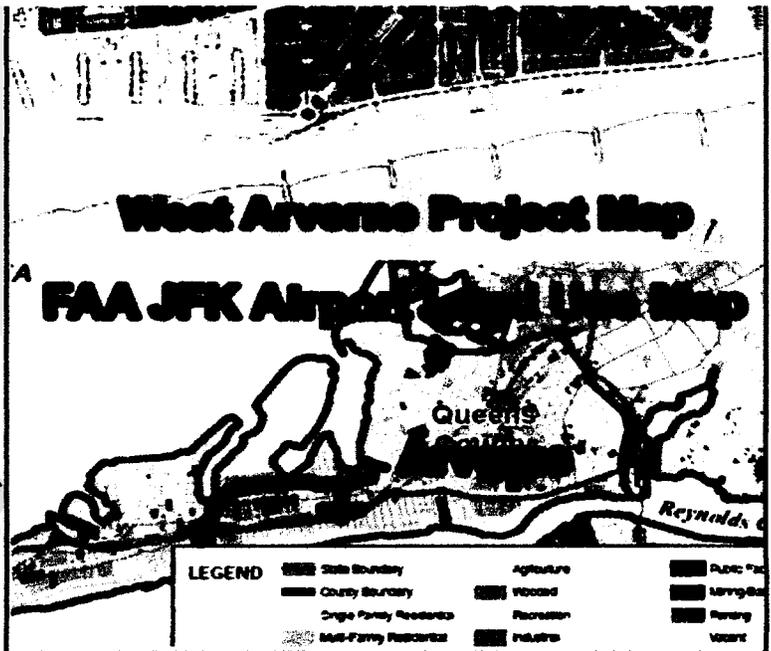
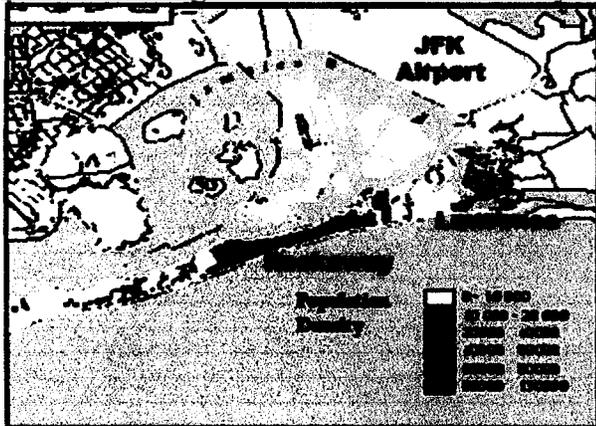
The DEIS indicates that there will be no changes to JFK routing. In other words projected increases of JFK Airport operations will be inflicted on the poor and minority areas, which already have flights diverted from Lawrence, LI and concentrated on them. Concentration of flights over poor and minority communities. The FAA goes to great lengths to hide actual population impacts by using things like "generalized land use maps" (see below right) in order to hide the protected (wealthy and white) communities impacts and continue their policy of diversion of flights over poor and minority communities.

3. Use of Phony "Land Use" (see maps below) maps instead of population maps to determine airport routing environmental impacts on people. This is another example of the FAA avoiding showing the actual impacts of noise on people. In the case of Rockaway



what you see when you look at their map is not 14 story apartments full of people but large stretches of once vacant land. The purpose is once again to use the poor and minority areas as dumping grounds and to protect the politically connected. The map on the left was prepared by N.Y. City and uses the year 2000 census tracks. An updated analysis would show even more population in the Arverne area.

4. Falsely portraying Rockaway populated areas as being "vacant." The JFK Airport "Generalized Land Use" (Vol.2, 3-08) map (picture on right) misrepresents vast stretches of land as being "vacant." The Arverne section of Rockaway consists of many apartment houses and the once vacant land is all built on or in the process of being built on. Yet the FAA falsely



portrays it as vacant in order to divert flights over it.

5. Use of low resolution pictures, especially "noise maps," with little detail, in extremely large files. In the online site the "noise modeling technical report" was 58 megabytes! Only people with a very high speed Internet connection could access this. I believe this was purposely done to reduce public access.

6. Use of aircraft routing "maps" that do not show airports and even landforms that could be correlated to the plane routes. Some of these maps are so

incomprehensible that they look more like a Jackson Pollack painting than an aircraft route. The picture below is typical of how the FAA shows aircraft routing. This shows the contempt and arrogance the FAA has for the public and the NEPA process.

- **Nighttime abatement procedures:** During nighttime hours when traffic demand decreases, it may be possible to implement flight track and runway use programs that direct aircraft away from residential and noise sensitive land uses.
from Executive Summary (ES.7 - Mitigation)

7. "Noise Sensitive" areas mentioned, but not identified. These areas are mentioned in the DEIS Executive Summary but not identified as to where they are, or what criteria is used to determine what makes one community noise sensitive and one noise tolerant. I suspect that this one of the non-scientific terms that the FAA uses to justify racist and politically influenced aircraft routing over communities.

8. DEIS "Environmental Justice" section (Vol.4 Appendix I) consists of merely a computer printout of census tracts. No other information was given, such as maps or comments on minorities significantly impacted. The plan ignored the current and future impacts of increased overflights of JFK Airport on the poor and minority communities of Rockaway, N.Y. City. I guess the FAA thought it better to say nothing than be caught in a lie.

9. Safety Issues Involving the reduction of plane separation over

From Airspace Redesign Executive Summary (ES.3.4.2)

This variation represents a full airspace consolidation and is a new approach to the redesign of airspace from NY to Philadelphia. Where current en route

N.Y. City not adequately dealt with. Changing the separation distances allowed for planes over the congested N.Y. City metropolitan area airspace is a major change. This change of five miles to three miles separation could cause a major collision or wake turbulence crash as what happened in Rockaway with the American Airlines Flt. 587 crash in 2001. This is a major change in flight operations and should have a detailed separate analysis of the safety implications for the flying public as well as the people on the ground.

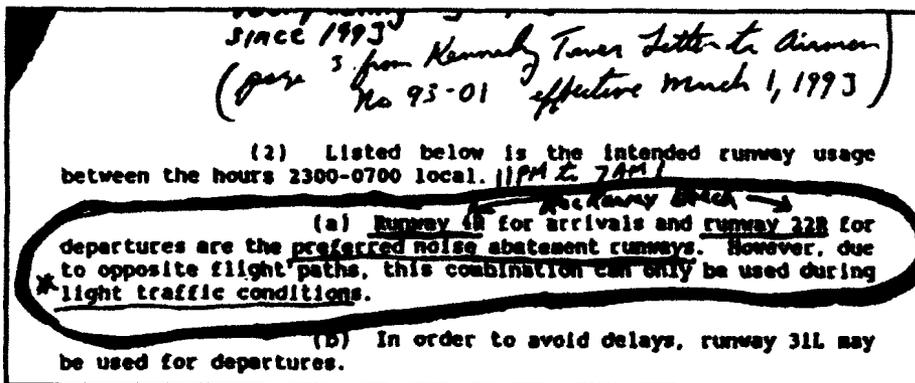
airspace separation rules of five nautical miles are typically used, this airspace redesign alternative would use three nautical mile terminal airspace separation rules over a larger geographical area and up to 23,000 feet MSL in some areas (as opposed to 19,000 feet MSL with current airspace structure).⁵ The airspace would be comprised of the majority of current NY TRACON and NY Center airspace, in addition to several sectors from Washington Center and Boston Center.

10. Air Pollution Increases Not Addressed Or Analyzed. There



seems to be a total ignoring of the air pollution impacts of the Airspace Redesign Plan on communities and the ozone layer and local communities from increased numbers of planes this plan will allow to be used at NY/NY and Philadelphia airports.

11. FAA used old, inaccurate maps to indicate land use. These maps do not reflect current or immediate future residential area usage. This is especially true in the Arverne section of the Rockaway peninsula where there has been dramatic home building and population growth in the last few years. Many of these areas are classified by the FAA as "vacant."



12. No mention is made of night flights or the FAA's "preferred noise abatement runways" which concentrate night time flights and noise over poor and minority communities. Because the plan carefully avoids any routing changes at JFK Airport, that will mean that the FAA intends to increase the already heavy concentrations of flights on

those poor and minority communities, like the Arverne section of Rockaway, which already have flights unjustly concentrated over them.

13. The FAA completely ignored the JFK Airport noise impacts on minority communities from planned increased flights. The FAA has decided not to change the flight routes at JFK Airport. This

means that they apparently intend to inflict increased noise impacts on poor and minority communities that have long had their flights diverted away from Lawrence, Long Island (the Lawrence Diversion) and over them.

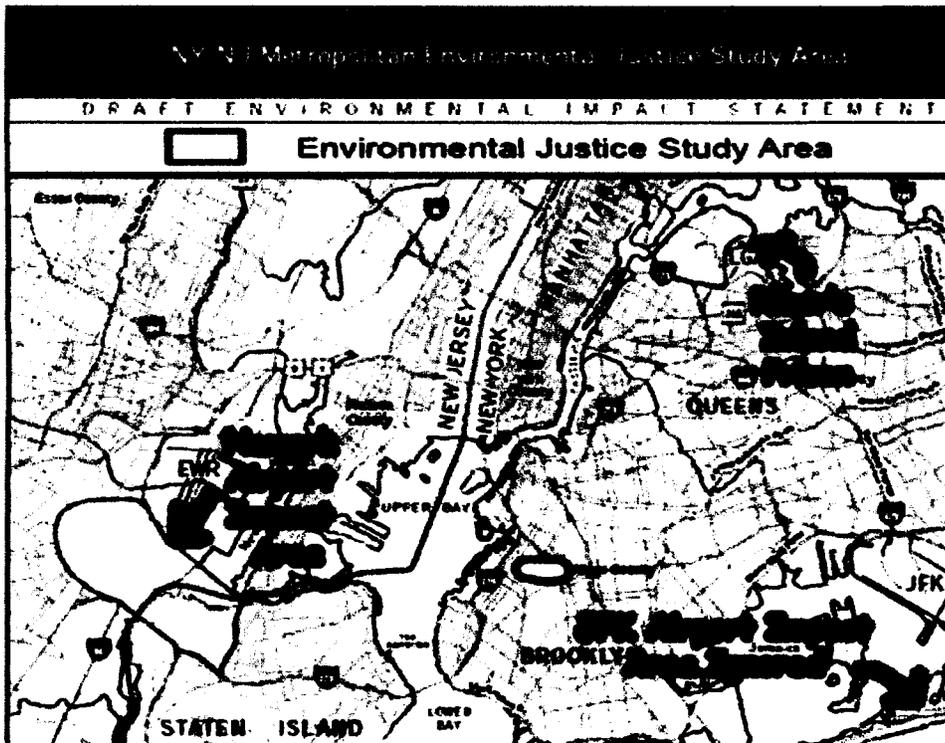
14. Falsely identifying Lawrence, Long Island as a JFK Airport 65 DNL high noise impact noise area. The FAA has falsely identified Lawrence, Long Island as a high impact (orange color) noise area. If the year 200 "baseline" that the FAA used for their noise map is correct, which I doubt, that year must be an aberration to actual noise impacts. I believe this is a false representation as Port Authority (see picture below) maps have always shown departure flights headed for Lawrence as being diverted over Rockaway putting Lawrence in:

Table ES.5 Agencies Consulted	
Airline Pilots Association	
Brandywine Hundred, Delaware	
Connecticut State Department of Transportation	
Connecticut State Historic Preservation Officer	
Delaware Department of Natural Resources and Environmental Control	
Delaware State Historic Preservation Officer	
Delaware Valley Regional Planning Commission	
Eastern Region Helicopter Council	
Environmental Protection Agency Regions 1, 2, and 3	
Manhattan Borough President, Manhattan Borough President's Helicopter Task Force	
Metropolitan New York Aircraft Noise Management Committee (Governor's Group of Nine)	
Mid-Atlantic Federal Partners for the Environment	
State Aviation Officers	
Towns and Village Aviation Safety/Noise Abatement Committee	
Transportation Research Board	

much lower noise contour. Also, JFK Airport is not even indicated on the FAA map. (Vol. 3, Appendix E, Sec. 4)

15. Listing of community lobbying groups as "consulting agencies" in Airspace Redesign Plan. The Town of Village Aviation Safety/Noise Mitigation (TVASNAC) organization is headquartered in Lawrence, L.I. and is a lobbying group for Lawrence and other nearby communities (the Five Towns). The "Governor's Group of Nine" is another political lobbying group

which consists of people concerned with protecting particular wealthy, white areas from overflights. I think it is outrageous that these groups were included as "agencies" in the DEIS plan. They obviously have an influence on FAA policies while other communities do not get the same privilege. This unfortunately, is typical of how the FAA decides which community gets flights directed over them.



16. Details of poor and minority impacts not adequately dealt with. While one map shows "environmental study areas" impacted by projected impacts from Newark and LaGuardia Airports, the impacts on JFK Airport communities from the projected increased noise was not addressed. The FAA apparently is using the excuse that there will be no route changes for JFK Airport as the reason for avoiding dealing with environmental justice issues for JFK. However, in my opinion, the real reason is that they did not want to expose their long history of

favoring certain protected communities while dumping on poor and minority communities. The impacts of the increased flights that will occur over JFK Airport's poor and minority communities due to the airspace redesign project should be assessed. According to the DEIS the Riker's Island prison is going to get a dramatic increase in noise pollution. Why don't the poor and minority communities in Rockaway, which also will get a dramatic increase noise pollution, get the same attention as criminals?

Sincerely,



William Mulcahy,

VP Friends of Rockaway

Response to Comment 4937: William Mulcahy, Friends of Rockaway, Inc.

Comment Number	Comment response
1	The FAA strongly disagrees with the commenter, extensive effort went into displaying complex airspace changes in such a way as a non-technical person could reasonable understand potential changes. Each airspace design display contains simplified major air traffic flows laid over detailed georeferenced maps which allow the public to identify where to expect changes from the redesign. Additionally, specific efforts were made to ensure that the text of the DEIS was written in 'plain English' so that the average, lay person reader could understand it.
2	According to FAA Order 1050.1E, "When FAA determines that a project has significant effects pursuant to NEPA the potential for disproportionately high and adverse effects pursuant to environmental justice must be analyzed." It was determined that the Modifications to Existing Airspace and the Integrated Airspace Alternatives would result in significant noise impacts. Again in accordance with FAA Order 1050.1E, noise impacts are determined by comparing the future condition both with and without (no-action) the proposal and each reasonable alternative. It is noted that none of the Alternatives resulted in significant noise impacts near JFK. The potential for the significant noise impacts resulting from Modifications to Existing Airspace and the Integrated Airspace Alternatives to disproportionately impact low income or minority communities was examined. It was determined that the significant noise impacts resulted in disproportionate impacts to minority communities and therefore significant environmental justice impacts. Therefore, upon selection of the Preferred Alternative the FAA considered mitigation measures to avoid, minimize, rectify, reduce, eliminate, or compensate for the significant environmental justice impacts. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS
3	The noise impact analysis presented in the DEIS is not based on the land use mapping presented in subsequent sections of the document not the generalized land use illustrated in Chapter 3. As the noise analysis discussion indicates, the population impact analysis was based on Census Block data derived form the 2000 Census. Consequently, the locations of the population were correctly placed. The generalized land use displayed was provide by local planning agencies in proximity to the major airports studied.
4	See response to comment 4937 #3.
5	Comment noted, the Study Area is extensive and therefore mapping and illustrative graphics were large in size to maintain clarity. If the maps/graphics had been reduced in size the detail of the map would have been reduced.
6	Comment noted, the FAA expended extensive time and effort to illustrate alternatives in a manner that the general public could understand.
7	Land use compatibility is defined in FAA Order 1050.1E using FAA Part 150 land use compatibility Table 1, this information is provided in the DEIS in section 4.1.1 Noise/Compatible Land Use Impact Criteria. Noise sensitive land uses within the Study Area include residential land use, schools, hospitals, places of worship, parks, and historic sites.

Response to Comment 4937: William Mulcahy, Friends of Rockaway, Inc.

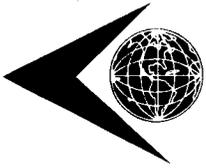
Comment Number	Comment response
8	<p>A discussion of environmental justice impacts is presented in Section 4.2.2 Environment Justice of the DEIS. According to FAA Order 1050.1E, "When FAA determines that a project has significant effects pursuant to NEPA the potential for disproportionately high and adverse effects pursuant to environmental justice must be analyzed." It was determined that the Modifications to Existing Airspace and the Integrated Airspace Alternatives would result in significant noise impacts. Again in accordance with FAA Order 1050.1E, noise impacts are determined by comparing the future No Action condition with the future condition for the proposal and each reasonable alternative. It is noted that none of the Alternatives resulted in significant noise impacts near JFK. The potential for the significant noise impacts resulting from Modifications to Existing Airspace and the Integrated Airspace Alternatives to disproportionately impact low income or minority communities was examined. It was determined that the significant noise impacts resulted in disproportionate impacts to minority communities and therefore significant environmental justice impacts. Therefore, upon selection of the Preferred Alternative the FAA considered mitigation measures to avoid, minimize, rectify, reduce, eliminate, or compensate for the significant environmental justice impacts. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS. Appendix I was provided so that readers could review the population data (income level and minority) used in the environmental justice analysis.</p>
9	<p>Reduced separation will not be used when it poses a safety problem.</p>

Response to Comment 4937: William Mulcahy, Friends of Rockaway, Inc.

Comment Number	Comment response
10	<p>The FAA did not ignore air quality impacts in the DEIS. Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.</p>
11	See response to comment 4937 #3.
12	Night flights were accounted for in the detailed noise analysis. The importance of modeling nighttime aircraft operations was discussed on page 3-27 in the DEIS.
13	See response to comment 4937#2.

Response to Comment 4937: William Mulcahy, Friends of Rockaway, Inc.

Comment Number	Comment response
14	<p>The FAA disagrees with the commenter regarding impacts to Lawrence and the veracity of the noise analysis presented in the DEIS. Radar data verifies the FAA's modeling. It should be noted that a large part of Lawrence is in the 60-65 dB noise level and is therefore shown in yellow within Appendix E. The DEIS noise prediction approach follows the current state-of-the art practices and FAA's current policy and reasonably represents the conditions present in 2000. Furthermore, Chapters 3 and 4 of the DEIS document, as well as Appendix E outline the noise modeling process and assumptions used in the analysis. These discussions note that the flight routes and runway use are based on the extensive analysis of baseline radar data acquired at the onset of the project. Finally, it is beyond the scope of the DEIS to make detailed comparisons to previous noise studies that undoubtedly reflect a different set of conditions than those being evaluated for this study.</p> <p>The mapping of the noise values was presented on several maps of differing scales throughout the document and its appendices. In cases where the map scales permitted, the major airports were identified and labeled.</p>
15	<p>See response to comment 4973 #2. The DEIS considered existing conditions without prejudice to past actions. All populations were analyzed equally.</p>



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June 29, 2006

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Re: Draft Environmental Impact Statement - New York/ New Jersey/ Philadelphia Metropolitan Airspace Redesign - Comments By Sound Shore Communities

Dear Mr. Kelley:

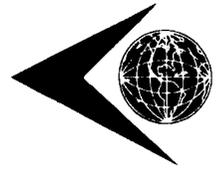
We represent the Sound Shore Communities of Westchester County, New York, including the Village of Larchmont, Town of Mamaroneck, Village of Mamaroneck, City of New Rochelle, Town of Pelham, Village of Pelham, Village of Pelham Manor, City of Rye, Town of Harrison, and Village of Port Chester, (collectively "Sound Shore Communities") as well as the Quiet Skies Committee of WRAIN ("WRAIN"). The following constitute the Sound Shore Communities' and WRAIN's comments on the Draft Environmental Impact Statement ("DEIS") prepared by the Federal Aviation Administration ("FAA") for the New York/ New Jersey/ Philadelphia Metropolitan Airspace Redesign ("Project") pursuant to the requirements of the National Environmental Policy Act, 42 U.S.C. § 4321 *et seq.* ("NEPA").¹

The citizens of the Sound Shore Communities and WRAIN are deeply concerned about the Project's undisclosed potential to increase the disproportionate noise burden that already results to the Sound Shore Communities and WRAIN from arrivals on La Guardia Runway 22 and departures on Runway 4 under the procedure that eliminates over-the-water routing. The DEIS, however, does not provide data sufficient to allow the public, including Sound Shore Communities and WRAIN, to make an informed determination about the Project's impacts. Instead, among other things, it: (1) omits any data or analysis of the air traffic impacts of operations from 119 airports in the study area, even some that meet the purported test of jet/IFR operations, such as Allaire and Danbury Airports, so as to artificially inflate the apparent benefits of the Project; (2) entirely omits data concerning the altitudes of aircraft or their departure headings on the proposed new routing, such that a competent analysis of the Project's noise impacts is not possible; (3) omits analysis of the Project's noise impacts on communities not now

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¹ These comments are based in part on the report prepared by Williams Aviation Consultants, Inc., attached as Attachment "A".

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Ltr pgs - 21
Att. A pgs - 24
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subject to overflights; (4) declines to discuss alternatives with fewer impacts such as the improvement of airport groundside facilities that have the potential to reduce groundside congestion and consequent delay, thereby satisfying one of the major purposes of the Project; and (5) fails to acknowledge or analyze the impacts of the interdependent connected actions at the region's airports made necessary by the growth in traffic allowed by the Project.

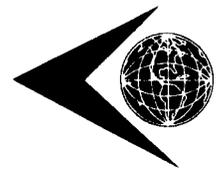
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Most notably, the DEIS entirely omits any discussion of mitigation for the Project's inevitable impacts. Instead, the FAA asks the public to do its job of developing reasonable mitigation measures. First, and most importantly, many of the Project's impacts can and should be entirely avoided by maintaining the over-the-water departure for Runway 4 at LGA without any change or compromise. Second, and without waiving their objections to the absence from the DEIS of the over-the-water departure for Runway 4 at LGA or other such mitigation measures, the Sound Shore Communities and WRAIN recommend that the Project incorporate, at minimum, the following measures, to compensate the Sound Shore Communities and WRAIN for the new noise impacts that are revealed, but remain unanalyzed, in the DEIS:

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- (1) issue a written directive that requires the use of the LDA approach when LGA is operating Runway 22, potentially with an off-set, stating that "The LDA approach for LGA runway 22 is designated as the primary approach during periods when the ceiling is at or above 1000 feet AGL and the visibility is at or above 3 nautical miles."
 - (a) provide controller/supervisor briefings regarding the use of the LDA directives;
 - (b) monitor controller/supervisor compliance with the LDA directives;
- (2) develop and implement an ILS approach, to be used when the weather does not permit use of the LDA, that is off-set from the Runway 22 centerline, and places the ILS final approach course off shore over Long Island Sound;
- (3) an RNAV-GPS approach to Runway 22 that uses off shore navigation points which would place the final approach course over the water;
- (4) a published visual approach, using existing topographical information or by installing visual equipment such as lights on markers in and around the Sound, that will keep aircraft off shore to the extent possible during good weather conditions;
- (5) increase in the altitude at which aircraft turn on final approach; and



(6) increase in the crossing altitude at YOMAN by a significant amount.

4

I. THE PROJECT WILL NOT ACHIEVE ITS PURPOSE AND THE NEED FOR THE PROJECT IS EXAGGERATED BY FLAWED MODELING.

5

NEPA's implementing regulations, 40 C.F.R. § 1500 *et seq.* ("CEQ Regulations") require that each EIS "shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." 40 C.F.R. § 1502.13. Here, the stated purpose of the Project is "to increase the efficiency and reliability of the airspace structure and the ATC system," DEIS, Ch. 1, p. 1-27, and the Project is needed "to accommodate growth while maintaining safety and mitigating delays, and to accommodate changes in the types of aircraft using the system." *Id.*

A. The Project as Currently Structured and Reflected in the DEIS Does Not Achieve its Purported Purpose.

The DEIS catalogues a number of "efficiency" and reliability issues at which the Project is purportedly aimed. The DEIS, however, contains no data to support the way the "fixes" proposed, either individually or collectively, will solve these problems.

6

1. Operational Inefficiencies.

First, the DEIS states that the "access to en route airways is restricted by downstream congestion." [Ch. 1, p. 1-21]. Downstream congestion, however, may be caused by the number of aircraft entering the system from airports outside the Study Area, not because of any inherent design flaws in the NY, NJ and PHL airspace.

7

Second, the DEIS states that EWR and LGA final approach courses are restricted and do not allow for optimal aircraft sequencing to the runways. [Ch. 1, p. 1-21]. However, the DEIS fails to explain how the final approach courses to these airports are restricted.

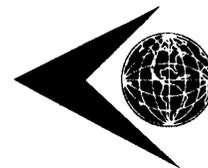
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Third, the DEIS states that "airspace sectors are currently associated with specific airports which cause an unbalanced use of the airspace, thus requiring excessive communications between controllers." [Ch. 1, p. 1-21] However, there are other solutions to this problem, short of redesigning the airspace, such as balancing the sectors within the facility, delegating airspace, or implementing further air traffic procedures. The DEIS does not reveal whether any of these alternative solutions were explored.

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Fourth, the DEIS states that "westbound departures from JFK create delays for westbound departures from EWR and LGA due to in-trail sequences." [Ch.1, p. 1-21]. However, the

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realignment of airspace does not eliminate the in-trail requirements for traffic entering the high altitude system. Aircraft entering the same center airspace, which is used by aircraft traveling at high altitudes during the cruise portion of their flight, may still be required to be in-trail. This is particularly true if those aircraft have not yet reached their cruising altitude. Therefore it is unclear how these delays will be alleviated by the Project.

10

Fifth, the DEIS states that “NY Metropolitan Area departures to north departure gate fixes are restricted due to inefficient airspace allocation.” [Ch.1, p. 1-21]. However, the DEIS does not provide any supporting evidence that would allow the public to evaluate this claim or any explanation as to how the realignment would resolve the issue.

11

Finally, the DEIS states that “arrivals to PHL are directed to lower altitudes to maintain separation from arrivals to the NY Metropolitan Area.” [Ch. 1, p. 1-21]. Yet, aircraft are restricted to specific altitudes in nearly all complex terminal environments. It is unlikely that the realignment will allow all aircraft to operate at significantly higher altitudes than currently utilized. Further, the DEIS does not provide any information regarding the “new” altitude structures proposed by the Project.

12

2. Safety Related Inefficiencies.

The DEIS identifies several safety-related inefficiencies in the NY/NJ/PHL Metropolitan Area Airspace. First, “arrivals to HPN from the south cross several traffic flows and create unnecessary complexity.” [Ch. 1, p. 1-21]. The DEIS, however, does not disclose how the Project will resolve this inefficiency.

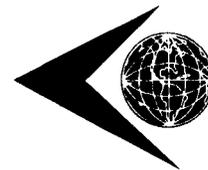
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Second, “arrivals for airports to the north of the Study Area must be assigned high altitudes to avoid conflicts with the NY Metropolitan Area traffic. This creates the need to cross several traffic flows in a short distance while descending.” [Ch.1, p. 1-21]. To the contrary, crossing busy terminal areas at higher altitudes is common throughout the national airspace system. And, the DEIS does not provide any explanation, or supporting data, as to how the Project will address this issue.

14

Third, “airspace restrictions require incremental changes in altitude for arrivals and departures causing radio frequency congestion associated with additional control instructions.” [Ch. 1, p. 1-22]. Incremental changes in altitude, though, are common throughout the air traffic system and are not unique to the NY/NJ/ PHL area. Until there is a system in place universally that will allow the controller and pilot to communicate without radios, voice communications will be necessary.

15



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Fourth, “departures from EWR to the Caribbean and South America must climb through PHL and ACY traffic resulting in traffic conflicts.” [Ch. 1, p. 1-22]. Yet, departures from PHX to LAX must climb through other air traffic operating in the NAS. As long as there are multiple aircraft operating in the NAS, it will be necessary for one aircraft to climb through or descend through the altitude of another. If there were no conflicts, there would be no need for the air traffic control system. The DEIS does not explain how the Project will resolve this issue.

16

Fifth, “high performance general aviation aircraft operating out of satellite airports are restricted to less efficient altitudes below major airport flows. This creates increased controller workload to resolve traffic conflicts.” [Ch. 1, p. 1-22]. This, however, is a common practice because the larger airports generate a steady flow of traffic. Those aircraft departing from smaller airports are restricted to lower altitudes until they can be sequenced into the route with other traffic. It is unclear how the DEIS would resolve this issue.

17

Finally, “departures from ISP and ISP satellite airports to the south/southwest conflict with arrivals to the NY Metropolitan Area and north-east bound departures from PHL.” [Ch. 1, p. 1-22]. Yet, departures from any airport in the Nation will at some time or another conflict with other aircraft in the area if not controlled. This alleged safety-inefficiency issue is really just a description of the air traffic controller’s job.

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In short, the DEIS identifies several inefficiencies in the Study Area airspace, many of which are common throughout the national airspace, but fails to either provide evidence supporting the purported inefficiencies or explain how the Project will alleviate these purported inefficiencies. The DEIS, therefore, fails to substantiate the stated purpose for the Project.

B. The Purported Need for the Project is Inflated by Flawed Modeling.

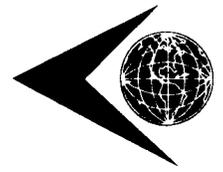
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Compounding its vague and unsupported statements of purpose, the DEIS fails to establish by any, let alone substantial, evidence that the need for the Project justifies its purported purpose. Initially, the DEIS states that “the Project is needed to accommodate growth.” [Ch. 1, p. 1-27]. The DEIS, however, fails to establish either that growth has occurred, or the way in which the Project will accommodate that growth.

1. The DEIS’ Projections are Based on Unrealistic Assumptions.

As a threshold issue, the DEIS’ fundamental assumption, *i.e.*, that growth in operations will soon, if unaided by the Project, overwhelm the current system is entirely unsupported by the evidence in the DEIS. Indeed, the DEIS’ evidence demonstrates that there has been a decrease in total operations since the DEIS base year, 2000. Therefore, the use of a pre-2001 base year for analysis constitutes a fatal flaw in the DEIS’ analysis. Specifically most of the forecasting in the

20



DEIS was completed pre-2001, and therefore assumes that air traffic has returned to pre-2001 levels. [Ch. 1, p. 1-20]. That assumption is not supported by the evidence. For example, there were more than 33,000 fewer combined NY and PHL TRACON operations in calendar year 2004 as compared to the two TRACONs' combined year 2000 operations. Further, operations have not exceeded the calendar year 2000 volume at either of the two TRACONs through the end of calendar year 2004. [Source: FAA OPSNET Instrument Operations: Period Report From 1999 to 2004, PHL and N90].

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Second, the DEIS assumes that the impacts of September 11, 2001, will be short-term. [Appendix B, pp. B-17 - B-18]. The DEIS justifies these optimistic forecasts by referring to other instances where the aviation industry recovered from "system shocks" such as the Cuban Missile Crisis. [Appendix B, p. B-17]. However, the evidence demonstrates that the aviation industry was devastated by the events of September 11th and that full recovery to pre-2001 levels of operations has not yet occurred.

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Third, the DEIS assumes that increased passenger demand will automatically result in increased operations. [Appendix B, pp. B-14 - B-15]. However, to be more efficient, the airlines prefer higher load factors. The airlines, therefore, tend to maximize the operations currently scheduled before adding additional operations. Consequently, increased passenger demand does not always result in an increase in operations.

22

Fourth, the DEIS assumes that single and multi-engine aircraft do not fly under IFR. However, many multi-engine as well as a number of single engine aircraft fly under IFR. Because the DEIS excludes any non-IFR operations from its analysis, this assumption carves out a significant number of single and multi-engine IFR operations from the existing baseline of IFR operations, thus making the result of the Project appear beneficial, when, in fact, it may have accomplished nothing at all.

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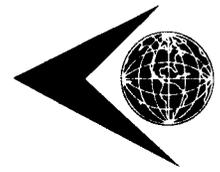
Finally, the DEIS states that, "by taking advantage of new technologies and responding to new trends, the Airspace Redesign will increase efficiency and the reliability of the air traffic system." [Ch. 1, p. 1-24]. However, no new technologies are introduced in the DEIS, and no new trends have been identified.

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2. The Variables Selected in the DEIS Are Inappropriately Based on Pre-2001 Circumstances.

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The variables employed in the DEIS are the same as the assumptions employed in the DEIS, and, therefore, do not accurately reflect the status of the aviation industry. The dependent variable used in the DEIS is the "annual number of passengers." [Appendix B, p. B-10]. The independent variables used are "those economic and demographic drivers that generate passenger



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demand such as population, employment and airline ticket prices.” [Appendix B, p. B-10]. However, where the variables use data from the year 2000, the allegedly best year on record for the Study Area airports [Ch. 1, p. 1-19; Appendix B, p. B-10], the product of the analysis is artificially amplified by engorged baseline data.

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3. The Data Used in the DEIS Analysis is Misleading.

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The data used in the DEIS is similarly flawed where it: (1) employs data from the year 2000, an anomalous year for the aviation industry; (2) excludes nearly 80% of the regional airports from the analysis, although the operations at these airports can and will effect the Project; and (3) was not calibrated with actual data.

First, the DEIS is fatally flawed where it relies on data from the year 2000. With three exceptions, two of which are forecasts, the data sources relied on by the DEIS either predate the year 2000, or are from the year 2000. [Appendix B, pp. B-5 - B-7 (some are unspecified)]. This data is now over six years old. Moreover, the year 2000 is the wrong year on which to base the DEIS modeling because it was one of the airlines’ best years and therefore overstates operations as well as the impact of the inflated numbers of operations in the National Air Transportation System. [Appendix B, p. B-3].

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In Table 4, the DEIS provides a passenger forecast summary for the years 2006, and 2011. However, all of these forecasts are based on year 2000 enplanement data. [Appendix B, p. B-11].² However, using the busiest reported year as the modeling baseline ultimately results in an inflated operations forecast.³

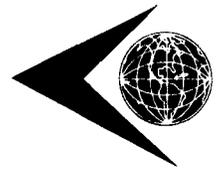
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The data used in the DEIS is also problematic because at least 80% of the airports in the region were excluded from the DEIS analysis. The 21 airports identified were only used for noise analysis, 8 were used for the capacity analysis. The DEIS excludes from the noise analysis the traffic generated by 44 airports within the study area that have instrument approach procedures and 62 airports that do not have instrument approaches. The DEIS also excludes an additional 13 airports from the capacity analysis which results in 119 airports whose traffic is not

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² “Airline Operations Forecasts -For each airport with scheduled airline service, current average day airline schedules for Friday, October 13, 2000 were culled from the [Official Airline Guide].” [Appendix B, p. B-11].

³ “Overall, IFR traffic in the Study Area (including overflights) is expected to grow some 17 percent by 2006 to 3.15M annual operations. This growth is expected to continue at a reduced rate resulting in some 3.41M annual operations by 2011. This is a 27 percent increase over the baseline 2000 conditions.” [Appendix B, p. B-14].



considered in the DEIS analysis. The model also excludes over-flight aircraft and en route aircraft. As a result, the DEIS modeling is not representative of the actual air traffic in the area either before or after Project implementation.

29

The selection of some airports to be included in the modeling analysis, while others were excluded, is not adequately explained. First, the DEIS purports to limit its analysis to airports with jet operations. However, while the DEIS included Essex County Airport which has 17 daily operations, including 1 jet operation, the Allaire Airport, with 17 daily operations (8 jets) and the Danbury Municipal Airport, with 15 daily jet operations (2 jets), were excluded from the study. Other airports with jet operations were also excluded from the study. The DEIS states that fractional ownership in jet aircraft will increase at a rate higher rate than commercial aircraft. Accordingly, any airport capable of handling jet aircraft should have been included.

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In addition, many of the region's airports were excluded because they are not IFR airports.⁴ However, the DEIS fails to acknowledge that the Study Area is Class B airspace, and that all aircraft in this area are controlled. VFR aircraft in Class B airspace are required to receive services from the TRACON controllers. These aircraft therefore increase controller workload, occupy airspace, and must be considered in any plan that evaluates controller workload, system capacity and/or efficiency, particularly where the DEIS uses the number of radio transmissions and frequency changes as a measure of the Project's benefits. Also, an airport is not required to have an instrument approach or departure procedure in order to be a generating airport for instrument operation.

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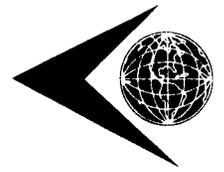
Furthermore, the criteria used to determine whether an airport qualified as an "IFR airport" is internally inconsistent in the DEIS. In one instance, the DEIS states that an airport qualifies as an IFR airport if it handles 20 IFR operations annually. [Ch. 1, p. 1-14]. In another instance, the DEIS states that an airport is an IFR airport if it handles 20 IFR operations daily. *Id.* This internal inconsistency is misleading and precludes any cogent analysis of the inclusion or exclusion of area airports from the DEIS analysis.

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The DEIS data also omits general aviation and military aircraft. This omission is inconsistent with the DEIS' statement that, "the corporate aviation market, which is generally identified as business executive transportation via small jets and turboprop aircraft is expected to grow at a more robust rate than scheduled airline service. This is primarily due to the success and growth of fractional ownership programs where business or individuals purchase a portion of

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⁴ "The decision to include or exclude airports was based on the fact that the Airspace Redesign applies to IFR operations. Airports without a significant amount of IFR traffic were not modeled because there will be little or no change to their operations as a result of the Proposed Action." [Executive Summary, p. ES-9].



an aircraft and share its use with other owners.” [Ch. 1, p. 1-18; Ch. 1, p. 1-24]. If general aviation traffic is expected to increase at the rates projected in the DEIS, then it is unclear why general aviation airports with less than 20 IFR operations per year, or 20 IFR operations per day, were eliminated from the capacity and noise analysis. Moreover, military aircraft, at a minimum, are present in the same air space and therefore should be accounted for.

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In addition, the DEIS does not state whether its models have been calibrated with actual data. The DEIS simply states, regarding airport statistics, that “data were requested from selected airports on annual operations and passengers as well as connecting rates and other airline statistics.” [Appendix B, p. B-7]. The DEIS does not clarify whether any such data has actually been obtained or if it has, whether or not it was used in the analysis.

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4. The DEIS Modeling Results Are Therefore Unrealistic.

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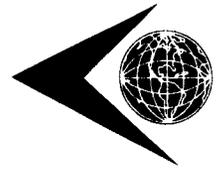
Based on the foregoing methodological errors, the resulting DEIS projections are unrealistic. Given the current runway, taxiway, terminal, and gate infrastructure at JFK, LGA, EWR and PHL it is unlikely that the number of instrument operations projected for the year 2020 can be accommodated. [Ch. 1, p. 1-21]. For example, JFK would have to handle 4,475 operations per day or 186 operations per hour to accommodate the projected 1,633,421 operations. LGA and EWR projections are equally unrealistic.

The DEIS model results also mask the Project’s actual impacts. First, the DEIS fails to disclose the Project’s impacts because over-flight aircraft and en route traffic were excluded from the TAAM model. Unless and until these operations are analyzed, the full impact of the Project is unknown. Second, although the DEIS acknowledges the rate at which general aviation is growing, the DEIS methodology excludes non-IFR operations. If only IFR traffic activity at 21 airports is evaluated, the true impact of those operations is reduced because VFR traffic is not considered. The introduction of VFR traffic may cause extended traffic patterns and increased noise and aircraft overflight impacts. The exclusion of VFR traffic can result in an apparent reduction in delays which, in turn, artificially inflates the perceived benefit of the Project. The exclusion of VFR traffic can also reduce the impacts of the Project at individual airports, thereby making the Project appear to be less environmentally intrusive. For this reason, the analysis of impacts and improvements should consider all traffic. The exclusion of any segment will artificially inflate or deflate the impacts and benefits of the Project.

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Finally, much of the Study Area is Class B airspace which requires all aircraft flying within that airspace to be in contact with and under the supervision of air traffic control. The elimination of VFR aircraft significantly inflates the efficiencies gained by the proposed actions by reducing the number of aircraft presumed to be in the airspace.

37



C. The Project Will Not Meet the Purported Need to Reduce Delay.

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The DEIS states that the Project is also needed to reduce delays in the Project area. [Ch. 1, p. 1-27]. The evidence in the DEIS, however, demonstrates that the majority of delays suffered in the Project area are caused by factors that are not addressed by the Project, such as controller employment issues, weather, scheduling, sequencing, routing, and in-trail issues.

First, the fundamental problem of delay upon which the “need” for the Project is predicated, may not exist. The sudden jump in delays in 2004, categorized in the DEIS as due to “other” or “center volume” may have been a result of controller labor disputes entirely unrelated to airspace congestion. The evidence shows that while there were only 285 delays in 2001, 158 in 2002, 174 in 2003, there was a sudden jump to 5,402 in 2004 even though operations were down. The FAA has instituted a number of initiatives in the employment area [personnel policies] that were not well-received in the past two years. One should not assume that these delays are due to some inefficiency in the design of the airspace that functioned with few delays through 2003 and then suddenly became inefficient in 2004. The evidence in the DEIS illustrates that the increase in delays used to justify the Project is not due to airspace inefficiencies.

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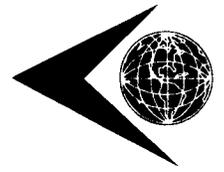
Also, weather is a major cause of aircraft delay in this airspace. According to FAA OPSNET data for the years 1999-2004, LGA was ranked third in total delays with 171,826 delays. Weather was the main cause of delay, accounting for 105,935 or nearly 62% of all delays. The DEIS acknowledges this, and states that among the major causes of delay in the study area are severe weather conditions that occur during periods of heavy traffic, reducing flexibility for aircraft re-routing, and creating poor access to departure routes at LGA and HPN. [Ch. 1, p. 1-24]. Severe weather during periods of heavy traffic reduces the flexibility for aircraft rerouting because experienced pilots will avoid routes experiencing severe weather. Moreover, severe weather conditions limit all access to departure routes. Weather delays are unavoidable, and it is not clear how they will be mitigated by the Project.⁵

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Extant evidence also demonstrates that many challenges in today’s air traffic system are a result of airline scheduling practices that often result in several aircraft being scheduled to arrive or depart at the same time. The airlines are often responsible for many of the inefficiencies which impact the air traffic system. It would appear that the system users have an obligation to refine their schedules and distribute demand throughout the day in order to make the airspace more efficient. However, historically, as soon as air traffic management improvements have been made, the airlines have again over-scheduled so that the improvements are negated. It is unclear how this Project will mitigate delays caused by airline scheduling.

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⁵ Other causes of delay at LGA during this period were caused by equipment (1,818 delays), runways (13,186 delays), and other unspecified causes (17,186 delays).



Sequencing and en route requirements also contribute to delays in the Project region. The DEIS states that “aircraft departing from the NY Metropolitan Area to the Washington Metropolitan Area are sequenced onto the same routes as long-haul destinations (e.g. Los Angeles).” [Ch. 1, p. 1-22]. This, however, is not unique to New York, but rather, is the same with every major airport in the nation. The DEIS also states that, “entering and exiting holding patterns in en route airspace are inefficient because more restrictive en route separation rules are used and require extensive coordination.” [Ch. 1, p. 1-24]. Exiting a holding pattern is easier if it is accomplished in the terminal area; however, it is easier for the en route controller to put aircraft into a holding pattern. The coordination between the two controllers is basically the same regardless of who controls the holding pattern.

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The DEIS also identifies in-trail restrictions as a cause of delay, particularly that westbound traffic from the NY/NJ/PHL Metropolitan Area is frequently delayed as a result of Chicago O’Hare International Airport related in-trail restrictions. [Ch. 1, p. 1-24]. This airspace realignment project, however, will not resolve the impact of in-trail restrictions on airport flows.

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In summary, the basic justification for the Project, the existence of excessive delay, is suspect and the methods proposed to mitigate the suspect delay, even if it did exist, would not serve the purpose and, thus, not meet the stated need.

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II. THE DEIS DOES NOT ANALYZE ALL REASONABLE ALTERNATIVES

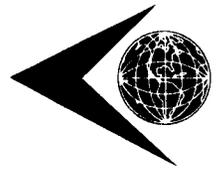
The alternatives analysis is the “heart of the environmental impact statement.” 40 C.F.R. § 1502.14. The DEIS alternatives analysis is deficient where it: (1) utilizes an improper future no action alternative; (2) does not provide enough data, or provides misleading data, to evaluate the proffered alternatives; and (3) fails to analyze other reasonable alternatives.

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A. The Future No Action Alternative is Internally Inconsistent.

CEQ Regulation 1502.14(d) requires the alternatives analysis in the DEIS to “include the alternative of no action.” “This analysis provides a benchmark, enabling decision-makers to compare the magnitude of environmental effects of the action alternatives.” (40 Most Asked Questions Concerning CEQ’s National Environmental Policy Act Regulations, 46 Fed. Reg. 18026 (1981), Question 3. Here, the DEIS states that “[t]he airspace will operate as it did during existing or baseline conditions (2000)” with the exception of two procedural changes. [Ch. 2, p. 2-13]. However, the Noise Modeling contained in Appendix C states that, “Under the Future No Action Alternative, the airspace operates as it did during **2002**, with a few improvements included that are independent of the large scale airspace redesign proposals.” [Appendix C, Section 4, p. 4-1] As a result, it is unclear whether the DEIS Future No action Alternative is based on conditions in the year 2000 or 2002. The DEIS is comparing apples and oranges, and

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this internal inconsistency accordingly prevents the public from ascertaining the true impacts of the alternatives.

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B. The DEIS Alternatives Analysis Is Not Supported By Adequate Data.

The DEIS fails to provide enough data to enable the public to evaluate the Project alternatives. The DEIS is so vague in describing routes, altitudes and numbers of operations on the routes, that it is impossible to determine whether or not the Project will result in impacts. The increase in operations forecast by the DEIS certainly has the potential to impact all of the environs surrounding the Study Areas' airports.

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First, the changes to major traffic flows are only shown to just beyond the gates/posts. "Changes to traffic flows further out are not shown." [Ch. 2, p. 2-10]. If, in fact, traffic flows beyond the gate posts were not modeled to determine whether or not they could efficiently integrate with the en route air traffic system, the Project's benefits are inflated. This is because the en route air traffic system requires aircraft separation standards that are greater than the terminal standards. Terminal facilities have the ability to generate more traffic to the center airspace than the center can accept. Departing aircraft in the terminal environment, as an example, can be three nautical miles in trail (disregarding altitude or lateral separation). When the aircraft transition to center airspace, they must be a minimum of five nautical miles in-trail. If the evaluation or modeling effort is terminated prior to achieving the five nautical mile separation required for the center environment, the results are not reflective of the actual acceptance rate of the center. Failure to evaluate the alternative to determine whether or not the center can accept all of the aircraft that the terminal can generate would produce a much higher capacity or efficiency rating than is possible in the live environment.

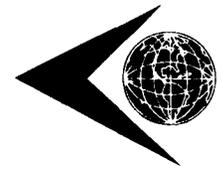
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Second, altitudes are not specified for propeller aircraft or for jet departures. [See, e.g., Ch. 2, pp. 2-24 - 2-25]. The turn radius is also unspecified, and, therefore, there is no indication over which areas those aircraft will fly. This is particularly important information because low flying propeller driven aircraft have the potential to generate a significant amount of noise.

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Third, the maps generated ostensibly to illustrate the areas impacted by the various alternatives actually obscure the alternatives' impacts. For example, Figure ES.2 purportedly shows the 2011 Modifications to Existing Airspace Alternative Change in Noise Exposure. However, the scale of this map is so great that the noise impacts on thousands of residents appear as tiny, insignificant dots. The impacts identified in Figures ES.3, ES.4, and ES.5 are similarly obfuscated. At minimum, larger scale maps denoting geographic boundaries should be provided for each of the impacted areas.

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Fourth, the analysis of the alternatives fails to address the major causes of delay in the airspace, and therefore does not correlate with the Project's purpose and need. In particular, the Project only minimally addresses changes that can be made to terminal airspace, where most of the delays occur and noise impacts are the greatest. Nor does the alternatives analysis address weather at the destination airport or in the en route system, overlapping routes to destination airports (*i.e.*, flights that transit the NY/NJ/PHL area) and ground delays due to the inability of traffic to enter the overhead stream. It does not address factors such as inadequate infrastructure at destination airports, multiple flights from area airports to the same destination, bunching of flight schedules and flow control implemented by airports not in the NY/NJ/PHL area that cause ground delays and add to congestion.

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Finally, there is no data to support the DEIS' dismissal of the Ocean-Routing alternative. In short, the Ocean-Routing alternative is dismissed because it does not meet the Project's purpose and need, yet is retained for detailed analysis. This indicates that the alternatives not considered in the DEIS were eliminated before a detailed analysis could be conducted. Each of the alternatives eliminated from further study, with the exception of Change in Airport Use, have the ability to collectively meet the purpose and need of the Project. The cumulative benefits gained from the eliminated alternatives may have the potential to exceed the benefits of the majority of the Project without the environmental effects. In short, all alternatives should be modeled, and the results of that modeling should determine whether or not an alternative should be eliminated.

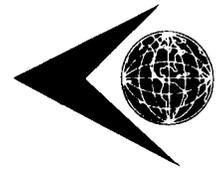
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C. The DEIS Fails to Analyze Other Reasonable Alternatives.

"Reasonable alternatives are those that are practical or feasible from the technical or economic standpoint and using common sense rather than simply desirable from the standpoint of the applicant." (40 Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations, 46 Fed. Reg. 18026 (1981), Question 2(a)). The existence of "a viable but unexamined alternative renders the EIS inadequate." Muckshoot Indian Tribe v. U.S. Forest Service, 177 F.3d 800, 814 (9th Cir. 1999). Here, the DEIS fails to analyze several reasonable alternatives.

First, the DEIS finds that improvements to airport infrastructure are not a reasonable alternative because they "would do nothing to address the efficiency and reliability of the airspace structure nor would they accommodate growth or mitigate delays in the air...or permit the FAA to take advantage of emerging technologies for controlling air traffic." [Ch.2, p. 2-3]. To the contrary, improvements in airport infrastructure have the strong potential to improve system efficiency and reduce delays. As illustrated by the exhibits in Chapter 1, airport improvements could reduce the delays attributed to runway, equipment and other causes. There is a direct link between the number of aircraft on the ground and the amount of aircraft delay at

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the airport. [Ch. 1, p. 1-24] The number of runways and taxiways, separation standards, and general airfield layout directly impact the amount of aircraft that can land or take off. If there are more aircraft waiting to land than the airport can accommodate, they are forced into holding patterns. If there are more aircraft waiting to take off than the airport can accommodate, they are delayed at the gate or on a taxiway. As the DEIS states in Section 2.5.2, “ideally, the airspace route structure can support the maximum capacity of the runways, thus maintaining a steady stream of aircraft in and out of the airport.” [Ch. 2, p. 2-13]. Thus, the DEIS acknowledges the strong and reciprocal relationship between “the maximum capacity of the runways” and the efficacy of changes in the airspace route structure. Nevertheless, the interactive relationship of these two variables remains unanalyzed.

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Notably, the DEIS also fails to consider the cumulative benefits of congestion management alternatives or technology advancement in addressing the aviation problems in the project area. The cumulative impact of all efficiency enhancing options should be evaluated to determine the amount of improvement that could be gained before any modifications to airspace or procedures are undertaken that will have a detrimental impact on the underlying land uses.

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III. THE DEIS DOES NOT FULLY ANALYZE THE PROJECT’S NOISE IMPACTS.

The modification of air traffic routes will move the noise and aircraft over-flight impacts throughout the study area if implemented. The DEIS analysis, however, fails to address the full scope of the Project’s noise impacts, and fails to provide mitigation even for noise impacts that are identifiable.

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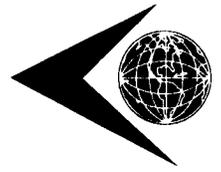
A. The DEIS Noise Analysis Is Not Supported By Its Data.

The DEIS does not provide data sufficient to enable evaluation of the noise impacts of the Project and its alternatives. First, the DEIS does not identify the altitudes along the arrival and departure flight paths, or the number of aircraft using the routes. Without this information, an analysis of impacts is difficult if not impossible. Specifically, the DEIS states that “for simplicity sake, flows to and from the airports are discussed and illustrated in a two-dimensional manner” and “the altitude and number of aircraft in a particular flow are not discussed.” [Ch. 2, p. 2-11].

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Second, the DEIS states that “the width of the flows shown in the graphics does not indicate the number of aircraft in that flow.” [Ch. 2, p. 2-11]. As the graphic descriptions in the DEIS illustrate, however, the departure and arrival gates can be several miles wide which would allow several aircraft to operate on each route side by side and in-trail. By not including the altitude of aircraft, it is not possible to determine whether or not they will impact areas under the flight tracks.

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Third, the DEIS also fails to identify the number of aircraft that will use that flow and does not depict the location of the flight tracks in sufficient detail to determine where the actual impacts will occur. In addition, because the DEIS fails to include in the model data concerning the number of aircraft on these routes, no credible conclusion can be drawn as to whether any of the alternatives accommodate future growth.

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Fourth, the DEIS does not provide any information about the Project's gates and posts. The DEIS states that, "the gates, posts, and flows are described to the degree necessary...the specific gates and posts described in this document are not necessarily the same as those used for the purposes of controlling air traffic." [Ch.2, p. 2-11]. In place of utilizing the actual proposed location of proposed gates and locations, the DEIS states that "the gates and posts found in this document were developed specifically to describe and illustrate the various airspace alternatives." [Ch. 2, p. 2-11]. If the specific gates and posts in the DEIS are not those used for controlling air traffic, it is impossible to evaluate the impacts of the proposed airspace realignment. The actual location of the proposed gates and posts should have been used in all examples in order for the DEIS analysis to properly address and evaluate the actual planned actions instead of fictionalized substitutes.

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Further, the DEIS' capacity modeling, and the noise analysis based on it, excludes consideration of vitally important data concerning conditions in a representative baseline year, VFR traffic, LGA night flights, and air traffic impacts from the remainder of the 119 area airports, as well as all military traffic. As a result, less than 20% of the area airports are considered in the capacity analysis, and the resulting conclusions obscure the Project's noise impacts.

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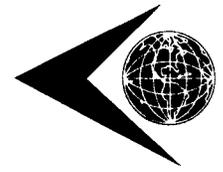
B. The Modifications to Existing Airspace Alternative and Integrated Airspace Alternative With ICC Create Impacts Not Reported Or Analyzed in the DEIS.

The Modifications to Existing Airspace Alternative and Integrated Airspace Alternative with ICC create impacts over previously unaffected communities and specifically those along the Long Island Sound. However, the DEIS does not provide enough information to ascertain exactly what those impacts will be. Because these communities were not previously impacted, and thus not planned for airport compatibility, the impacts on these communities should be reviewed in particular detail.

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The Modifications to Existing Airspace Alternative, similar to the Integrated Airspace Alternative with ICC, introduces additional departure headings which include a more direct LGA Ocean Departure procedure. [ES, pp. ES-3 - ES-5]. The benefits and impacts to the underlying communities, however, is entirely unanalyzed by the DEIS. To the contrary, the DEIS finds that

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the impacts of this alternative are minor and that there will be no noise increases around LGA and JFK. [Ch. 4, p. 4-8; p. 4-10].

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Additional departure headings, however, mean that the aircraft and noise impacts will be spread over a wider area. In areas underlying current departure routes, the noise and aircraft over flight impacts may be reduced. However, those areas that were not previously impacted would be impacted by “fanning” departures. Specifically, the introduction of additional departure headings from LGA Runway 4 and the elimination of the 055 degree over the water route will have significant impacts over a large area north and west of LGA.⁶ Additional flights and noise impacts over residential areas can result in diminished property values as well as cause some development projects to become incompatible with airport operations.

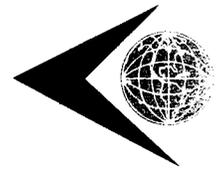
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The DEIS, however, fails to provide adequate information about the new “fanned” headings. First, the depictions of the proposed headings shown in Figure 2-11, referenced on Chapter 2, p. 2-25, are deceiving in that they do not adequately display the width of the flight track disbursement over the area north and west of LGA that will result from the multiple departure headings that will be used. The DEIS does not identify the headings to be used, nor is there any altitude information provided regarding the departure climb profile. The DEIS fails to provide any data regarding the number of aircraft that will be routed over the gates nor does it indicate whether or not aircraft from other airports will be departing through these gates. Therefore, the DEIS fails to provide sufficient data to make a credible determination concerning the impacts of the changes proposed for any one airport, let alone the cumulative impacts of the airspace changes proposed for several airports.

Of particular concern, however, is the movement of the eastern most flight track from LGA that is routed through the East Departure Gate from over the Long Island Sound, as shown on Figure 2.3, to over the land along the western shore of the Sound. Departing aircraft are very noisy and the movement of the route from over water to over land has the strong potential to adversely impact the communities along the western edge of Long Island Sound. The addition of multiple (unspecified) departure headings for all the departure gates from LGA will widen aircraft over-flight areas and can impact communities that are located several miles away from the airport that were not subject to aircraft noise and over-flights as defined under the Future No Action Airspace Alternative.

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⁶ As the DEIS identifies, “aircraft departing from Runways 22R and 4L at EWR, Runways 9L/R and 27L/R at PHL, and Runway 4 at LGA would use new departure headings. Essentially, this means that ATC would be able to direct takeoffs into three or four departure paths rather than the previous one or two.” [ES, p. ES-17].



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Specifically, under the Future No Action Alternative, aircraft departing Runway 4 for the North Departure Gate turn left. The modifications to the existing airspace (Figure 2.11) add additional departure headings which will likely spread the routes flown by aircraft en route to the North Departure Gate further into the residential areas immediately north of the airport. As subsequent departure aircraft are “fanned” to the north gate, each succeeding departure will proceed further north in order to turn left and remain outside or in trail of the previous departure. It also appears that the fanning of departures in the airspace modification alternatives spreads the noise in aircraft overflight impacts from aircraft departing in a north configuration at LGA over a much wider area. The exhibits in Figure 2.11 and 2.19 clearly show the movement of routes from over the water to the land and show the wider departure flow with the modified procedures.

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Further, Figure 2.12 shows that the EWR departure gates are co-located with the departure gates for LGA. This results in the same route being used for multiple airports which is not necessarily evident when an interested party is evaluating or looking for impacts generated by changes in the airport closest to their residence or area of concern. For instance, the East Departure Gate for EWR shows that aircraft are routed over and along the shoreline on the west side of Long Island Sound. Aircraft on these routes are combined with the LGA traffic destined for the LGA east gate and result in a large number of aircraft flying over residential areas at unspecified altitudes. Since the LGA east gate route was moved from over the water to over the land, the areas underlying these routes will see an increase in aircraft overflights and an increase in noise.

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The Modifications to Existing Airspace Alternative also includes a shift in the JFK, LGA, TEB, and EWR South departure gate, and a shift of the PHL East departure gate to the East. The DEIS, however, does not explicitly identify the areas that will be impacted by this shift. The DEIS should clearly identify the impact of the new route by overlying maps with enough detail to determine the areas that will be impacted.

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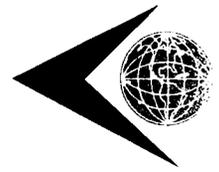
In summary, as an apparent result of these modifications, all of the locations along the western shore of Long Island Sound may be impacted by the Project in a hitherto unspecified and unanalyzed manner. Absent such specification and analysis, the DEIS is inadequate.

C. The DEIS Fails to Offer Any Mitigation of the Project’s Noise Impacts.

NEPA requires that an EIS discuss the steps that can be taken to mitigate adverse environmental impacts. Specifically,

The requirement that an EIS contain a detailed discussion of possible mitigation measures flows both from the language of the Act and, more expressly, from CEQ’s implementing regulations.

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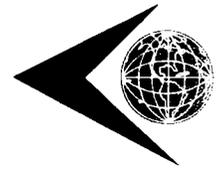
Implicit in NEPA's demand that an agency prepare a detailed statement on "any adverse environmental effects which cannot be avoided should the proposal be implemented," 42 U.S.C. § 4332(C)(ii), is an understanding that an EIS will discuss the extent which adverse effects can be avoided. [Citation omitted]. More generally, omission of a reasonably complete discussion of possible mitigation measures would undermine the actionforcing function of NEPA. Without such a discussion, neither the agency nor other interested groups and individuals can properly evaluate the severity of the adverse effects." *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 351-352 (1989).

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The DEIS offers no mitigation measures for either the Project's disclosed or undisclosed impacts, preferring instead to wait for public and agency comment on the DEIS. [ES, p. ES-18]. The DEIS, therefore, fails to comply with NEPA's command that mitigation measures be discussed and evaluated.

Moreover, many of the Project's impacts can and should be entirely avoided by maintaining the over-the-water departure for Runway 4 at LGA without any change or compromise. However, without waiving their objections to the absence from the DEIS of the over-the-water departure for Runway 4 at LGA or other such mitigation measures, the Sound Shore Communities and WRAIN recommend that the Project incorporate, at minimum, the following measures, to compensate the Sound Shore Communities and WRAIN for the new noise impacts that are revealed, but remain unanalyzed, in the DEIS:

- (1) issue a written directive that requires the use of the LDA approach when LGA is operating Runway 22, potentially with an off-set, stating that "The LDA approach for LGA runway 22 is designated as the primary approach during periods when the ceiling is at or above 1000 feet AGL and the visibility is at or above 3 nautical miles."
 - (a) provide controller/supervisor briefings regarding the use of the LDA directives;
 - (b) monitor controller/supervisor compliance with the LDA directives;
- (2) develop and implement an ILS approach, to be used when the weather does not permit use of the LDA, that is off-set from the Runway 22 centerline, and places the ILS final approach course off shore over Long Island Sound;



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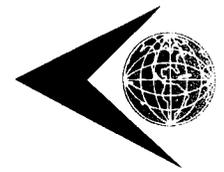
- (3) an RNAV-GPS approach to Runway 22 that uses off shore navigation points which would place the final approach course over the water;
- (4) a published visual approach, using existing topographical information or by installing visual equipment such as lights on markers in and around the Sound, that will keep aircraft off shore to the extent possible during good weather conditions;
- (5) increase in the altitude at which aircraft turn on final approach; and
- (6) increase in the crossing altitude at YOMAN by a significant amount.

IV. THE DEIS FAILS TO ANALYZE THE PROJECT'S CONNECTED ACTIONS.

The Project here is designed to accommodate growth in the NY/NJ/PHL Metropolitan Area, but fails to analyze either the groundside or non-jurisdictional airspace actions that will be necessary to accommodate such growth. Connected actions “are closely related and therefore should be discussed in the same impact statement.” 40 C.F.R. § 1508.25(a)(1). Actions are connected if they: (i) Automatically trigger other actions which may require environmental impact statements; (ii) Cannot or will not proceed unless other actions are taken previously or simultaneously; and (iii) Are interdependent parts of a larger action and depend on the larger action for their justification. *Id.*

The DEIS predicts an increase in traffic at the Project area airports, specifically 223,000 additional operations using area airports in the next five years [Ch. 1, p. 1-22], and proposes the Project as a necessary predicate to accommodate that growth. Assuming, for the sake of argument, that such growth will occur (even though the DEIS fails to support that conclusion as set forth above) the DEIS also fails to analyze which airports will handle the increased traffic, the facilities needed to accommodate this growth, or the impact of facilities development. Instead, the DEIS states that, “the Proposed Action does not include any physical changes or development of facilities, nor does it require local or state actions.” [Ch. 1., p. 1-25]. It is axiomatic, however, that: (1) if the growth actually occurs; and (2) if the Project is successful in helping the airports to accommodate the growth then, at some point, additional groundside facilities will also be required to accommodate the growth enabled by the Project.

Moreover, the DEIS indicates that the majority of actions associated with a regional realignment of airspace are connected and must proceed simultaneously. For instance, in order to “fan” departures, additional routes must be defined which may result in movement of arrival routes or changes in altitudes along those routes.



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Finally, the DEIS demonstrates that traffic at Chicago International can affect air traffic as far away as the NY/NJ/PHL area. [Ch. 1, p. 1-24]. There are few if any changes to major traffic flows that do not result in impacts outside of the affected area. However, the DEIS fails to analyze any potential connected actions in other airspace that may be required to accommodate the realignment of the NY/NJ/PHL airspace.

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V. THE DEIS FAILS TO ANALYZE THE PROJECT'S AIR QUALITY IMPACTS.

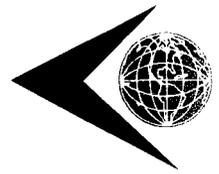
One of the Project's primary purposes is to increase efficiency so as to meet the needs of an increase in operations of 223,000 in the next five years [Ch. 1, pp. 1-27; 1-22]. Moreover, as set forth above, this projected increase in air traffic must inevitably lead to an increase in groundside facilities to accommodate the concomitant increase in aircraft ground traffic and associated Ground Support Equipment. The DEIS nevertheless lists air quality as a resource category evaluated for potential impacts, but states that further analysis was not deemed necessary and that the Project is exempt from the Conformity Rule. [ES., p. ES-10; Ch. 4, p. 4-59]. The DEIS cannot have it both ways. Either the Project will result in increased operations, and thus increased ground traffic; or, the Project will fail to increase capacity and will accordingly fail to meet its stated purpose and need. The DEIS provides no data or analysis upon which the determination of which option applies may be made.

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VI. CONCLUSIONS.

For all the reasons stated above the Project's environmental impacts fails to comply with NEPA. As a consequence, the Sound Shore Communities and WRAIN request that: (1) the DEIS, and, where necessary, the Project be revised, to cure the existing noncompliance; (2) if full compliance is attainable, the DEIS be recirculated for additional public comment on the revision; and (3) if full compliance is not attainable, the Project be withdrawn. Any further action on the current DEIS, or implementation of the Project will not only visit excessive and unacceptable noise and planning impacts on the Sound Shore Communities and WRAIN, but unreasonable impacts on the region as a whole.

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The Sound Shore Communities and WRAIN thank the FAA for the opportunity to comment, and for its anticipated cooperation in this matter.

Sincerely,

CHEVALIER, ALLEN & LICHMAN, LLP

Barbara E. Lichman, Ph.D.

ATTACHMENT A

REPORT BY WILLIAMS AVIATION CONSULTANTS, INC.

ON

THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

FOR

THE NEW YORK/ NEW JERSEY/ PHILADELPHIA AIRSPACE REDESIGN

Williams Aviation Consultants, Inc.'s Report on the Draft Environmental Impact Statement for the New York/New Jersey/Philadelphia Airspace Redesign

This report is a compilation of Williams Aviation Consultants, Inc.'s ("WAC") analysis of the Draft Environmental Impact Statement ("DEIS") prepared by the Federal Aviation Administration ("FAA") for the New York/New Jersey/Philadelphia Airspace Redesign ("Project") prepared on behalf of Sound Shore Communities of Westchester County, New York, including the Village of Larchmont, Town of Mamaroneck, Village of Mamaroneck, City of New Rochelle, Town of Pelham, Village of Pelham, Village of Pelham Manor, City of Rye, Town of Harrison, and Village of Port Chester, (collectively "Sound Shore Communities") as well as the Quiet Skies Committee of WRAIN ("WRAIN").

1. PROJECT BACKGROUND AND PURPOSE AND NEED FOR THE ACTION

This redesign effort will not provide a significant increase in efficiency or an increased ability to accommodate additional operations or reduce delays. The FAA has failed to demonstrate that the airspace design is responsible for air traffic delays or that the airspace is unreliable and to date have only provided a laundry list of items that impact air traffic movements that are common throughout the system and will not be remedied by an airspace redesign.

The FAA is attempting to show that the enroute air traffic system is not as efficient as the terminal system. This is somewhat misleading. The terminal controller can use lesser separation criteria but both controllers have the ability to be flexible and adapt to traffic demands.

The majority of this airspace realignment plan is designed to support the decision to combine sectors of the NY Center with the TRACON in a new facility. The two projects, airspace realignment and ICC, should stand on their own merits and not be combined. The ICC cannot be accomplished during the time period covered by the DEIS and should not be considered as a viable alternative.

The FAA has not identified the deficiencies in the NAS and has failed to explain how airspace saturation was measured. The FAA uses delay data as a justification for the Project. In the case of the NY-NJ areas, however, the majority of the delays are weather related, not airspace related, and, therefore, cannot be eliminated by this Project or any airspace realignment project.

The delay figures contained in the FAA's OPSNET database, the FAA's official source for delay data among other things, include general aviation and military traffic which the FAA did not include in their modeling for this Project.¹ PHL has significantly more Center Volume delays than the other facilities in the Study Area. There is nothing to indicate that PHL will not experience over 2,000 Center Volume delays in the future even with airspace realignment. The PHL traffic has to be fitted into the NY-NJ streams of traffic; the airspace realignment will not create independent PHL routes and as such will not reduce their delays.

There is no additional capacity gain available at LGA and the fanning of departures to the North will not add to airport capacity. The amount of delay incurred as a result of in trail spacing requirements is minimal and is not necessarily a good measurement since the enroute controller will not routinely accept aircraft in "stacks."

The new LGA departure headings will move all flights from Runway 4 from over the Sound to over the land area west of the Sound. The Project proposes that departures from LGA be fanned or spread out on multiple headings which will cause noise and aircraft over flight impacts in areas that are not currently impacted. A 4% reduction in total delays is not an acceptable tradeoff for the noise increase.

If general aviation traffic is expected to increase at the rates the DEIS projects, it is unclear why nearly 80 percent of the general aviation airports and all the military facilities were eliminated from modeling and noise analysis. The DEIS states, "When considering the forecasts developed for this analysis, it should be noted that they have been developed specifically for this Airspace Redesign Study. Thus, their makeup and content may differ from other forecasts developed specifically for a given airport. For example, these operational forecasts focus solely on the IFR traffic activity at each of the 21 airports being evaluated." [Ch. 1, pp. 1-19-1-20] (emphasis added).

If only IFR traffic activity at the 21 airports is evaluated, the true impact of those operations will be reduced because the VFR traffic is not considered in the analysis. The introduction of VFR traffic may cause extended traffic patterns, increased noise and aircraft over flight impacts; excluding VFR traffic can result in a reduction in delays which artificially increases the perceived benefits of this Project. The analysis of the Project's impacts and improvements should be based on all air traffic.

The events of September 11, 2001 and the ensuing changes in the airline industry were not short term and have had a long term impact on demand at the nation's airports. There has been a dramatic change in the way airlines conduct business, fleet mixes have changed, hubs have been altered or eliminated, and some carriers have transitioned business to regional carriers or have left markets entirely. The use of a base year for any analysis which does not consider the impacts of 9/11 is misleading and does not provide a true baseline for developing models or conclusions.

¹ All references to "OPSNET" within this report are to the FAA OPSNET database available at <http://apo.data.faa.gov/opsnet/entryOPSNET.asp>.

The FAA has highlighted several instances where controllers have to resolve conflicts and inferred that these are inefficiencies that can be resolved by the proposed Project. Each of the instances cited are common occurrences which are part of the critical job functions that the air traffic controller performs and are not unique to NY, NJ or PHL.

It is vitally important to understand delays. The FAA tracks delays by categories. The categories are departure, arrival, enroute and delays imposed by the traffic management system (TMS) to control the flow of traffic across the country and into busy terminal areas. Delays are tracked by class or segment of aviation impacted. The classes are air carrier, air taxi, general aviation and military.

The main cause of delay in this airspace is weather. Severe weather conditions limit access to departure routes. Also, severe weather during periods of heavy traffic reduces the flexibility for aircraft rerouting because experienced pilots will not take routes that send them through severe weather. Weather delays are unavoidable and will not be mitigated or reduced by the proposed Project.

According to the OPSNET database for the years 1999 to 2004, LGA was ranked number 3 in total delays with 171,826 total delays. Weather was the main cause for the majority of the delays and accounted for 105,935 or nearly 62% of all delays. Equipment accounted for 1,818 delays, Runways accounted for 13,186 delays and other factors accounted for 17,186 delays. None of these factors will be reduced or eliminated by the proposed Project. Therefore, nearly 80% of the delays encountered at LGA will not be reduced or eliminated by the proposed Project.

The remainder of the delays incurred at LGA is attributed to Terminal Volume (32,549) and Center Volume (1,153). It is possible that the realignment may reduce some of the volume impact delays at LGA but it is unlikely that the Project will have a significant impact. Volume delays result from more aircraft demand than the air traffic system or the individual airport can accommodate. The only effective solution is to limit the number of aircraft in the system or control the demand for service at volume delayed airports.

EWR ranked number 4 in delays from 1999-2004 with a total of 169,904 delays. Weather accounted for 124,973 delays, Equipment for 1,531 delays, Runway for 9,707 delays and "Other" for 12,890 delays. Nearly 87.8% of all delays encountered at EWR during the reporting period will not be resolved by the proposed Project.

PHL ranked number 5 in delays for the period 1999-2004 with a total of 112,427 delays. Weather accounted for 80,185 delays. Nearly 84% of all delays encountered at PHL during the reporting period will not be resolved by the proposed Project.

JFK ranked number 11 in delays for the period 1999-2004 with a total of 58,123 delays. Weather accounted for 41,615 delays. Nearly 92% of all delays encountered at JFK during the reporting period will not be resolved by the proposed Project.

Since 2000 LGA has had a 300% increase in Volume delays, and EWR has experienced a 250% increase in volume delays. It is unlikely that these increases were caused by an increase in the number of operations. EWR has experienced a 250% increase in Volume delays which was not likely to be caused by an increase in the number of operations. It is likely that employee satisfaction issues in the Study Area are responsible for the dramatic increases in volume delays in the NY-NJ area.

The airlines and the FAA do not have the ability to control the majority of the causes of delay. If the Project could eliminate all LGA delays associated with Terminal and Center volume, the reduction in delays would amount to only 20% of the total delay at LGA. At EWR the reduction in total delays would be 12%, PHL 16% and JFK approximately 8%. It is highly unlikely, therefore, that the Project will be able to achieve even a 20% reduction in terminal and enroute delays.

The FAA's use of 1988 operations data contrasted to the 2004 operations data shows a high level of growth. However, the FAA OPSNET Instrument Operations: Period Report shows that in 1999 the NY TRACON handled 2,075,075 operations, in 2000 it handled 2,086,363 operations and then lost operations in 2001, 2002, 2003 and for the last year that TRACON data is available, 2004. Total operations have decreased and have not attained the 1999 level.

An examination of large TRACON traffic statistics reveals that although some metropolitan areas have experienced increased air traffic demand several have not and some now have regional jet service due to the pullout or realignment of the larger air carrier routes.

As evidenced by the FAA's Instrument Operations report, the PHL TRACON has experienced a decrease in traffic since 1999 when it handled 690,862 operations. The NY and PHL TRACON's have lost approximately 33,000 operations since 1999. Air traffic activity has not exceeded the 1999/2000 calendar year volume at either the NY or PHL TRACON's through the end of CY 2004. This data does not support the contention that increases in air traffic volume have rendered the airspace inadequate. The FAA has not shown how aircraft type and mix have outpaced the airspace's ability to meet demand.

Also, dramatic increases at PHL are not obvious. According to FAA's OPSNET, PHL's total operations in 1999 were 690,682. In CY 2000 - 685,900, CY 2001 - 664,368, CY 2002 - 692,077, CY 2003 - 633,207 and for CY 2004 - 672,444. The increase alluded to for PHL is hardly evident in the FAA's total operations figures for the PHL TRACON.

As a result, the projections contained in the DEIS are unrealistic. Given the current runway, taxiway, terminal and gate infrastructure at JFK, LGA, EWR and PHL, it is not possible to handle the number of instrument operations projected for the year 2020. JFK would have to handle 4,475 operations per day, or 186 operations per hour, to accommodate the projected 1,633,421 operations. PHL would have to handle 15,576

operations per day or 656 operations per hour to accommodate the projected 5,751,184 operations. LGA and EWR projections are equally unrealistic.

2. ALTERNATIVES

Shifting aircraft to lesser used airports can free up capacity at the congested airports thereby increasing efficiency and reducing delays. The fact that the aircraft would still need ATC management through the airspace is the same regardless of the final airport destination.

The DEIS does not consider the cumulative benefits of congestion management alternatives, airport infrastructure improvements or technology advancement in addressing the aviation problems in the Project area. The cumulative impact of all efficiency enhancing options should be evaluated to determine the amount of improvement that is to be gained before any modifications to airspace or procedures are considered.

The fact that delays have increased in the Study Area since the FAA has modified a number of the personnel policies should be considered. The resultant increases in Center and Terminal delays in 2004, the last year for which OPSNET data is available, are not the norm and should not be used to support the efficiencies and benefits of this Project. A year prior to 2004, where delays were more or less normal, should be the benchmark for measuring improvement. FAA's OPSNET data clearly shows that delays have decreased at most airports from 1999 through 2003. 2004 appears to be an anomaly.

There are a significant number of impacts that will result if the redesign is implemented, particularly in areas where the FAA is proposing additional departure headings and routes over areas previously not subjected to aircraft over flights and noise. LGA will generate significant impacts as departure routes are moved from over the Sound to over the land. The modification of air traffic routes will move noise and aircraft over flight impacts throughout the Study Area if implemented. The additional aircraft operations projected have the potential to prolong noise exposure and may result in additional jet operations at satellite airports due to fractional jet ownerships.

The FAA states: **Changes to major traffic flows are only shown to just beyond the gates/posts; changes to traffic flows further out are not shown.** [Ch. 2, p. 2-10] (emphasis added). If the alternatives were not modeled to determine whether or not they could efficiently integrate with the enroute air traffic system, the evaluation results will be inflated. Also, the flows to the satellite airports were not addressed in the DEIS. The proposed realignment of airspace for the large terminal facilities has the potential and will in all likelihood change some or all of the flight procedures, routes or altitudes of air traffic into the smaller airports. In order to assess the delay reduction benefit of the proposed airspace realignment, it should be compared to the one of the years between 1999 and 2003.

Future No Action Airspace Alternative

The DEIS compares all of the alternatives to a future No Action 2006 baseline. The document does not adequately describe any changes to current procedures included in the Future No Action 2006 baseline. In addition, the initial departure headings for the various airports' runways are not provided nor are any existing or future data concerning aircraft altitudes available. This data is essential for any meaningful evaluation of the project's impacts.

The DEIS is vague, non-specific and does not provide sufficient data to make a credible determination regarding the impacts of the changes proposed for any one airport let alone the cumulative impacts on the area by the changes proposed in the airspace for several airports. For example when a departure heading is changed, the old heading is not provided nor is the new heading(s) specified. There are also no forecasts or breakdown of actual operations for current or future routes making it nearly impossible to determine impact.

Modifications to Existing Airspace Alternative

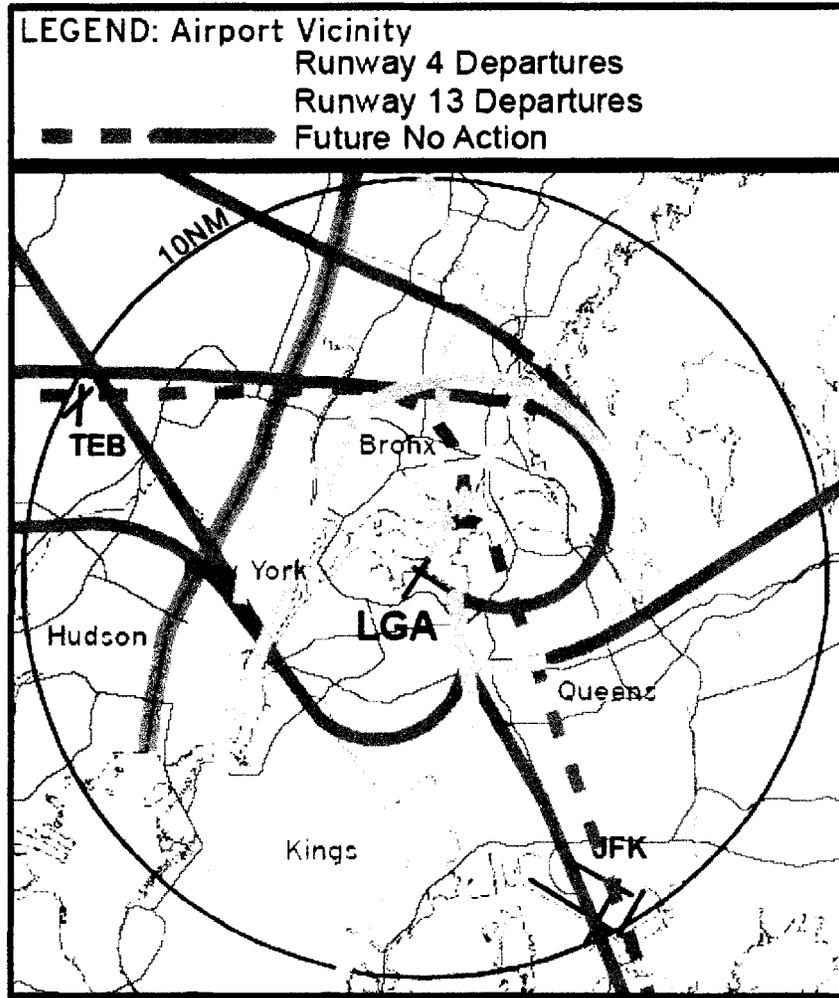
WAC Exhibit ES-1 is an enlarged view of the LEGEND: Airport Vicinity graphic taken from Figure 2.11 *Modifications to Existing Airspace Alternative LGA Major Departure Flows*.

The movement of the LGA Runway 4 departure from over the Sound to over land is clearly shown. The flight tracks do not show the true impact of dispersed departures in the area north and west of the airport that will result from the multiple departure headings proposed. The addition of multiple departure headings for all of the departure gates when departing LGA will widen aircraft over flight areas and can impact communities that are located several miles away from the airport that were not subject to aircraft noise and over flights as defined under the No Action Airspace Alternative. The FAA does not acknowledge that the previous 055 degree departure ever existed and as such does not acknowledge that it will no longer be used. Departing aircraft are very noisy and the movement of the route from over water to over land will adversely impact the communities along the western edge of Long Island Sound.

The triggering criterion used in this DEIS for determining noise impact will show that there is no impact in areas that are approximately five or more miles away from the airport. It is probable that departing aircraft will impact areas a great distance from the airport but will not exceed the FAA definition of "significant impact." A new criterion needs to be developed to identify the impact to residential areas as a result of the proposed changes. All residential areas in the vicinity of the Study Area airports are impacted by the triggering criteria in this DEIS.

As a result of the proposed realignment, Residents whose property is placed in an area where significant noise exists can see their property values impacted, developers will face increased costs resulting from noise attenuation, cities will find their land use plans impacted by airports and the FAA will object to residential development in the 65 DNL

noise contour. Cities should be very concerned about the FAA's application of noise criteria triggering requirements because it can have a major impact on current and future land use and individual property values.



WAC Exhibit ES-1

Under the No Action Alternative aircraft departing Runway 4 for the North Departure Gate turn left. The modifications to the existing airspace Alternative adds additional departure headings which will likely spread the routes flown by aircraft enroute to the North Departure Gate further into the residential areas immediately north of the airport. As subsequent departure aircraft are "fanned" to the North Gate each succeeding departure will proceed further north in order to turn left and remain outside or in-trail of the previous departure.

The East Gate departure, under the Modification to Existing Airspace Alternative, shows only two departure routes through the East Gate. DEIS Figures 2.3 and 2.11 are nearly identical. However, when the close up views at the bottom corner of the figures are examined, it is clear that a new route to the north has been added, with an accompanying

increase in northerly departure headings, and two routes that previously exited the East Departure Gate have been combined and moved over land. The Modification moves the existing departure route that previously flew over the Sound to the west and places it over the eastern portion of New York (west side of Long Island Sound).

All of the locations along the western shore of Long Island Sound will be impacted by the movement of this route. Additionally, the aircraft using the North Departure Gate can turn on course immediately after becoming airborne (400 foot above the ground) and will no longer depart over the water. Aircraft will likely proceed northbound for a longer distance before turning to the more northerly destinations due to the multiple departure headings and the need to eventually have the aircraft in-trail before transfer to the enroute air traffic control structure.

Note: WAC contacted the air traffic manager at LGA tower in order to determine the headings assigned to Runway 4 departures. The manager stated that aircraft depart runway heading until passing 600' AGL then turn right to 055 degrees and proceed out over the open water. The manager also stated that when departures are backed up that the tower will assign a heading of 360 degrees to alleviate departure delays.

No altitudes are specified for propeller aircraft (nor are jet departure altitudes provided). The turn radius is also not specified and, therefore, does not indicate how far from the airport the aircraft will fly or over which areas. Low flying propeller driven aircraft can generate a significant amount of noise.

Many believe that additional departure headings could reduce overall impact by spreading the noise over a larger area as a result of fewer aircraft on any one track. However, this initiative is designed to accommodate additional growth in the area which would result in an increase in impacts as additional aircraft operations are brought to the area's airports.

The "Modifications to Existing Airspace Alternative" does not reduce delay. The modeling shows an increase in efficiency but fails to consider the constraints of the enroute system or the need to fit area aircraft into the ATC system. The failure to include enroute constraints and constraints of nearby airports results in a highly inflated number of operations. Likewise the proposed project will not balance workload, or increase capacity to meet the projected system demands, and will not improve user access or any of the other benchmarks against which this project is evaluated.

Integrated Airspace Alternative Variation without ICC

The immediate turn to the north off Runway 4 will have an impact on the areas north and northwest of the airport. The departure for Runway 13 calls for aircraft to climb to 5,000 feet and make a left turn back to the northeast and then to the west. It is assumed that the maximum altitude for the Runway 13 departure will not climb above 5,000 feet.

As previously noted, the requirement to merge LGA departures with EWR and TEB traffic will not allow for the departure flow that the FAA claims will result from the addition of multiple departure headings. The route to the East Departure Gate is clearly shown to be over the shore on the west side of Long Island Sound. Additionally, the impact area near the airport on the larger drawing does not indicate the actual area impacted by aircraft operations immediately north and west of LGA.

This alternative does not reduce complexity, delay, balance controller workload or meet any of the evaluation criteria used by the FAA in assessing gains. The introduction of additional transitions after the Departure Gates could result in the enroute system imposing in-trail restrictions on aircraft which will decrease the number of departure aircraft in the system. The enroute transition was not modeled for this alternative and as such any resultant conclusions are not valid.

Integrated Airspace Alternative Variation with ICC

The DEIS does not provide any breakdown of the proposed air traffic sectorization, the sector boundaries or the altitudes within the sectors. The FAA has not determined whether or not an ICC that combines the Center and TRACON into one facility is feasible. The FAA has not demonstrated, or determined, that an ICC that combines the Center and the TRACON into one facility within a reasonably foreseeable timeframe is technologically feasible. Therefore, the Integrated Airspace Alternative Variation with ICC should not be considered as a reasonable alternative.

The FAA's overtime costs for the NY TRACON are among, if not, the highest in the Nation. To suggest that there are adequate controllers available in the TRACON to assume the expanded terminal duties is unrealistic.

The only viable options within the lifespan of this EIS are those options that do not include the ICC. And, the options without the ICC do not provide any discernable benefit. Thus, the need for this airspace realignment is virtually non-existent.

There are basically 4 major changes proposed for the NY-NJ metropolitan area, they are:

- ◆ Expansion of the West Gate
- ◆ Development of the TEB prop arrival route
- ◆ Multiple departure headings from EWR
- ◆ Multiple departure headings from LGA

The DEIS should only be analyzing the impacts of these four initiatives. The remainder of the issues, particularly changes in PHL should be analyzed separately as another project. The combination of terminal facilities does not require a DEIS, and, only serves to complicate or obscure the environmental impacts of the four proposed changes.

The only way the benefits of this Project were determined was through TAAMS modeling. The TAAMS model is based on assumptions which are impossible to validate

since specific procedures, integrated traffic flows, and sectorization are not available (or if they are available, they should have been included in this DEIS).

The ICC is not achievable within the DEIS timeframe. All data derived regarding the efficiency and capacity for the hypothetical facility is conjecture. All alternatives that include an ICC should be removed from this DEIS and the document reissued to address achievable and reachable alternatives.

There is no meaningful increase in throughput for departing and arrival aircraft in the options that do not include the ICC which clearly demonstrates that there is no need for the entire Project. Airport throughput is only improved with the ICC alternative which cannot be achieved within the DEIS timeframe.

The modeling conclusions contained in the DEIS are not credible measurements of this Project because the model did not: (1) consider or model the enroute phases of flight; (2) did not model ground operations; (3) eliminated many general aviation airports and their traffic; (4) incorporated many air traffic control options such as “stacks” at the departure gates (not an accepted practice in air traffic control); and (5) changed aircraft schedules to fit the modeling requirements.

3. AFFECTED ENVIRONMENT

If the Study Area was created based on proposed changes to aircraft routes below 14,000 feet MSL, the figures contained in the DEIS should show these air traffic patterns to better understand the Study Area boundaries.

The FAA is only studying eight airports, and some are being studied to a ‘lesser degree’. [Ch. 3, p. 3-3] This allows the FAA to control the results of the DEIS and allows them to eliminate nearly 80% of the Study Area airports. The FAA also eliminated general aviation and military aircraft from their analysis thereby artificially inflating the benefits of the alternatives by reducing the number of aircraft in the ATC system.

The land use section provided data for only five airports. There are many others that have the potential to be impacted by any major airspace realignment.

The FAA uses Calendar year 2000 because it is the last full year of traffic before the 2001 events. The year 2000 is not a satisfactory base year because it does not reflect the changes in the airline industry or the far reaching impacts of the September 11th attacks.

The following data was gathered from: <http://www.apo.data.faa.gov/main/atads.asp>

From 2000 To 2005: JFK: (Calendar Year)

FACILITY	DATE	ITINERANT				LOCAL		TOTAL
		AC	AT	GA	MIL	GA	MIL	
JFK	2000	247839	98943	11342	827	0	0	358951
JFK	2001	251913	58132	7201	500	0	0	317746
JFK	2002	255899	36766	8027	468	0	0	301160
JFK	2003	258054	26362	6521	362	0	0	291299
JFK	2004	287183	38679	6630	324	0	0	332816
JFK	2005	296228	59218	6976	258	0	0	362680
Total		1597116	318100	46697	2739	0	0	1964652

From 2000 To 2005: LGA: (Calendar Year)

FACILITY	DATE	ITINERANT				LOCAL		TOTAL
		AC	AT	GA	MIL	GA	MIL	
LGA	2000	277625	97926	16089	394	13	0	392047
LGA	2001	248326	120000	8355	234	4	0	376919
LGA	2002	208738	147638	10941	339	0	0	367656
LGA	2003	206167	160608	12156	438	0	0	379369
LGA	2004	211278	182620	11179	521	0	0	405598
LGA	2005	211334	182820	11057	302	0	0	405513
Total		1363468	891612	69777	2228	17	0	2327102

From 2000 To 2005: TEB: (Calendar Year)

FACILITY	DATE	ITINERANT				LOCAL		TOTAL
		AC	AT	GA	MIL	GA	MIL	
TEB	2000	171	48049	226575	555	7497	0	282847
TEB	2001	143	64235	175076	287	8478	0	248219
TEB	2002	168	78460	152689	320	768	0	232405
TEB	2003	125	73697	141741	229	333	0	216125
TEB	2004	366	77527	144388	198	90	1	222570
TEB	2005	0	76954	135108	142	26	10	212240
Total		973	418922	975577	1731	17192	11	1414406

From 2000 To 2005: PHL: (Calendar Year)

FACILITY	DATE	ITINERANT				LOCAL		TOTAL
		AC	AT	GA	MIL	GA	MIL	
PHL	2000	296059	125777	61186	545	0	0	483567
PHL	2001	287303	117007	62327	541	5	0	467183
PHL	2002	266654	132007	68343	699	11	3	467717
PHL	2003	244750	176341	23937	944	2	0	445974
PHL	2004	268724	180939	23512	1449	0	0	474624
PHL	2005	291731	216956	25705	1760	1	0	536153
Total		1655221	949027	265010	5938	19	3	2875218

From 2000 To 2005: EWR: (Calendar Year)

FACILITY	DATE	ITINERANT				LOCAL		TOTAL
		AC	AT	GA	MIL	GA	MIL	
EWR	2000	356342	82072	18663	105	0	0	457182
EWR	2001	324970	106073	13864	130	45	0	445082
EWR	2002	283899	113807	13445	81	7	0	411239
EWR	2003	267622	129706	12909	80	339	5	410661
EWR	2004	272200	154495	13451	165	126	0	440437
EWR	2005	265300	161468	13504	69	438	174	440953
Total		1770333	747621	85836	630	955	179	2605554

The greatest difference in operations between 2000 and 2005 appears to be in fleet mix. A consistent trend at all five Study Area airports is that Air Carrier activity is down while Air Taxi activity is up. The FAA defines Air Taxi as aircraft designed to have a maximum seating capacity of 60 seats or less, or a maximum payload capacity of 18,000 pounds or less, carrying passengers or cargo for hire or compensation. This category includes turboprop and jet aircraft used by regional airlines and business jets. These aircraft have different operating characteristics and resultant noise impacts from Air Carrier aircraft. As an example, most regional jets fly at lower altitudes than heavy jets. The total operations for 2000 may be representative of 2005 (although as seen in the case of TEB they are not) but operations per aircraft category type are not.

The FAA inexplicably altered the fleet mix by taking all aircraft weighing less than 255,000 pounds (B-737, 757, 767, MD-80 etc.) and reclassifying them as regional jets. By taking the larger and much noisier aircraft out of the fleet mix and substituting the much quieter regional jet they were able to show no significant impacts in their noise modeling. Had the FAA not adjusted the fleet mix, it is probable that the noise impacts would have been much greater and would have likely been identified as a significant impact even if the unrealistic threshold of impact criteria in this DEIS was used.

The DEIS analysis of Affected Environment also contains the following discrepancies:

- Based on FAA historical operations data the fleet mix has changed significantly since 2000. The DEIS should be updated to reflect the changes in fleet mix and to exclude any alternative that cannot be accomplished during the time period covered by this DEIS.
- The FAA states that 'even subtle variations in aircraft types can result in significant changes in noise levels'. [Ch. 3, p. 3-28] If this is the case, grouping all jets (weighing more than 255,000 pounds to less than 75,000) will not provide an accurate estimate of noise impacts.
- The FAA has not indicated the altitude of aircraft using any of the existing or proposed air routes.
- Impacts of existing flight routes are not provided
- The amount of crosswind an aircraft is capable of landing in depends on aircraft type. Generally, the smaller the aircraft the less crosswind it can tolerate.
- It is unclear how the addition of departure gates or departure headings helps traffic flow and reduces delays during severe weather at the Study Area airports when SWAP is used.
- One alternative proposes consolidating the NY TRACON with the NY ARTCC and building an ICC to house the facility. It is unclear if this can be achieved during the DEIS timeframe.
- The DEIS does not specify how the existing air routes impact migratory birds. The approximate altitudes that the birds fly during migratory season is not mentioned in this section of the document, and would be beneficial to know when examining whether the altitudes at which the aircraft fly currently impact these migration routes. This will also help to define potential impacts of the proposed alternatives.

- The purpose and need states that this Project is needed to accommodate growth. However, if measures are currently in place at each airport to handle the natural growth of air traffic regardless of the Airspace Redesign Project, why is the Project necessary?
- If the DEIS described all the coastal resources, parks and wild and scenic rivers, then the location of wetlands should be inventoried and the existing air route impacts to wetlands should be assessed.

4. ENVIRONMENTAL CONSEQUENCES

Any noise analysis based on the capacity baseline modeled by the FAA will not include all of the aircraft that use the aviation system. When a large majority of aircraft are eliminated from the analysis, which determines the system capacity, any noise modeling for the area that uses those traffic figures will not reflect the actual impacts of a project.

The DEIS states, “Noise increases resulting from the implementation of the Proposed Action may affect the quality of the human environment and are analyzed in this Draft EIS.” [Ch. 4, p. 4-1] The DEIS also states that some land uses may be affected by the changes in noise contours which could affect parcels of land and individual residences and business within the Study Area. [Ch. 4, p. 4-1]

An increase in noise levels will move the noise contour lines which have the potential to place parcels of land in an area where development is not compatible with airport operations. A residential area that by virtue of this Project becomes an area impacted by noise, may find itself in a noise contour that is not compatible with airport development. This results in a loss of property values, or in the cases of undeveloped land, a change in use.

The FAA has not identified the altitudes along the arrival and departure flight paths. Without the altitude information and the number of aircraft using the route, an analysis of the Project’s impacts is impossible. It should also be noted that the modeling effort for noise only evaluated 21 airports for IFR operations.

The FAA states later in this Chapter, “The NIRS modeling for the Future No Action Airspace Alternative conditions is largely based on the Baseline 2000 current condition modeling. Noise modeling was developed for over flights and the expected IFR operations at the 21 airports evaluated in this study. The detailed NIRS modeling data developed for the baseline conditions served as a foundation for building the NIRS model input for the future conditions.” [Ch. 4, p. 4-4].

The FAA did not use a representative year in the preparation of their baseline, only considered IFR operations, eliminated all VFR operations which require air traffic control services in Class B airspace, modified the late night flights at LGA and only considered traffic impacts from 21 of the 119 area airports, and ignored all military traffic. When

less than 20% of the area airports are considered in a capacity and/or noise analysis, the resultant conclusions are do not, and cannot be used to, determine actual noise impacts.

As to the Mitre Report on capacity:

- The development of the baseline for capacity and noise modeling was based on year 2000 statistics which are not reflective of the state of the aviation industry at this time or in the foreseeable future.
- As such any conclusions derived from using this flawed baseline will not accurately reflect the benefit or the impacts of any of the alternatives under consideration.

The modeling for capacity only considered air traffic into and out of 8 area airports. The DEIS eliminated 119 airports that each generates air traffic into the system. The FAA:

- ◆ Did not consider VFR traffic and the requirement for VFR traffic to be provided air traffic services in Class B airspace.
- ◆ Excluded all general aviation aircraft that did not operate into and out of the 8 airports.
- ◆ Excluded military air traffic from the capacity analysis, eliminating McGuire AFB and Atlantic City International Airport.
- ◆ Over flights were discussed in the data obtained, but then that data was not used in the capacity modeling effort.
- ◆ The LGA operation was changed to eliminate a large number of night time flights from the modeling effort.
- ◆ The FAA did not model ground operations to determine airport thru put. The FAA assumed that there were no problems at any airport except LGA.

The FAA's use of IFR weather conditions eliminates a segment of aviation from the modeling because many pilots will cancel IFR, or fly VFR, when the weather is good to avoid air traffic delays.

The FAA omitted the specific altitudes for all of the arrival and departure routes and as such the impacts of those routes cannot be assessed. The DEIS fails to provide sufficient supporting data, and, as such, is therefore deficient on that basis alone.

5. AVIATION ACTIVITY FORECASTS REPORT (Appendix B)

Purpose and Context

The FAA has not clearly defined the criteria used to exclude area airports. The FAA also claimed that the demand in the Study Area would increase, but failed to identify airports that would handle the increases.

A review of the airports studied and those excluded from the study shows that the FAA may have picked airports that did not adversely impact the outcome of this DEIS. For example, the study includes Exxex County Airport which has 17 daily operations which include 1 jet operation. The Allaire Airport, which has 17 daily operations (8 jets), and the Danbury Municipal Airport, which has 15 daily operations (2 jets), were not included in the study as were other airports with daily jet operations.

The 21 airports identified were only used for noise analysis. The list of airports used in the study analysis consisted of 8 airports. The FAA excluded the traffic generated by 44 airports within the Study Area that have instrument approach procedures and 62 airports that do not have instrument approaches from their noise analysis. The FAA has also excluded 13 additional airports from the capacity analysis which results in 119 airports whose traffic is not being considered in the analysis. An airport is not required to have an instrument approach or departure procedure in order to be a generating airport for an instrument operation.

TAAM only modeled traffic to and from 8 airports. The results from the model are not representative of the actual traffic in the area since 119 airport's operations were not considered. The TAAM model results are also not responsive because overflight and en route aircraft were excluded.

Key Assumptions

Increased passengers do not necessarily translate into additional operations. Airlines will often add larger aircraft rather than adding a second aircraft to a route. Additionally, the trend of the airlines is to downsize through modified business plans that stress cost savings and increased load factors. The bankruptcy of several of the larger carriers has also had an impact on the numbers and types of aircraft operating in the system.

The dynamic of the aviation industry has changed and the use of a base year (2000) does not reflect the actual state of the airlines. The use of 2000 data as the base year for environmental and capacity analysis is inappropriate due to the change in the airline business dynamics that occurred after September 11, 2001. The economy did recover; unfortunately the airline industry was not among those economic sectors that experienced recovery. The FAA, however, considers this to be a temporary issue and does not consider the long term impact on airline operations.

It is precisely the growth of low cost airlines which have changed the traffic flows and demands throughout the country. Southwest, for instance, operates from Islip and Newark in order to avoid the delays associated with other area airports and the inefficiencies which usually result from airline scheduling practices. Additionally, the airline industry is in a precarious position. Northwest is in bankruptcy and US Airways was in bankruptcy and was taken over by America West. Delta is in dire straights. Continental, after suffering large losses, appears to be one of the few remaining large airlines with a future.

The FAA's crystal ball seems to be malfunctioning. Many people facing increased energy costs at home are not traveling, or are traveling by car, and business travelers are combining trips or using other alternatives to reduce or eliminate travel. The price of oil for any use is at an all time high and is expected to remain at near record levels for the foreseeable future. As of 4/10/2006, oil was priced at \$69.00 per barrel. Few airlines have hedged their future fuel purchases to withstand the current high price of fuel. To assume that in the future airline fuel costs will decrease is unrealistic.

Teleconferencing did not impact air travel, but the cost of air travel impacted the level of teleconferencing resulting in fewer business class passengers and a reduced demand in business class and first class for corporate travelers. Airlines have announced double digit percent price increases during the early weeks of April as crude prices continued to rise.

Hub-and-Spoke Effects

Airlines have been moving away from the hub and spoke concept and have instituted point to point service which has provided Southwest with an enviable performance record both in on time performance and return on investment. Many of the larger carriers are now using regional carriers to transport passengers to the larger airports and are concentrating on the point to point markets that are consistently profitable.

The West Coast Shuttle by United served as a hub and spoke carrier that ceased operations in 2003. There are several others throughout the country and particularly on the East Coast that also failed including US Airways.

Sources

The airline industry's business plan has changed and the FAA's use of a 2000 base year fails to consider any of the changes. As such any results obtained from the modeling efforts are not indicative of the current or future state of the aviation industry.

This DEIS consistently relies on old data that is not indicative of current conditions. The DEIS is based on invalid assumptions, an inaccurate fleet mix and selective modeling techniques in noise and capacity to analyze the impacts of the proposed alternatives. One of the alternatives "with ICC" cannot be accomplished within the DEIS timeline. This DEIS did not consider any of the cumulative impacts of system

improvements on the purpose and need for this Project. The whole DEIS should be cancelled and the Project reassessed to define the actual benefit the Project will yield.

Passenger and Operations Forecasts

Numbers of passengers do not necessarily mean that there are going to be additional aircraft flying. The airlines add a larger aircraft where passenger demand exceeds capacity rather than adding a flight and facing a reduction in seat occupancy.

The FAA's reliance on Delta to expand domestic and international operations has not proven to be the case. Delta is currently near bankruptcy.

Operations Forecasts

As previously stated, a review of the airports studied and those excluded from the study shows that the FAA may have picked airports that did not adversely impact the outcome of this DEIS. For example, the study includes Essex County Airport which has 17 daily operations which include 1 jet operation. The Allaire Airport, which has 17 daily operations (8 jets), and the Danbury Municipal Airport, which has 15 daily operations (2 jets), were not included in the study as were other airports with daily jet operations.

The 21 airports identified were only used for noise analysis. The list of airports used in the study analysis only consisted of 8 airports. The FAA excluded the traffic generated by 44 airports within the Study Area that have instrument approach procedures and 62 airports that do not have instrument approaches from their noise analysis. The FAA has also excluded 13 additional airports from the capacity analysis which results in 119 airports whose traffic is not being considered in the analysis. An airport is not required to have an instrument approach or departure procedure in order to be a generating airport for an instrument operation.

Airline Operations Forecasts

The 2000 base year does not address the changes in the aviation industry and does not provide any credible forecast of future airline operations.

General Aviation Operations Forecasts

Many multi-engine as well as a large number of single engine aircraft fly under Instrument Flight Rules (IFR). Additionally, the majority of the East Coast airspace, including the airspace in this DEIS, is Class B airspace which requires VFR aircraft to receive services from TRACON controllers. These aircraft increase controller workload, occupy airspace and must be considered in any plan that evaluates controller workload, system capacity and/or efficiency, particularly when the FAA uses the number of radio transmissions and frequency changes as a measure of the project's worth.

Military Operations Forecasts

There is no evidence that the FAA considered any of the traffic generated by the area's military installations or at National Guard bases.

Over-flight Operations Forecast

Over-flight aircraft were not considered in the capacity model. The data may have been obtained, but was not used in the modeling.

The Impact of the Events of September 11th on Forecast Task

The FAA has maintained an optimistic viewpoint of the airline industry despite overwhelming evidence to the contrary as evidenced by bankruptcies, layoffs, mergers, mothballing of aircraft, transitioning routes to regional carriers and the abandonment of unprofitable routes. September 11th is an event that altered the aviation industry's future and the forecasts and assumptions derived from data prior to that event are not valid. There is no reason for optimism about the aviation industry.

The New York/New Jersey/PHL area will continue to be constrained due to the close proximity of area airports, frequency of service to common airports, weather and airspace constraints in adjoining enroute facilities. There is no evidence offered that this Project in any of its iterations will resolve the inherent constraints of the region.

6. MODELING (Appendix C)

In the appendix, there are numerous instances of missing or inaccurate data which artificially inflated the benefits of the Project's alternatives.

The baseline for capacity and noise modeling was based on year 2000 statistics which are not reflective of the state of the aviation industry at this time or in the foreseeable future. As such any conclusions derived from using this flawed baseline will not accurately reflect the benefit or the impacts of any of the alternatives under consideration.

The DEIS fails to consider the cumulative benefits of the individual improvements that can be made by the airports, the users, the FAA TRACON and enroute air traffic control facilities without facility consolidation and without a complete realignment of the region's airspace. The DEIS also fails to consider either technology infusion contributions or incremental improvements in airport operations.

The modeling for capacity only considered air traffic into and out of 8 area airports. The FAA eliminated 119 airports that each generates air traffic into the system. The FAA:

- ◆ Did not consider VFR traffic and the requirement that VFR traffic be provided with air traffic services in Class B airspace.

- ◆ Excluded all general aviation aircraft that did not operate into and out of the 8 selected airports.
- ◆ Excluded military air traffic from the capacity analysis, eliminating operations at McGuire AFB and Atlantic City International Airport.
- ◆ Over flights were discussed in the data obtained, but then were not used in the capacity modeling effort.
- ◆ The LGA operation was changed to eliminate a large number of night time flights from the modeling effort.
- ◆ The FAA did not model ground operations to determine airport thru put. The FAA assumed that there were no problems at any airport except LGA.

In short, the FAA did not analyze all of the traffic that is provided air traffic control services within the airspace which resulted in an inflated perception of the Project's benefits.

Further, the FAA's capacity modeling did not consider the impact of aircraft transitioning from the terminal to the enroute environment.

- ◆ FAA terminated the modeling effort at the Departure Gate and assumed that the enroute air traffic control facility was able to accept all of the aircraft that the terminal was able to generate.
- ◆ The FAA model assumed that the enroute controller would take the aircraft with minimum in trail separation and that they could accept stacks of aircraft on the same routing.
- ◆ The reality is that aircraft in stacks are not accepted by the enroute controller except in very rare instances due the difficulty in separating the stack so the aircraft can be transitioned into their destination airport.

The FAA indicated that there would be a need to modify adjacent enroute center airspace or procedures.

- ◆ FAA, however, did not identify what those changes might be or whether or not the adjacent centers would be able to make the required modifications.
- ◆ FAA's ability to modify center airspace is limited by equipment, personnel, and the limited ability of downstream facilities to accept significant increases in traffic volume or changes in established traffic routes.

The FAA states, “Special purpose software was developed to simulate ground delay for arrivals to the modeled airports and to delay departures from the modeled airports to adjust for airway congestion downstream.” [Appendix C, p. 2-4]

- ◆ This “Special” software allowed the FAA to modify the modeling process to meet a predetermined outcome.
- ◆ Data which was representative of the actual air traffic in the area was not used.

SDAT is a design tool that is dependent on the information input to the data base.

- ◆ SDAT was designed to measure conflicts within a section of airspace.
- ◆ SDAT is not a modeling program.
- ◆ SDAT depends on inputs that define the parameters under which the program will identify a conflict between two aircraft.

The DEIS stated that “complete gate-to-gate modeling of flights was not needed since the only change to ground operations in any of the alternatives occurs when EWR operates under dual arrival streams” allows the airport to accept more arrival aircraft than it might be capable of accommodating and allows the departing aircraft to move around the airport unimpeded by other traffic. [Appendix C, Section 3, p. 3-1] It is impossible to determine the true benefits of any project when not all of the factors involved were considered.

The FAA’s use of IFR weather conditions eliminates a segment of aviation from the modeling because many pilots will cancel IFR or fly VFR when the weather is good to avoid air traffic delays.

IFR weather taxes the air traffic system because controllers must provide more precise service in sequencing aircraft to the final approach course (no visual approaches) and must ensure that the aircraft is established on the final approach course prior to the final approach fix. Additionally, aircraft that might have flown VFR now file an IFR flight plan and add to system congestion and complexity because, in many cases, they are not compatible with air carrier aircraft in terms of speed and climb rates.

During IFR weather, the controller workload increases due to the increased requirement for IFR approaches to the smaller satellite airports. VFR weather will always allow a project to achieve maximum efficiency, but it does not permit the true merits and disadvantages of the project to be evaluated.

The FAA’s failure to model whether or not the proposed alternatives are beneficial during bad weather or if weather swap routes can be used, ignores the fact that bad weather is a routine occurrence along the East Coast and throughout the mid-West.

The FAA's determination that other Centers were able to accommodate changes with minimal operational impact is unsupported. If it was as easy to modify airspace without impacting adjacent facilities, why hasn't the FAA undertaken those modifications before? This is not a simple process, and in some cases, union and controller opposition in addition to equipment and building limitations make it nearly impossible.

The FAA's adjustment of wake turbulence criteria is an artificial capacity and efficiency measure if the separation requirements were reduced. The DEIS does not explain what was done to the wake turbulence separation rules, but based on the DEIS' other "adjustments," the standards were likely reduced to increase the model's efficiency.

The FAA omitted the specific altitudes for all of the arrival and departure routes and, accordingly, the impacts of those routes cannot be assessed. The DEIS is, therefore, deficient in providing supporting data.

7. CONCLUSION

The FAA has failed to consider the cumulative benefit of the initiatives that could be implemented to address the issues of airspace efficiency, delay reduction and increased capacity. None of the alternatives that can be implemented during the timeframe specified in the DEIS provide any significant ability to reduce delays or enhance airspace efficiency.

Only the ICC alternative shows an ability to accomplish the Project's stated purpose and need. However, it is clear that the ICC alternative cannot be accomplished in the timeframe specified. The ICC option only shows a benefit based on an inaccurate fleet mix, exclusion of 80% of the area airports and the elimination of general aviation, military traffic and VFR traffic, etc. If actual conditions were modeled for noise and capacity, none of the alternatives would meet the Project's stated purpose and need and the true adverse impacts to areas surrounding the region's airports would be revealed.

There are several deficiencies and issues in this DEIS:

- ◆ The modeling baseline for noise and capacity was manipulated to show efficiency gains.
- ◆ The modeling baseline eliminated more than 80% of the Study Area airports from the analysis.
- ◆ The modeling baseline eliminated over-flights, VFR, general aviation and military traffic.
- ◆ The capacity analysis did not consider the impacts on adjacent centers.
- ◆ The capacity analysis did not model ground operations.
- ◆ The capacity analysis did not model the transition of aircraft to the enroute ATC system.
- ◆ The capacity analysis assumed that the enroute controller would accept "stacks" of aircraft in one Chapter, and then later admitted that "stacks" would not normally be accepted.

- ◆ The fleet mix for the area's airports was inaccurate.
 - Large narrow body aircraft were eliminated and replaced by regional jets.
 - Loud, noisy aircraft were taken out of the noise model and replaced by quieter regional aircraft.
 - The manipulation of the fleet mix resulted in no adverse noise impacts on areas being over-flown.
- ◆ The LGA over the water route (055 degree heading) is being eliminated.
- ◆ LGA over the water departures will now over-fly the land areas west of the Sound.
- ◆ The FAA states that there are no adverse impacts on residents or on land use but later states that there will be adverse impacts. Impact on land use was not evaluated.
- ◆ ICC is not an option not within the DEIS timeframe.
- ◆ DEIS did not consider the impacts of the building and construction of a facility to house the combined ATC facilities.
- ◆ The ICC alternative only shows a benefit based on the manipulated data base.
- ◆ The alternatives without ICC do not meet the Project's stated purpose and need.
- ◆ No noise mitigation measures are proposed although the FAA admits that the Project will result in adverse impacts.
- ◆ The alternatives in the DEIS are capacity enhancing but the FAA did not identify airports where the additional operations would occur or the impacts on the underlying land areas.

Response to Comment 4975: Barbara E. Lichman, Chevalier, Allen & Lichman, LLP for Westchester

Comment Number	Comment response
1	Comment noted, the LDA approach to LGA Runway 22, which is over the water, is anticipated to be used as often as weather and aircraft equipment permit.
2	Responses to your discrete comments are as follows: 1) Traffic from all Study Area airports was modeled in overflights, including Allaire and Danbury Airports. 2) Nothing changes for these airports, at least below 10,000 ft where aircraft affect noise on the ground. No headings were changed at these airports. 3) All communities in the study area were included. If no impacts are shown, it is because no impacts were found above the thresholds defined in FAA Order 1050.1E. 4) This study does not include airport improvements. Changes in airport infrastructure do nothing to relieve airspace congestion and are not reasonable alternatives to airspace redesign. This project's purpose is to improve the safety and efficiency of the airspace. 5) The project is not capacity enhancing and will not cause growth in traffic. It will permit the FAA to handle the expected growth in traffic more efficiently. It has independent utility from airport projects in the region because it addresses a different problem.
3	In cases where JFK is not departing aircraft on Runway 04L, departing over the water from Runway 4 is practical, and is included in the Preferred Alternative wherever possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
4	Responses to your discrete comments are as follows: (1) and (3) the FAA will consider the proposed directive to the extent possible but controllers have the flexibility to use whatever procedures are necessary to conduct a safe and efficient operation (2) would not have lower minima than the LDA approach, so if (1) is done, (2) is unnecessary. (4) A charted visual approach leads to unpredictable runway touch down times, so for an airport running at its capacity limits like LGA, it could have substantial delay penalties. (5) The altitude of the turn on to final approach is already at the upper limit. (6) Raising this crossing altitude is not possible in general, but in favorable wind and weather conditions it may be done. This is an issue of controller training, like (1).
5	The FAA disagrees that modeling within the DEIS is flawed, extensive effort was undertaken to reasonably model the future given the expansive Study Area and complex airspace. Table ES-1 of the EIS shows quantitative metrics that indicate that the system's efficiency and reliability will be improved by several of the alternatives investigated.
6	Section 9 of the Operational Analysis, Appendix C of the EIS, contains an explanation of the various elements of the purpose and need for the airspace redesign, and how each one translates into a measurable simulation output. Before and after this material, there are hundreds of pages of description of specific changes to the airspace and estimates of their impact on the efficiency of the system.
7	This is of secondary importance in the New York airspace. Downstream airports suffer delays because their aircraft are still on the ground, when flights from upstream airports have already taken off. It is easier to delay aircraft safely on the ground than in the air, so New York and Philadelphia have priority. Where it is important, sections 4.1, 5.1, 6.1, 7.1, and 8.1 of Appendix E of the EIS explain how this issue was taken into account.
8	Appendix C of the EIS, sections 4 through 8, contains extensive detail on the approach courses to the eight largest airports.
9	All three of these suggestions are techniques used in airspace redesign. All of them were used for this redesign. Details are in Appendix C of the EIS.

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Comment Number	Comment response
10	Appendix C of the EIS explains this in detail. Specifically, the facility boundaries among New York TRACON, New York Air Route Traffic Control Center, and Washington Air Route Traffic Control Center constrain flows in ways that the Integrated Airspace Alternative does not. Restrictions in trail are cures for a problem downstream; when the problem is removed, the restrictions are no longer needed.
11	Appendix C of the EIS, Section 8, explains this in detail.
12	Appendix C of the EIS, sections 4 through 8, explains this in detail. See especially Figure 8-31.
13	Appendix C of the EIS, sections 4 through 8, explains this in detail. See especially Figures 7-23 and 8-21.
14	This is not a crossing in or above terminal airspace. These routes are to the west of the New York TRACON. When north-gate departure fix altitudes are raised, the airspace beneath them is opened up for more gradual descents.
15	Altitude restrictions are common everywhere in the country, but they are not desired anywhere in the country. Where airspace redesign permits them to be abolished, this is a benefit to users and air traffic controllers alike.
16	The function of the air traffic control system is to ensure the safe, orderly, and efficient flow of traffic. Conflicts are only part of this job. It is not useful to try to find truths about the NY/PHL corridor by observing other parts of the country. This airspace is unique. Note, the commenter's reference to PHX-LAX traffic is not correct, but not germane to the topic anyway. By raising the altitudes at the departure fixes around New York City, air traffic control can expedite PHL departures more freely to their eastern routes. Appendix C of the EIS explains this in detail.
17	One problem with the Future No Action alternative in New Jersey is that the design pre-dates the growth of Teterboro Airport. Teterboro, without any scheduled traffic, has become the 45th busiest airport in the country. Like other satellite airports in the vicinity, it has a mixture of piston-engine traffic and high-performance jets. When such dissimilar aircraft are held at low altitudes until a gap opens above them, the aircraft that have to go fast must be maneuvered around the aircraft that must go slowly. This workload quickly becomes very high and leads to "approval requests" for departures. That is, the tower can no longer clear aircraft to depart on its own, but must ask for permission from the higher-altitude facilities. The preferred alternative will provide TEB (nearly) equal status with EWR, JFK, and LGA. Appendix C of the EIS explains this in detail.
18	Where airspace permits, "procedural separation" is more efficient. This term means that the airspace has been designed so flows are well-spaced either laterally or in altitude. When the traffic has been procedurally separated, controllers can give clearances much closer to the aircraft's intended route of flight, as with a highway overpass. When airspace does not permit procedural separation, controllers must issue delaying maneuvers to flights more often, as with a traffic light. The air traffic controllers do their jobs either way, but one is more efficient for the users of the airspace. Additionally, the conflicts described are not normal traffic conflicts, but systemic conflicts, for which a systemic solution is preferred.

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Comment Number	Comment response
19	The forecast of 2006 operations was compared with actual traffic volumes and is provided the Appendix B.2 Comparative Analysis of the NY/NJ/PHL Forecast of the FEIS. The projections were not found to be in error in any important way. The structure of the operational analysis, detailed in Appendix C of the EIS, was to impose the full demand predicted by economics and demographics on the system of 2006 and 2011, and observe how the system reacted. The amount of delay needed to safely separate the aircraft was the output metric. The lower the delay, the better the system accommodated the traffic.
20	The DEIS forecasting approach and assumptions provide a reasonable, if not conservative, estimate for environmental analysis. In a report focusing on the recovery of air travel since 9/11, the Bureau of Transportation Statistics found the following: “In the August preceding 9/11, the airline industry experienced what was then a record high in the number of airline passengers for a given month when 65.4 million travelers took to the air. After 9/11, that number trailed off dramatically, and it took nearly 3 years, until July 2004, for the industry to match and finally surpass the pre 9/11 levels. But the number of available seats—an industry measure of capacity—in July 2004 was just 98.3 % of its August 2001 peak. By July 2005, the number of airline passengers had reached 71 million.” Additionally, since several years have passed since the development of the forecasts and the completion of the DEIS, further analysis was conducted to determine the degree of divergence between the forecasts and the current conditions. The forecast of 2006 operations was compared with actual traffic volumes and is provided the Comparative Analysis of the NY/NJ/PHL Forecast Appendix of the FEIS. The projections were not found to be in error in any important way. See also response to comment 4975 #19.
21	See response to comment 4975 #20.
22	Comment noted. It is possible that airlines will simply enjoy the higher load factors when passenger demand increases, but recent experience has shown that it is just as likely that the airlines will add flights to new destinations.
23	Actually, many single and multi engine flights are incorporated into the noise modeling for the 21 airports in the study as they are indeed flying under IFR. All projected IFR operations were included in the operational and noise modeling, regardless of aircraft types. Attachment A to Appendix E of the EIS presents detailed fleet mix and operational tables for each year of analysis. These tables clearly show that the baseline and projected IFR flights by these types of aircraft were included in the evaluation.
24	The airspace redesign sets requirements for new technologies. In both the Modifications and Integrated Airspace Alternatives, routes are specified that have no ground-based navigation aids to support them. This will require new Area Navigation standards to be applied. In the Integrated Airspace Alternative Variation with ICC, several of the airways are not spaced to current criteria. Required Navigation Performance routes will have to be defined in these cases. Both of these require new technology to support them. The trend in question involves the willingness of aircraft owners to purchase avionics suites that enable their aircraft to participate in use of such routes. Without a forecast of equipage levels that make RNAV/RNP routing practical, none of these designs would have been proposed.
25	See response to comment 4975 #20.

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Comment Number	Comment response
26	See response to comment 4975 #20. The DEIS discussed the airports selected for inclusion in the modeling process in several portions of the document. Sections 1.2.5 (pg 1-13 through 1-14), 3.2 (pg 3-3 through 3-9), and Appendix B (pg B-1 and Attachment A) which outline the selection of airports for noise modeling in this study. The DEIS is not flawed as the 21 airports included in the noise modeling represent well over 90% of the IFR flight planned traffic originating or terminating within the Study Area. Furthermore, all military and general aviation IFR flight planned traffic was included in the modeling at each of the 21 airports. In addition, the noise modeling also included all IFR flight planned overflights of the Study Area (including military and general aviation) where any portion of the flight occurred at or below 14,000 MSL altitude. The 14,000 MSL threshold is based on FAA's policy to evaluate flights up to 10,000 feet above ground level. This highest point within the Study Area was found to be about 4,000 feet in elevation, meaning that 10,000 feet above that point would be 14,000 feet above sea level. This altitude cap was then extended across the whole of the Study Area regardless of ground elevation. Validation of the operational analysis against airline and FAA data is extensively detailed in Section 3 of Appendix C of the EIS. Additionally, the baseline operational levels are not used to analyze or evaluate environmental impacts. They intended only to provide a general context for reference for those that are interested when considering the operational levels are the start of the study. Also, it is important to note that the future operational levels are the same across all alternatives and the analysis for potential environmental impacts is specific to change in impact due to the Proposed Action (i.e. airspace route changes, altitudes, etc.) and it is these results that the decision makers will consider when developing the Record of Decision for this project.
27	See response to comment 4975 #20.
28	See response to comment 4975 #20.
29	See response to comment 4975 #26.
30	See response to comment 4975 #26. The DEIS did not indicate that jet operations were the sole criterion for inclusion of an airport into the study modeling. CDW was included because of it's proximity to EWR despite its minimal operational levels.
31	See response to comment 4975 #26. Class B, by definition means that VFR pilots must contact air traffic control for permission to enter. If the airports are unable to accept a VFR arrival without disrupting a busy IFR flow, permission will not be granted. VFR traffic, by definition, is not subject to air traffic control. VFR pilots avoid controlled airspace whenever possible. Therefore, VFR traffic will not impact controller workload, system capacity, and/ or efficiency estimates at the major airports. At the smaller airports, workload and system capacity and/or efficiencies are too small to measure, so they are not a factor in the operational evaluation.
32	See response to comment 4975 #26. The commenter has indeed found a typographical error in Chapter One as the criterion used was an average of 20 daily IFR operations. This error is corrected in the FEIS.
33	See response to comment 4975 #26.
34	Validation of the operational analysis against airline and FAA data is extensively detailed in Section 3 of Appendix C of the EIS.
35	The year 2020 was not used in the modeling; the out-year of analysis for the EIS is 2011.

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Comment Number	Comment response
36	<p>Overflight traffic is included in the simulation; see Section A of Appendix C of the EIS. VFR traffic, by definition, is not subject to air traffic control. VFR pilots avoid controlled airspace whenever possible. Close to the major airports in the study area, the airspace is classified as Class B, which means that VFR pilots must contact air traffic control for permission to enter. If the airports are unable to accept a VFR arrival without disrupting a busy IFR flow, permission will not be granted. Therefore, VFR traffic will not affect the delay estimates at the major airports. At the smaller airports, capacity and delays are too small to measure, so they are not a factor in the operational evaluation. For further details, see the sections on HPN in the FEIS and Appendix C of the EIS; HPN is on the borderline between major and smaller airports.</p> <p>Aircraft operating under VFR are not included in the airspace redesign because they are unaffected by the proposed alternatives. Further VFR aircraft operating outside controlled airspace are not required to be in contact with ATC. Because these aircraft operate at the discretion of the pilot on the “see and be seen” principal and are not required to file flight plans, the FAA has very limited information for these operations. See Appendix A for a discussion on flight rules and airspace classifications.</p> <p>CEQ regulations at 1502.22 (b) (40 C.F.R. 1502.22 (b)) provide guidance for use in situations where complete information is not available and there are reasonably foreseeable significant impacts associated with an action. For this EIS significant impact is not foreseen, although FAA recognizes that it does not have complete information on VFR aircraft operations throughout the Study Area. There is no known source for comprehensive route, altitude, aircraft type and frequency information for VFR operations for the entire Study Area. VFR aircraft generally fly in two ways – either in a “pattern” around an airport or to some destination of the pilot’s choosing. They do not normally fly set routes to the same destination each flight. These operations fly at the pilot’s discretion in terms of destination, route of flight, altitude and frequency. As previously stated VFR flights do not require flight plans and pilots are not required to be in contact with ATC.</p> <p>The FAA further notes that, even if complete information were available for VFR operations, the airspace redesign alternatives evaluated in the EIS would not require a change to the route or altitude of these operations. Therefore, if they could be modeled, they would be shown on the same route of flight and altitude under the No Action and each of the action alternatives. Addition of VFR operations would not lead to significant impact being generated by any of the EIS alternatives.</p>
37	<p>IFR traffic is the overwhelming majority of air traffic control workload, since VFR services are optional. VFR services can be denied any time the controller is busy with IFR traffic. One element of the Purpose and Need for the redesign was to “balance controller workload”. Balancing workload among controllers can be done without including trivial contributions to the total workload.</p>

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Comment Number	Comment response
38	As described in Table ES-1, improved flexibility in the Integrated Airspace Alternative Variation with ICC (in response to weather) provides the single largest benefit to users of anything in any alternative. (See Cooper, A. and J. Reese, Analysis of a Severe Weather Scenario, MP05W243, The MITRE Corporation, September 2005, for details.) The statement that weather and routing were not addressed is false. The airport delays summarized in the remainder of Table ES-1 are the result of sequencing for the runways, as is clearly explained in Appendix C. The statement that sequencing was not addressed is false. The airspace delays shown in Table ES-1 and Appendix C of the EIS are due to in-trail restrictions. The statement that in-trail issues were not addressed is false. It is correct that controller employment issues and scheduling, neither of which is part of airspace redesign, were not addressed.
39	The FAA disagrees with the commenter's summation. This summation must be based on limited review of the OPSNET database. Before 2004, delays of an aircraft waiting to depart from an airport were included in the delays at that airport. Most Center volume delays take place before departure, so they were found in the airport records. In 2004, airport delays due to Center volume went down as Center delays due to Center volume went up. The increase in delays at the Center was larger than the decrease at the airports. This is not easily determined from Tables 1-4 and 1-5, because the delays due to airport volume rose even more than airspace delays in the interim. A more easily understandable database is available from the Bureau of Transportation Statistics at http://transtats.bts.gov . Virtually any statistic that can be calculated shows increasing delays at New York and Philadelphia.
40	Table ES-1 of the EIS contains a line entitled "Flexibility in Routing". Flexibility in routing improves efficiency during abnormal operating conditions such as severe weather. During severe weather, additional departure routes can be used to avoid localized weather activity. It is the single largest benefit number in the table. It describes precisely this situation.

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Comment Number	Comment response
41	<p>It is generally true in any queuing system that, as the traffic reaches the theoretical capacity, delays increase without limit. It is also true that users of the queue will not tolerate endless delay, so demand will diminish in high-delay systems. However, those are theoretical arguments that must be applied with care in the unique environment of New York City. As the events of 2000 at LaGuardia Airport show us, there are other motivations behind airline scheduling that are more important than delay savings. In 2000, the High Density Rule that limited traffic at LGA was repealed. The result was a huge expansion of traffic: LGA was working as many as 1590 operations per day, at an airport where 1280 operations per day means running the maximum-capacity configuration for sixteen hours straight with no wasted spaces in the arrival or departure streams. Delays were enormous – in November, 28% of all delays in the country were at LGA, according to FAA’s OPSNET database. This was an extraordinary case, but it makes the point that flying to New York City is extraordinarily valuable. Airlines will accept delays here that they would be unable to tolerate elsewhere. The commenter’s observation about EWR between 2001 and 2004 is another fact that supports the idea that demand is inelastic in New York, since Continental did not reduce its schedule when it had the opportunity, despite large delays. Guarding market share against encroachment by a competitor is evidently important to carriers as well. Increasing the size of aircraft is one possible strategy for serving increased demand, but it only works if the increases in demand are coming from an airport already served. Hub-and-spoke operations, for which increased aircraft sizes are practical, are a diminishing part of the demand in the United States, so the forecast of increased numbers of aircraft at EWR is valid. LGA has a perimeter rule in place, which limits the airports that can connect to it, so a fixed number of larger aircraft is a valid forecast there. So, finally to answer directly: FAA modeling incorporated the best estimates of all these effects. The economy demands air travel to New York City, and carriers will serve that demand despite long delays. An airspace redesign is a relatively small change to the aviation system, so FAA does not expect radical changes in airline schedules in response to it. The large delay changes in the operational analysis are the result of small efficiency improvements close to the limit of a fixed-capacity system.</p>
42	<p>Regarding airways: It is true that there are many places where a single airway is pressed into service for multiple functions. Where traffic is light, this is an efficient use of the airspace. Where traffic is heavy, mixing a climbing flow with a descending flow on the same airway in a corridor nine miles wide causes large delays. It should be noted that aircraft in these sectors must be kept 5 miles apart, and controllers usually keep 7-8 miles between them in case of missed communications. Any other place where this situation applies would need an airspace redesign, too. Regarding holding patterns: Ease of holding aircraft is only important as a contributor to air traffic control workload. Making it easier does not improve throughput. The efficiency with which an aircraft can be brought out of a hold affects runway throughput directly, specifically; a missed spot in the landing sequence can never be regained.</p>
43	<p>Appendix C of the EIS explains how the impact of in-trail restrictions will be reduced by the various alternatives.</p>
44	<p>The commenter appears to only reference Chapter 1 of the DEIS, the document as a whole provides the detailed information that explains the extent of delay and why the FAA must increase efficiency and reliability of the airspace structure and ATC system.</p>
45	<p>The DEIS provided all required analysis pursuant to FAA Order 1050.1E and did not provide misleading information. The FAA disagrees with the commenter’s summation that reasonable alternatives were not rigorously explored and objectively evaluated.</p>

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Comment Number	Comment response
46	It is correct that NEPA requires "No Action" to be considered. "No Action" in this study means "no action that is part of this redesign". Two changes to the airspace in question were undertaken independently of the New York/New Jersey/Philadelphia Airspace Redesign, and implemented long before any of the alternative designs were complete. Were they not included in "No Action", the EIS would be comparing the alternatives to a standard that could not exist in the future. That would not comply with NEPA, and would be useless for interpreting the effect of the alternatives.
47	Chapter 2 of the EIS document includes graphics that present the generalized flows for the No Action and alternative scenarios. Each of these figures includes a note that states that the flows shown are generalizations from the NIRS model input data. Thus, they do not represent the detailed flight tracks and extensive route dispersion that was included in the noise modeling. Sections 3.36 and 3.37 in Appendix E of the EIS provides detailed discussion and several example illustrations of the development of the NIRS input flight tracks and dispersion. The results of this effort provided some 7,000+ backbone flight tracks to and from the 21 modeled airports. These main tracks were supplemented with some 15,000+ subtracks along the backbone tracks to account for the flight track dispersion evident in the actual radar data. Chapter 4 graphics of the EIS illustrate the noise changes expected when compared to the No Action Alternative for all the alternatives. It should be noted that the Proposed Action does not induce operations and therefore the forecast operations used in the EIS will forecast with or without the Proposed Action. Spreadsheets of calculated noise exposure levels for each census block within the Study Area were available on the project website. Individuals may use these spreadsheets to determine the potential noise change resulting from each of the alternatives on their census block.
48	Appendix C of the EIS explains how the interaction between the low-altitude and the en-route air traffic system was modeled.
49	See response to comment 4975 #47 relative to track and route development. While propeller aircraft noise may be annoyance larger jet aircraft contribute the overwhelming amount to overall noise exposure.
50	The commenter is referring to several exhibits in the Executive Summary of the document. The body of the DEIS document contains numerous exhibits at larger scales with more detail as do the appendices to the document.
51	See responses to comments 4975 #6 et seq.
52	CEQ regulations require Federal agencies to complete a detailed analysis of reasonable alternatives to the proposal. The DEIS considered a number of potential alternatives, such as Alternative Modes of Transportation and Telecommunications and Congestion Management that were dismissed because they did not meet the purpose and need for the project and thus were not reasonable alternatives. As explained in the DEIS, although the Ocean Routing Airspace Alternative did not meet the purpose and need, it was retained for detailed analysis because of longstanding concerns of NJCANN.
53	Improvements to airport infrastructure may be able to expand the capacity of a particular airport however; airport improvements will not alleviate the inherent limitations of the existing airspace design, route structure, and ATC procedures.

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Comment Number	Comment response
54	<p>The FAA has no reasonable way to evaluate the potential cumulative efficiency of congestion management. None of these potential efficiencies would address inherent limitations of the existing airspace design, route structure and ATC procedures, and the fact that this airspace is operating near saturation during peak demand periods. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. Additionally, the potential cumulative benefits are too speculative because each relies on an entity other than the FAA. Thus, even if potential cumulative benefits could be evaluated FAA could not ensure that all aspects fo the project necessary to gain the benefits would be accomplished.</p>
55	<p>The FAA disagrees with the commenter regarding the detail presented in the DEIS. The DEIS noise prediction approach is indeed accurate and detailed enough to evaluate the noise exposure changes associated with each of the proposed alternatives in all regions of the Study Area. The noise analysis approach follows the current state-of-the art practices and FAA's current policy. All noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project Web Site allowing for further comparisons beyond that of FAA's change thresholds.</p> <p>Furthermore, Chapters 3 and 4 of the DEIS document, as well as Appendix E outline the noise modeling process and assumptions used in the analysis. These discussions note that the flight routes and runway use are based on the extensive analysis of baseline radar data acquired at the onset of the project. Noise model input adjustments are identified for each alternative and anything not mentioned means that it was not changed from the baseline modeling.</p> <p>Finally, it should also be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives a part of the development of the FEIS. Noise abatement measures were considered for all the areas of reportable noise increases and beyond for the Preferred Alternative. Details regarding the noise mitigation evaluation are presented in the FEIS.</p>

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Comment Number	Comment response
56	<p>The FAA disagrees with the commenter regarding the detail presented in the DEIS. The DEIS noise prediction approach is indeed accurate and detailed enough to evaluate the noise exposure changes associated with each of the proposed alternatives in all regions of the Study Area. The noise analysis approach follows the current state-of-the-art practices and FAA's current policy. All noise level changes exceeding FAA's thresholds pursuant to FAA Order 1050.1E were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project Web Site allowing for further comparisons beyond that of FAA's change thresholds.</p> <p>Furthermore, Chapters 3 and 4 of the DEIS document, as well as Appendix E outline the noise modeling process and assumptions used in the analysis. These discussions note that the flight routes and runway use are based on the extensive analysis of baseline radar data acquired at the onset of the project. Noise model input adjustments are outlined for each alternative and anything not mentioned means that it was not changed from the baseline modeling.</p>
57	<p>Chapters 3 and 4 of the DEIS document, as well as Appendix E outline the noise modeling process and assumptions used in the analysis. These discussions note that the flight routes and runway use are based on the extensive analysis of baseline radar data acquired at the onset of the project. Noise model input adjustments are outlined for each alternative. Any altitude changes in the alternatives were modeled and the results of this modeling was provided in DEIS. The change in noise levels graphics allow the reader to visualize where changes in noise will occur.</p>
58	<p>Appendix E provided the more detailed information on the noise modeling process and assumptions used in the analysis. These discussions note that the flight routes and runway use are based on the extensive analysis of baseline radar data acquired at the onset of the project. The numbers of aircraft using each flight path were assigned during operational modeling and used as input to NIRS. Noise model input adjustments are outlined for each alternative and anything not mentioned means that it was not changed from the baseline modeling.</p>
59	<p>Chapter 2 of the DEIS document includes graphics that present the generalized flows for the No Action and alternative scenarios. Each of these figures includes a note that states that the flows shown are generalizations from the NIRS model input data. Thus, they do not represent the detailed flight tracks and extensive route dispersion that was included in the noise modeling. While the "gates" shown on these maps are simplifications of the gate concept used by air traffic controllers, their locations on the map are indeed based on the locations of the departure and arrival fixes that are used in the actual air traffic control process. The exact locations of gates and posts were included as inputs to NIRS. Thus, these maps do indeed provide a reasonably accurate portrayal, albeit simplified, of the general routings that can be expected.</p> <p>Sections 3.36 and 3.37 in Appendix E present detailed discussion and several example illustration of the development of the NIRS input flight tracks and dispersion. The results of this effort provided some 7,000+ backbone flight tracks to and from the 21 modeled airports. These main tracks were supplemented with some 15,000+ subtracks along the backbone tracks to account for the flight track dispersion evident in the actual radar data.</p>

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Comment Number	Comment response
60	<p>The noise analysis included all the traffic in the study area. See Appendix E of the EIS for more detail. The operational analysis included all traffic through capacity-limited resources of the air traffic management system in the study area as described in detail in Appendix C of the DEIS. The DEIS discusses the airports selected for inclusion in the modeling process in several portions of the document. Sections 1.2.5 (pg 1-13 through 1-14), 3.2 (pg 3-3 through 3-9), and Appendix B (pg B-1 and Attachment A) outline the selection of airports for noise modeling in this study. The DEIS is not flawed as the 21 airports included in the noise modeling represent well over 90% of the IFR flight planned traffic originating or terminating within the Study Area. Furthermore, all military and general aviation IFR flight planned traffic was included in the modeling at each of the 21 airports as were all nighttime flights to or from LGA.</p> <p>In addition, the noise modeling also included all IFR flight planned overflights of the Study Area (including military and general aviation) where any portion of the flight occurred at or below 14,000 MSL altitude. The 14,000 MSL threshold is based on FAA's policy to evaluate flights up to 10,000 feet above ground level. This highest point within the Study Area was found to be about 4,000 feet in elevation, meaning that 10,000 feet above that point would be 14,000 feet above sea level. This altitude cap was then extended across the whole of the Study Area regardless of ground elevation.</p> <p>Also see response to comment 4975 #36 specific to VFR flights.</p>
61	<p>According to the detailed noise analysis the changes in noise levels for almost all of the communities along the Long Island Sound did not meet any of the criteria for determining significant, moderate, or slight noise impact for the Modifications to Existing Airspace Alternative. Spreadsheets of calculated noise exposure levels for each census block within the Study Area were available on the project website. Individuals may use these spreadsheets to determine the potential noise change resulting from each of the alternatives on their census block.</p>
62	<p>The DEIS analyzed the impacts of each of the alternatives through the Study Area and presented information for those areas that had impacts reportable pursuant to FAA Order 1050.1E. The Modifications to Existing Airspace Alternative resulted in no reportable impacts in the areas around JFK and LGA.</p>
63	<p>Pursuant to FAA Order 1050.1E a significant impact is defined as a 1.5 dB DNL increase within the 65 dB DNL. Rikers Island is the only area determined to meet this threshold in proximity to LGA within the DEIS. The "over-water" route from LGA's Runway 4 has not been eliminated. The current LaGuardia Nine departure procedure indicates that departing aircraft should climb on runway heading (040) until leaving 600' and then turn to a heading of 055. Thus, the current departure heading is 040 from Runway 4 at LGA. Table 3-3 in Appendix C compares the LGA departure heading for all runways and departure gates amongst the various alternative scenarios. The East departure gate heading from Runway 4 remains the same in No Action as it does in all of the proposed alternatives. Unfortunately, a comparison of the inset figures in Chapter 2 does not clearly reveal that there is no change. This is due to the generalized nature of the depictions and will be corrected in the FEIS document.</p>

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Comment Number	Comment response
64	The "over-water" route from LGA's Runway 4 is unchanged. The runway headings to the east are the same as in current operations. The current LaGuardia Nine departure procedure indicates that departing aircraft should climb on runway heading (040) until leaving 600' and then turn to a heading of 055. Thus, the current departure heading is 040 from Runway 4 at LGA. Table 3-3 in Appendix C compares the LGA departure heading for all runways and departure gates amongst the various alternative scenarios. The East departure gate heading from Runway 4 remains the same in No Action as it does in all of the proposed alternatives. Due to scale requirements a comparison of the inset figures in Chapter 2 does not clearly reveal that there is no change.
65	Figures 2.11 and 2.19 show no change to LGA Departures to the North or East Departure Gates.
66	Because the New York City airports are so close together they share departure gates. This is unavoidable. Reducing its impact is an important benefit mechanism of the Preferred Alternative. The EWR departures in this area are climbing through 10,000 feet. Their contribution to the noise is included in the modeling though it is very small.
67	While the figures used to illustrate the alternatives are schematic in their depiction the detailed analysis provides the information requested.
68	Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS
69	See response to comment 4975 #4.
70	Table 1.2 on page 1-19 of the DEIS document presents the baseline and future forecast operational levels for each of the 21 airports evaluated. Additional information on the forecasting including evaluation of the forecast considering the implications of 2005 conditions is presented in Appendix B of then DEIS document. This appendix presents the forecasting results in terms of each individual airport so the reader can achieve a full understanding of the future operational levels to be accommodated by each facility. Furthermore, the operational analysis presented in Appendix C confirms that the existing facilities are indeed capable of accommodating the future forecast demand without the development of additional facilities.
71	The NY/NJ/PHL airspace redesign team coordinated all the changes in the en-route airspace with similarly-constituted teams in Cleveland, Indianapolis, Washington, and Boston Air Route Traffic Control Centers and the Air Traffic Control System Command Center. Low altitude changes were coordinated with Newark, LaGuardia, JFK, Teterboro, and Philadelphia Towers. The Midwest Airspace Enhancement project and the Chicago Airspace Redesign published their own EIS documents. The connections among these airspace redesign projects took place above 30,000 feet and do not cause noise impacts.

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Comment Number	Comment response
72	<p>The total number of aircraft operations would not differ between the Future No Action Alternative and the other Airspace Redesign Alternatives. Delays would be larger with the Future No Action Alternative because it is less efficient than the Modifications to Existing Airspace and the Integrated Airspace Alternatives. The purpose of the project is to increase efficiency and reliability of the air traffic system through the adjustment of traffic flows in the NY, NJ, and PHL areas to accommodate new technologies and reduce delays, increasing capacity has never been part of the purpose for the project. Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that the Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.</p>

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Comment Number	Comment response
73	<p>The FAA completed the DEIS in accordance with NEPA and the analysis requirements and standards of the CEQ regulations and the FAA. The FAA feels that the DEIS discloses the potential environmental impacts of the Proposed Action and presents them in an objective manner and will not be recirculating the document. The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet their responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated operational and environmental impacts. Upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p>
Attachment	<p>All salient issues identified in the Williams Aviation Consultants, Inc. are addressed in the letter from Barbara E. Lichman of Chevalier, Allen & Lichman, LLP.</p>

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Comment Number	Comment response
1	Comment noted, the LDA approach to LGA Runway 22, which is over the water, is anticipated to be used as often as weather and aircraft equipment permit.
2	Responses to your discrete comments are as follows: 1) Traffic from all Study Area airports was modeled in overflights, including Allaire and Danbury Airports. 2) Nothing changes for these airports, at least below 10,000 ft where aircraft affect noise on the ground. No headings were changed at these airports. 3) All communities in the study area were included. If no impacts are shown, it is because no impacts were found above the thresholds defined in FAA Order 1050.1E. 4) This study does not include airport improvements. Changes in airport infrastructure do nothing to relieve airspace congestion and are not reasonable alternatives to airspace redesign. This project's purpose is to improve the safety and efficiency of the airspace. 5) The project is not capacity enhancing and will not cause growth in traffic. It will permit the FAA to handle the expected growth in traffic more efficiently. It has independent utility from airport projects in the region because it addresses a different problem.
3	In cases where JFK is not departing aircraft on Runway 04L, departing over the water from Runway 4 is practical, and is included in the Preferred Alternative wherever possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.
4	Responses to your discrete comments are as follows: (1) and (3) the FAA will consider the proposed directive to the extent possible but controllers have the flexibility to use whatever procedures are necessary to conduct a safe and efficient operation (2) would not have lower minima than the LDA approach, so if (1) is done, (2) is unnecessary. (4) A charted visual approach leads to unpredictable runway touch down times, so for an airport running at its capacity limits like LGA, it could have substantial delay penalties. (5) The altitude of the turn on to final approach is already at the upper limit. (6) Raising this crossing altitude is not possible in general, but in favorable wind and weather conditions it may be done. This is an issue of controller training, like (1).
5	The FAA disagrees that modeling within the DEIS is flawed, extensive effort was undertaken to reasonably model the future given the expansive Study Area and complex airspace. Table ES-1 of the EIS shows quantitative metrics that indicate that the system's efficiency and reliability will be improved by several of the alternatives investigated.
6	Section 9 of the Operational Analysis, Appendix C of the EIS, contains an explanation of the various elements of the purpose and need for the airspace redesign, and how each one translates into a measurable simulation output. Before and after this material, there are hundreds of pages of description of specific changes to the airspace and estimates of their impact on the efficiency of the system.
7	This is of secondary importance in the New York airspace. Downstream airports suffer delays because their aircraft are still on the ground, when flights from upstream airports have already taken off. It is easier to delay aircraft safely on the ground than in the air, so New York and Philadelphia have priority. Where it is important, sections 4.1, 5.1, 6.1, 7.1, and 8.1 of Appendix E of the EIS explain how this issue was taken into account.
8	Appendix C of the EIS, sections 4 through 8, contains extensive detail on the approach courses to the eight largest airports.
9	All three of these suggestions are techniques used in airspace redesign. All of them were used for this redesign. Details are in Appendix C of the EIS.

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Comment Number	Comment response
10	Appendix C of the EIS explains this in detail. Specifically, the facility boundaries among New York TRACON, New York Air Route Traffic Control Center, and Washington Air Route Traffic Control Center constrain flows in ways that the Integrated Airspace Alternative does not. Restrictions in trail are cures for a problem downstream; when the problem is removed, the restrictions are no longer needed.
11	Appendix C of the EIS, Section 8, explains this in detail.
12	Appendix C of the EIS, sections 4 through 8, explains this in detail. See especially Figure 8-31.
13	Appendix C of the EIS, sections 4 through 8, explains this in detail. See especially Figures 7-23 and 8-21.
14	This is not a crossing in or above terminal airspace. These routes are to the west of the New York TRACON. When north-gate departure fix altitudes are raised, the airspace beneath them is opened up for more gradual descents.
15	Altitude restrictions are common everywhere in the country, but they are not desired anywhere in the country. Where airspace redesign permits them to be abolished, this is a benefit to users and air traffic controllers alike.
16	The function of the air traffic control system is to ensure the safe, orderly, and efficient flow of traffic. Conflicts are only part of this job. It is not useful to try to find truths about the NY/PHL corridor by observing other parts of the country. This airspace is unique. Note, the commenter's reference to PHX-LAX traffic is not correct, but not germane to the topic anyway. By raising the altitudes at the departure fixes around New York City, air traffic control can expedite PHL departures more freely to their eastern routes. Appendix C of the EIS explains this in detail.
17	One problem with the Future No Action alternative in New Jersey is that the design pre-dates the growth of Teterboro Airport. Teterboro, without any scheduled traffic, has become the 45th busiest airport in the country. Like other satellite airports in the vicinity, it has a mixture of piston-engine traffic and high-performance jets. When such dissimilar aircraft are held at low altitudes until a gap opens above them, the aircraft that have to go fast must be maneuvered around the aircraft that must go slowly. This workload quickly becomes very high and leads to "approval requests" for departures. That is, the tower can no longer clear aircraft to depart on its own, but must ask for permission from the higher-altitude facilities. The preferred alternative will provide TEB (nearly) equal status with EWR, JFK, and LGA. Appendix C of the EIS explains this in detail.
18	Where airspace permits, "procedural separation" is more efficient. This term means that the airspace has been designed so flows are well-spaced either laterally or in altitude. When the traffic has been procedurally separated, controllers can give clearances much closer to the aircraft's intended route of flight, as with a highway overpass. When airspace does not permit procedural separation, controllers must issue delaying maneuvers to flights more often, as with a traffic light. The air traffic controllers do their jobs either way, but one is more efficient for the users of the airspace. Additionally, the conflicts described are not normal traffic conflicts, but systemic conflicts, for which a systemic solution is preferred.

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Comment Number	Comment response
19	The forecast of 2006 operations was compared with actual traffic volumes and is provided the Appendix B.2 Comparative Analysis of the NY/NJ/PHL Forecast of the FEIS. The projections were not found to be in error in any important way. The structure of the operational analysis, detailed in Appendix C of the EIS, was to impose the full demand predicted by economics and demographics on the system of 2006 and 2011, and observe how the system reacted. The amount of delay needed to safely separate the aircraft was the output metric. The lower the delay, the better the system accommodated the traffic.
20	The DEIS forecasting approach and assumptions provide a reasonable, if not conservative, estimate for environmental analysis. In a report focusing on the recovery of air travel since 9/11, the Bureau of Transportation Statistics found the following: "In the August preceding 9/11, the airline industry experienced what was then a record high in the number of airline passengers for a given month when 65.4 million travelers took to the air. After 9/11, that number trailed off dramatically, and it took nearly 3 years, until July 2004, for the industry to match and finally surpass the pre 9/11 levels. But the number of available seats—an industry measure of capacity—in July 2004 was just 98.3 % of its August 2001 peak. By July 2005, the number of airline passengers had reached 71 million." Additionally, since several years have passed since the development of the forecasts and the completion of the DEIS, further analysis was conducted to determine the degree of divergence between the forecasts and the current conditions. The forecast of 2006 operations was compared with actual traffic volumes and is provided the Comparative Analysis of the NY/NJ/PHL Forecast Appendix of the FEIS. The projections were not found to be in error in any important way. See also response to comment 4975 #19.
21	See response to comment 4975 #20.
22	Comment noted. It is possible that airlines will simply enjoy the higher load factors when passenger demand increases, but recent experience has shown that it is just as likely that the airlines will add flights to new destinations.
23	Actually, many single and multi engine flights are incorporated into the noise modeling for the 21 airports in the study as they are indeed flying under IFR. All projected IFR operations were included in the operational and noise modeling, regardless of aircraft types. Attachment A to Appendix E of the EIS presents detailed fleet mix and operational tables for each year of analysis. These tables clearly show that the baseline and projected IFR flights by these types of aircraft were included in the evaluation.
24	The airspace redesign sets requirements for new technologies. In both the Modifications and Integrated Airspace Alternatives, routes are specified that have no ground-based navigation aids to support them. This will require new Area Navigation standards to be applied. In the Integrated Airspace Alternative Variation with ICC, several of the airways are not spaced to current criteria. Required Navigation Performance routes will have to be defined in these cases. Both of these require new technology to support them. The trend in question involves the willingness of aircraft owners to purchase avionics suites that enable their aircraft to participate in use of such routes. Without a forecast of equipage levels that make RNAV/RNP routing practical, none of these designs would have been proposed.
25	See response to comment 4975 #20.

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Comment Number	Comment response
26	See response to comment 4975 #20. The DEIS discussed the airports selected for inclusion in the modeling process in several portions of the document. Sections 1.2.5 (pg 1-13 through 1-14), 3.2 (pg 3-3 through 3-9), and Appendix B (pg B-1 and Attachment A) which outline the selection of airports for noise modeling in this study. The DEIS is not flawed as the 21 airports included in the noise modeling represent well over 90% of the IFR flight planned traffic originating or terminating within the Study Area. Furthermore, all military and general aviation IFR flight planned traffic was included in the modeling at each of the 21 airports. In addition, the noise modeling also included all IFR flight planned overflights of the Study Area (including military and general aviation) where any portion of the flight occurred at or below 14,000 MSL altitude. The 14,000 MSL threshold is based on FAA's policy to evaluate flights up to 10,000 feet above ground level. This highest point within the Study Area was found to be about 4,000 feet in elevation, meaning that 10,000 feet above that point would be 14,000 feet above sea level. This altitude cap was then extended across the whole of the Study Area regardless of ground elevation. Validation of the operational analysis against airline and FAA data is extensively detailed in Section 3 of Appendix C of the EIS. Additionally, the baseline operational levels are not used to analyze or evaluate environmental impacts. They intended only to provide a general context for reference for those that are interested when considering the operational levels are the start of the study. Also, it is important to note that the future operational levels are the same across all alternatives and the analysis for potential environmental impacts is specific to change in impact due to the Proposed Action (i.e. airspace route changes, altitudes, etc.) and it is these results that the decision makers will consider when developing the Record of Decision for this project.
27	See response to comment 4975 #20.
28	See response to comment 4975 #20.
29	See response to comment 4975 #26.
30	See response to comment 4975 #26. The DEIS did not indicate that jet operations were the sole criterion for inclusion of an airport into the study modeling. CDW was included because of it's proximity to EWR despite its minimal operational levels.
31	See response to comment 4975 #26. Class B, by definition means that VFR pilots must contact air traffic control for permission to enter. If the airports are unable to accept a VFR arrival without disrupting a busy IFR flow, permission will not be granted. VFR traffic, by definition, is not subject to air traffic control. VFR pilots avoid controlled airspace whenever possible. Therefore, VFR traffic will not impact controller workload, system capacity, and/ or efficiency estimates at the major airports. At the smaller airports, workload and system capacity and/or efficiencies are too small to measure, so they are not a factor in the operational evaluation.
32	See response to comment 4975 #26. The commenter has indeed found a typographical error in Chapter One as the criterion used was an average of 20 daily IFR operations. This error is corrected in the FEIS.
33	See response to comment 4975 #26.
34	Validation of the operational analysis against airline and FAA data is extensively detailed in Section 3 of Appendix C of the EIS.
35	The year 2020 was not used in the modeling; the out-year of analysis for the EIS is 2011.

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Comment Number	Comment response
36	<p>Overflight traffic is included in the simulation; see Section A of Appendix C of the EIS. VFR traffic, by definition, is not subject to air traffic control. VFR pilots avoid controlled airspace whenever possible. Close to the major airports in the study area, the airspace is classified as Class B, which means that VFR pilots must contact air traffic control for permission to enter. If the airports are unable to accept a VFR arrival without disrupting a busy IFR flow, permission will not be granted. Therefore, VFR traffic will not affect the delay estimates at the major airports. At the smaller airports, capacity and delays are too small to measure, so they are not a factor in the operational evaluation. For further details, see the sections on HPN in the FEIS and Appendix C of the EIS; HPN is on the borderline between major and smaller airports.</p> <p>Aircraft operating under VFR are not included in the airspace redesign because they are unaffected by the proposed alternatives. Further VFR aircraft operating outside controlled airspace are not required to be in contact with ATC. Because these aircraft operate at the discretion of the pilot on the “see and be seen” principal and are not required to file flight plans, the FAA has very limited information for these operations. See Appendix A for a discussion on flight rules and airspace classifications.</p> <p>CEQ regulations at 1502.22 (b) (40 C.F.R. 1502.22 (b)) provide guidance for use in situations where complete information is not available and there are reasonably foreseeable significant impacts associated with an action. For this EIS significant impact is not foreseen, although FAA recognizes that it does not have complete information on VFR aircraft operations throughout the Study Area. There is no known source for comprehensive route, altitude, aircraft type and frequency information for VFR operations for the entire Study Area. VFR aircraft generally fly in two ways – either in a “pattern” around an airport or to some destination of the pilot’s choosing. They do not normally fly set routes to the same destination each flight. These operations fly at the pilot’s discretion in terms of destination, route of flight, altitude and frequency. As previously stated VFR flights do not require flight plans and pilots are not required to be in contact with ATC.</p> <p>The FAA further notes that, even if complete information were available for VFR operations, the airspace redesign alternatives evaluated in the EIS would not require a change to the route or altitude of these operations. Therefore, if they could be modeled, they would be shown on the same route of flight and altitude under the No Action and each of the action alternatives. Addition of VFR operations would not lead to significant impact being generated by any of the EIS alternatives.</p>
37	<p>IFR traffic is the overwhelming majority of air traffic control workload, since VFR services are optional. VFR services can be denied any time the controller is busy with IFR traffic. One element of the Purpose and Need for the redesign was to “balance controller workload”. Balancing workload among controllers can be done without including trivial contributions to the total workload.</p>

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Comment Number	Comment response
38	As described in Table ES-1, improved flexibility in the Integrated Airspace Alternative Variation with ICC (in response to weather) provides the single largest benefit to users of anything in any alternative. (See Cooper, A. and J. Reese, Analysis of a Severe Weather Scenario, MP05W243, The MITRE Corporation, September 2005, for details.) The statement that weather and routing were not addressed is false. The airport delays summarized in the remainder of Table ES-1 are the result of sequencing for the runways, as is clearly explained in Appendix C. The statement that sequencing was not addressed is false. The airspace delays shown in Table ES-1 and Appendix C of the EIS are due to in-trail restrictions. The statement that in-trail issues were not addressed is false. It is correct that controller employment issues and scheduling, neither of which is part of airspace redesign, were not addressed.
39	The FAA disagrees with the commenter's summation. This summation must be based on limited review of the OPSNET database. Before 2004, delays of an aircraft waiting to depart from an airport were included in the delays at that airport. Most Center volume delays take place before departure, so they were found in the airport records. In 2004, airport delays due to Center volume went down as Center delays due to Center volume went up. The increase in delays at the Center was larger than the decrease at the airports. This is not easily determined from Tables 1-4 and 1-5, because the delays due to airport volume rose even more than airspace delays in the interim. A more easily understandable database is available from the Bureau of Transportation Statistics at http://transtats.bts.gov . Virtually any statistic that can be calculated shows increasing delays at New York and Philadelphia.
40	Table ES-1 of the EIS contains a line entitled "Flexibility in Routing". Flexibility in routing improves efficiency during abnormal operating conditions such as severe weather. During severe weather, additional departure routes can be used to avoid localized weather activity. It is the single largest benefit number in the table. It describes precisely this situation.

Response to Comment 4975: Barbara E. Lichman, Chevalier, Allen & Lichman, LLP for Westchester

Comment Number	Comment response
41	<p>It is generally true in any queuing system that, as the traffic reaches the theoretical capacity, delays increase without limit. It is also true that users of the queue will not tolerate endless delay, so demand will diminish in high-delay systems. However, those are theoretical arguments that must be applied with care in the unique environment of New York City. As the events of 2000 at LaGuardia Airport show us, there are other motivations behind airline scheduling that are more important than delay savings. In 2000, the High Density Rule that limited traffic at LGA was repealed. The result was a huge expansion of traffic: LGA was working as many as 1590 operations per day, at an airport where 1280 operations per day means running the maximum-capacity configuration for sixteen hours straight with no wasted spaces in the arrival or departure streams. Delays were enormous – in November, 28% of all delays in the country were at LGA, according to FAA’s OPSNET database. This was an extraordinary case, but it makes the point that flying to New York City is extraordinarily valuable. Airlines will accept delays here that they would be unable to tolerate elsewhere. The commenter’s observation about EWR between 2001 and 2004 is another fact that supports the idea that demand is inelastic in New York, since Continental did not reduce its schedule when it had the opportunity, despite large delays. Guarding market share against encroachment by a competitor is evidently important to carriers as well. Increasing the size of aircraft is one possible strategy for serving increased demand, but it only works if the increases in demand are coming from an airport already served. Hub-and-spoke operations, for which increased aircraft sizes are practical, are a diminishing part of the demand in the United States, so the forecast of increased numbers of aircraft at EWR is valid. LGA has a perimeter rule in place, which limits the airports that can connect to it, so a fixed number of larger aircraft is a valid forecast there. So, finally to answer directly: FAA modeling incorporated the best estimates of all these effects. The economy demands air travel to New York City, and carriers will serve that demand despite long delays. An airspace redesign is a relatively small change to the aviation system, so FAA does not expect radical changes in airline schedules in response to it. The large delay changes in the operational analysis are the result of small efficiency improvements close to the limit of a fixed-capacity system.</p>
42	<p>Regarding airways: It is true that there are many places where a single airway is pressed into service for multiple functions. Where traffic is light, this is an efficient use of the airspace. Where traffic is heavy, mixing a climbing flow with a descending flow on the same airway in a corridor nine miles wide causes large delays. It should be noted that aircraft in these sectors must be kept 5 miles apart, and controllers usually keep 7-8 miles between them in case of missed communications. Any other place where this situation applies would need an airspace redesign, too. Regarding holding patterns: Ease of holding aircraft is only important as a contributor to air traffic control workload. Making it easier does not improve throughput. The efficiency with which an aircraft can be brought out of a hold affects runway throughput directly, specifically; a missed spot in the landing sequence can never be regained.</p>
43	<p>Appendix C of the EIS explains how the impact of in-trail restrictions will be reduced by the various alternatives.</p>
44	<p>The commenter appears to only reference Chapter 1 of the DEIS, the document as a whole provides the detailed information that explains the extent of delay and why the FAA must increase efficiency and reliability of the airspace structure and ATC system.</p>
45	<p>The DEIS provided all required analysis pursuant to FAA Order 1050.1E and did not provide misleading information. The FAA disagrees with the commenter’s summation that reasonable alternatives were not rigorously explored and objectively evaluated.</p>

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Comment Number	Comment response
46	It is correct that NEPA requires "No Action" to be considered. "No Action" in this study means "no action that is part of this redesign". Two changes to the airspace in question were undertaken independently of the New York/New Jersey/Philadelphia Airspace Redesign, and implemented long before any of the alternative designs were complete. Were they not included in "No Action", the EIS would be comparing the alternatives to a standard that could not exist in the future. That would not comply with NEPA, and would be useless for interpreting the effect of the alternatives.
47	Chapter 2 of the EIS document includes graphics that present the generalized flows for the No Action and alternative scenarios. Each of these figures includes a note that states that the flows shown are generalizations from the NIRS model input data. Thus, they do not represent the detailed flight tracks and extensive route dispersion that was included in the noise modeling. Sections 3.36 and 3.37 in Appendix E of the EIS provides detailed discussion and several example illustrations of the development of the NIRS input flight tracks and dispersion. The results of this effort provided some 7,000+ backbone flight tracks to and from the 21 modeled airports. These main tracks were supplemented with some 15,000+ subtracks along the backbone tracks to account for the flight track dispersion evident in the actual radar data. Chapter 4 graphics of the EIS illustrate the noise changes expected when compared to the No Action Alternative for all the alternatives. It should be noted that the Proposed Action does not induce operations and therefore the forecast operations used in the EIS will forecast with or without the Proposed Action. Spreadsheets of calculated noise exposure levels for each census block within the Study Area were available on the project website. Individuals may use these spreadsheets to determine the potential noise change resulting from each of the alternatives on their census block.
48	Appendix C of the EIS explains how the interaction between the low-altitude and the en-route air traffic system was modeled.
49	See response to comment 4975 #47 relative to track and route development. While propeller aircraft noise may be annoyance larger jet aircraft contribute the overwhelming amount to overall noise exposure.
50	The commenter is referring to several exhibits in the Executive Summary of the document. The body of the DEIS document contains numerous exhibits at larger scales with more detail as do the appendices to the document.
51	See responses to comments 4975 #6 et seq.
52	CEQ regulations require Federal agencies to complete a detailed analysis of reasonable alternatives to the proposal. The DEIS considered a number of potential alternatives, such as Alternative Modes of Transportation and Telecommunications and Congestion Management that were dismissed because they did not meet the purpose and need for the project and thus were not reasonable alternatives. As explained in the DEIS, although the Ocean Routing Airspace Alternative did not meet the purpose and need, it was retained for detailed analysis because of longstanding concerns of NJCANN.
53	Improvements to airport infrastructure may be able to expand the capacity of a particular airport however; airport improvements will not alleviate the inherent limitations of the existing airspace design, route structure, and ATC procedures.

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Comment Number	Comment response
54	<p>The FAA has no reasonable way to evaluate the potential cumulative efficiency of congestion management. None of these potential efficiencies would address inherent limitations of the existing airspace design, route structure and ATC procedures, and the fact that this airspace is operating near saturation during peak demand periods. The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. Additionally, the potential cumulative benefits are too speculative because each relies on an entity other than the FAA. Thus, even if potential cumulative benefits could be evaluated FAA could not ensure that all aspects fo the project necessary to gain the benefits would be accomplished.</p>
55	<p>The FAA disagrees with the commenter regarding the detail presented in the DEIS. The DEIS noise prediction approach is indeed accurate and detailed enough to evaluate the noise exposure changes associated with each of the proposed alternatives in all regions of the Study Area. The noise analysis approach follows the current state-of-the art practices and FAA's current policy. All noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project Web Site allowing for further comparisons beyond that of FAA's change thresholds.</p> <p>Furthermore, Chapters 3 and 4 of the DEIS document, as well as Appendix E outline the noise modeling process and assumptions used in the analysis. These discussions note that the flight routes and runway use are based on the extensive analysis of baseline radar data acquired at the onset of the project. Noise model input adjustments are identified for each alternative and anything not mentioned means that it was not changed from the baseline modeling.</p> <p>Finally, it should also be noted that noise abatement measures were considered as mitigation for the FAA's Preferred Alternatives a part of the development of the FEIS. Noise abatement measures were considered for all the areas of reportable noise increases and beyond for the Preferred Alternative. Details regarding the noise mitigation evaluation are presented in the FEIS.</p>

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Comment Number	Comment response
56	<p>The FAA disagrees with the commenter regarding the detail presented in the DEIS. The DEIS noise prediction approach is indeed accurate and detailed enough to evaluate the noise exposure changes associated with each of the proposed alternatives in all regions of the Study Area. The noise analysis approach follows the current state-of-the-art practices and FAA's current policy. All noise level changes exceeding FAA's thresholds pursuant to FAA Order 1050.1E were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project Web Site allowing for further comparisons beyond that of FAA's change thresholds.</p> <p>Furthermore, Chapters 3 and 4 of the DEIS document, as well as Appendix E outline the noise modeling process and assumptions used in the analysis. These discussions note that the flight routes and runway use are based on the extensive analysis of baseline radar data acquired at the onset of the project. Noise model input adjustments are outlined for each alternative and anything not mentioned means that it was not changed from the baseline modeling.</p>
57	<p>Chapters 3 and 4 of the DEIS document, as well as Appendix E outline the noise modeling process and assumptions used in the analysis. These discussions note that the flight routes and runway use are based on the extensive analysis of baseline radar data acquired at the onset of the project. Noise model input adjustments are outlined for each alternative. Any altitude changes in the alternatives were modeled and the results of this modeling was provided in DEIS. The change in noise levels graphics allow the reader to visualize where changes in noise will occur.</p>
58	<p>Appendix E provided the more detailed information on the noise modeling process and assumptions used in the analysis. These discussions note that the flight routes and runway use are based on the extensive analysis of baseline radar data acquired at the onset of the project. The numbers of aircraft using each flight path were assigned during operational modeling and used as input to NIRS. Noise model input adjustments are outlined for each alternative and anything not mentioned means that it was not changed from the baseline modeling.</p>
59	<p>Chapter 2 of the DEIS document includes graphics that present the generalized flows for the No Action and alternative scenarios. Each of these figures includes a note that states that the flows shown are generalizations from the NIRS model input data. Thus, they do not represent the detailed flight tracks and extensive route dispersion that was included in the noise modeling. While the "gates" shown on these maps are simplifications of the gate concept used by air traffic controllers, their locations on the map are indeed based on the locations of the departure and arrival fixes that are used in the actual air traffic control process. The exact locations of gates and posts were included as inputs to NIRS. Thus, these maps do indeed provide a reasonably accurate portrayal, albeit simplified, of the general routings that can be expected.</p> <p>Sections 3.36 and 3.37 in Appendix E present detailed discussion and several example illustration of the development of the NIRS input flight tracks and dispersion. The results of this effort provided some 7,000+ backbone flight tracks to and from the 21 modeled airports. These main tracks were supplemented with some 15,000+ subtracks along the backbone tracks to account for the flight track dispersion evident in the actual radar data.</p>

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Comment Number	Comment response
60	<p>The noise analysis included all the traffic in the study area. See Appendix E of the EIS for more detail. The operational analysis included all traffic through capacity-limited resources of the air traffic management system in the study area as described in detail in Appendix C of the DEIS. The DEIS discusses the airports selected for inclusion in the modeling process in several portions of the document. Sections 1.2.5 (pg 1-13 through 1-14), 3.2 (pg 3-3 through 3-9), and Appendix B (pg B-1 and Attachment A) outline the selection of airports for noise modeling in this study. The DEIS is not flawed as the 21 airports included in the noise modeling represent well over 90% of the IFR flight planned traffic originating or terminating within the Study Area. Furthermore, all military and general aviation IFR flight planned traffic was included in the modeling at each of the 21 airports as were all nighttime flights to or from LGA.</p> <p>In addition, the noise modeling also included all IFR flight planned overflights of the Study Area (including military and general aviation) where any portion of the flight occurred at or below 14,000 MSL altitude. The 14,000 MSL threshold is based on FAA's policy to evaluate flights up to 10,000 feet above ground level. This highest point within the Study Area was found to be about 4,000 feet in elevation, meaning that 10,000 feet above that point would be 14,000 feet above sea level. This altitude cap was then extended across the whole of the Study Area regardless of ground elevation.</p> <p>Also see response to comment 4975 #36 specific to VFR flights.</p>
61	<p>According to the detailed noise analysis the changes in noise levels for almost all of the communities along the Long Island Sound did not meet any of the criteria for determining significant, moderate, or slight noise impact for the Modifications to Existing Airspace Alternative. Spreadsheets of calculated noise exposure levels for each census block within the Study Area were available on the project website. Individuals may use these spreadsheets to determine the potential noise change resulting from each of the alternatives on their census block.</p>
62	<p>The DEIS analyzed the impacts of each of the alternatives through the Study Area and presented information for those areas that had impacts reportable pursuant to FAA Order 1050.1E. The Modifications to Existing Airspace Alternative resulted in no reportable impacts in the areas around JFK and LGA.</p>
63	<p>Pursuant to FAA Order 1050.1E a significant impact is defined as a 1.5 dB DNL increase within the 65 dB DNL. Rikers Island is the only area determined to meet this threshold in proximity to LGA within the DEIS. The "over-water" route from LGA's Runway 4 has not been eliminated. The current LaGuardia Nine departure procedure indicates that departing aircraft should climb on runway heading (040) until leaving 600' and then turn to a heading of 055. Thus, the current departure heading is 040 from Runway 4 at LGA. Table 3-3 in Appendix C compares the LGA departure heading for all runways and departure gates amongst the various alternative scenarios. The East departure gate heading from Runway 4 remains the same in No Action as it does in all of the proposed alternatives. Unfortunately, a comparison of the inset figures in Chapter 2 does not clearly reveal that there is no change. This is due to the generalized nature of the depictions and will be corrected in the FEIS document.</p>

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Comment Number	Comment response
64	The "over-water" route from LGA's Runway 4 is unchanged. The runway headings to the east are the same as in current operations. The current LaGuardia Nine departure procedure indicates that departing aircraft should climb on runway heading (040) until leaving 600' and then turn to a heading of 055. Thus, the current departure heading is 040 from Runway 4 at LGA. Table 3-3 in Appendix C compares the LGA departure heading for all runways and departure gates amongst the various alternative scenarios. The East departure gate heading from Runway 4 remains the same in No Action as it does in all of the proposed alternatives. Due to scale requirements a comparison of the inset figures in Chapter 2 does not clearly reveal that there is no change.
65	Figures 2.11 and 2.19 show no change to LGA Departures to the North or East Departure Gates.
66	Because the New York City airports are so close together they share departure gates. This is unavoidable. Reducing its impact is an important benefit mechanism of the Preferred Alternative. The EWR departures in this area are climbing through 10,000 feet. Their contribution to the noise is included in the modeling though it is very small.
67	While the figures used to illustrate the alternatives are schematic in their depiction the detailed analysis provides the information requested.
68	Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS
69	See response to comment 4975 #4.
70	Table 1.2 on page 1-19 of the DEIS document presents the baseline and future forecast operational levels for each of the 21 airports evaluated. Additional information on the forecasting including evaluation of the forecast considering the implications of 2005 conditions is presented in Appendix B of then DEIS document. This appendix presents the forecasting results in terms of each individual airport so the reader can achieve a full understanding of the future operational levels to be accommodated by each facility. Furthermore, the operational analysis presented in Appendix C confirms that the existing facilities are indeed capable of accommodating the future forecast demand without the development of additional facilities.
71	The NY/NJ/PHL airspace redesign team coordinated all the changes in the en-route airspace with similarly-constituted teams in Cleveland, Indianapolis, Washington, and Boston Air Route Traffic Control Centers and the Air Traffic Control System Command Center. Low altitude changes were coordinated with Newark, LaGuardia, JFK, Teterboro, and Philadelphia Towers. The Midwest Airspace Enhancement project and the Chicago Airspace Redesign published their own EIS documents. The connections among these airspace redesign projects took place above 30,000 feet and do not cause noise impacts.

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Comment Number	Comment response
72	<p>The total number of aircraft operations would not differ between the Future No Action Alternative and the other Airspace Redesign Alternatives. Delays would be larger with the Future No Action Alternative because it is less efficient than the Modifications to Existing Airspace and the Integrated Airspace Alternatives. The purpose of the project is to increase efficiency and reliability of the air traffic system through the adjustment of traffic flows in the NY, NJ, and PHL areas to accommodate new technologies and reduce delays, increasing capacity has never been part of the purpose for the project. Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past the EPA has agreed that airspace redesign produced de minimis emission changes. Recently, the FAA has determined that it can not rely on the preamble and on February 12, 2007 issued a Draft Federal Notice <i>Federal Presumed to Conform Actions Under General Conformity</i> [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.</p> <p>For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are therefore considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].</p> <p>However because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that the Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day. Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and therefore air pollutant emissions are reduced and presumed to be de minimis.</p>

Response to Comment 4975: Barbara E. Lichman, Chevalier, Allen & Lichman, LLP for Westchester

Comment Number	Comment response
73	<p>The FAA completed the DEIS in accordance with NEPA and the analysis requirements and standards of the CEQ regulations and the FAA. The FAA feels that the DEIS discloses the potential environmental impacts of the Proposed Action and presents them in an objective manner and will not be recirculating the document. The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet their responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. The DEIS included detailed modeling of each of the alternatives so that the FAA could identify the associated operational and environmental impacts. Upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the FEIS.</p>
Attachment	<p>All salient issues identified in the Williams Aviation Consultants, Inc. are addressed in the letter from Barbara E. Lichman of Chevalier, Allen & Lichman, LLP.</p>

Nagendran, Ram

From: Eric S. Lichtenstein MD [eslmd@medicalcybernetics.com]
Sent: Wednesday, June 28, 2006 3:46 PM
To: FAA DEIS
Subject: Comment - Re Airspace Redesign

Attachments: RAD FAA Comment.pdf



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RESIDENTS FOR APPROPRIATE DEVELOPMENT, INC.

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June 22, 2006

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These comments concern the Federal Aviation Administration's Draft Environmental Impact Statement for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign. The draft document, prepared by the Federal Aviation Administration of the United States Department of Transportation, was summarized in December of 2005, and these comments are based on that summary.

The Board of Directors of Residents for Appropriate Development (RAD) Inc. is appalled that this study completely ignores the flight patterns of the satellite airports, and the effects of airspace redesign on their surrounding populations. It is entirely unacceptable to claim this study is an environmental impact analysis without consideration of those flight patterns, as if there are no other aircraft flying in the region. An environmental impact analysis must take into account the cumulative impact on all the effected communities, considering first the existing conditions and then assessing the impact of added flights and altered routings.

1

Residents for Appropriate Development, Inc., founded in 1999, is a non-profit Connecticut corporation dedicated to balancing environmental protection and development in rural Northeast Greenwich, Northwest Stamford, and North Castle, New York. RAD, Inc.'s mandate includes commenting publicly on development proposals within our area of interest as well as sponsoring educational programs that promote conservation and environmental protection of the area. The flight patterns of Westchester County Airport, identified in the Airspace Redesign Study as a satellite airport, most directly affect this area, though flights to and from Laganrdia Airport are also of concern, as they affect the area both directly and through their relationship to the Westchester flight patterns.

2

The present study conclusions, unfortunately, provide no insight into the overall use of overhead airspace, the significant relationships between terrain and the flight patterns, or the environmental effects on the land and people subjected to the overhead passage of all aircraft, not just the aircraft using the flight patterns proposed for the five major airports. These considerations should have been reviewed in this study; since it is being "submitted for review pursuant to...public law requirements". And while "four airspace redesigned alternatives were considered in this draft, EIS: The No Action Airspace Alternative, Modifications to Existing Airspace Alternative, The Ocean Routing Alternative and the Integrated Airspace Alternative", no attention was given to the impact of the flight patterns serving the "16 satellite airports" that are identified within the region but not studied, or the effects of

3

4

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ERIC S LICHTENSTEIN, MD • DIRECTOR FRANK PARKER DIRECTOR

ANN DIETZ TREASURER

the proposed changes on these satellite operations.

The study easily meets its purpose, stated quite clearly as "this project is to increase the efficiency and reliability of the airspace structure and air traffic control system". Rerouting planes with decreased spacing will certainly allow greater air traffic to use the existing facilities, as the "major airports affected by this airspace redesigned include John F. Kennedy international Airport, Newark international Airport, Teterboro Airport, Philadelphia International Airport, and LaGuardia Airport.". The study assumes, of course, the unprecedented efficient movement of planes on the ground. And there is little if any discussion of the safety issues to be considered in reducing aircraft spacing, as for example the effects of invisible turbulence in an aircraft wake on closely following aircraft.

5

The study analysis essentially excludes, except in approaches to the five major airports, consideration of the overall impact on use of airspace under 14,000 feet, the airspace of most concern for populations near any of the "16 satellite airports" clearly identified in the study area that "were not included in the operational modeling or noise analysis". In the areas surrounding the satellite airports excluded from study the airspace traffic patterns above 14,000 feet impose a ceiling on local operations without concern for local topography. The 14,000 foot altitude for traffic serving the five major airports adds the height of the highest land elevation within the region to the operational traffic minimum altitude of 10,000 feet above sea level. But land and population centers surrounding the satellite airports may be at significant elevations that, while less than 4,000 feet, further subtract from the usable airspace at the satellite airports, and increase the impact of aircraft operating at minimal heights to avoid their operational ceiling restrictions, while ignoring regulations governing minimal altitude above ground, as opposed to sea level.

6

While "operational modeling and noise analysis" at the satellite airports may not have been a consideration of the New York / New Jersey / Philadelphia Metropolitan Area Airspace Redesign, it should be, before any change is undertaken. Careful, expert analyses of the issues and potential improvements for the area around Westchester Airport have been developed and submitted by both the Sound Shore Community Alliance, and the Air Conservation Trust. Their suggestions should be carefully considered and included in any final Airspace Redesign, as well as comments submitted by groups representing areas around the other satellite airports.

Sincerely,

Barbara Bishop
President

Eric S. Lichtenstein, MD
Director

Response to Comment 5102: Barbara Bishop, Lichtenstein for Residents for Appropriate Development

Comment Number	Comment response
1	<p>The DEIS discusses the airports selected for inclusion in the modeling process in several portions of the document. Sections 1.2.5 (pg 1-13 through 1-14), 3.2 (pg 3-3 through 3-9), and Appendix B (pg B-1 and Attachment A) outline the selection of airports for noise modeling in this study. The DEIS is not flawed as the 21 airports included in the noise modeling represent well over 90% of the IFR flight planned traffic originating or terminating within the Study Area. Furthermore, all military and general aviation IFR flight planned traffic was included in the modeling at each of the 21 airports. The Airspace Redesign does not include low altitude changes at any smaller airport.</p> <p>In addition, the noise modeling also included all IFR flight planned overflights of the Study Area (including military and general aviation) where any portion of the flight occurred at or below 14,000 MSL altitude. The 14,000 MSL threshold is based on FAA's policy to evaluate flights up to 10,000 feet above ground level. This highest point within the Study Area was found to be about 4,000 feet in elevation, meaning that 10,000 feet above that point would be 14,000 feet above sea level. This altitude cap was then extended across the whole of the Study Area regardless of ground elevation. The DEIS disclosed existing conditions and then completed appropriate analyses to consider the future impact of the Proposed Action.</p>
2	Comment noted.
3	<p>The FAA disagrees with the comment. Noise modeling was developed for IFR overflights and the projected IFR operation at all of the 21 study airports. Environmental impacts were evaluated based on the results of the noise modeling and analysis for all 21 airports. The DEIS text is focused on the five major airports in the Study Area because the proposed airspace changes predominantly impacted these five airports.</p> <p>In addition, the noise modeling also included all IFR flight planned overflights of the Study Area (including military and general aviation) where any portion of the flight occurred at or below 14,000 MSL altitude. The 14,000 MSL threshold is based on FAA's policy to evaluate flights up to 10,000 feet above ground level. This highest point within the Study Area was found to be about 4,000 feet in elevation, meaning that 10,000 feet above that point would be 14,000 feet above sea level. This altitude cap was then extended across the whole of the Study Area regardless of ground elevation. The DEIS disclosed existing conditions and then completed appropriate analyses to consider the future impact of the Proposed Action.</p>
4	See comment response 5102 #1.
5	There are no changes in any of the alternatives with respect to any separation requirements that override wake turbulence spacing. All vertical and lateral separation requirements assumed are currently legal in places where the airspace design permits.
6	See response to comment 5102 #1. All of these factors were included in the noise analysis. The operational analysis included only those airports that were affected by the redesign.

Nagendran, Ram

From: william.wilson@us.hsbc.com
Sent: Thursday, June 29, 2006 4:06 PM
To: FAA DEIS
Cc: jodirell06@gmail.com; wjw41@columbia.edu
Subject: Comment

June 29, 2006

Dear Mr. Kelly,

The Concerned Connecticut Citizens Group, which represents a diverse set of Connecticut residents, wishes to express its deep concerns about the Federal Aviation Administration's proposal to redirect New York, New Jersey and Pennsylvania air traffic over Connecticut, specifically Fairfield and Litchfield counties.

Among our chief concerns are:

- 1) The FAA failed to provide complete and understandable information to the Connecticut residents who will be affected by the current Airspace Redesign proposal. Certain portions of affected areas of Connecticut were not included in the study. The information provided is not understandable by lay people (for instance DNL levels). The methods used are complex and there has been no way for residents to understand the processes.
- 2) The proposal does not describe how flight patterns and altitudes will change due to interaction with other airport traffic. For instance, the Connecticut gates will send New York, New Jersey and Pennsylvania air traffic past Bradley International routes. Will this force planes to fly lower? Will they all fly higher to avoid interference? How will this affect residents? There needs to be a thorough analysis of the implications of this plan for the interaction with all other airports/communities in the proposed flight paths.
- 3) The FAA has seriously failed in its responsibility to properly analyze the alternatives, inform citizens of proposed changes and allow ample time for discussion and comment. Specifically:
 - a) The FAA conducted its pre-scoping in less than 6 months (9/22/1999 to 2/3/2000) and formal scoping in 6 months (1/22/2001 to 6/29/2001). This seems inadequate in light of the fact that the current flight paths have been in existence for 45 years and that the proposed changes will affect millions of people for decades.
 - b) According to the Environmental Impact Study, the FAA contacted only two Connecticut agencies in its pre-scoping and scoping periods. They contacted the Connecticut State Department of Transportation and the Connecticut State Historic Preservation Officer. The FAA should notify other important Connecticut agencies and representatives, including health, pollution, wildlife, etc.
 - c) Only the Mayors of Middletown and Hartford were contacted. No other Connecticut Mayors were contacted so that they could join the dialogue or inform their communities or other elected officials.
 - d) The public workshops/hearings were held over a 3 month period. This is inadequate given the scope of the project.
 - e) Of the 30 public meetings held, only 2 were in Connecticut (Stamford on April 8th and Danbury on April 11th). This is not enough meetings or enough locations to facilitate public response.
- 4) The FAA justifies its change of plans in terms of the Environment on Environmental Justice, but in its analysis it uses a highly contested definition of distributive justice. The people of Fairfield and Litchfield County will bear the burden of noise and air pollution for major airports in New York, New Jersey and Pennsylvania, yet seldom use those airports. It does not seem appropriate that air traffic should be sent over Connecticut to alleviate the New York, New Jersey and Pennsylvania air traffic congestion problems.

Therefore, the Concerned Connecticut Citizens Group opposes the FAA's proposed plans and requests that all action be stopped and no plans or further work be conducted until a detailed, broad and public dialogue involving our elected State and local

7/5/2006

005172
1 of 2

officials and Connecticut state agencies is conducted.

Sincerely,

William Wilson

On Behalf of the Concerned Connecticut Citizens Group

Contact information:

Phone: 860-379-3250 Home

646-642-6381 Cell

Email: wjw41@columbia.edu

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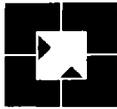
SAVE PAPER - THINK BEFORE YOU PRINT!

Response to Comment 5172: William Wilson, Concerned CT Citizens Group

Comment Number	Comment response
1	The DEIS is written in plain language and contains brief description of technical subjects such as DNL with a more detailed background material in the appendices. Areas affected by the project, including Fairfield and Litchfield, are in the Study Area, but those areas not experiencing a reportable impact do not appear in the body of the DEIS, they are in the appendices.
2	In the current system (and Future No Action), Bradley traffic shares airspace with traffic to all New York airports. The Integrated Airspace Alternative Variation with ICC permits departures from Newark and its satellites to climb much higher before they pass over Connecticut. As a result, Bradley traffic need only contend with departures from east of the Hudson River, which will reduce the need to keep aircraft low under normal operating conditions.
3	NEPA and CEQ regulations do not require “pre-scoping”. Pre-scoping was the name FAA used for meetings throughout the Study Area to introduce the project to the public. Scoping, as defined by CEQ regulations, is used to define the scope/breadth of the project, the range of alternatives to be examined, and any special issues brought up by agencies with special jurisdiction or statutory authority. Scoping meetings are not required by CEQ Regulations; the Federal agency conducting the project has discretion to determine whether such meetings are necessary. FAA established a website for the project and posted updated information on it during the course of the project. Although the required comment period for a DEIS is 45 days, FAA provided a six month comment period for the DEIS.
4	Several Connecticut agencies were contacted. The list of agencies consulted provided in Table 5.3 are those with which actual meetings were held. In addition to the CT Department of Transportation and the CT State Historical Preservation Officer the following CT agencies were contacted: Department of Environmental Protection, Bureau of Natural Resources, Bureau of Air Management, Department of Agriculture, Bureau of Aviation and Ports. The following public officials were also contacted and provided project information: Senator’s Dodd and Lieberman, Governor Rell, Lt. Governor Sullivan, Congressman Shays, Congresswomen DeLauro, Congressman Larson, Congresswomen Johnson and several state and local representatives. The State Preservation Officer stated in a comment letter that this project would have no effect on any CT historic, archeological or architectural resources. The CT Department of Transportation submitted a letter stating that they had no comment concerning the project.
5	Mayors of the following Connecticut cities received at a newsletter announcing the scoping meetings for the EIS: City of Bridgeport, City of Bristol, City of Danbury, Town and City of Middletown, Town and City of New Britain, Town and City of New Haven, Town and City of Norwalk, City of Stamford, Town and City of Waterbury, and City of Hartford. The mayors of the Town and City of Middletown, and City of Hartford received a hard copy/electronic copy of the DEIS. The mayors of the City of Waterbury, City of Bridgeport, City of Danbury, City of New Haven, Town and City of Norwalk, and City of Stamford all received a newsletter announcing the release of the DEIS and instructions on how to obtain a copy if desired.
6	See response to comment 5172 #3.
7	FAA believes that the number of public meetings held in Connecticut after publication of the DEIS was appropriate given the low attendance at the pre-scoping and scoping meeting held in Connecticut. In fact, a total of 20 persons attended the two post-DEIS public meetings held in Connecticut.

Response to Comment 5172: William Wilson, Concerned CT Citizens Group

Comment Number	Comment response
8	The justification for the project is found in its purpose and need: to enhance efficiency and reliability of the airspace structure and ATC system to accommodate growth while maintaining safety and mitigating delay. Per Executive Order 12898 Environmental Justice requires federal agencies to identify and address human health or environmental impacts of a project that may disproportionately affect low-income and minority populations. The EIS contains a discussion of the environmental justice aspects of the Airspace Redesign project.



**New York City
Economic Development
Corporation**

July 1, 2006

Mr. Steve Kelley, FAA-NAR
Manager, Airspace Redesign
Federal Aviation Administration
12005 Sunrise Valley Road
Reston, VA 20191

Dear Mr. Kelley,

On behalf of the City of New York, we appreciate the opportunity to express our concerns about the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Plan. The City of New York has an interest in seeing that the people who live and work here and those who come to visit and do business are not required to put up with delays and disruptions in the air and at the airport. Failure to fix the problems that are causing the chronic delay situations across this region will cause significant harm to the economy, at every level.

As the Federal Aviation Administration is well aware, the three major New York/New Jersey metropolitan airports are the most delayed airports in the country. Even under the High Density Rule, delays have continued to soar at both John F. Kennedy International Airport and LaGuardia Airport and projections indicate that passenger numbers will continue to climb. Many of these delays are the result of airspace constraints, and not airport limitations.

The alternatives outlined in the Draft Environmental Impact Statement (DEIS) do not go far enough to address the outstanding air space issues in our region. After years of work by the FAA, and money spent on this program, the City is disappointed with the minimal results produced.

Nevertheless, the metrics utilized by the FAA in the DEIS suggest that the best of the alternatives examined is the "Integrated Airspace Design with the Integrated Control Complex (ICC)." While the ICC plan is clearly the best from an operational analysis, it does not change the terminal airspace as needed, which the FAA acknowledged has not been altered since the 1960's. What is needed here is a plan that includes better and wiser terminal airspace changes, that utilize state of the art navigation technologies and techniques, and consistently maximizes throughput at all our region's airports. A prime example is to utilize both parallel runways simultaneously for arrivals and departures at JFK International Airport. The FAA needs to go back and re-look at the terminal airspace as part of this redesign process and must do so expeditiously.

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The assumption that underlies the projected benefits of the ICC option is that it will take an integrated facility to make it work. In other words, the 300+ staff from the New York Center in Ronkonkoma and the 200+ staff in the New York Tracon in Westbury, N.Y. would have to be moved to a single, combined facility. This is yet another long overdue improvement to the functioning of the air traffic organization. But, in light of the increasing dependence on the Aviation Trust Fund, worsening trust fund deficits, and other high priority projects, it is not realistic to think that FAA will be able to program the capital dollars to construct a new facility and equip it with state of the art air traffic systems. The other alternatives that do not include the ICC are not worth the cost and time commitments to achieve what are clearly minimal benefits. The FAA needs to come up with an achievable cost effective plan to implement the ICC plan in a relatively short timeframe.

4

This is a small step in the right direction as a way to alleviate delays, however, the best of the alternatives does not go far enough and does not address the likelihood the alternatives would produce additional noise for certain communities. The City is disappointed the FAA did not include noise measures initially as part of the plan. We understand these issues will be addressed later as part of the mitigation strategy but it is unfortunate considering the time and effort put forth by the FAA to date.

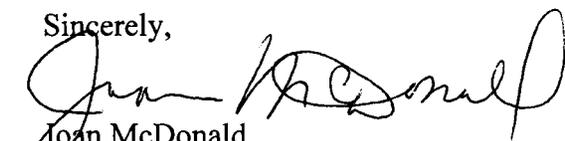
5

It is hard not to wonder whether, after years of work by the FAA, the cost and effort spent on this program justify the minimal results produced. We would encourage the FAA to think outside its traditional perspective on air traffic control system management going forward.

6

This is an unique opportunity to work together with you and other stakeholders in the aviation industry to help prepare for the future.

Sincerely,



Joan McDonald
Sr. Vice President, Transportation
New York City Economic Development Corporation

c.c. Dan Doctoroff
Josh Sirefman
Kate Ascher
Bill DeCota

Response to Comment 5243: New York City Economic Development Corporation

Comment Number	Comment response
1	<p>The FAA disagrees with the commenter's summation that significant operational benefits are not provided by the Proposed Action, delay reductions for the Preferred Alternative are significant. Operational benefits are most directly compared by change in block time. As described in the EIS, Modifications to Existing Airspace Alternative provides a reduction of 0.9 minutes per flight, Integrated Airspace Alternative with ICC provides a reduction of 1.4 minutes per flight. Detailed operational benefits were reported for each of the alternatives in the appendices, environmental impacts of those operational benefits are addressed for the preferred alternative by our proposed mitigation strategies. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.</p>
2	<p>Comment noted, the Airspace Redesign project included the elements proposed by the commenter.</p>
3	<p>The Preferred Alternative includes JFK operations this way when it is advantageous to use them. The expanded runway options come at a price, however. Especially on Runways 22L/R and 04L/R, aircraft must taxi a long way to their gates, and may have to cross an active runway to do so. This detracts from the use of the runway to be crossed. Tower controllers have an interest in moving aircraft as efficiently as possible, which frequently means concentrating one type of operation on a single runway.</p>
4	<p>In the past, prior to the passage of the National Environmental Policy Act, agencies often made their decisions based only on technical and cost decisions. The purpose of the NEPA process is to provide environmental considerations of alternatives for decision makers so that they can examine those along with other technical considerations such as cost, which may be provided to the decision makers from other sources. A cost-benefit analysis is not required by CEQ regulations. While some federal agencies include a cost-benefit analysis in the EIS to complete their administrative record regarding the justifications for making a decision on the proposed action, this goes beyond the requirements of NEPA. For purposes of complying with NEPA, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations, such as quality of life factors. For these reasons, the FAA did not include a cost-benefit analysis as part of this EIS project, and therefore one was not included or incorporated by reference into the DEIS. After the EIS process is completed, and an implementation plan is developed which will include a cost/benefit analysis.</p>
5	<p>The FAA has committed to the communities from the beginning of the project that it would consider means to reduce noise and other environmental effects where feasible and without derogating safety or efficiency of the national airspace system. It has consistently been the "where feasible" portion of the commitment that has been left out of reports on what FAA officials have promised the public. The FAA has been clear from the beginning of the process what the purpose and need was for the project that noise impacts would be thoroughly analyzed using NIRS modeling, and noise mitigation measures would be examined. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30 day comment period, as well as public meetings within the Study Area, was provided. The Noise Mitigation Report and Comments and Responses on the Noise Mitigation Report, are provided in Appendices P and Q respectively, in the FEIS.</p>

Response to Comment 5243: New York City Economic Development Corporation

Comment Number	Comment response
6	The FAA disagrees that the Proposed Action will provide minimal results; delay will be reduced across the airspace system. See response to comment 5243 #1. An integrated airspace change would require the FAA to manage the airspace resource differently than it does in today's environment, traffic management and new air traffic control technologies will have to be incorporated.

30 Prospect Avenue
Hackensack, N.J. 07601
201.996.2000

Affiliated with the
University of Medicine and
Dentistry of New Jersey

Member of the
University Health System
of New Jersey



June 27, 2006

Steve Kelley, FAA-NAR
c/o Ram Nagendran
12005 Sunrise Valley Drive, C3.02
Reston, VA 20191

Dear FAA Representative Steve Kelly:

I am writing on behalf of Hackensack University Medical Center's (concerns regarding the Metro Air Space Redesign. As you know, HUMC is located on Prospect Avenue in Hackensack, New Jersey. HUMC is the State-Designated Level II Trauma Center for this area. Currently, the medical center is in direct line with landing area #19 at Teterboro Airport. We have very significant concerns about the ongoing low level flyovers at the medical center.

When the initial ILS routing was developed some years ago, the survey report mentioned several times the serious concern about direct flyovers of the medical center. These concerns were never addressed in the final flight path for the ILS. Currently, in foul and fair weather, the medical center experiences extremely low and loud flyovers. As you know, there have been a number of fatal accidents at Teterboro Airport in recent years. An accident directly affecting the medical center would prove catastrophic for the medical center and the community, since it would compromise the Level II Trauma Center for this area.

The medical center requests that in your environmental impact statement that you address the risk posed to the medical center and its patients by the low and loud flyovers. We request that you discontinue the flyovers of the medical center.

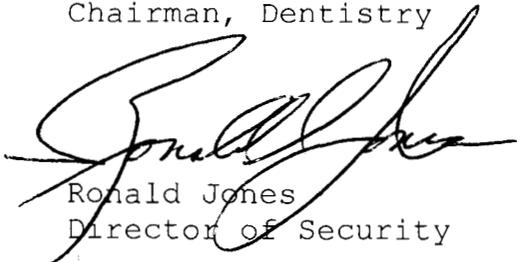
Please consider this letter as a formal warning that the FAA should be held accountable for any future disaster.

Re: FAA Flyovers
June 27, 2006
Page 2...

Sincerely,



Kevin Heaney, DDS, MPH
Chairman, Dentistry



Ronald Jones
Director of Security

KMH:gmc

C:FAAFLYOVERS06.DOC

Response to Comment 5247: Kevin Heaney, Hackensack University Medical Center Dentistry

Comment Number	Comment response
1	The comment appears to reference a current condition which is not under review in this EIS. Current and future flight procedures for this airport meet FAA safety standards.
2	Comment noted. The air traffic control system in the United States is the safest in the world and FAA works with airlines to make sure that safety is priority one. The ILS approach was designed in accordance with FAA standards.

Merrill, Michael

From: Diana Schneider, CTC, ACC [snugharbourtours@att.net]
Sent: Friday, June 30, 2006 3:37 PM
To: FAA DEIS
Subject: DEIS Comments
Attachments: DEIS.doc

attn: Mr. Steve Kelley

Thank you for extending the deadline for the submission of comments on the DEIS.

Ours is attached hereto. And, yes, as we discussed I did mention about educating the controllers to route aircraft away from the residential areas at night. Appreciate your efforts on effectuating that.

Have a great 4th of July weekend!

Best regards,

Diana

Diana Schneider, CTC, ACC
New York State's Leading Aussie Specialist
Snug Harbour Tours
PO Box 805 Midtown Station
New York, NY 10018
212/724-3062
email: snugharbourtours@att.net
www.snugharbourtours.com

005258
1 of 4

Comments on the NY/NJ/PHL Metropolitan Airspace Redesign Draft Environmental Impact Statement

Submitted by: Diana Schneider
ROAR – Residents Opposed to Aircraft Racket
Date of submission: June 30, 2006

Thank you for the opportunity to comment on the Draft Environmental Impact Statement concerning the NY/NJ/PHL Metropolitan Airspace Redesign.

As a concerned resident of the Upper West Side and a public member of Community Board 7 who has been living underneath the flight paths since 1996 when the FAA chose to redirect commercial aircraft directly over our homes and businesses, I had hoped that the FAA in redesigning the flight paths would choose to redirect these flights utilizing over the water routes.

Relatively recently Senators Chuck Schumer and Hillary Clinton had made efforts to appropriate \$4 million to this Redesign project so that the FAA would take into consideration and create their airspace redesign plan to have as its priority the mitigation of noise and environmental complaints. It seems that this endeavour has fallen on deaf ears at the FAA Redesign team.

It is apparent that the opposite is an integral part of the study. Having myriad stacks of aircraft will not create “less” environmental impact than having none or one. Aircraft stacks actually geometrically multiply the emissions being dumped on the neighborhoods and exacerbates the noise impacts as well. The National PTA is so concerned about the deleterious effects of aircraft emissions on children’s health that in 1998 they came out with a resolution expressing their concern.

After September 11, 2001, residents believed that the FAA would “do the right thing,” and create no fly zones over heavily populated residential areas. Such was not to be the case.

It is particularly troubling that even after the crash of American Airlines Flight 587, which crashed into the residential community of Belle Harbor, Queens, killing all 260 persons onboard and 5 residents, and the fires which caused damage to homes, that then and there new regulations were not put permanently in place for every borough to avoid any possibility of a repeat occurrence.

Despite the events of September 11 and the potential danger of actual in-air collisions or accidents due to the shortening of separation between aircraft and the anticipated lowering of the altitude of landing and departing planes as well as the increasing risk of parts of planes falling into communities, the FAA has designed its airspace redesign draft based solely on the exigencies of the airlines.

The issue of increasing noise in residential areas is especially troubling. Studies show a correlation between aircraft noise and increased risk of cardiovascular disease, psychiatric disorders, changes in brain chemistry, increased heart rate, loss of sleep plus other health problems. A recent study quoted in Representative Maloney’s April letter to the FAA found that **the impact of airplane noise on children is particularly harmful and may cause life long effects, including hearing and reading impairment, and memory loss (Medicinenet.com, June 2, 2005).** In residential areas already disturbed by low flying aircraft including helicopters, the possibility of additionally increasing the noise is indeed of major concern.

The Executive Summary of the DEIS shows that the proposed redesign alternatives would create significant noise impacts as the redesign calls for more planes, lower flying planes (when we were told that the FAA was considering having the landing planes come in at higher altitudes). These two factors will have a significant negative impact on the quality of life in residential neighborhoods. **Flights need to be routed so that they do not fly over densely populated areas.**

Comments on the NY/NJ/PHL Metropolitan Airspace Redesign Draft Environmental Impact Statement

Submitted by: Diana Schneider
ROAR – Residents Opposed to Aircraft Racket
Date of submission: June 30, 2006

page 2

It is important to note the FAA's measurement of noise is based on averaging. It is **not an average** that wakes someone from sound sleep but one incident that causes the body to automatically go into a fight or flight syndrome. It is not an average that scares people when a behemoth of an aircraft careens over their heads. It is not an average that spews carcinogens into children's lungs.

2

Lest the FAA forget, we'd like to take a moment to quote from information gleaned from the American Working Group for National Policy, Inc:

Pollution Emissions from Aircraft:

Freon 11, Freon 12, Methyl Bromide, Dichlormethane, cis-1,2-Dichloroethylene, 1, 1, 1-Trichloroethane, Carbon Tetrachloride, Benzene, Trichloroethylene, Toluene, Tetrachloroethene, Ethylbenzene, m,p-Xylene, o-Xylene, Styrene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, o-Dichlorobenzene, Formaldehyde, Acetaldehyde, Acrolein, Acetone, Propinaldehyde, Crotonaldehyde.....

The above is only one quarter of the toxic types of emissions from aircraft. For the full listing please consult the American Working Group for National Policy and the Airplane Emissions Department of Environmental Health Sciences as well as the EPA paper on Toxic Emissions from Aircraft Engines Air RISC Information Support Center, July 22, 1993.

The concomitant diseases and maladies which may result due to varying exposure and multiple sources of entry to the body from these toxic chemicals:

liver damage, lung structure damage, lung disease, asthma, emphysema, kidney damage, brain cancer, respiratory system damage, skin and eye irritation, E.E.G. (brain waves) changes, nasal effects, conjunctive irritation, nausea, muscle weakness, mental depression, drowsiness, coughing, wheezing, heart disease, cancer – again this is but a partial listing.

As cited in *Controlling Airport Related Air Pollution*, a multi-state study overseen by the US EPA, aircraft alone at Boston's Logan Airport emitted 20 tons of benzene a year, a known human carcinogen, whereas aggregate benzene emissions from the largest stationary sources in Massachusetts, Connecticut, and New Hampshire combined contribute only 6 tons a year.

Actions the Redesign Project Team are urged to take:

(1) **it is highly suggested that you go back to the drawing board the rethink this design plan on the basis of consideration for all involved –**

(a) **we would like to see the stacking concept abandoned altogether and the current process of holding an aircraft at the departure airport in case of storm or other delay at the arrival airport until that plane is clear to fly directly into the destination airport – this procedure is safer for all involved; i.e. those on the aircraft itself and those on the ground**

flights should be directed to come in at higher altitudes – not lower – and routed over-the-water or industrial areas to the full extent possible

3

**Comments on the NY/NJ/PHL Metropolitan Airspace Redesign Draft
Environmental Impact Statement**

Submitted by: Diana Schneider
ROAR – Residents Opposed to Aircraft Racket
Date of submission: June 30, 2006

page 3

(b) **we'd like to see the Redesign team advocate Congress for an intermodal transportation system fully funded which would properly beef up our rail service to the point where rail service can replace the air shuttle service for point to point eastern corridor service**

4

(c) **we'd like to encourage the Redesign team to work with the Port Authority to mandate that LaGuardia airport handle only larger aircraft; i.e. 727 and above so that the controllers would not be overburdened by the variations in wake due to the interspersing of larger aircraft with smaller regionals and general aviation – this, too, lends itself to more cluttering of the skies and more delays**

5

airports need to be mandated and regulation encouraged so that there would no wasteful duplication of unnecessary flights involving only partially utilized aircraft; i.e. 15 flights to Richmond, Va., when only two aircraft are needed to properly service need. This behaviour tends to be exacerbated by the carriers especially when there is a fare war.

Reregulation needs to be applied here to fine the carriers for creating unnecessary flights.

(d) **No landings or takeoffs should be permitted between the hours of 10pm and 7am.**

6

If there are any emergency flights during this time, then the controllers need to be firmly instructed that they are to route the flights away from residential areas. This needs to be an continuing ongoing process of each and every air controller's training and a notice reiterating these instructions needs to pop up each and every time they sign into their computer at the beginning of their shift.

We look forward to seeing the “reworked” and “retooled” Airspace Redesign Project that will now have as goals: mitigation of noise and air pollution to the neighborhoods, avoidance of residential neighborhoods, surcease of late night flights and safe, efficient and expeditious handling of flights.

Again, thank you for the opportunity for us to submit comments.

Response to Comment 5258: Diana Schneider, Snug Harbors Tours

Comment Number	Comment response
1	<p>The DEIS clearly indicates that some of the alternatives investigated have the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes are discussed in the document as well as the causes based on each alternative. It should also be noted that noise abatement measures are being considered as mitigation for the FAA's Preferred Alternatives a part of the development of the FEIS. This effort will consider routing over less populated areas where possible, as well as raising altitudes of routes where possible. While it is likely that noise abatement may not be possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA has considered measures related to all the areas of reportable noise increases and beyond. Details regarding the noise mitigation evaluation are presented in the Final EIS document. The noise exposures on the Upper West side are 1- 1.3 dB DNL less with the mitigated Preferred Alternative when compared to the Future No Action Alternative, see FAA website for detailed information.</p>
2	<p>While it is true that individuals do not “hear” the DNL, it is incorrect to characterize it as inherently misleading. An average noise metric such as DNL takes into account the noise levels of all individual events that occur during a 24 hour period, as well as the number of times those events occur. The DNL metric also accounts for the time that events occur by applying a 10 dB penalty to noise events which occur during nighttime hours (10pm-7am). As discussed in the following examples, the logarithmic nature of decibels causes noise levels of the loudest events to control the 24-hour average. Consider a 24-hour period during which a single aircraft flyover occurs in daytime and creates a sound level of 100 dB for 30 seconds. During the remaining 23 hours and 59.5 minutes of the day, the background sound level is low. The DNL for this 24-hour period is 65.5 dB. As a second example, consider another 24-hour period during which a total of ten similar flyovers occur. If all of the flyovers occur during daytime hours, the DNL for the 24-hour period would be 75.5dB. If all of the flyovers occurred at night, the DNL would be 85.5 dB. Clearly, the averaging of noise over a 24- hour period does not ignore the louder single events, and the DNL metric includes consideration of both the sound level of individual events, the number of those events, and the time of day at which they occur.</p> <p>In the 1992 FICON report, the group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. The EPA “Levels Document” identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)." Air pollutant emissions would be reduced with the preferred alternative.</p>
3	<p>The process correspondent is describing is called Traffic Flow Management. The air traffic management system could not function without it. “Stacking” is used only in good conditions, so the concerns expressed here are taken into account. All stakeholders are in agreement about the desirability of higher altitudes; wherever safety permits, they are used. Also see response to comment 5258 #1.</p>

Response to Comment 5258: Diana Schneider, Snug Harbors Tours

Comment Number	Comment response
4	<p>The purpose of this project was to redesign the airspace to make the most efficient use of the resources that FAA has available. Alternative Modes of Transportation was among the categories of alternatives considered and rejected in the DEIS. Use of other modes of transportation would not address present day inefficiencies of the NY/NJ/PHL Metropolitan Area airspace. Multi-modal solutions are for regional transportation authorities; FAA does not have authority over other modes of transportation and is outside the scope of this study.</p> <p>Additionally, in general it has been determined that the market for intercity rail service is from 150-500 miles (for travel less than 150 miles automobiles are still preferred). <i>The Past and Future of U.S. Passenger Rail Service, A Congressional Budget Office Study</i> (Congress of the United States, September 2003, p.19) determined that Amtrak had already captured 47 percent of the non-auto travel and 14 percent of all intercity travel along the New York to Washington DC segment of the Northeast Corridor (Boston to Washington D.C.). Congress has not been willing to provide more funding for rail, it would not be reasonable for the FAA to rely upon other modes of transportation to improve airspace efficiency.</p>
5	<p>The FAA has no statutory control over the scheduling of aircraft and helicopter flights, nor do we determine the times or frequency of flights—commercial, cargo, or otherwise. Programs that limit the numbers (including size) or hours of operation of aircraft trigger the requirements of Part 161(14 C.F.R. Part 161), which requires extensive study and Federal approval of the program or agreement by the airlines.</p>
6	<p>While the airspace above the NY/NJ/PHL metropolitan airports is under radar surveillance, the FAA has no statutory control over the scheduling of aircraft and helicopter flights, nor do we determine the times or frequency of flights—commercial, cargo, or otherwise. Reducing the number of flights during late night and early morning hours would be the responsibility of the airport proprietor, and this recommendation would fall under the requirements of 14 CFR Part 161, Airport Noise and Access Restrictions, requiring extensive study under those regulations and consensus of airline operators to implement.</p>

Merrill, Michael

From: phillip [phillip@riverkeeper.org]
Sent: Friday, June 30, 2006 4:20 PM
To: FAA DEIS
Cc: 'Lisa Rainwater'
Subject: Comment to DEIS
Attachments: Rk Comments to FAA DEIS June 06.doc

Attached please find comments submitted on behalf of Riverkeeper, Inc. to the Draft Environmental Impact Statement for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign.

Thank you,

Phillip Musegaas
Policy Analyst
Riverkeeper, Inc.
828 South Broadway
Tarrytown, NY 10591
914-478-4501 x224

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005260
1 of 4

7/7/2006

Riverkeeper, Inc.
828 South Broadway
Tarrytown, NY 10591

June 30, 2006

Mr. Steve Kelley, FAA-Airspace Redesign
c/o Nessa Memberg
12005 Sunrise Valley Road
Reston, VA 20191

Re: Comments to Draft Environmental Impact Statement for New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign

Dear Mr. Kelley:

The following are comments on the Draft Environmental Impact Statement for New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign submitted on behalf of Riverkeeper, Inc. We remain very concerned about the current state of security at the Indian Point nuclear power plant, particularly the plant's vulnerability to an attack involving large commercial aircraft.

Based on our review of the DEIS, it appears that three out of four of the Redesign alternatives proposed by FAA result in increased commercial air traffic over Indian Point, in some cases directly over the plant.¹ Only the No Action Alternative does not. Riverkeeper is absolutely opposed to these changes, due to the increased security risk that inevitably will result. As a result, we strongly urge the FAA to revise the Redesign alternatives in a Supplemental DEIS, to prevent any increase in air traffic over the nuclear plant. Our position is supported by Westchester County Executive Andy Spano, New York Congresswoman Sue Kelly and New York Congressman Eliot Engel.

Since the terrorist attacks of September 11, 2001, the fact that our nation's nuclear power plants, and Indian Point in particular, are high on Al Qaeda's list of targets has become well known. President Bush specifically referenced this danger in his 2002 State-of-the-Union address, supported by his own Cabinet officials, U.S. intelligence agencies, government associations, scientific research institutions, and even the terrorists themselves. The following examples paint a clear picture of the credible terrorist threat against Indian Point that remains nearly five years after 9/11.

The 9/11 Commission Report, released in late July 2004, revealed that Mohamed Atta, the plot's ringleader, who piloted one of the planes that hit the World Trade Center, "considered targeting a nuclear facility he had seen during familiarization flights near New York." While the nuclear plant was not identified in the report, several strong

pieces of evidence point to Indian Point. First, the terrorists had rented planes from Teterboro Airport – in northern New Jersey about 30 miles from Indian Point – for their reconnaissance flights. Second, the terrorists’ test flights included trips along the Hudson River corridor. Third, Indian Point is the only nuclear power plant, among other area nuclear plants, in the Hudson Valley corridor and the closest by far to New York City. A June 16, 2004 9/11 Commission Staff statement reinforces earlier reports that the original plot for September 11th was to involve attacks on nuclear power plants. The following is a direct excerpt from the staff statement: “K.S.M. [Khalid Sheikh Mohammed] maintains that his initial proposal involved hijacking 10 planes to attack targets on both the East and West Coasts of the United States...[including] C.I.A. and F.B.I. headquarters, unidentified nuclear power plants and the tallest buildings in California and Washington State.” [emphasis added] Furthermore, two CIA officials testifying before the 9/11 Commission claimed the agency has thwarted several al-Qaeda attacks since Sept. 11, 2001, and one said, *“I think we’ve probably prevented a few aviation attacks against both the East and West coasts.”*

If Indian Point was among the “unidentified nuclear power plants” targeted in the original plot, then our federal government must assume that terrorists may attack Indian Point in the future. Let’s not forget that before the terrorists brought down the World Trade Towers on September 11, 2001 the WTC site had been targeted in February 1993.

According to a Sept. 2002 report from the National Governor’s Association, “a terrorist attack on a nuclear facility should be viewed like a terrorist attack using a dirty bomb [a weapon of mass destruction], but possibly more catastrophic due to the volume of nuclear material available for dispersion.” The NGA report goes on to state: “Like a dirty bomb-but on a much larger scale-an attack on a nuclear facility would have long-term economic and psychological consequences. Large sections of land surrounding the facility would need to be evacuated, secured, and decontaminated. Such areas may not be inhabitable for a generation or more. Chernobyl caused the closure and evacuation of much of the nearby area, as the contamination from the decaying radioactive sources was deemed too great a risk for humans.”

The National Research Council, in a July 2002 report, states that the threat risk to nuclear power plants is high with potential consequences “ranging from reactor shutdowns to core meltdowns with very large releases of radioactivity.” The report continues: “Nuclear power plants may present a tempting high-visibility target for terrorist attack, and the potential for a September 11-type surprise attack in the near term ... appears to be high. Such attacks could potentially have severe consequences if the attack were large enough.” Additionally, the National Research Council, the principal operating agency of both the National Academy of Sciences and the National Academy of Engineering, cautions: “Complete denial of the means to attack [nuclear power plants] from the air or ground using U.S. assets such as aircraft is probably not feasible....Given the public fear of anything 'nuclear' or 'radioactive,' even a minor terrorist attack could have greatly magnified psychological and economic consequences.”

Al-Qaida considered striking U.S. nuclear facilities as it planned its assault on New York and Washington and has not ruled out nuclear attacks in the future, according to a Al-Jazeera reporter's account of his interview with two Sept. 11 plotters.ⁱⁱ

Based on this information, we are surprised and deeply disturbed to learn that the FAA is considering rerouting more commercial airliners near or directly over Indian Point. The risk of a plane being taken off course and flown into the plant in a suicide attack makes this proposed change reckless at best. As you are well aware, Indian Point is located less than thirty miles from New York City, the nation's financial and cultural capital. Twenty million people live within fifty miles of this plant, over three hundred thousand within ten miles. We are counting on the agency to review the evidence and make significant changes in the proposed alternatives to ensure that the security risk posed by Indian Point is not increased in this manner.

Sincerely,

Lisa Rainwater, Ph.D.
Indian Point Campaign Director

ⁱ See the following map depictions of proposed alternatives in Volume2, Draft Environmental Impact Statement for New York/New Jersey/Philadelphia Metropolitan Airspace Redesign, Federal Aviation Administration, December 2005, last accessed June 30, 2006 at http://www.faa.gov/airports_airtraffic/air_traffic/nas_redesign/regional_guidance/eastern_reg/nynjphl_redesign/dej_statement/. 1) Figure 2.14, *Modifications to Existing Airspace Alternative, PHL Major Departure Flows, East Departure Gate*, 2) Figure 2.17, *Ocean Routing Airspace Alternative, LGA Major Departure Flows, North Departure Gate*, 3) Figure 2.24, *Integrated Airspace Alternative Variation with ICC, JFK Major Departure Flows, North Departure Gate*.

ⁱⁱ "Al-Qaida considered attacking U.S. nuclear facilities," September 8, 2002, Associated Press.

Response to Comment 5260: Lisa Rainwater, Ph.D., Riverkeeper, Inc.

Comment Number	Comment response
1	The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would be immediately reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the preferred alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.

Merrill, Michael

From: Frans C. Verhagen, M.Div., M.I.A, Ph.D. [gaia1@rcn.com]
Sent: Friday, June 30, 2006 6:45 PM
To: FAA DEIS
Subject: Testimony by Safe, Inc.

NATIONAL AIRSPACE REDESIGN ALTERNATIVE 5 (NAR 5):
 The Sustainable Aviation Alternative or DOING MORE WITH LESS
 Submitted

To

Steve Kelley, FAA National Airspace Redesign

By

Frans C. Verhagen, M.Div., M.I.A., Ph.D., sustainability sociologist
 Founding Chair, Steering Committee, Moynihan Visitors Center on Intermodalism at JFK
 President, SAFE, Inc. www.metronyaviation.org; President, Citizens Aviation Watch, USA, Inc.
www.us-caw.org

Adjunct Associate Professor of Sustainable Aviation at Vaughn College of Aeronautics and Technology,
www.aero.edu and at the CUNY Aviation Institute at York College, <http://www.york.cuny.edu/aviation>

Moderator <http://groups.yahoo.com/group/CAWInternational/?yguid=72581814>

<http://finance.groups.yahoo.com/group/aviationtaxation/?yguid=72581814>

<http://finance.groups.yahoo.com/group/Noaircargoeexpansionism/>

<http://groups.yahoo.com/group/revampingaviationsystem/>

Director, Sustainability Research and Education
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 97-37 63rd Road, #15E, Rego Park, NY 11374, USA
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New York City

June 30, 2006

INTRODUCTION

This is the third submission of SAFE, Inc.. The first one of March 22 consisted of six pages dealing with six issues, generally emphasizing the need for a larger frame in considering NAR. The second was a letter in May in response to Mr. Kelley's assertion to Daily News journalist Woodberry that my testimony did not include a reference to an Alternative 5. Today's submission produced under the remnants of a flu attack deals with more information on NAR 5 as promised in that letter.

The main line of argument in NAR 5 is the following. Given a host of present and future reasons the aviation industry is to do more with less and focus less on capacity expansion and more on efficiency and demand reduction. It is to become an industry that recognizes the extraordinary environmental impact of its operations, particularly in the upper troposphere and commences its own Emission Trading Scheme with its Contraction and Convergence mechanism. Thus, NAR5 can also be labeled as the sustainable aviation alternative.

One of the main reasons that delays and congestion in the USA is taking place now and will increase even more in the future is the congressional lack of an efficient transportation policy that integrates air and surface modes of transportation. This lack of integration which leaves the fundamentals of mobility

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subject to the vagaries of air transportation rather than democratic direction is evidenced in the separate funding of air and surface transportation bills. The system's operational mode of Predict and Provide further prevents the emergence of a critical and bold analysis of the situation and results in unnecessary expansion rather than the pursuit of doing more with less that is demanded ecologically, economically, socially and thermodynamically.

While there is an enormous opposition to the four alternatives proposed by the Redesign which hides the fact of capacity expansion and points to its main goal of reducing delays and increasing efficiency proposed to reduce delays, almost no testimonies point to the fundamental causes of this sorry situation of delays and congestion thus are unable to point to realistic solutions in reshaping the airspace in the region and nationally. Even the testimonies of local governments fail to include such fundamental analysis and mostly consist of calls on their Congressional delegations to get involved with the FAA in order to reduce the noise effects of the various alternatives. However, it is not the task of Congress to micromanage FAA operations, but to democratically set aviation policies that are ecologically sustainable, equitable and accountable.

RATIONALE FOR ALTERNATIVE 5 OR NAR 5

Major reasons for the US aviation industry to consider the Doing More with Less or the Sustainability Alternative are the following

- Industry has to face up to its social and ecological responsibilities sooner or later. Even The Economist of June 8, 2006 is lining up to demand responsibility in the article entitled "The dirty sky. Governments need to take action to cut aircraft emissions." Presently EU officials are discussing to have the existing ETS applied to the aviation industry. MEP Lucas' article of June 22 in the Independent in bold 18 point letters states: **"Airlines Must Lose Their Right to Pollute the Skies. We must reduce aviation's expansion or give up on tackling climate change"**
- Though the public is increasingly becoming concerned about global warming and are being advised how lifestyle changes, fuel and energy efficiency standards in transportation, industry and business can make a real difference over the medium term, it is not yet aware the exceptional role of aviation and global warming. Unlike other modes of transportation its emissions of CO₂, NO_x and water vapor in the upper troposphere and lower stratosphere increases radiative forcing by a factor of 2-4 depending upon time of day, temperature, humidity, etc. Once the public becomes aware, it will go beyond paying extra in order to engage in carbon neutral travel. Personally, I have cut out two transatlantic flights, basically for family celebrations.
- During the next couple of decades fuel prices in this peak oil period will drastically rise and thus an efficient mobility policy is going to be foremost based on the highest efficiencies in energy use. Thus, surface transportation modes that are generally 2-4 more energy efficient for short haul distances will have to be chosen. Redesigning the national airspace without considering the peak oil energy situation is a waste of time and resources—even more futility exercise that blinds the public's eyes to the real challenges.
- Though the above reasons are more than sufficient to consider NAR 5, the present redesign approach and its four alternatives to the metro NY airspace has received such low marks by former FAA officer George Williams in his consultancy study for Westchester County and by various participants of the NYU June 1 Regional Aviation Conference that the Redesign is to be redesigned. In that case NAR 5 could be included and become part of a national debate of Doing More with Less in transportation.

WAYS TO DOING MORE WITH LESS

Major means to accomplish this sustainability challenge are the following.

- Engage in transition studies in order to shift the US economy from the growth paradigm to the sustainability paradigm. This means
 - questioning the basic economic growth illusion or obsession that enriches the few, impoverishes the many and endangers the planet. Cf. Douthwaite 1999, Korten 2006
 - adopting the paradigm shift to sustainability a portrait of which is being presented by Edwards 2005
 - supporting or organizing sustainable aviation conferences and other formats at all levels of education as part of the UN Decade of Education for Sustainable Development
 - have the next report to Congress on Aviation and Environment as part of Vision 100 include policy options that are translated into value options that business and civil society can discuss and decide about
 - mobility is larger frame

- Work towards *the amending of AIR 21* (The Aviation Investment and Reform Act of March 2000) to include many of the above and following objectives in ASAP 2007 (Act for A Sustainable Aviation Program) to be part of INTTEA 2007 (Integrated Transportation Efficiency Act) that would integrate air and surface transportation legislation and funding and promote comprehensive intermodal planning of both air and surface transportation.
 - In the 2004 Conference Report to the US Congress entitled Aviation and Environment with its significant subtitle “National Vision Statement, Framework for Goals and Recommended Actions” the Secretary of Transportation “shall conduct ways to reduce aircraft noise and emissions and to increase aircraft fuel efficiency”. In, Section 321-3 s/he is to “identify infrastructure changes that would contribute the attainment of those goals.” Major infrastructure changes would be needed to integrate the planning and implementation of air and surface transportation. Such bold thinking could be part of the 2007 Vision Report rather than one that mainly thinks in terms of more, more capacity. For the first time a radical shift is to take place capacity growth is being replaced with the challenge of More with Less.
 - Upgrading the job description and the office of the deputy secretary of transportation in charge of intermodalism

- Make a start towards the establishment of realistic pricing system that
 - Internalizes the social and ecological costs of the industry’s operations, fully aware that they are no low cost airlines because of the premium energy requirements of aviation.
 - Internalizes the real energy costs without government subsidies
 - Combats frivolous flying by charging extra
 - Reflects the real costs of short haul distance aviation

- Design an Aviation specific ETS that would
 - Be different from the ETS of land-based industry because aircraft emissions are between two and four times more damaging to the climate than those from other industries. (This is not only due to its increased quantity, but particularly on account of the altitude at which they are emitted, and to the effects of non-CO2 emissions such as condensation trails and nitrogen oxides. Also note that night flights double the global warming effect of contrails, which is aggravated during the winter months.)
 - Be part of the forthcoming EU-US Open Skies treaty and of the Next Generation Aviation

System that is being studies

CONCLUSION

The NAR program could be a most important program for the industry and the US population, if it were to be used as a national program to discuss the direction of an aviation and transportation. The selection of a new Secretary after Secretary Mineta's departure on June 23 may be the occasion for more enlightened transportation policies, particularly the integration of air and surface transportation modes.

Only a few basic strands have been presented within the Sustainable Aviation or the Doing More with Less Alternative to NAR. Increasingly more research and experimentation is taking place in implementing the Sustainability Revolution. However, what is needed for action is not only research and thought, but a readiness for responsibility. Is the aviation industry ready to accept its responsibility in these critical times where humanity is steadily degrading the Earth life-support systems and services?

Response to Comment 5263: Frans C. Verhagen, SAFE, Inc.

Comment Number	Comment response
1	Comment noted. The purpose of the FAA's Proposed Action is to increase efficiency and reliability of the airspace structure and ATC system. Increasing efficiency will allow the system to accommodate natural growth and that natural growth is considered in the analysis. Reducing aviation is not within the FAA's congressionally mandated mission to control the use of navigable airspace in the interest of safety and efficiency
2	Comment noted. In the context of airport congestion, Congress has articulated a policy that artificial restrictions on airport capacity are not in the public interest and should be imposed to alleviate air traffic delays only after other reasonably available and less burdensome alternatives have been tried (49 U.S.C. 47101(a)(9)(A)(B)). Artificial restraints on operations constrain the ability of air traffic to grow in accordance with market forces. Policy decisions outside the context of this EIS would be required to "reduce aviation's expansion". The FAA is providing mitigation for the Preferred Alternative to reduce environmental impacts. Additionally, the 2005 FAA released "Aviation and Emissions, a Primer" indicated that transportation made up about 27% of the greenhouse gases with aviation contributing about 2.7% of that total [U.S. Environmental Protection Agency, Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2001, 2003 op.cit.]. Global warming is beyond the range of study for this EIS.
3	Comment regards issues outside the scope of this EIS.
4	Comment regards issues outside the scope of this EIS.
5	Comment regards issues outside the scope of this EIS. See response to comment 5263 #2.
6	Comment regards issues outside the scope of this EIS.

Merrill, Michael

From: Williams, Heidi [Heidi.Williams@aopa.org]
Sent: Friday, June 30, 2006 3:33 PM
To: FAA DEIS
Subject: AOPA's Draft EIS Comments for NY/NJ/PHL Metro Area Airspace Redesign
Attachments: NY-NJ-PHL Draft EIS Comments.pdf

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AIRCRAFT OWNERS AND PILOTS ASSOCIATION

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Telephone (301) 695-2000 • Fax (301) 695-2375
www.aopa.org

June 30, 2006

Mr. Steve Kelley, FAA-NAR
c/o Michael Merrill
12005 Sunrise Valley Road
Reston, VA 20191

RE: New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Draft
Environmental Impact Statement (EIS)

Dear Mr. Kelley:

The Aircraft Owners and Pilots Association (AOPA), on behalf of its more than 408,000 members nationwide, submits the following comments in response to the Federal Aviation Administration's (FAA) draft EIS for the New York/New Jersey/Philadelphia metropolitan area airspace redesign. Of the airspace designs being studied, it appears the Integrated Airspace Alternative offers the most substantial operational benefit and provides general aviation the most flexibility. While the study focuses on five major airports and sixteen surrounding satellite airports, the complexity and impacts of the redesign will encompass many smaller airports in the New York/New Jersey/Philadelphia airspace areas that were not included in the modeling data or the EIS. The impacts to all air traffic operations in the metropolitan area and at surrounding airports should be considered during the future aeronautical analysis and implementation of the airspace redesign.

Integrated Airspace Alternative

Based on the comparison of the two alternatives that meet the purpose and need of the airspace redesign, the integrated airspace alternative appears to provide the most significant benefit operationally for airspace users and the FAA. A phased approach concept, in light of the fact that no final decision on the consolidation of the New York Terminal Radar Approach Control (TRACON) and New York Center, offers operational benefits that are not tied to the decision to integrate the facilities but would ultimately provide greater benefit through consolidation. The additional benefit of a turboprop arrival route into Teterboro Airport (TEB), a very prominent general aviation airport in the New York metro area, seems advantageous.

1

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Mr. Steve Kelley
Page 2
June 30, 2006

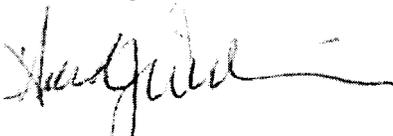
Need to analyze impacts to all satellite and visual operations

The EIS concludes that airports without considerable instrument operations will see little to no change as a result of the redesign. In fact, satellite airports are almost always affected by an airspace redesign, whether they have considerable instrument operations or are primarily served by visual operations. As the FAA moves forward with the airspace redesign it should continue to coordinate with the aviation community, including outreach to all of the satellite airports in the metropolitan area. In addition, the aeronautical study should include a comprehensive analysis of impacts on transient and visual flight rules operations in the metropolitan area..

3

AOPA looks forward to the continued development and implementation of this airspace redesign and the benefits and efficiencies to be gained from the integrated airspace alternative. We appreciate the opportunity to provide comments and encourage the FAA to continue the strong collaboration efforts with the user community that have already been established early on during this redesign process.

Sincerely,



Heidi J. Williams
Director
Air Traffic Services

Response to Comment 5266: Heidi J. Williams, Aircraft Owners & Pilots Assoc.

Comment Number	Comment response
1	The FAA is continually reviewing ways to maintain or increase the level of service it provides with reduced overhead costs, consolidating, co-locating and integrating air traffic functions are ongoing considerations.
2	Comment noted.
3	There will be no formal procedural change affecting the satellites, except for their IFR operations entering the en-route airspace. It is possible that the raised and expedited departures will affect satellite traffic, but the effects will likely be small and beneficial.

May 12, 2006

Ms. Marion C. Blakey
Federal Aviation Administrator
U.S. Department of Transportation
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Ms. Blakey:

I am contacting you as Chairman and CEO of Aqua America, Inc., a major employer in the Greater Philadelphia region, and as Chairman of the Philadelphia Convention and Visitors Bureau, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity – the redesign of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving this metropolitan area, which is composed of over 8 million people. Under the auspices of a Presidential Executive Order (E.O. 13274) and with the support of the Federal Aviation Administration (FAA), the Airport has advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvements has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Improvements to PHL's airfield will not yield optimum benefits, however, unless the airspace serving Philadelphia is re-engineered in coordination with these runway projects. Last year, PHL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control Tower at PHL is the busiest in the FAA's Eastern Region.

As improvements to the management of Philadelphia's airspace are evaluated along with that of the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that you give strong consideration to whichever alternative will offer the most relief of congestion at PHL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative, enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration

1
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Ms. Marion C. Blakey
May 12, 2006
Page 2

any alternative that would serve to increase and/or exacerbate delays at PHL. Furthermore, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

2

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of this decade, ultimately causing enormous economic harm to the entire metropolitan area.

3

Please be assured that the Greater Philadelphia business community will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Thank you for your consideration in this matter.

Sincerely,

Nicholas DeBenedictis

ND:mec

Response to Comment 5411: Nicholas DeBenedictis

Comment Number	Comment response
1	The importance of optimizing Philadelphia's airspace was an important component of the NY/NJ/PHL Airspace Redesign Project. In the designs, much importance was placed in the ability to integrate Philadelphia's traffic into the overhead traffic traversing the New York and Washington Centers' airspace.
2	Comment noted.
3	Comment noted.

PHL 000012 031 811



DANIEL K. FITZPATRICK, CPA
Senior Vice President, PPL
1000 Independence Blvd., Suite 1000
Philadelphia, PA 19106

May 30, 2006

Ms. Marion C. Blakey
Federal Aviation Administrator
U.S. Department of Transportation
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Ms. Blakey:

I am contacting you as President of Bank of America - Pennsylvania, a major employer in the Greater Philadelphia region, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity -- the redesign of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving this metropolitan area, which is composed of over 8 million people. Under the auspices of a Presidential Executive Order (E.O. 13274) and with the support of the Federal Aviation Administration (FAA), the Airport has advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvements has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Improvements to PHL's airfield will not yield optimum benefits, however, unless the airspace serving Philadelphia is re-engineered in coordination with these runway projects. Last year, PHL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control Tower at PHL is the busiest in the FAA's Eastern Region.

As improvements to the management of Philadelphia's airspace are evaluated along with that of the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that you give strong consideration to whichever alternative will offer the most relief of congestion at PHL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative, enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHL. Furthermore, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

1
2

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of this decade, ultimately causing enormous economic harm to the entire metropolitan area.

3

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Bank of America



Marion C. Blakey, Federal Aviation Administration

Page 2

Please be assured that the Greater Philadelphia business community will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in cursive script that reads 'Dan Fitzpatrick'.

Daniel K. Fitzpatrick
President
Bank of America -- PA

cc:
The Honorable Arlen Specter, Senator
The Honorable Rick Santorum, Senator
The Honorable Robert A. Brady, Congressman
The Honorable Chaka Fattah, Congressman
The Honorable Ailysen Y. Schwartz, Congresswoman
The Honorable Curt Weldon, Congressman



Response to Comment 5746: Daniel K. Fitzpatrick, President, Bank of America - PA

Comment Number	Comment response
1	The importance of optimizing Philadelphia's airspace was an important component of the NY/NJ/PHL Airspace Redesign Project. In the designs, much importance was placed in the ability to integrate Philadelphia's traffic into the overhead traffic traversing the New York and Washington Centers' airspace.
2	Comment noted.
3	Comment noted.



A World of Real Estate Knowledge

May 15, 2006

Ms. Marion C. Blakey
 Federal Aviation Administrator
U.S. Department of Transportation
Federal Aviation Administration
 800 Independence Avenue, SW
 Washington, DC 20591

Dear Ms. Blakey:

I am contacting you as Senior Vice President/Director of The Staubach Company, an employer in the Greater Philadelphia region, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity – the redesign of its airspace. As you know, Philadelphia International Airport (PHIL) is the only large hub airport serving this metropolitan area, which is composed of over 8 million people. Under the auspices of a Presidential Executive Order (E.O. 13274) and with the support of the Federal Aviation Administration (FAA), the Airport has advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvements has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHIL.

Improvements to PHIL's airfield will not yield optimum benefits, however, unless the airspace serving Philadelphia is re-engineered in coordination with these runway projects. Last year, PHIL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control Tower at PHIL is the busiest in the FAA's Eastern Region.

As improvements to the management of Philadelphia's airspace are evaluated along with that of the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that you give strong consideration to whichever alternative will offer the most relief of congestion at PHIL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative, enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHIL. Furthermore, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHIL's runway projects. Without prompt, coordinated action on both fronts, delays at PHIL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of this decade, ultimately causing enormous economic harm to the entire metropolitan area.

005747.
 1 of 2



Marion C. Blakey, Federal Aviation Administration
May 15, 2006
Page 2

Please be assured that the Greater Philadelphia business community will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Thank you for your consideration in this matter.

Sincerely,

THE STAUBACH COMPANY

Thomas C. Lynch
Senior Vice President/Director

Response to Comment 5747: Thomas C. Lynch The Staubach Company

Comment Number	Comment response
1	The importance of optimizing Philadelphia's airspace was an important component of the NY/NJ/PHL Airspace Redesign Project. In the designs, much importance was placed in the ability to integrate Philadelphia's traffic into the overhead traffic traversing the New York and Washington Centers' airspace.
2	Comment noted.
3	Comment noted.

**Philadelphia Airport Air Traffic and Quality of Life Issues Action Group
Delaware**

Via USPS and email

August 1, 2006

Steve Kelley, Manager
Airspace Redesign
Federal Aviation Administration
1 Aviation Plaza
Jamaica, New York 11434

Dear Steve:

On April 21, 2006, the Philadelphia Airport (PHL) Air Traffic and Quality of Life Issues Action Group of Delaware (hereinafter 'Action Group') submitted public comments in response to the Airspace Redesign DEIS. At that time, the Action Group submitted a series of recommendations that, if implemented collectively, will help mitigate current conditions related to increased air traffic and the resulting concerns. We continue to believe that the Airspace Redesign plan provides an opportunity to implement strategies and take the necessary actionable steps.

We hope that you will consider the following comments related to the use of the River Approach at Philadelphia airport as a serious mitigation strategy. The use of the approach has frequently been discussed as a mitigation strategy to provide a positive alternative for the residents in Northern Delaware.

The River Approach, when PHL operates into RWY 9R, can safely divert traffic from the densely populated Brandywine Hundred area to the less densely populated Delaware River area. While we recognize that this option would not eliminate air traffic and related noise over Brandywine Hundred, it would provide relief to residents directly beneath the ILS relief during off-peak hours of RWY 9R operations.

The Action Group believes that the visual approach to Runway 9R (hereinafter 'RWY 9R') offers a viable alternative to the Instrument Landing System (ILS) 9R approach under the following conditions:

- Visual Meteorological Conditions (VMC),
- Daytime off-peak hours,
- Night hours when used with Precision Approach Path Indicator (PAPI) lights.

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One of the recommendations submitted by the Action Group (April 21, 2006) was to install PAPI lights on RWY 9R to help facilitate safe night visual approaches by assuring safe vertical clearance from obstacles near the approach end of the runway. The use of PAPI lights would provide a safe alternative to ILS approaches during low volume operations under VMC, particularly at night. The River Approach, when used with PAPI lights, would be particularly useful during night operations when aircraft noise tends to have a more adverse impact on residents.

The Action Group has several specific, technical inquiries related to the use of the River Approach for PHL air traffic. Specifically, we would appreciate your assistance to better understand:

- the viability of the River Approach as a primary routing option,
- how it might be effectively used as a mitigation strategy,
- what obstacles are preventing FAA air traffic from utilizing this option, and how to overcome those obstacles, and
- whether the river approach could be upgraded to a GPS or other RNAV approach similar to what is currently in place at the Reagan National Airport and the advantages (if any).

We appreciate your continued willingness to work with the Action Group to help mitigate existing concerns and to identify viable alternatives. We look forward to your feedback and welcome the opportunity to maintain our ongoing and open dialogue with your office, as well as the local air traffic control facility. If appropriate and necessary, we would be happy to discuss these recommendations and comments. Please feel free to contact me at (302) 327-2830.

Sincerely,

William V. McGlinchey
Chair, Philadelphia Airport Air Traffic and
Quality of Life Issues Action Group

Response to Comment 5762: PHL Air Traffic & Quality of Life Issues Group

Comment Number	Comment response
1	An RNAV version of the river approach to runway 09R is included in the noise-mitigated version of the preferred alternative. PAPI lights are not particularly important, since this will be an instrument procedure.
2	The recommendation to install PAPI lights at PHL to improve night approaches is noted; however, this recommendation is beyond the scope of this particular Air Traffic airspace redesign project. In our discussions with FAA's Airports Division and the Philadelphia Airport Authority we have indicated the interest of the community in this regard. We will continue to pass this suggestion along to those two parties, who are responsible for the funding (FAA) and the development (Airport) of that type of action at the Airport.
3	The River Visual approach is not useful as a primary approach at busy times, because visual navigation is not predictable enough to maintain airport throughput. An RNAV version of the River Visual approach may be able to increase predictability, so aircraft from the south can avoid flying up into Delaware County by using this approach. It is not a good idea for traffic from the north because it will increase the flying distance over Delaware County with no operational benefit.
4	The river approach noted by the commenter was considered as a possible noise mitigation strategy. While it is likely that noise abatement may not be possible for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.
5	Such an approach is included in the noise-mitigated version of the preferred alternative. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.
6	Comment noted.

PLEASE RESPOND/FORWARD TO THE FAA BY JULY 1, 2006 DEADLINE

June 29, 2006

Dear Senator Dodd,

The Concerned Connecticut Citizens Group, which represents a diverse set of Connecticut residents, wishes to express its deep concerns about the Federal Aviation Administration's proposal to redirect New York, New Jersey and Pennsylvania air traffic over Connecticut, specifically Fairfield and Litchfield counties.

Among our chief concerns are:

1) The FAA failed to provide complete and understandable information to the Connecticut residents who will be affected by the current Airspace Redesign proposal. For example:

a) There was only one Noise Measurement Site Location in Connecticut. It is inconceivable that a noise level comparative analysis can be conducted and be considered accurate or comprehensive when it is based on data from one single source, especially when it does not represent the entire area of potential impact.

b) The Connecticut Noise Measurement Site (Stamford) was monitored for noise for a total of five days (12/3/2001 to 12/7/2001 and for 21 hours total between 8/19/2002 and 8/23/2002). This is not a robust sample by any statistical measure and is not sufficient to determine implications for Fairfield and Litchfield Counties.

c) The FAA has omitted any data showing noise level increases in areas with DNL (see below for definition) below 45. This indicates that a location with little or no aircraft noise could see a significant local impact and yet not be included in the FAA's research, forecasts, dialogue or commentary. This is critical to understand and must be clarified because at levels exposure less than 45 dB, serious issues can arise. For instance, according to the World Health Organization, speech intelligibility may be compromised at 35dB and sleep disturbance may occur at 30dB. For Connecticut residents living in quiet areas, noise impact will be even more noticeable.

d) Many Connecticut residents choose to live in rural areas and forego urban amenities for the sake of quiet. In the town of Colebrook, for instance, the Town Plan states that one of the primary values to uphold is peace and quiet. The FAA has not shown that it has properly researched and complied with local mandates and desires regarding noise and quality of life issues.

e) Per the FAA, the Day-Night Average Sound Level is "a measure of the annual average noise environment over a 24-hour day. It is the 24-hour, logarithmic average, A-weighted sound pressure level with a 10-decibel penalty applied to the nighttime event levels that occur between 10 p.m. and 7 a.m. levels of 45 or less". How are lay-people to know what this

is and how it will impact them? Further, there was no process by which the public could have the opportunity to untangle and interpret this and other complicated language and methodologies used in the proposal.

f) The FAA program suggests using the Integrated with ICC option. The Environmental Impact Study shows that this will create noise pollution, or DNL exposures, of greater than 45 dB for over 300,000 people, which, since this is more than 3 times greater any other option studied, is not an acceptable option.

g) The FAA has omitted the 'Integrated with ICC' column from its forecast of noise impact. Does this mean that there will be no impact? Was this omitted because there is no data? These omissions make it impossible to interpret the data. We believe that a decision/recommendation cannot be made without proper research and disclosure of data.

h) Northern Litchfield County has been omitted in the Environmental Impact Study. This is unacceptable as Northern Litchfield County is shown as being a part of new air traffic corridors created by the exit and entrance gates described in the FAA proposal. As such, Litchfield county will experience environmental impact. The impact study needs to be conducted for all potential areas of impact.

2) The proposal does not describe how flight patterns and altitudes will change due to interaction with other airport traffic. For instance, the Connecticut gates will send New York, New Jersey and Pennsylvania air traffic past Bradley International routes. Will this force planes to fly lower? Will they all fly higher to avoid interference? How will this affect residents? There needs to be a thorough analysis of the implications of this plan for the interaction with all other airports/communities in the proposed flight paths.

The people of Litchfield County are already bearing the burden of changes in take off and landings patterns from local airports, and suffer from considerable sound pollution. The FAA offers no analysis of the added burden beyond what already exists.

3) The FAA has seriously failed in its responsibility to properly analyze the alternatives, inform citizens of proposed changes and allow ample time for discussion and comment. Specifically:

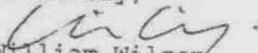
a) The FAA conducted its pre-scoping in less than 6 months (9/22/1999 to 2/3/2000) and formal scoping in 6 months (1/22/2001 to 6/29/2001). This seems inadequate in light of the fact that the current flight paths have been in existence for 45 years and that the proposed changes will affect millions of people for decades.

b) According to the Environmental Impact Study, the FAA contacted only two Connecticut agencies in its pre-scoping and scoping periods. They contacted the Connecticut State Department of Transportation and the Connecticut State Historic Preservation Officer. The FAA should notify other important Connecticut agencies and representatives, including health, pollution, wildlife, etc.

- c) Only the Mayors of Middletown and Hartford were contacted. No other Connecticut Mayors were contacted so that they could join the dialogue or inform their communities or other elected officials.
- d) The Notice of Intent of 1/18/2001 was published in only 1 Connecticut newspaper, The Advocate. This is not sufficient disclosure.
- e) The public workshops/hearings were held over a 3 month period. This is inadequate given the scope of the project.
- f) Of the 30 public meetings held, only 2 were in Connecticut (Stamford on April 8th and Danbury on April 11th). This is not enough meetings or enough locations to facilitate public response.
- g) When the deadline for commentary was extended, the FAA did not organize a public hearing for people in Litchfield County.
- 4) The FAA justifies its change of plans in terms of the Environment on Environmental Justice, but in its analysis it uses a highly contested definition of distributive justice. The people of Fairfield and Litchfield County will bear the burden of noise and air pollution for major airports in New York, New Jersey and Pennsylvania, yet seldom use those airports. It does not seem appropriate that air traffic should be sent over Connecticut to alleviate the New York, New Jersey and Pennsylvania air traffic congestion problems.

Therefore, the Concerned Connecticut Citizens Group objects to the FAA's proposed plans and requests that our elected officials also oppose it.

Sincerely,


William Wilson

On Behalf of the Concerned Connecticut Citizens Group

Contact information:

Phone: 860-379-3250 Home

646-642-6381 Cell

Email: wjw41@columbia.edu

200 Bunnell St.
Colebrook, CT 06021

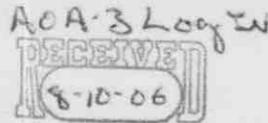
CHRISTOPHER J. DODD
CONNECTICUT

COMMITTEES:
BANKING, HOUSING, AND
URBAN AFFAIRS

FOREIGN RELATIONS

HEALTH, EDUCATION,
LABOR, AND PENSIONS

RULES AND ADMINISTRATION



FAA-060810-004

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TDD: (860) 529-7488

HOME PAGE: <http://dodd.senate.gov>

United States Senate

WASHINGTON, DC 20510-0702

August 2, 2006

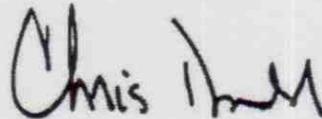
Mr. David Balloff
Assistant Administrator for Government and Industry Affairs
Federal Aviation Administration
800 Independence Avenue SW, Room 1022
Washington, DC 20591

Dear Mr. Balloff:

Because of my desire to be responsive to my constituents' concerns, enclosed is a copy of a letter from William Wilson regarding the FAA's plans to redesign the use of airspace in the greater New York metropolitan area. Please respond directly to Mr. Wilson with a copy to my office, attention David Kronig.

Your time and attention on this matter is greatly appreciated.

Sincerely,



CHRISTOPHER J. DODD
United States Senator

CJD:dk

Response to Comment 5763: William Wilson, Concerned CT Citizens Group

Comment Number	Comment response
1	Comment noted.
2	The FAA disagrees with the commenter. The entire focus of the DEIS document was to display highly complex air traffic information in a form that could be easily understood by non-aviation industry personnel. The commenter needs to provide more detail with respect to his comment in order for a specific response to be included.
3	The noise measurements taken for this study were not the basis of the noise analysis or the evaluation of environmental impacts. They intended only to provide a general context for reference for those that are interested when considering the noise modeling results. These measurements only represent a finite time frame and were not inclusive of all conditions at all areas near the measurement sites. Also, it is important to note that the changes in noise levels associated with each of the alternatives were solely based on the computations from the NIRS noise modeling and do not include any influence from the field noise measurement program and it is these results that the decision makers will consider when developing the Record of Decision for this project.
4	See response to comment 5763 #3.
5	<p>The DEIS presents all noise level changes exceeding FAA's thresholds. These were reported, mapped, and discussed in detail in the DEIS for each alternative. In addition, supplemental tables of noise values at all population points throughout the Study Area were provided on the EIS project Web Site allowing for further comparisons beyond that of FAA's change thresholds. This data presented the computed noise values for each Census block regardless above and below the 45 DNL level.</p> <p>It should be noted that the commenter's statistics regarding speech and sleep interference represent the very lowest end of the range supported by the current body of research. Furthermore, there is currently no consensus within or among the scientific, medical, and government communities' regarding any standards for determining impact solely based on speech or sleep interference. It should be noted that the development and findings of the 1992 Federal Interagency Committee on Noise (FICON) report reaffirmed the use of the DNL metric and the use of 65 DNL for land use compatibility.</p>
6	The FAA completed the DEIS in accordance with NEPA and the analysis requirements and standards of the Council of Environmental Quality regulations and the FAA. The FAA feels that the DEIS discloses the potential environmental impacts of the Proposed Action and presents them in an objective manner.
7	<p>It is true that individuals do not "hear" the DNL, but it is not misleading to use the DNL metric. An average noise metric such as DNL takes into account the noise levels of all individual events that occur during a 24 hour period, as well as the number of times those events occur. The DNL metric also accounts for the time that events occur by applying a 10 dB penalty to noise events which occur during nighttime hours (10pm-7am).</p> <p>In the 1992 FICON report, the group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. Additionally the EPA "Levels Document"</p>

Response to Comment 5763: William Wilson, Concerned CT Citizens Group

Comment Number	Comment response
	<p>identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)."</p> <p>During the development of the DEIS, consideration was given to the development of supplemental metrics for informational purposes. The metrics the commenter suggests, like single event noise level analysis and number of overflights, were indeed considered. While this type of data is inherently part of the detailed noise modeling process, it is not readily available as an output from the NIRS model. Furthermore, it was found that the task of presenting such data in an efficient, meaningful, and understandable way for all persons within the 30,000+ square mile study area was not possible. With more than 7,000 flights at 21 airports, distributed over some 22,000 modeled flight tracks for two different years and four alternatives, the sheer magnitude of the data was considered to be overwhelming. There are also subjective issues such as how do you define an overflight of one of the 325,000+ population centroids. Is it any flight that crosses within 1-mile of the point, 2-miles, 500-feet? Given these complexities, the FAA decided to rely on the DNL metric for this study since it accounts for both the number of events and the noise levels of those individual events, as well as the fact that it is the sole metric that will be considered in the decision making process.</p> <p>The FAA provided supporting discussion and documents throughout the DEIS appendices that would allow for the development of a basic understanding of the complex technical issues associated with the project. That effort was supplemented with an extended comment period (6 months) to allow plenty of time for individuals to review the information.</p>
8	<p>The FAA selected the Integrated Airspace Alternative Variation with ICC as its preferred alternative during development of the FEIS. This alternative was selected as it best meets the purpose and need for the Proposed Action. The FAA acknowledges that the preferred alternative does increase noise levels in some areas. As part of the FEIS development the FAA considered mitigation for this preferred alternative. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, and Appendix P, Noise Mitigation Report, of the Final EIS.</p>
9	<p>FAA is not sure what table this commenter is referring to; however, it should be noted that the Integrated Airspace Alternative Variation with ICC only applies to the 2011 conditions. Thus, tables that present the impacts for the 2006 conditions do not show this alternative.</p>
10	<p>The very northern-most portions of Litchfield County, CT are beyond the Study Area boundary for the DEIS. This is due to the fact that all aircraft are expected to be either back on their current flight routes in all alternatives by the time they reach this location or they will be above the Study Area ceiling of 14,000 feet above sea level. The remainder of the county that falls within the Study Area was treated in the same manner as all other portions of the Study Area.</p>
11	<p>In the current system (and Future No Action), Bradley traffic shares airspace with traffic to all New York airports. The Integrated Airspace Alternative Variation with ICC permits departures from Newark and its satellites to climb much higher before they pass over Connecticut. As a result, Bradley traffic need only contend with departures from east of the Hudson River, which will reduce the need to keep aircraft low under normal operating conditions.</p>

Response to Comment 5763: William Wilson, Concerned CT Citizens Group

Comment Number	Comment response
12	While some airports that are in the region of Litchfield County are outside of the DEIS Study Area, it does not mean that their noise contribution is not accounted for in the DEIS. In fact, any traffic from those airports that crosses into the Study Area and are below 14,000 feet MSL are incorporated into the noise modeling as "overflights". Consequently, the noise analysis conducted for the portions of the county that lie within the Study Area include both the nearby airport traffic as well as that which is generated by the studies 21 airports.
13	Each alternative was developed, quality assurance checked and approved by FAA air traffic personnel before it was input into the noise model for analysis of impacts. These impacts were then displayed on georeference maps down to the lowest Census Block level. The DEIS was then released in December of 2005 and a formal comment period was opened that lasted until July 1, 2006. While the comment period was underway, two public workshops were held in CT to allow residents an opportunity to voice concerns and questions on the project.
14	NEPA and CEQ regulations do not require "pre-scoping". Pre-scoping was the name FAA used for meetings throughout the Study Area to introduce the project to the public. Scoping, as defined by CEQ regulations, is used to define the scope/breadth of the project, the range of alternatives to be examined, and any special issues brought up by agencies with special jurisdiction or statutory authority. Scoping meetings are not required by CEQ Regulations; the Federal agency conducting the project has discretion to determine whether such meetings are necessary. FAA established a website for the project and posted updated information on it during the course of the project. Although the required comment period for a DEIS is 45 days, FAA provided a six month comment period for the DEIS.
15	Several Connecticut agencies were contacted. The list of agencies consulted provided in Table 5.3 are those with which actual meetings were held. In addition to the CT Department of Transportation and the CT State Historical Preservation Officer the following CT agencies were contacted: Department of Environmental Protection, Bureau of Natural Resources, Bureau of Air Management, Department of Agriculture, Bureau of Aviation and Ports.
16	Over 26 mayors and public officials within the state of CT were notified of the project starting in December of 2005.
17	The NOI was published early in the project prior to the release of the Draft EIS and formal comment period. As required by CEQ regulations, the NOI was published in the Federal Register on January 22nd, 2001. During the scoping phase, the NOI was also published in the Advocate newspaper to give residents of CT a better opportunity to be informed of the project. The exact same advertisement, containing additional meeting location information, was also published in the following newspapers with circulation in CT prior to the public scoping meetings in CT: New York Daily News, Journal News, The Advocate, Danbury News Times, Fairfield Weekly, Connecticut Post and the Fairfield Business Journal.

Response to Comment 5763: William Wilson, Concerned CT Citizens Group

Comment Number	Comment response
18	CEQ regulations did not require the FAA to hold public hearings on this project; however, public workshops were provided as a mechanism to assist the public with interpretation of the technical aeronautical materials presented in the DEIS and to afford the public the opportunity to speak with air traffic controllers about the workings of the airspace system. According to CEQ Regulations, a 45-day time period is specified for comments on a DEIS. In every instance, the FAA's public involvement process was far more than adequate and went well beyond what is normally expected or needed. There was ample opportunity for people to comment after the DEIS was published, and the public comment period far exceeded the 45-day requirement. The DEIS was published in December 2005 and the comment period remained open until July 1, 2006.
19	As mentioned previously, meetings were not required to be held, but were held to provide citizens ability to question FAA representatives and air traffic control personnel about the air traffic system. In December of 2005, a newsletter advised of the release of the DEIS, and was sent to offices and residences of people who had attended prior airspace meetings or workshops. Additionally, all meetings were announced by placing advertisements in major newspapers, local daily newspapers, local weekly newspapers and community newspapers, and through the use of public service announcements on local radio stations. The advertisements in the local newspapers included a link to our web page as well as a toll free number, both of which provided information about the meetings.
20	A public hearing was held in New Canaan, CT at the request of Congressman Shays and Congressman Mica. FAA representatives were present at that hearing.
21	In accordance with FAA Order 1050.1E the FAA used the procedures in DOT Order 5610.2 to evaluate potential environmental justice impacts. Also in accordance with FAA Order 1050.1E, the FAA used additional guidance from the CEQ publication, "Environmental Justice: Guidance Under the National Environmental Policy Act". The environmental justice analysis focuses on areas where there will be significant noise impact. Both Fairfield and Litchfield Counties do not have a significant noise impact or even a reportable noise impact, thus an EJ analysis was not performed for those areas
22	Comment noted.

Airports/Airport Authorities

1. Glenn Morse, Sr. Director-Industry Affairs
Continental Airlines
2. Richard Beurgal, Asst. Chief Pilot
NetJets Aviation, Inc
3. Tom Bock, General Manager
Airspace and Operational Enhancements
The Port Authority of NY and NJ
4. Justin P. Edwards AAE, Airport Manager
Trenton Mercer Airports
5. Paul D. Estefan, Administrator
Danbury Municipal Airport
6. Charles J. Isdell, Director of Aviation
Philadelphia International Airport
7. Calvin M. Davenger Jr., Deputy Director of Aviation
Philadelphia International Airport
Thomas C. Lynch, Sr. Vice President
The Staubach Company

Continental



38 New Hampshire Ave.
Massapequa, NY 11758

June 30, 2006

Mr. Steve Kelley, FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, Virginia 20191

Subject: Draft Environmental Impact Statement
New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign

Dear Mr. Kelley:

Continental Airlines is pleased to submit comments on the Draft Environmental Impact Statement for the New York/New Jersey/Philadelphia Airspace Redesign Project. As noted in the draft, the last major redesign of the airspace in the region was completed in the late 1980's. Although several minor routing adjustments for Newark Liberty International Airport (EWR) and LaGuardia Airport (LGA) arrivals and Philadelphia (PHL) departures were implemented in the interim, the airspace structure and associated air traffic procedures have essentially remained unchanged for nearly 20 years. During that time, air carrier Stage II aircraft have been phased out, the majority of the noisier Stage III passenger aircraft has been retired due to high operating costs, and major and regional airline fleet composition has changed dramatically. Continental has made significant investments in new, technologically advanced, quiet aircraft: we were one of the first airlines to achieve a non-hush-kitted all Stage III fleet and we took steps to ensure our Newark operation was all Stage III prior to the national deadline. Continental's current fleet meets or exceeds Stage IV noise standards.

While the overall operating performance and noise levels of the airline fleet have improved dramatically, the demand for air travel has been steadily increasing. In May, the Air Transport Association of America, the airline trade organization of which Continental is a member, reported that 2005 was a record year for airline traffic and capacity. Demand for air travel will continue to grow. In the press release announcing the record levels, John Heimlich, ATA Vice President and Chief Economist said: "It is imperative that we implement technology upgrades and adopt procedures that will accommodate the growing demand being placed on the system by all users of ATC services and infrastructure. Without an effective transformation of the ATC system, the negative impact on our nation's economy will be severe." The New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Project recognizes the compelling need for this transformation by proposing to redesign the airspace with new routes and procedures based on improved aircraft performance and emerging ATC technologies. As stated in the DEIS, section 1.4.2: "The purpose of the Airspace Redesign is to increase the efficiency and reliability of the airspace structure and ATC system, thereby accommodating growth while enhancing safety and reducing delays in air travel. By taking advantage of new technologies and responding to new trends, the Airspace Redesign will increase efficiency and the reliability of the air traffic system." Continental concurs with the purpose and need for this project: creation of a safe, efficient, reliable airspace structure and ATC system that can accommodate the travel demands of

1 of 8

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the region and provides the foundation for a strong, growing economy in an environmentally sensitive manner.

The airspace in the study area and adjacent Northeast Corridor is the most complex and congested in the world. The ATC System must support an intricate weave of climbing, descending and over flight aircraft operating from four major air carrier and numerous smaller air carrier and business/general aviation airports. It must also handle a diverse mix of aircraft, ranging from high speed military aircraft and heavy (soon super-heavy A380) air carrier aircraft to light and slow general aviation aircraft. Historically, the capacity and efficiency of the airports and airspace have been limited by a variety of factors, including:

- Single departure routes from the runways;
- Airport Configurations (closely spaced parallel runways, intersecting runways);
- Proximity of the four Port Authority airports in the NY metro area;
- Variations in aircraft performance and navigation capability;
- Location of FAA facility and regional boundaries and airspace sectorization; and
- Location and extent of special use airspace.

Airspace redesign coupled with the introduction of new ATC operating procedures should attempt to address each of these factors or to mitigate their impacts on the safe and expeditious flow of air traffic. Since several of the major airports in the study area, including Newark, are physically constrained and cannot expand, it is imperative that the airspace and operating procedures allow each airport to safely achieve its maximum operating capacity and efficiency.

A review of the alternatives in the DEIS shows that, with the exception of the ocean routing alternative, FAA has considered these factors in varying degrees in the design and has attempted to maximize the capacity and efficiency of the airspace. Obviously, some of the factors, like the individual airport layouts, cannot be mitigated by airspace redesign alone. It is also clear that the efficiencies and benefits achieved in the three primary alternatives are achieved with some environmental impacts, primarily noise. Recognizing the importance of achieving the benefits of the new airspace, Continental has offered several suggestions to mitigate some of the noise impacts of the proposed design alternatives identified in the environmental analysis.

The balance of these comments will address the redesign alternatives and identifies specific airspace and procedure changes that we believe are essential components of a plan that can achieve the stated purpose and need of the project: safely accommodate growth and changing fleet mix, mitigate delays, and increase the efficiency and reliability of the airspace structure and ATC system. Due to the scope and complexity of the DEIS alternatives and impacts, the comments will range from general design philosophies and objectives to specific airport flow patterns and operating procedures. Airspace redesign is an evolutionary and continuous process. Rapid advances in communications, navigation and surveillance technologies, changing market and airspace demands and new aircraft types and performance capabilities are a constant challenge to FAA airspace designers. It is imperative that the airspace of the future utilize fully these new technologies (RNAV, RNP, and ADS-B) and adapt quickly to these changing demands. This may dictate an incremental, phased approach to the implementation process with less complex and less extensive route and procedure improvements occurring first. It may not be feasible or wise to plan for a “big bang” implementation due to expected staffing and facility infrastructure requirements.

Continental’s primary interest is improving the efficiency and operational reliability of Newark Liberty International Airport, where we operate a major domestic and international hub serving

destinations in the United States, Canada, Mexico, the Caribbean, Central and South America, Europe, the Middle East, and Asia. We also offer service from LGA, JFK, and PHL to our other domestic hubs. Airspace redesign is critically important to our operations in the region, now and in the future, and will mitigate airport and ATC delays.

- Integrated Airspace Concept - Terminalization of Airspace – Continental supports the expansion of terminal airspace laterally and vertically within the study area. This increases the volume of airspace “in which terminal separation rules could be used.” (Executive Summary, Page ES-4) There is an obvious airspace capacity benefit when a 3 nautical mile separation standard is used in airspace which now requires the en route airspace separation standard of 5 nautical miles. There would seem to be several ways to achieve the expanded use of terminal airspace separation rules which are independent of airspace changes and do not require major infrastructure investments. We encourage FAA to proceed expeditiously with the expansion of terminal airspace separation rules in the study area and in the contiguous airspace in the Northeast Corridor. *One option for consideration several years out is early implementation of ADS-B technology in the study area.*
- Integrated Airspace Alternative - En Route Airspace Surrounding the NY TRACON– Paragraph ES.3.4 Integrated Airspace Alternative, in the Executive Summary of the DEIS states: “The Integrated Airspace Alternative integrates the NY TRACON airspace with portions of the surrounding Center’s airspace to operate more seamlessly in either a standalone (existing facilities) or consolidated manner....The consolidated facility is called the Integrated Control Complex (ICC).” ***Continental supports the re-establishment of a single en route air traffic facility around and over the NY TRACON airspace.*** Prior to 1981, NY Center airspace surrounded completely NY TRACON airspace: control of the traffic flows into and out of the busy NY metro area was managed between the two facilities. This reduced complexity, simplified coordination procedures, and facilitated the more efficient flow of traffic. Unfortunately, over time, outer portions of New York Center airspace were given to Washington and Boston Centers. Today, NY TRACON is fed arrivals from three different en route facilities; it feeds departures to three en route facilities. This dramatically reduces efficiency, and increases complexity and inter-facility communications and coordination. It also complicates, and makes more costly, the full blown implementation of traffic management advisor (TMA), an FAA automation program for smoothly metering arrivals to busy airports. Automation tools like TMA are critical to efficiently managing traffic flows.

Unfortunately, the current state of the FAA budget coupled with the huge expense and extended timeline associated with building a new Integrated Control Complex in the NY metro area leads us to conclude that other more reasonable and timely alternatives must be developed. Continental recommends that FAA begin immediately the process of establishing a single en route facility around the NY TRACON airspace, and simultaneously work to “integrate” the airspace, that is, expand the airspace where terminal separation rules are applied.

- New Departure Headings – New departure headings for EWR, LGA, and PHL are proposed in the Modifications to Existing Airspace and Integrated Airspace alternatives. As noted above, single departure routes from runways are not efficient and limit runway capacity. So intuitively, the use of multiple departure headings, in accordance with

applicable air traffic regulations, will reduce runway delay, fuel consumption, and aircraft emissions. Reducing delays on the airport has environmental benefits as aircraft can operate closer to their scheduled departure and arrival times without the operations being pushed into the more noise sensitive late evening hours. Reducing the number of delayed aircraft idling on the airport also reduces engine emissions. The noise analysis in the DEIS indicates there are noise impacts associated with the introduction of multiple headings. Continental believes it may be possible to reduce or minimize these noise impacts with slightly different procedures. ***Since the availability of multiple departure headings is a key design objective and contributes measurably to delay reduction and greater efficiency, every effort should be made to introduce the headings as soon as possible because the benefits are not dependent on other airspace changes to have value, particularly at EWR.*** Possible procedure changes that might mitigate noise effects are listed below:

- LGA – The majority of the “significant” noise increases (12,846 transient persons on Rikers Island) associated with the Integrated Airspace alternatives is caused by the revised runway 31 departure headings. In reviewing the exhibits in Appendix E depicting the takeoff flight tracks, it appears the modeled flight tracks for the alternative turn more quickly, or closer to the runway, and therefore closer to Rikers Island than the No Action flight tracks. So it may be appropriate to review the model assumptions on aircraft turn altitude and location. Regardless of the accuracy of the modeled flight tracks, Continental recommends that a DME turn point or RNAV waypoint be established to allow aircraft to start the turn beyond Rikers, but close enough to the airport to permit the use of multiple departure headings.
- EWR Runways 22L/R – The DEIS describes significant noise increases in areas “west of Interstate 95 and over the Elizabeth area caused by new departure headings off of Runways 22LR...” (Appendix E, page E-66). It also describes associated reductions in noise impacts east of Interstate 95. These changes in noise exposure are based on elimination of the current left turn after takeoff to heading 190 degrees and the use of new headings 220 degrees, 240 degrees and 260 degrees. The use of the 260 degree heading is restricted when runway 11 is used for arrivals. There are several alternative heading strategies and operating procedures which should be considered to better balance the noise impacts and preserve the departure capacity benefits of diverging headings.

First, restore the 190 degree heading for South departures, use 220 degrees for West, 240 degrees for North and East, and delete the 260 degree heading. This spreads the noise and maintains the use of 3 headings when runway 11 is used for arrivals.

Restrict the use of headings between the hours of midnight and 0600, unless departure delays are in excess of 15 minutes. Establish a departure track using RNAV procedures that keeps aircraft over the New Jersey Turnpike.

When departure demand is light and the airport is IMC, consider using 220 degree heading only. It is our understanding that the capacity benefit of the multiple headings is diminished in IMC due to the need to ensure separation between

arrivals and departures on the closely spaced runways. That is, the need to maintain a minimum separation between an arrival and the departure will prevent multiple departures if arrival demand is steady. If arrival demand is light, and departure delays are in excess of 15 minutes, use headings until delays are eliminated.

- EWR Runways 4L/R – The DEIS indicates EWR will use the “No Action” headings when TEB is using the ILS Runway 6. ***It is imperative that EWR gain the benefits of fanned departure headings on the northeast flow.*** FAA should investigate the use of advanced navigation (RNAV) procedures for both TEB arrivals to runway 6 and EWR departures in conjunction with reductions in required separations to augment the availability of fanned headings. It may be possible to modify or adopt the existing Class B Airspace separation contained in FAAO 7110.65R, paragraph 7-9-4, of 500 feet vertically or 1.5 nm laterally to provide more airspace for these procedures.
- Ocean Routing Alternative – Although not under formal consideration by FAA because the Ocean Routing alternative does not meet the purpose and need of the project, Continental is strongly opposed to any consideration of the Ocean Routing alternative because of its specific and multiple adverse impacts on air traffic operations at Newark Liberty International Airport. The technical analysis of this alternative in the DEIS documents and explains these impacts. As noted in the Executive Summary, section ES.3.3, “The Ocean Routing Airspace Alternative would not: reduce delay, balance controller workload, meet system demand, improve user access, expedite arrivals and departures, increase flexibility, nor maintain airport throughput. The report goes on to say in section ES.3.5: “The Ocean Routing Airspace Alternative will increase route distance and flying time for EWR, LGA, and JFK. Departure efficiency at EWR is greatly reduced... These drawbacks are not offset by operational benefits.” Clearly, the FAA is correct to exclude this alternative from any formal consideration, and Continental strongly believes the multiple adverse impacts on EWR air traffic operations show that no consideration should be given to this alternative.
- Modeled Runway Use Tables – DEIS Appendix E.2 , Noise Modeling Technical Report, Attachment B – Modeled Runway Use Tables – Baseline and Future Conditions, is annotated (TBA), which we presume stands for “To Be Added.” It does not appear the Tables are on the web site. Runway use, particularly within configurations at an airport, determines airport arrival and departure throughput. It also determines the dependencies among the airports, which can also affect throughput. Arbitrarily assigning or restricting certain aircraft types (regional jets, props) to certain runways when not dictated by aircraft performance can reduce capacity and increase delay. For example, Newark Runway 11/29 is only 200 feet shorter than the runways at LGA that accommodate aircraft as large as the 767-400. Yet it appears in both Appendix C, and elsewhere in the DEIS, that aircraft “assigned” to runway 11 are limited to specific types. Similar assumptions are made for JFK.
- Use of Both Parallel Runways for Arrivals at Newark – Arrival capacity at Newark in VMC and MVMC is constrained by the airport layout, proximity to other airport flight patterns and existing airspace sectorization. Although airspace sectorization and ATC procedures have been developed to conduct parallel visual approaches to runways 4L and

4R; and controller training was completed, these procedures have never been used. They should be implemented as soon as possible. Airspace may also exist to conduct parallel visual approaches to runways 22L and 22R. Unfortunately, the current mode of operation is to use the approach to runway 11 with a landing on runway 11 or runway 29 as the “overflow” arrival runway. Candidate aircraft are limited by prevailing winds, airport flow direction and arrival fix, and aircraft type. Additionally, due to fluctuating demand during the operating day, use of the runway is typically allocated to either arrivals or departures as documented in several sections of the DEIS. Obviously, runway 11 cannot be used for arrivals when runway 29 is being used for departures, and vice versa. Finally, in a northeast flow, use of either runway 11 or 29 for arrival limits departure capacity and causes significant departure delays.

Despite the existing procedures noted above for runways 4L/R, only one of the alternatives (Integrated Airspace with ICC) addresses specifically this procedural deficiency at EWR; and then, it seems, only as generic visual approaches with significant restrictions that limit the application and benefits (timeframe, aircraft types, and miles in trail). No specific instrument approach procedures that could increase the availability of parallel visual approaches by lowering the required ceiling and visibility are recommended or evaluated for environmental impacts. Two possible concepts to facilitate simultaneous approaches to the parallel runways, which are either in use or under evaluation at other airports are Simultaneous Offset Instrument Approaches (SOIA) and RNP Parallel Approach Transition (RPAT). Although a variety of factors affect the actual arrival capacity achieved with these procedures, they allow aircraft to be paired closely together potentially doubling the arrival capacity. By manipulating the intervals between pairs, both parallel runways could also be used for takeoff, effectively balancing the arrival and departure rates. Finally, with the inboard parallel runway filling the role of secondary arrival runway, runway 29 can be used for takeoff to augment the departure rate and reduce departure delay.

The preferred redesign alternative must include provisions for parallel approaches to runways 4L and 4R and runways 22L and 22R at EWR. The design and environmental analysis should accommodate approach options like SOIA and RPAT to increase the percentage of time when parallel approaches can be used. The parallel approach capability should be programmed for early implementation.

- Preferred Alternative - Implementation Strategy – Section ES.3.5 of the DEIS Executive Summary provides a comparison of the airspace redesign alternatives based on how well each one meets the Purpose and Need for Airspace Redesign. To provide a quantitative basis for comparison, the Purpose and Need was translated by the FAA Airspace Redesign Team into a set of system improvements defined in terms of specific operational metrics such as delay reduction, airport throughput, route flexibility, etc. The Modifications to Existing Airspace and both Integrated Airspace Alternatives meet the stated Purpose and Need. The section concludes by stating: “The Integrated Airspace Alternative Variation with ICC provides the most substantial operational benefit of any of the designs. It is a wholesale restructuring of arrival and departure routes.”

The MITRE operational analysis of the alternatives (Appendix C) states that the Modifications to Existing Airspace Alternative “reduces airspace delays by about one-third.” (page 10-3) These improvements are based on the fanned departure headings at

several airports, the split of J-80 into two jet routes, and a minor realignment of the south departure gate, affecting NY and PHL departures. Newark also has access to a new oceanic departure route in this alternative.

Clearly, there is an overlap of the primary changes in the Modifications to Existing Airspace and the Integrated Airspace Alternatives. The magnitude of the Modification to Existing Airspace changes is minor compared to either of the Integrated Airspace Alternatives, but the benefits are significant, particularly if they can be implemented quickly. Just as the Integrated Airspace Without the ICC is an intermediate step to the Integrated Airspace With ICC, Continental believes the Modifications to Existing Airspace Alternative has sufficient benefits associated with it to warrant immediate and expedited implementation. In addition to the basic elements in the Modifications to Existing Airspace Alternative, FAA should restructure the airspace to permit use of simultaneous parallel visual approaches at EWR. We believe the amount of airspace needed for the procedures and controller workload can be reduced or minimized by using RNAV terminal arrival and approach procedures.

In conjunction with these very basic airspace and procedures changes, FAA can begin the process of terminalizing additional airspace and re-establishing a single enroute facility around the NY TRACON. Although NY Center has been reconfigured since the adjacent sectors were transferred to Boston and Washington Centers, it is likely space exists in the facility to restore the sectors. This interim step will ensure there are near-term benefits realized from the airspace redesign effort; and allow FAA time to develop a full blown implementation strategy for the ICC and to obtain the necessary budget support for both facility construction and required staffing.

- Mitigation – Section ES.7 of the DEIS Executive Summary outlines several potential noise mitigation strategies. In addition, in the paragraphs above, Continental recommended several adjustments to the fanned departure heading procedures at EWR and LGA to reduce the significant noise impacts identified in the DEIS: for example, at EWR, a restriction on the use of fanned headings during certain night hours when delays are not a factor, and continuation of the existing 190 degree heading for runway 22L/R south departures as a means of spreading the noise (impacts would be reduced from today's levels under the 190 degree track due to lower volume, and the breadth of the noise impacts would be reduced from those generated by the DEIS proposal.)

Continental is eager to work with FAA to develop Continuous Descent Approaches for use during low traffic periods. We also believe it is imperative that FAA develop low volume and/or late night arrival procedures that shorten aircraft routings and keep aircraft higher until closer to the airport. These procedures will save time and fuel and will reduce noise and emissions.

It has been almost two decades since FAA last made significant changes to the airspace and air traffic procedures in the northeast. During this time, the air carrier fleet has changed dramatically: aircraft are much quieter; they climb more quickly, and have sophisticated satellite based navigation systems. The alternatives contained in the DEIS have taken thousands of man-hours and millions of dollars to develop and analyze for operational and environmental impacts. The scope of the project in terms of aircraft movements and airspace volume and complexity are unprecedented. The airspace must be redesigned to increase efficiency, improve safety and

reliability, reduce delay, and accommodate the ever increasing demand for air travel. As recommended above, FAA should quickly implement the common elements of the alternatives which meet the project purpose and need. These changes will increase runway efficiency and provide additional en route capacity. Simultaneously, FAA can pursue the reallocation and terminalization of the en route airspace surrounding the NY TRACON to create the foundation for the Integrated Airspace alternative. This strategy will enable the airspace in the study area to evolve in concert with the future technologies that will form the basis of the Next Generation Air Transportation System.

Thank you for the opportunity to comment.

Sincerely,

Glenn Morse

Sr. Director-Industry Affairs

Response to Comment 5252: Glenn Morse of Continental Airlines

Comment Number	Comment response
1	Both new technologies and the airspace Management Program (AMP) are included in the FAA's Operational Evolution Plan which is indicative of the need for revised airspace structures that allow new technologies to be fully utilized. However, due to the inherent limitations of the existing airspace design, route structure, and ATC procedures, and the fact that this airspace is operating near saturation during peak demand periods, the use of improved ATC technologies would not independently address the inefficiencies of the present day arrival or departure procedures for the Study Area airspace. Elements of the Airspace Redesign Alternatives, including changed or enhanced departure gates, arrival posts, and/or the airspace boundaries of the various ATC facilities have the potential to meet the need to accommodate growth in air traffic levels while maintaining safety and mitigating delays. New routes could add efficiency by reducing delays and providing more direct routings thereby potentially increasing the efficiency and reliability of the airspace structure and the ATC system.
2	Comment noted.
3	This study concentrates on the airspace resource available to all the airports within the Study Area.
4	Along with the identification of the Preferred Alternative we are exploring mitigation strategies that may help in reducing those impacts.
5	The Integrated Airspace Alternative provides the ability and flexibility to implement new technologies.
6	Expansion of the terminal airspace is a major component of the Integrated Airspace Alternative.
7	Comment noted. The Integrated Control Complex (a variation of the Integrated Airspace Alternative in 2011) could be a new air traffic facility or a modification of existing facilities. The FAA is currently studying the ICC concept to determine whether it meets operational, safety, and budget requirements. At the appropriate time in the decision making process, the FAA will assess the potential environmental impacts of constructing an ICC in a separate NEPA document.
8	The most cost effective methods for expanding terminal airspace, including the use of existing facilities, will be explored.
9	This is correct. Departure headings do not depend on other changes in the system, so they can in principle be among the first items implemented once the choice of Alternative is finalized. This is visible in the Integrated Airspace Alternative, where departure headings are part of the Alternative regardless of the existence of an integrated facility.
10	This is one possible solution to the problem of Rikers Island noise exposure. Another is to take advantage of the natural scheduling patterns at LaGuardia Airport, and use the full dispersal headings only at those times when it is beneficial. This method will reduce the number of aircraft on the new tracks by approximately 90 percent, so this is more likely to mitigate the impact on Rikers Island without adverse effects on other communities. This is included in the mitigated version of the Preferred Alternative.

Response to Comment 5252: Glenn Morse of Continental Airlines

Comment Number	Comment response
11	Several strategies for reducing noise impacts while maintaining the departure capacity benefits of diverging headings off of EWR Runways 22 have been evaluated for their operational impact. These strategies include using additional departure headings only during periods of highest demand, choosing headings such that departure ground tracks fall over non-residential areas, the application of RNAV to further focus the ground track and reduce dispersion, and the application of ocean routing principles during night-time operations. To the extent that these do not impede operational benefits, they have been included in the mitigated version of the Preferred Alternative. The operational effect of each of these strategies is discussed at length in the Operational Analysis of Mitigation appendix.
12	Using the 190 heading and the 220 heading simultaneously (along with the 240 heading) does not provide the same benefit as using the 220, 240 and 260 headings. Flights on the 190 heading turn back to the west shortly after taking off. At this point, flights on the 190 heading and those on the 220 heading are no longer diverging and they are not three miles apart. Consequently, the 190 and 220 headings must be treated as a single heading. The operational benefit of using the three headings of 190, 220 and 240 is equivalent to that of using only two headings.
13	A departure track over the New Jersey Turnpike is possible. During the midnight hours, when departure demand is sufficiently light, it is possible to route EWR departures over the ocean. See the chapter "Newark Departures" in the Operational Analysis of Mitigation appendix.
14	When demand is light, the departures will use a single heading. However, it has been determined that when only a single heading is needed, the 190 heading is more advantageous for noise concerns than that of the 220. As demand increases and a second heading is needed, the 220 and 240 headings will be used in place of the 190. For a complete discussion of EWR departure headings off Runways 22, please see the "Newark Departures" chapter in the Operational Analysis of Mitigation appendix.
15	Increased use of RNAV procedures at TEB is included in the Preferred Alternative. Apart from permitting expanded use of headings off Runway 04L, this removes the contention for airspace between arrivals to TEB and arrivals to EWR Runway 11.
16	Comment noted. Although it was apparent that the Ocean Routing Airspace Alternative would not meet the Purpose and Need, the FAA elected to include this alternative for analysis due to the long standing concerns of the NJCAAN. The evaluation of the Purpose and Need Criteria found that the Ocean Routing Alternative would <i>not</i> reduce delay, balance controller workload, meet system demand, improve user access, expedite arrivals or departures, increase flexibility, or maintain airport throughput. In fact, this alternative would negatively affect many of the Purpose and Need Criteria including the following: reduce complexity, reduce delay, expedite arrivals and departures, and maintain airport throughput.
17	The commenter is correct that TBA indicates To Be Added and that the tables are not on the web site. These tables were being developed from the hundreds of NIRS model input files just as the DEIS was being published and did not make it into the Draft document. Tables for each airport modeled will be provided in the Final EIS.
18	The assignment of aircraft to runways is made on the basis of operational factors that are too numerous to include in a simulation years ahead of the actuality. The assignment of certain aircraft types was an approximation intended to come close enough to the expected procedures that the relative efficiency of each alternative could be assessed. They should not be considered a constraint on the future system.

Response to Comment 5252: Glenn Morse of Continental Airlines

Comment Number	Comment response
19	The Preferred Alternative includes use of both parallel runways at EWR for IFR arrivals. (See section 8.3.4 of Appendix C for details.) The need for such an operation has been recognized for many years. To make it possible, three things are necessary: arrival procedures that conform to safety standards; on-board equipment that enables aircraft to use the procedures; and an airspace design that permits aircraft to be directed to the initial points of the procedures. Historically the procedures have been the focus of development work. SOIA and RPAT are two types of procedures that permit closely-spaced parallel arrivals. Aircraft equipment supporting the procedures is becoming common. This redesign is the third piece of the puzzle. The redesign will work equally well with either type of approach; details of which to use are left to the procedure-design phase of implementation of the Preferred Alternative.
20	Many of the benefits obtained in the Modifications to Existing Airspace Alternative are also included in the Integrated Airspace Alternative. Part of the implementation plan for the Preferred Alternative will identify the most immediate efficiency gains possible for early implementation.
21	Comment noted.
22	Procedures that allow aircraft to remain at higher altitudes until they are closer to the airport have been evaluated. The viability of these procedures is highly dependent on the complexity and congestions of the airspace. For the NY/NJ/PHL Study Area, these procedures have limited application and are most useful during late-night hours. For details, please see the chapter "Continuous-Descent Arrivals" in the Operational Analysis of Mitigation appendix.

Nagendran, Ram

From: Richard Buerger [rbuerger@netjets.com]
Sent: Thursday, June 15, 2006 5:24 PM
To: FAA DEIS
Cc: David Pierce; David Winters
Subject: New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Project

Dear Sir or Madam,

I am writing to you to express the NetJets Aviation, Inc. corporate position on the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Project.

The last major redesign of the Northeast airspace occurred in the 1960's. Since that time the volume of air traffic and the type of aircraft that use the ATC system has changed significantly. However, the basic structure of the NY/NJ/Philly airspace has essentially remained the same and has not been adequately modified to address changes in the aviation industry, including increased air traffic levels and the use of new aircraft types. Therefore, it is time to take a fresh look at the NY/NJ/Philly metro airspace and redesign the airspace to increase efficiency and reliability of the airspace structure.

Out of the four options that are presently being considered by the FAA for the NY/NJ/Philly Metro Airspace Redesign, NetJets Aviation, Inc. recommends that the FAA adopt the Integrated Airspace Alternative with the ICC option.

Thank you for the opportunity to comment on this proposal. If you have any questions about our recommendation, please feel free to contact me. I would welcome the opportunity to work with the FAA to help modernize the Northeast airspace.

Richard K. Buerger
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Response to Comment 4429: Richard K. Buerger of Net Jets Aviation, Inc.

Comment Number	Comment response
1	Comment noted.



THE PORT AUTHORITY OF NY & NJ

William R. DeCota
Director

June 5, 2006

Mr. Steve Kelley, FAA-NAR
c/o Michael Merrill
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Dear Mr. Kelley:

The Port Authority of New York and New Jersey is one of the largest airport operators in the world. We operate 4 major airports and a downtown heliport in one of the most populated regions of the U.S. Last year we had 99.8 million passengers pass through our terminals, and we handled over 1.4 million flights.

Our airports support \$57 billion in economic activity, and 500,000 jobs as well as serve as the gateway to the world for millions of Americans, and the doorway to America for millions of our worldwide guests. Air transportation is a necessity to many of our local businesses. As the caretaker of these valuable assets, the Port Authority has a strong vested interest in the Air Traffic System.

We appreciate the FAA's initiative to redesign the airspace in the New York/New Jersey Metropolitan Region. We have reviewed the FAA's NY/NJ/PHL Airspace Redesign Draft Environmental Study and are pleased to submit the attached comments.

Sincerely,

Tom Bock
General Manager
Airspace and Operational Enhancements

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18 10

FAA NY/NJ/PHL Airspace Redesign Comments

The Federal Aviation Administration's (FAA) Draft Environmental Impact Statement dated December 2005 identifies possible alternative routing changes designed to improve operational efficiency and reduce delays at all four Port Authority airports. The Port Authority of NY & NJ has reviewed this draft document extensively because of the great importance to the New York Metropolitan Region.

The development of an improved route structure is long overdue. Air traffic has continued to grow steadily over the last 30 years. While some route adjustments were made in the late 80's and early 90's there have been major changes in aircraft flying the routes in the last 15 years and the National Air Transportation System needs to change accordingly.

The three major New York/New Jersey metropolitan airports are the most delayed airports in the country. Even with JFK and LGA still under the protection of the High Density Rule, delays have continued to soar. Many of the delays are the result of airspace constraints, and not airport limitations.

At the same time, there are still a number of people in the region suffering the affects of aircraft noise. Regionally, the number of people exposed to noise has decreased in the last 2 decades from 2 million to approximately 100,000 but even residents outside of the Federally designated noise contours are asking for further relief.

The NY/NJ/PHL Airspace Redesign Draft Environmental Impact Statement (DEIS) discusses five alternative solutions to reduce delays and improve airspace efficiency. The nearly 1500 pages of data, charts, and explanation were carefully examined because of the importance of the FAA's redesign efforts to flight delays and noise for area communities. In that vein, the Port Authority offers the following comments.

Importance of Airspace Redesign

There are many things that are being done to address the capacity problem like new technology, new navigational aids, etc. In the Port Authority's view, however, one of the most significant initiatives that are underway is the FAA Airspace Redesign Initiative. Air routes are not unlike a ground roadway network of highways that require good transportation planning. The way the FAA plans them and lays them out determines how well the traffic flows. Currently, regional flight patterns contain many choke points. It is because of issues like this that the FAA has been tasked with the challenge of reviewing, redesigning, and restructuring the nation's airspace to meet the rapidly changing and increasing

operational demands on the National Airspace System (NAS). The Port Authority fully endorses the FAA's Airspace Redesign objectives which include increasing efficiency, increasing reliability of the airspace structure and air traffic control system, accommodating growth while maintaining safety, mitigating delays and accommodating changes in the types of aircraft using the system.

Airspace Redesign Alternatives

The DEIS is a decision making tool for the FAA that will help them decide the course of this effort with formal public comment. There are 5 alternatives that the FAA has put forward for further review.

The Baseline is no action, which is a requirement of the national environmental policy act under which the study is being conducted. The airspace would continue to operate as it does now although traffic is expected to increase over the next 15 years. Clearly do nothing is not an acceptable outcome.

The second is Oceanic Routing. This proposal is in response to noise concerns brought by the NJ Citizens Against Aircraft Noise. It moves all EWR departures along the Raritan Bay to the Atlantic Ocean before returning westbound. Ocean Routing doesn't accomplish the objectives of the study and, in fact, limits regional airport capacity. Ocean Routing is discussed further below.

The third alternative involves modifications to Existing Airspace. It essentially calls for splitting a major westbound airway into two separate ones and it also fans EWR departures. This alternative provides no huge delay reductions or true capacity increases.

There are two integrated airspace alternatives. This is the most comprehensive of the four alternatives and would be carried out in multiple phases. It calls for two major air traffic control centers in the region – the New York Center located at Islip McArthur airport and the N.Y. TRACON located in Garden City, N.Y. – to operate in a more consolidated manner or to replace them with an integrated control complex. Either would improve safety by reducing voice communications. They would also expand the terminal area airspace, increasing it to an altitude of 23,000 feet from 17,000 feet to provide greater flexibility. These alternatives, which are crucial to achieving the most benefits, are also discussed further below.

Ocean Routing

Oceanic Routing is discounted because it does not meet the purpose and need of the study, yet it is analyzed in the document. The Port Authority of NY & NJ has serious concerns that the FAA kept this alternative in the document for future

consideration. The Oceanic Routing alternative, if implemented, will significantly increase delays at Newark Liberty International Airport (EWR), which is already the single most delayed airport in the country. Implementing the Oceanic Routing Procedure will cripple the local economy, force passengers and airlines to other airports, and radically increase the disruption on major roadways, and on air quality in the region. It will also tax utilities and infrastructures in other airport locations such as JFK International Airport (JFK) and LaGuardia (LGA) as more passengers avoid EWR. Prior to any additional consideration of this alternative, the FAA must do further study on the air quality and water quality impacts of the shift in demographics of local airport usage. While economic impact is not a normal study area in an environmental study, a separate economic impact on the local economy caused by a radical reduction in airport capacity must be completed and shared with the community and elected officials before this alternative can be given further consideration. If the FAA is serious about delay reduction, then Oceanic Routing needs to be eliminated from all future consideration.

The Integrated Control Complex Alternative

While the other two alternatives all present some benefit in delay reduction, clearly the best of these alternatives based on the metrics utilized by the FAA in the DEIS is the Integrated Airspace Design with the Integrated Control Complex (ICC). The ICC plan adds a needed west departure fix and adds 2 additional westbound routes. It also provides JFK the ability to utilize many of the metro departure fixes that are unavailable today. Fanned headings off more runways at LGA are also a benefit of this alternative. The use of the two parallel runways at EWR for arrivals is a positive step to reduce delays. However, the FAA needs to model the use of both parallels for both arrivals and departures to realize the true benefit of this technique. Using 2 runways for arrivals and only one for departures will exacerbate delays and ultimately saturate the airfield.

Overall, the capacity benefits of airspace redesign are not great. According to the FAA's information, even with redesigned airspace, LGA can only run 80 operations per hour; EWR can possibly increase to 106 operations per hour and JFK can only accommodate 104 operations per hour. We find it hard to believe that EWR with 2.5 runways can run more operations than JFK with 4 large runways. Maximization of JFK needs to be addressed. As discussed later in the Port Authority's comments, more can be done to help improve capacity and reduce delays.

The Assumption on the ICC plan is that it will take an integrated facility, in other words, the 300+ staff from the New York Center in Ronkonkoma and the 200+ staff in the New York Tracon in Westbury, N.Y. and move them to a single building. In light of the current state of the FAA budget, the trust fund deficits, and other high priority projects it is not realistic to think the FAA will be able to

come up with the capital dollars to construct a new facility and equip it with state of the art air traffic systems. Also, the FAA pay scales are currently tied to the facility traffic counts, and the new facility will be the largest in the country, further escalating costs in the already highest paid FAA facilities. The other alternatives that do not include the ICC are not worth the cost and time commitments to achieve the minimal benefits. The FAA needs to come up with a “cheap” alternative method of implementing the ICC plan in a relatively short timeframe. We believe that it is possible to develop terminal sectors and equip the existing air traffic facilities to achieve the same benefits, especially if the management structure is changed. This needs to be addressed in the final EIS.

Analysis of Noise Impacts

The FAA needs to remain mindful that all improvements to airspace capacity result in noise impacts. The FAA has said that mitigation techniques are under consideration. The ICC plan, while providing the best operational benefit also produces the most noise for outlying communities. During scoping meetings the FAA outlined the purpose and need of the Airspace Redesign project. While noise reduction was not in the FAA's purpose and need for the project, the FAA promised to look at noise and reduce aircraft impacts where practical. The Port Authority is very disappointed that the FAA has not addressed noise in any of the alternatives. The explanation given during the community meetings is that the alternatives presented are the best operational alternatives and the FAA will look at noise reduction as part of a mitigation strategy later. The Port Authority respectively disagrees with the FAA in this assertion. The amount of time and money that went into providing alternatives that are very weak at best from an operational standpoint could only be improved if the FAA included some noise measures as part of the plan. For example, Newark Runway 22 departures are fanned to provide multiple headings to expedite departures. The FAA uses straight and right turns as part of this strategy. The Port Authority asserts that the existing noise abatement procedure with a left turn over portions of the Arthur Kill and away from residential areas would not only improve departure flows and reduce delays, it would also decrease noise exposure to residents of Elizabeth, N.J. the area hardest hit by these alternatives.

Similarly, the FAA ICC alternative depicts arrivals into EWR Runways 22L/R from the south at altitudes of 5,000 & 6,000 feet. These aircraft fly on longer tracks than today's traffic, even with arrivals programmed to the two parallel runways. With some major modifications to the terminal airspace the FAA should examine moving those tracks closer to the airport at higher altitudes to reduce noise and provide for unrestricted departure climb corridors, improving efficiency and reducing noise impacts.

Moving to LGA, the noise produced by LGA traffic over flying Rikers Island appears to be a modeling error. In the Port Authority's analysis, we believe that

the tracks turn prematurely, and that actual departure tracks will proceed more in a straight line prior to initiating a turn due to the carriers' inability to turn below 400 feet. Also, with larger aircraft planned to utilize the airport in the future, the turn rates will be slower and aircraft will turn just north of Rikers Island.

As a consequence of the many years necessary to develop a complete airspace redesign some FAA assumptions and estimates were extrapolated based on the operational experience of year 2000. This approach resulted in over stating the likely number of operations for model year 2006 at EWR and JFK. Similarly, based on information we have of operations for 2005, the anticipated fleet-mix of our airports is likely to be significantly different at some airports from that which was estimated for 2006 and 2011 in the redesign models. This differential is important in that it is an objective of the FAA's "Purpose & Needs" that the system be designed to accommodate aircraft type changes. Given the operation levels known for 2005, the numbers of people impacted by aircraft noise should be less than those projected for 2006 at EWR and JFK. However, the noise generated is still a concern and needs to be addressed. Also, the anticipated maximum hourly runway throughputs may be somewhat changed by fleet-mix changes and should be remodeled.

More consideration should be given to time-of-day sequencing of runway utilization and land-use compatibility options. These are particularly important aircraft noise abatement considerations at EWR in light of the fact that so many new people are to experience significant noise. The FAA's estimate of 5,480 people significantly impacted by aircraft noise does not tell the whole story. In fact, a large percentage of this group will be newcomers to the significantly impacted status without any previous experience in that position. Usually, the populace within an aircraft arrival or departure corridor has been exposed to aircraft noise to varying degrees over many years. The FAA proposed dispersed departure headings at EWR will introduce many people in the City of Elizabeth to significant aircraft noise for the first time in areas they believed to be free of over-flights. In addition, tens of thousands more people in less significant noise zones will be experiencing aircraft over flights that they did not previously experience. The FAA needs to look at ways to mitigate this noise increase for so many people.

There is a north-south corridor south of EWR that encompasses the Elizabethport section of Elizabeth, Carteret, and the northwest corner of Staten Island. The corridor is bounded by the New Jersey Turnpike to the west, the Arthur Kill waterway in its mid-section and Route 440 and the Fresh Kills landfill in Staten Island to the east. The corridor bounds as defined roughly equate to headings off of R/W 22R of between 190 and 220 degrees. This area has served as the airport's arrival/departure corridor for decades and for the most part its acreage is aircraft noise land-use compatible consisting mostly of marshland, highways, railroad sidings, shopping malls, transportation, petroleum refining, and petroleum storage facilities.

In our efforts to find headings off of R/W 22R with the least noise impacts we loaded the FAA's INM model version 6.1 with year 2000 operations and year 2000 census data. We ran about a dozen scenarios including time of day heading use to reduce nighttime exposure by comparison to our Future No Change year 2000 base case. Though these attempts were crude, using a handheld protractor to establish headings, the results we were seeking were not to be exact numbers but rather indications as to potential noise benefits. Given our interest to keep aircraft noise disturbances to a minimum, while seeking multiple headings to improve maximum throughputs, we let the 65+ DNL contour be our guide.

Our various heading results substantiated the positive influence of time of day heading use to reduce aircraft noise impacts and the benefits of utilizing land-use compatible areas for over-flight pathways. The chart in Appendix 1 ranks the top heading alternatives on the basis of those impacting the least numbers of people with regard to aircraft noise based on year 2000. Staying within the land-use compatible corridor is helpful in lowering noise impacts, particularly at night. Of particular note, is how close the 65+ numbers are among the alternatives and how greatly they diverge as you move out to 60+ and 55+.

More Can Be Done

While the FAA's NY/NJ/PHL Airspace Redesign is a good start, more can and should be done to further reduce delays and improve the efficiency of the airports and airspace in the northeast U.S. This Airspace Redesign Process is a once in a lifetime chance to make all the changes necessary for the next 40 years. The FAA needs to maximize the utilization of the airspace and ensure that the airports can meet consistent maximum throughput numbers. Artificial restrictions on arriving and departing aircraft due to archaic separation standards, nose-to-tail spacing of enroute aircraft, and sector volume restrictions need to be eliminated.

While the ICC plan is clearly the best from an operational analysis, it barely "tweaks" the terminal airspace that by the FAA's own assertion has not been changed since the 1960's. The FAA needs to go back and re-look at the terminal airspace as part of this redesign process. Newark Liberty International is the most delayed airport in the country. The airspace allocated to Newark controllers hasn't changed since the 1960's and with this redesign process it doesn't change much either. There clearly was no major overhaul in the development of the terminal tracks, just a minor tweak to fit the new enroute designs where the major changes in airspace occur. We find this to be of concern since the terminals are where the delays occur and the largest noise impacts are produced.

The FAA must look at expanding the Newark Airspace to the east to allow Newark controllers to run arrivals or departures along the Hudson corridor. This would greatly improve the efficiency of EWR and reduce conflicts with TEB traffic. It would also provide much needed noise relief in the area around the airport. Currently LGA traffic occupies the Hudson River corridor. If these aircraft are shifted east there may be additional benefits achieved by sequencing over the Long Island Sound.

In addition, additional airspace capacity enhancing measures are still required. Every year the FAA publishes an updated version of what it calls its Aviation Capacity Enhancement Plan. It contains a summary of the significant accomplishments and near term goals of FAA related programs, technologies and initiatives affecting the capacity of the National Airspace System. The ACE Plan discusses various approaches to enhancing airport and airspace capacity with the goals of meeting the levels of demand, improving efficiency in air traffic flow, (particularly, in the 8 metro areas or corridors with the most delay which includes New York), and improving the on-time performance of scheduled carriers. The FAA relies on procedural and technological investments to increase airspace capacity and, while those approaches are also useful to increase capacity in the airport environment, airport capacity is most directly enhanced by building new runways or other airfield infrastructure.

There are many things that the FAA and key stakeholders are doing to work together to chart a plan to meet the demands for the next century of flight. First, there are operational procedures. The FAA is continually enhancing the procedures governing the operation of aircraft in the National Air Transportation System. Procedural changes are implemented to increase airspace capacity, take advantage of improved aircraft and avionics performance, and maximize the use of runways or simply to make the existing air traffic management system work more efficiently. Although less expensive and time consuming than other capacity-enhancing solutions, like building new runways, new procedures are a complex project. In addition, both air traffic controllers and pilots must be trained before new procedures can be implemented. Examples of new procedures include reduced vertical separation minimum; reduced horizontal separation minimum and simultaneous approaches to closely spaced parallel runways.

Transformation of the air traffic control system also holds capacity benefits. The National Airspace System is the largest and most complex aviation system in the world. A more efficient use of the National Airspace is the chief objective of the transformation of this system. In fact there is a revolution in the making in air navigation, which includes several important concepts. For example, free flight will give pilots the flexibility to select their own routes consistent with safety and limited in only certain situations such as to ensure separation at high traffic airports and congested airspace or to prevent unauthorized entry into special use airspace such as the military.

Over the last couple of years, we have also been working with the FAA using FAA funding to identify feasible and cost-effective alternatives for reducing delay and congestion at our airports through airport capacity enhancement. The tasks that the studies entail include developing on-airport alternatives for enhancing capacity; analyzing operational benefits; estimating improvement costs; conducting cost/benefit analyses; identifying the most feasible alternatives; assessing the benefits of a new generation of FAA Aircraft Control Technologies; and producing a final report.

Summary

In summary, the DEIS is a step in the right direction as a way to alleviate delays at all metropolitan area airports, only if the FAA discounts the oceanic routing proposal. However, the best of the alternatives doesn't go far enough, and it produces a huge noise impact to local communities. The Port Authority requests that the FAA redesign the terminal portion of the airspace to improve the traffic flows to further increase efficiency and reduce noise impacts, especially adding back noise abatement headings off of Runway 22L/R at EWR as part of the fanned headings. EWR needs to be modeled utilizing two parallel runways for departures, and airspace needs to be adjusted to allow EWR to utilize the Hudson corridor for arrivals/departures. Night-time noise reduction procedures need to be utilized. The FAA needs to further develop methods to "cheaply" implement the ICC plan with the above changes added. This is a once in 40 years opportunity, and we need to build for the next 40 years, not the current structure. The FAA needs to think out of the box and come up with better and wiser terminal airspace changes, that utilize state of the art navigation and consistently maximize throughput at all our airports.

Appendix 1

Analysis of Top Heading Alternatives Based on Aircraft Noise Impacts

Degree Headings off R/W 22R	65+ DNL	60+ DNL	55+ DNL
195--10pm-7am-100%	22,098	53,310	305,048
195--7am-10pm-50%			
215--7am-10pm only-50%			

195--10pm-7am-100%	21,098	60,413	329,390
195--7am-10pm-33%			
215--7am-10pm.only-33%			
240--7am-10pm only-33%			
200--10pm-7am-100%	2,938	62,819	332,897
200--7am-10pm-33%			
220--7am-10pm.only-33%			
240--7am-10pm only-33%			
200--10pm-7am-100%	20,201	68,571	366,277
200--7am-10pm-33%			
240--7am-10pm.only-33%			
260--7am-10pm only-33%			
Base-case --Actual 190--24hrs	19,062	49,068	331,857

Response to Comment 4300: Tom Bock of the Port Authority of NY & NJ

Comment Number	Comment response
1	The FAA initiated this Airspace Redesign Project not to address airport capacity problems, but rather to alleviate airport and airspace delays and to improve the ability to handle current and future air traffic demand. Even the PANYNJ acknowledges later in its letter that the best and main way to increase capacity is through airport improvements such as new runways. That would be at the initiation of the PANYNJ for airports under its control (LGA, TEB, EWR, JFK). The Philadelphia Airport Authority has recognized this factor and is initiating a Capacity Enhancement Plan (CEP) of its own to address the urgent needs of the Philadelphia Metropolitan Area for additional airport capacity.
2	Comment noted.
3	Comment noted.
4	Although it was apparent that the Ocean Routing Airspace Alternative would not meet the Purpose and Need, the FAA elected to include this alternative for analysis due to the long standing concerns of the NJCAAN. The evaluation of the Purpose and Need Criteria found that the Ocean Routing Alternative would not reduce delay, balance controller workload, meet system demand, improve user access, expedite arrivals or departures, increase flexibility, or maintain airport throughput. In fact, this alternative would negatively affect many of the Purpose and Need Criteria including the following: reduce complexity, reduce delay, expedite arrivals and departures, and maintain airport throughput.
5	The Modifications to Existing Airspace Alternative would result in a .3 minute decrease in arrival delay and a 2.4 minutes decrease in departure delay in 2011 compared to the No Action Alternative. The FAA initiated this Airspace Redesign Project not to address airport capacity problems, but rather to alleviate airport and airspace delays and to improve the ability to handle current and future air traffic demand. See response to comment 4300-1.
6	Comment noted. The Ocean Routing Airspace Alternative has the potential to provide slight reductions in voice communications, but the other alternatives would certainly provide greater operational benefits.
7	Since the Ocean Routing Airspace Alternative would not meet the Purpose and Need for the Proposed Action, it would normally be eliminated from further consideration. However, due to the long standing concerns of the NJCAAN, the FAA elected to retain the Ocean Routing Alternative for detailed analysis.
8	Yes, the Integrated Airspace Alternative Variation with ICC is the most advantageous operationally for ten out of the 13 metrics used to measure the Purpose and Need Criteria.
9	This is correct. However, multiple departure headings from the main departure runway creates a different operating environment from past experience. Several operational alternatives for the departures off Runways 22 were analyzed, including that of dual departures. Under normal, steady-state conditions, there are only small differences between the operational benefit of dual departures and single-runway departures with three headings. For a complete discussion of this, please see the "Mitigation - Operational Analysis" Appendix.
10	Increasing capacity was not part of the Purpose and Need for the Airspace Redesign. The purpose of the redesign was to make more efficient use of the capacity that exists today.

Response to Comment 4300: Tom Bock of the Port Authority of NY & NJ

Comment Number	Comment response
11	As stated in the DEIS, the ICC concept could be accomplished with existing facilities or a new consolidated facility because the key component is a common automation platform. Upon completion of the NEPA process the FAA will develop an implementation plan for the Preferred Alternative, Integrated Airspace Alternative Variation with ICC, including a cost benefit analysis. For purposes of complying with NEPA, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations, such as quality of life factors. For these reasons, the FAA did not include a cost-benefit analysis as part of this EIS project, and therefore one was not included or incorporated by reference into the DEIS.
12	The FAA has always intended to consider noise mitigation once it selected its preferred alternative. However, it is true that the FAA wished to present the alternatives to the public stressing the operational aspects of each and allowing them to comment on those operational benefits and environmental impacts at their most severe level prior to designing any mitigation.
13	The noise analysis for the alternatives in the DEIS document clearly indicates that changes to the initial departure headings from the existing procedure do have the effect of increasing noise impacts. However, the operational analysis clearly indicates that the existing procedure affects the potential departure throughput of the Airport adversely. In order to improve this throughput, some deviation from the existing procedure is necessary. The mitigated version of the Preferred Alternative takes all of this into account. At times of low departure demand, the 190 heading is preserved to minimize noise to the southwest of the airport. At times of higher demand, other headings are used to increase efficiency. See the discussion in the "Mitigation - Operational Analysis" Appendix.
14	The Integrated Airspace Alternative provides for unrestricted departure climbs. The lateral movement of the EWR downwind from its current location to the design location is in support of the unrestricted departure climbs that tend to improve noise conditions. As a noise-mitigation measure, raising the altitude of the downwinds is feasible. However, a lateral movement of the downwind close to the Airport is not. For a complete discussion of the analysis, see the "Mitigation - Operational Analysis" Appendix.
15	As indicated on page 4-33 in paragraph PIWB-11LGA-A and again in a similar paragraph with a diagram on page E-74 of Appendix E of the DEIS, the noise change on Riker's Island was caused by a shift in departure headings from Runway 31. Specifically, departure headings were changed from approximately 005° in the No Action Alternative to 020° in the Integrated Alternative, and 350° in the No Action Alternative to 005° in the Integrated Alternative. Generally this is a slight easterly shift in the initial departure headings for some of the traffic departing Runway 31. This shift was modeled by taking the No Action backbone tracks and their associated sub-tracks, which represent dispersion from actual radar data, and shifting them eastward to the new headings. Thus, the early turns that the commenter has identified were actually evident in radar data and were correctly included in the modeling. Furthermore, the NIRS modeling of flight track dispersion places the majority of the events on the backbone track and the dispersion sub-tracks nearest the backbone. The tracks representing the widest dispersion carry only a fraction of the flights assigned to the route. Consequently, the noise at Riker's resulting from the alternative is not caused by the widest dispersion (tightest turning) tracks, but by the overall general shift of many tracks toward the island.

Response to Comment 4300: Tom Bock of the Port Authority of NY & NJ

Comment Number	Comment response
16	The commenter is correct regarding the use of 2000 as the base year for the forecasting effort. Since several years have passed since the development of the forecasts and the completion of the DEIS, further analysis was conducted to determine the degree of divergence between the forecasts and the current conditions. The MITRE Corp. conducted an evaluation of the forecasts in comparison to the 2005 and 2006 actual traffic volumes. This report is presented in the "Comparative Analysis of the NY/NJ/PHL Forecast" appendix of the Final EIS document. It concludes that the projections were not in error in any important way.
17	Comment noted. See the "Comparative Analysis of the NY/NJ/PHL Forecast" appendix of the Final EIS document for a comparison of the 2006 forecasts and fleet mix with the 2005 actual traffic volumes.
18	This was done in Appendix C of the DEIS. The changes in fleet mix affect the overall values of the efficiency metrics, but the relative ranking of the alternatives is unaffected.
19	The suggestion of time-of-day sequencing for departure headings from EWR has been evaluated in the mitigation analysis presented in the Final EIS for the Preferred Alternative. Land use compatibility options, on the other hand, do not fall under the FAA Air Traffic purview. Generally these types of mitigation options are developed through the airport sponsor in conjunction with the local jurisdictions having land use controls. This is often accomplished through the development of an FAR Part 150 Noise Compatibility Plan for the airport of interest and surrounding areas and is initiated by the airport sponsor.
20	As the commenter notes, the DEIS indicated numerous significant and slight to moderate impacts associated with several alternatives. While it is true that some of these impacts would be those who are newly impacted as opposed to those who are already impacted but receive additional noise, FAA's criteria treat both categories the same. As indicated in the public workshops and hearings conducted for the project, the Final EIS contains extensive evaluations of noise mitigation focused on these and other areas of increased noise associated with the Preferred Alternative. This analysis is documented in Chapter Six, "Preferred Alternative and Mitigation", of the Final EIS document.
21	Comment noted. The concepts presented in the comment were considered and evaluated as part of the mitigation analysis prepared for the Final EIS document.
22	Comment noted. The concepts presented in the comment were considered and evaluated as part of the mitigation analysis prepared for the Final EIS document.
23	In the future, the possibility exists, with new technology, that spacing between aircraft may be reduced. The Next Generation Air Transportation System, currently in the research and development phase at FAA, NASA, the Department of Defense, and other organizations, has several concepts related to reducing separation minima and eliminating dependencies between some classes of air traffic flows. These concepts, however, are still in the research phase and will not lead to a fielded system by 2011. Where fielded technologies can be brought to bear in the time frame of the Redesign, they have been.

Response to Comment 4300: Tom Bock of the Port Authority of NY & NJ

Comment Number	Comment response
24	The biggest change to EWR airspace comes from the reworking of satellite airspace. To the northwest of EWR, traffic to TEB, MMU, and CDW (to name only the largest) impedes full use of runway 11/29. The preferred alternative uses area navigation and required-navigation-performance routes to isolate the flows to the different airports, so the job of controlling the airspace can be divided into EWR, TEB, and satellites instead of just EWR and satellites. Combined with the use of the two parallel runways for arrivals at peak periods, the result is a substantial increase in EWR efficiency.
25	This possibility was modeled and examined in detail. Although allowing the EWR departures to turn right down the Hudson corridor does improve the efficiency of EWR's operations, the cascading penalties caused by moving the various conflicting flows negate the initial benefits. A full discussion of this issue can be found in the "Mitigation - Operational Analysis" Appendix.
26	Comment noted. The purpose and need of this project is to improve efficiency. Capacity enhancement is not a part of the purpose and need for the project.



Airport Administration, 1100 Terminal Circle Drive, Suite 301
West Trenton, New Jersey 08628

Brian M. Hughes
County Executive

Kelvin S. Ganges
Chief of Staff

Andrew A. Mair
County Administrator

Aaron T. Watson
Director, Department of
Transportation & Infrastructure

March 15, 2006

Justin P. Edwards, A.A.E.
Airport Manager

Federal Aviation Administration
National Airspace Redesign Project
Steve Kelley, FAA-NAR
c/o Ms. Nessa Memberg
12005 Sunrise Valley Road
MS C3.02 Stop
Reston, VA 20191

Subject: Comment on Airspace Redesign Project

Dear Mr. Kelley:

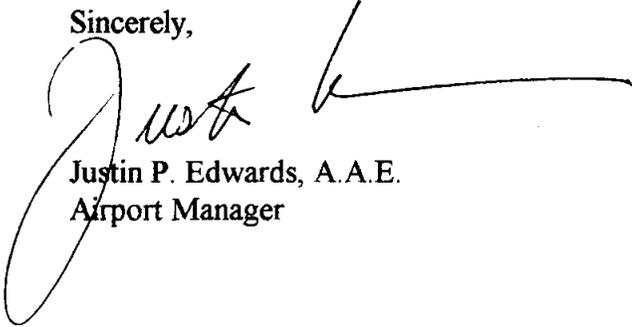
In connection with the airspace redesign project in the New York/New Jersey/Philadelphia Metropolitan Area, I offer the following proposal for your consideration and comment. Currently, aircraft traveling under Instrument Flight Rules (IFR) departing Runway 24 at Trenton Mercer-Airport (TTN) are forced to maintain an altitude at or below 2,000 feet due to a conflict with Philadelphia's airspace, located just a few miles west of TTN. In addition, aircraft departing Runway 6 are forced to maintain low altitudes due to a conflict with New York's airspace located to the east of TTN. Consequently, unnecessary noise impacts are experienced by residents located underneath the departure corridor for these runways, and increase the workload for departing pilots.

As you may be aware, TTN and the County of Mercer are under a considerable amount of pressure from residents living near the Airport in regard to aircraft noise. I feel a redesign of the Airport's departure corridors should allow aircraft operators to continue their climb, instead of being forced to maintain a lower altitude before entering Class B airspace. This would greatly enhance our noise abatement program and improve the efficiency of the airspace system.

In addition, be advised that we have been working with Federal Aviation Administration (FAA) officials to install an instrument landing system (ILS) on Runway 24, since the existing equipment on Runway 6 is not capable of accommodating a "backcourse" approach. There was legislative interest in pursuing this development and this was a recommended alternative identified in a Noise Abatement Report that was completed for the Airport a few years ago, based on prevailing winds and Airport usage.

Your consideration in this regard will be greatly appreciated. If you have any questions, or require further details, please contact me at (609) 882-1601.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin P. Edwards", with a long horizontal flourish extending to the right.

Justin P. Edwards, A.A.E.
Airport Manager

C: Aaron T. Watson, Director DOT&I
Melinda Montgomery-Traum, A.A.E., Assistant Airport Manager
Garret Hengeli, Noise Abatement Specialist
Jim Pate, Manager ATCT

Response to Comment 2883: Justin P. Edwards, A.A.E., Airport Manager, Trenton Mercer Airport

Comment Number	Comment response
1	Unfortunately, Trenton Mercer is located between the two busiest arrival fixes to the New York Metropolitan Area. The climb restriction may be waived case by case, but a standard procedure could impede EWR and LGA operations.
2	Navigational technology is being considered (e.g., RNAV, GPS etc...). However, ILS is outside the purview of this study. The study is focused on airspace management, not airport equipment improvements.

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1 THE FEDERAL AVIATION ADMINISTRATION

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4 In the Matter of the Public : PUBLIC MEETING
Information Meeting: : ORAL COMMENTS

5

:
THE AIRSPACE REDESIGN PROJECT IN :

6 THE NEW YORK/NEW JERSEY :

PHILADELPHIA METROPOLITAN AREA, :

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Holiday Inn

80 Newtown Road

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Danbury, Connecticut 06810

Tuesday, April 11, 2006

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Commencing at 6:30 p.m.

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SCHULMAN, WIEGMANN & ASSOCIATES

CERTIFIED SHORTHAND REPORTERS

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1 S P E A K E R S:

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PAGE

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PAUL D. ESTEFAN

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4 Administrator

Danbury Municipal Airport

5 Wibling Road

Danbury, Connecticut 06813

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1 MR. ESTEFAN: I'm concerned about the

2 changes in the flight paths that are currently to

3 our west being moved 20 nautical miles over the top

4 of the City of Danbury, 9000, which would impact our

5 departures out of Danbury. We have operators who

6 fly jets and turbo props that need to climb above

003118

7 9000 feet going eastbound towards the Boston area,
8 Nantucket, Martha's Vineyard. Thus we're held at a
9 lower altitude and made to come back at that lower
10 altitude to go below the 9000 foot traffic, and then
11 allowed to climb which puts economic burden on the
12 charter operators at my airport. Plus it adds to
13 our noise complaints because now they're not up and
14 out of the area, they're now coming back over us at
15 a lower altitude, and I'm concerned about that.
16 You're just shifting traffic 20 nautical miles to
17 the east rather than leaving it where it is.

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(Statement concluded.)

1 C E R T I F I C A T E

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I, YVONNE J. MORALES, a Notary Public and
Registered Professional Reporter of the State of New
Jersey, do hereby certify that the foregoing is a
true and accurate transcript of the testimony as
taken stenographically by and before me at the time,
place and on the date hereinbefore set forth, to the
best of my ability.

I DO FURTHER CERTIFY that I am neither a
relative nor employee nor attorney nor counsel of
any of the parties to this action, and that I am
neither a relative nor employee of such attorney or
counsel, and that I am not financially interested in
the action.

YVONNE J. MORALES, RPR
Notary Public of the
State of New Jersey
My Commission expires:
November 21, 2010
Notary No: 2183694

Response to Comment 3118: Paul D. Estefan, Administrator, Danbury Municipal Airport

Comment Number	Comment response
1	The tracks have been shifted eastward, but they have also been shifted upward. The reduction in climb restrictions from the major airports will frequently open up airspace below the main flow, which can be used for traffic from the smaller airports in Connecticut. The volume of airspace is dependent on weather and traffic conditions, so it can not be formally built into the airspace design, but the improved efficiency at higher altitudes should translate into more opportunities for climbs at the lower altitudes as well.



May 26, 2006

Mr. Steve Kelly
FAA NAR
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Re: New York / New Jersey / Philadelphia Metropolitan Area Airspace Redesign
Comments on the Draft Environmental Impact Statement

Dear Mr. Kelly:

The City of Philadelphia's Department of Commerce, Division of Aviation, as owner and operator of Philadelphia International Airport (PHL), takes this opportunity to comment on the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign DEIS.

Background

PHL is one of five major airports located in an air traffic system that has evolved well beyond its originally designed operational capacity. Newark Liberty International, John F. Kennedy International, LaGuardia and Teterboro are the other major airports that have contributed to increased demands on this heavily utilized airspace system, resulting in some of the most delayed operations in the nation.

Having experienced record growth in both air carrier operations and passenger numbers over the past several years, PHL is currently the ninth busiest airport in the United States in terms of aircraft operations. PHL is also one of the most delayed airports in the nation. The FAA recognizes the capacity constraints facing our Airport and is working proactively to address these issues through two significant studies.

One study is the PHL Capacity Enhancement Program (CEP), proposed to enhance capacity at PHL in order to accommodate current and future aviation demand in our region. The second study is the NY/NJ/PHL Airspace Redesign project, which is proposed to improve the flow of air traffic once aircraft take off from PHL (and other major airports in the New York and New Jersey region).

The evaluation of the airspace serving our Airport has been part of the study since its inception. Since PHL was included as one of the major airports to be modeled, it is a foregone conclusion that the outcome of the Airspace Redesign Project will have some impact on PHL.

Our review of the Draft Environmental Impact Statement (DEIS) was conducted mindful of the fact that the proposed actions do not include any proposed airfield development at PHL, and that we are addressing capacity and delay issues through the CEP EIS.

004131

Alternatives Analysis

Four alternatives were presented in the DEIS. These include: 1) Future No Action Alternative; 2) Modifications to Existing Airspace Alternative; 3) Ocean Routing Airspace Alternative; and 4) Integrated Airspace Alternative.

PHL is one of the most delayed airports in the nation, so the Future No Action Alternative, which assumes no changes to the existing airspace, would do nothing to reduce existing or forecasted delays.

The Modifications to Existing Airspace Alternative and the Ocean Routing Airspace Alternative also fail to adequately address delays at PHL that are attributed to the congested airspace environment around the Airport. While the additional departure headings planned for PHL under the Modifications to Existing Airspace Alternative have the potential to increase departure capacity nominally, they do not appear to offer the degree of benefit that is needed.

The Integrated Airspace Alternative integrates the New York Terminal Radar Approach Controlled (New York TRACON) airspace with portions of surrounding Air Route Traffic Control Centers' airspace to operate more cohesively. There are two variations to this alternative: 1) with an integrated command center (ICC); and 2) without an integrated command center. The "without ICC" variation proposes new departure headings for aircraft heading to the north, south, east, west, and southwest departure gates. As presented in the DEIS, the "with ICC" option provides several benefits for PHL, including:

- Expanding the west departure gate to the northwest;
- New procedures for aircraft heading to either the east or west departure gate;
- Shifting east departure gate;
- Shifting west arrival post to the northeast;
- New distant procedures for aircraft arriving from the west arrival post;
- Adding a route to north arrival post.

It appears that of the four alternatives under consideration, the Integrated Airspace Alternative with ICC offers the most potential to benefit PHL in terms of delay reduction.

Environmental Impact Analysis

Noise and Compatible Land Use

As with any major large-hub airport, aircraft noise is a particularly sensitive issue. Our review of the EIS indicates that three of the four alternatives would require elimination of existing noise abatement procedures for departures from Runways 27L and 27R. These procedures have been in place for more than 20 years, and in May 2003 were adopted by the FAA as voluntary noise abatement measures within PHL's Noise Compatibility Program (NCP). The FAA has also recognized these procedures during implementation of the Philadelphia Seven Departure Procedure.

Mr. Steve Kelly
May 26, 2006
Page 3

Existing departure procedures significantly reduce the number of people exposed to aircraft noise resulting from operations at PHL. When operations are in west flow, which is the majority of the time, departing aircraft are routed over the Delaware River upon takeoff before they are vectored back over land after reaching an altitude of at least 3,000 feet above ground level. Altering these procedures with the ones proposed in the DEIS would significantly increase noise exposure for hundreds of residents in the communities surrounding the Airport.

Other Categories

In addition to Noise and Compatible Land Use, the following environmental impact categories were assessed in the PHL study area: socio-economic impacts, environmental justice, Section 106 and Section 404 resources, secondary (or Induced) impacts, cumulative impacts and impacts to migratory birds. The studies indicate that the Airspace Redesign project will not result in significant impacts around PHL to any of the resources identified above.

The DEIS does note, however, that although the PHL Capacity Enhancement Program may result in cumulative impacts when combined with the Airspace Redesign project, the CEP was not included in the cumulative impacts analysis due to lack of information on the CEP alternatives. Please note that before the Airspace Redesign Final EIS (FEIS) is finalized, the CEP alternatives will have been defined and should be considered in the cumulative effects analysis. Indeed, it will be important to coordinate the Airspace Redesign project and the CEP in other ways as well to maximize the benefits and minimize the environmental impacts of both projects.

Conclusion

Of the four alternatives under consideration, the Integrated Airspace Alternative with ICC appears to offer the most potential to benefit PHL and the communities it serves in terms of delay reduction. The only adverse impact associated with the alternatives identified in the DEIS that are expected to affect the PHL study area is noise; in that regard, existing noise abatement procedures are essential. Since mitigation measures are planned to be developed between the Draft and Final EIS, we urge the FAA to explore mitigation options that would improve rather than exacerbate the noise impacts on neighboring communities.

We appreciate the opportunity to review the Draft EIS and trust the FAA will take these comments into consideration when preparing the Final EIS. If you have any questions or should you require additional information, please do not hesitate to contact me directly.

Sincerely,



Charles J. Isdell
Director of Aviation

Response to Comment 4131: Charles J. Isdell, Director of Aviation, Philadelphia Airport System

Comment Number	Comment response
1	Comment noted. The purpose and need of this project is to improve efficiency. Capacity enhancement is not a part of the purpose and need for the project.
2	Comment noted. The Integrated Airspace Alternative with ICC would result in delay reductions of 3 minutes for arrivals and 3.1 minutes for departures in 2011 when compared to the Future No Action Airspace Alternative. This Alternative provides the greatest delay reductions of the four alternatives considered in this Airspace Redesign.
3	The Record of Approval (ROA) for the PHL NCP, dated 5/19/03, contains the following language for each Noise Abatement measure related to departure headings: "This procedure may be subject to refinement based on findings of the FAA's New York/New Jersey/Philadelphia Metropolitan Airspace Redesign Project in the future". The noise impacts presented in the DEIS document clearly indicate the effect of removing these procedures in several of the alternatives. As indicated in the public workshops and hearings conducted for this project, the Final EIS contains extensive evaluations of noise mitigation focused on these and other areas of increased noise associated with the Preferred Alternative. This analysis is documented in Chapter Six, "Preferred Alternative and Mitigation", of the Final EIS document.
4	The PHL Capacity Enhancement Program is in its infancy. The DEIS for that project is anticipated in about a year. At the time when the FAA was developing the DEIS, the CEP was not considered reasonably foreseeable because alternatives including very different runway orientations were being evaluated for PHL. However, the FAA has been coordinating on the two projects. All of the air traffic projections, while developed by different contractors and for different years and different lines of business for the FAA, were examined by both teams for consistency. While the actual numbers may differ, they were within a reasonable range of each other for planning purposes. As far as cumulative noise impacts go, the total amount of traffic for each year for each airport within the study was forecasted and included in the analysis. Therefore, cumulative noise impacts were accounted for.
5	Comment noted. The Integrated Airspace Alternative with ICC would result in delay reductions of 3 minutes for arrivals and 3.1 minutes for departures in 2011 when compared to the Future No Action Airspace Alternative. This Alternative provides the greatest delay reductions of the four alternatives considered in this Airspace Redesign.
6	Upon the selection of the Preferred Alternative, the Integrated Airspace Alternative Variation with ICC, the FAA considered mitigation. In the DEIS the departure headings for the Integrated Airspace Alternative Variation with ICC were configured for maximum efficiency. In response to comments like this one, the assignment of headings has been evaluated to minimize the use of the most-sensitive headings to times when operational efficiency requires it. The details of this reassignment, which will be included in the mitigated Preferred Alternative, are in the "Mitigation - Operational Analysis" Appendix.



CITY OF PHILADELPHIA

Philadelphia International Airport
Terminal E
Philadelphia, Pennsylvania 19153

(215) 937-6800

CHARLES J. ISDELL
Director of Aviation

May 31, 2006

Mr. Steve Kelly
FAA NAR
C/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Re: New York / New Jersey / Philadelphia Metropolitan Airspace Redesign
Comments on the Draft Environmental Impact Statement

Dear Mr. Kelly:

I have enclosed a copy of a letter addressed to Marion Blakey, FAA concerning your project referenced above. Because I don't believe you were copied to receive this letter, containing important comments, I wanted to insure that you had an opportunity to acknowledge Staubach's concerns in writing under NEPA.

Sincerely,

A handwritten signature in black ink, appearing to read 'Calvin M. Davenger, Jr.'.

Calvin M. Davenger, Jr
Deputy Director of Aviation
Planning and Environmental Stewardship

Encl:

Cc: Thomas C. Lynch, Sr.VP/Director – The Staubach Company

004264
103
(Re: 2843)



STAUBACH

A World of Real Estate Knowledge

May 15, 2006

Ms. Marion C. Blakey
Federal Aviation Administrator
U.S. Department of Transportation
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Ms. Blakey:

I am contacting you as Senior Vice President/Director of The Staubach Company, an employer in the Greater Philadelphia region, to comment on a matter of the utmost importance for Greater Philadelphia's economic growth and prosperity – the redesign of its airspace. As you know, Philadelphia International Airport (PHL) is the only large hub airport serving this metropolitan area, which is composed of over 8 million people. Under the auspices of a Presidential Executive Order (E.O. 13274) and with the support of the Federal Aviation Administration (FAA), the Airport has advanced two airfield projects in an effort to reduce delays and increase capacity.

The first project, intended to alleviate delay in the short-term, was the subject of the most expeditious environmental impact study in U.S. aviation history. As a result, construction of a 1,040-foot extension to the Airport's north/south runway is expected to begin this spring and conclude by the end of 2007.

Simultaneously, a more comprehensive environmental study of long-range airfield improvements has been advanced to an intermediate stage. This study will be completed by 2008. It is hoped that it will result in the FAA's approval of dramatic, long-range runway and other improvements at PHL.

Improvements to PHL's airfield will not yield optimum benefits, however, unless the airspace serving Philadelphia is re-engineered in coordination with these runway projects. Last year, PHL handled 31.5 million passengers on 535,666 flights. Only eight U.S. airports accommodated more take-offs and landings. The Air Traffic Control Tower at PHL is the busiest in the FAA's Eastern Region.

As improvements to the management of Philadelphia's airspace are evaluated along with that of the New York and New Jersey airports, it is imperative that Philadelphia not be short-changed in the allocation of routings and other resources. I ask that you give strong consideration to whichever alternative will offer the most relief of congestion at PHL. Of the four alternatives currently under consideration, the "Integrated Airspace" alternative, enhanced by an Integrated Control Complex, appears to be the most promising. I also ask that you eliminate from consideration any alternative that would serve to increase and/or exacerbate delays at PHL. Furthermore, I ask that the ongoing planning for airspace redesign be coordinated with the planning of runway improvements in Philadelphia.

Finally, I ask that the remainder of the airspace redesign process be expedited in a similar fashion to the streamlining process being utilized for PHL's runway projects. Without prompt, coordinated action on both fronts, delays at PHL will continue to remain at unacceptable levels and compromise the airport's competitiveness by the end of this decade, ultimately causing enormous economic harm to the entire metropolitan area.



Marion C. Blakey, Federal Aviation Administration
May 15, 2006
Page 2

Please be assured that the Greater Philadelphia business community will cooperate with and support your efforts in any way that would serve to streamline the airspace study.

Thank you for your consideration in this matter.

Sincerely,

THE STAUBACH COMPANY

Thomas C. Lynch
Senior Vice President/Director

Response to Comment 4264: Calvin M. Davenger, Jr. of the City of Philadelphia, for Thomas C. Lynch of the Staubach Company

Comment Number	Comment response
1	The current configuration of runways at PHL presents one of the more difficult airspace design problems on the East Coast. All the alternatives under consideration by the PHL Capacity Enhancement Program present somewhat simpler challenges to the terminal airspace. En route airspace is still a congestion point for departures under the PHL CEP alternatives. Since the Preferred Alternative focuses on expanding departure en-route airspace for New York and Philadelphia, it leaves the neighboring Centers well positioned for any small airspace changes that may be required by the CEP.
2	Comment noted. The Future No Action Airspace Alternative is required to be considered by NEPA. In addition, each reasonable alternative to meet the Purpose and Need must be considered. The FAA elected to include the Ocean Routing Airspace Alternative for analysis due to the long standing concerns of the NJCAAN, though it is clear that it does not meet the Purpose and Need of the Airspace Redesign Project.
3	Throughout the airspace redesign process, FAA staff responsible for the airspace redesign coordinated with those involved in the PHL projects
4	Comment noted. Unlike the PHL runway projects, this project was not designated as a Vision 100 streamlined project.

N.2

Public Responses and Comments

The FAA received, read, and categorized all public comments. Each comment was categorized and given the corresponding code. The comments fell into eight main categories: NEPA Issues, Purpose and Need, Alternatives, Environmental Consequences, Mitigation, Modeling, Safety, and Other. Any comment regarding the NEPA process or the public meetings falls into the first category, NEPA Issues. Comments concerned with the purpose and need of the DEIS (i.e. noise was not included in the purpose and need for the project), fell into the category Purpose and Need. Comments suggesting alternate solutions, supporting one alternative over another objecting to the fact that a Preferred Alternative was not identified in the DEIS, and comments opposing all alternatives are included in the category Alternatives. The category Environmental Consequences includes all comments that express environmental concerns with the DEIS, including those regarding the analysis of noise, air quality, quality of life, and environmental justice impacts. Comments requesting or offering alternative mitigation solutions fall under the categorization of Mitigation. Concerns regarding the noise and computer modeling are categorized into Modeling and all comments with reference to safety are categorized under Safety. All comments that do not fit into these categories and their sub-categories are listed as Other. For a list of all possible categories and sub-categories, see the chart titled: DEIS Comment Category. The summarized list of commenter names and their appropriate comment code can be found following the categories.

DEIS Comment Categories	
Categories	Code
NEPA ISSUES	
NEPA Issues - General	NEPA
Public Meetings	MEETINGS
Short notice/No copies of DEIS sent	SN/DEIS
PURPOSE AND NEED	
Purpose and Need - General	P&N
Noise in the Purpose and Need	NP&N
ALTERNATIVES	
Alternative – Oppose Any Plan	ALT
Alternatives - General	ALTS
No Preferred Alternative	NPALT
Ocean Routing	OCEAN
Integrated Alternative	INT
ENVIRONMENTAL CONSEQUENCES	
Environmental Consequences	EC
Fuel Dumping	
Water	
Biotic Communities	

Threatened and Endangered Species	
Light Emission	
Visual Impacts	
Noise	
Use of DNL Metric	DNL
Noise - General	NOISE
Low Altitude	ALTITUDE
Quality of Life	QOL
Air Quality	AIRQUALITY
Historic Resources	HIST
Department of Transportation Act, Section 4(f)	DOT4F
Environmental Justice	EJ
MITIGATION	
Mitigation - General	MITIGATION
Route Over Water	ROW
Increase Altitude	ALTITUDE
Decrease Number of Flights	DECFLIGHTS
MODELING	
Simulation	SIM
SAFETY	
General	SAFETY
Nuclear Power Plants	
OTHER	
Other - General	OTHER
Perception that Public Being Mislead	
PHL Delays	

DEIS Public Comments	
Names	Comment
Azelc	OCEAN1, NP&N7
Buxbaum	OTHER70
Drs. Lepsky & Annise	NOISE82, SAFTEY18, NEPA1
Hagopian	OCEAN1, MEETINGS31
Joanluca@optonline.com	OCEAN1, MEETINGS31
Kretschmer	OCEAN1, MEETINGS31
Lezette	OCEAN1
Liperuote	NOISE43
Mackusa@optonline.net	SAFTEY18
Margaret Parchmont	OCEAN1, MEETINGS31, QOL17
Monanghan	OCEAN1, MEETINGS31, QOL17
NoName	OTHER56
Obhester	NOISE52
Rosenstein	OCEAN1, MEETINGS31
The Van Cora Family	NOISE18, QOL5, ALTITUDE7
Warsenn	NOISE82, SAFETY18, NEPA1
Williamson	OCEAN1, MEETINGS31
A. Greene	ALTS60
A. Greene	MEETINGS26
A. Greene	NOISE9, AIRQUALITY1, SAFETY2, EC3
A. Guffanti	OCEAN1, MEETINGS31
A. Paul	OCEAN1
A. Rahman	INT2
A. Turner	OTHER67
A.J. Kydd	NOISE82, SAFTEY18, NEPA1
Abbe Lewites	OCEAN1, MEETINGS31
Abby Friedman	P&N10, ALTITUDE15
Adam Fruitbine	OCEAN1, MEETINGS31
Adam Hart	ALT5, SAFTEY18
Adam Shapiro	NOISE52, OCEAN1, MEETINGS31
Adam Shapiro	OCEAN1, MEETINGS31
Adrian & Joan Winkelhoff	NOISE52
Agnes Kim-Meade	NP&N1
Agnes Smethy	NOISE79, INT15, QOL18
Aher Funver	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Aidan Brewer	NOISE82, SAFTEY18, NEPA1
Aileen Mulligan	NOISE52, OCEAN1, QOL17
Alan Bachman	NOISE52, OCEAN1
Alan Krampert	INT15, OCEAN1, QOL17, ALTS72
Alan Lieber	OCEAN1, MEETINGS31
Alan Lieberman	NOISE18, ALT5

New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign EIS

Alan Pevia	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Alan Scharfstein	AIRQUALITY20, QOL17, MEETINGS31, OCEAN1
Alan Shapiro	NOISE82, SAFTEY18, NEPA1
Alan Snider	OCEAN1, MEETINGS31
Albert Corten	NOISE82, SAFTEY18, NEPA1
Albert Dib	OTHER50, QOL20, ALT5
Albert Mahelsky	NOISE82, SAFTEY18, NEPA1
Alex Gontcharov	NOISE52, MEETINGS31, ALT4
Alex Porter	NOISE 18, ALTITUDE7
Alexander Mirabella	NOISE21, QOL2
Alexander Sharpe	NOISE21, SAFETY5
Alfred & Gemma Baffa	OCEAN1, MEETINGS31
Alice McManus	NOISE53
Alice Nahs	OCEAN1, MEETINGS31
Alice O'Reilly	OCEAN1, NOISE15
Alice Shafran	NOISE82, ALT5
Alice-Marie Schwenkler	NOISE52, MEETINGS31, QOL17
Alicia & David Villa	INT14, NOISE53
Alicia Johnson	OCEAN1, MEETINGS31
Aliki Ellas	QOL15, NOISE48, AIRQUALITY17
Alina Lupo	QOL17, OCEAN1, MEETINGS31
Aline Lewis	OCEAN1, MEETINGS31
Alisa Snider	OCEAN1, MEETINGS31, NOISE52
Alisha Ritt	AIRQUALITY16, ALTS41
Alison Toates	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Aliza Garofalo	SAFTEY18
Allan Greeley	QOL17, NOISE52
Allan Greene	ROW7
Allen Bahrs	NOISE51, AIRQUALITY17, QOL11
Allen Broadman	NOISE52, AIRQUALITY20, QOL17
Allison Gillespie	ALT6
Alyssa Gray	ALTITUDE25
Amanda Garceau	NOISE48, QOL14
Amanda Mendez	OCEAN1, MEETINGS31
Amy & Brian LaLonde	NOISE52, MEETINGS31, OCEAN1
Amy & Michael Pirrello	QOL15, NOISE48
Amy Casiere	NOISE18
Amy Dziemain	EC1, OTHER2
Amy Gardiner	NOISE82, SAFTEY18, NEPA1
Amy Glazer	NOISE52
Amy Goldsmith	NOISE82, SAFTEY18
Amy Janosky	OCEAN1, MEETINGS31
Amy Linardic	NOISE52, SAFTEY15, MEETINGS31, OCEAN1
Amy Luchsinger	ALT5

New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign EIS

Amy Pollock	HIST1
Amy Stephan	OCEAN1, MEETINGS31
Amy Wang	NOISE18, DOT4F5
Ana Vubro	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Andrea Newman	NOISE52, SAFTEY15, MEETINGS31, OCEAN1
Andrea Martins	OCEAN1, MEETINGS31
Andrea Spingeld	OCEAN1, MEETINGS31
Andrew Blumberg	OCEAN1, MEETINGS31, NEPA1
Andrew Groh	QOL17, NOISE52
Andrew Groh	QOL17, NOISE52, ROW10
Andrew Hamersley	NOISE51, DECFLTS5
Andrew Libo	ROW1, QOL1
Andrew Murro	MEETINGS31, OCEAN1
Andrew Nappi	NOISE82, SAFETY18, NEPA1
Andrew O'Neill	NOISE18, AIRQUALITY11
Andrew Previtali	NOISE52
Andrew Zampini	NOISE70
Andy Cooper	NOISE52, QOL17, ROW10
Andy & Roxy Peeke	NOISE52
Andy Cooper	ALTITUDE19, OCEAN1, QOL17, MEETINGS31
Angela Antonino	ALTITUDE27, AIRQUALITY18
Angela Costello	OCEAN1
Angela Gentile	NOISE62, QOL19
Anges Mlinko	NOISE82, SAFTEY18, NEPA1
Angie Murrilo	NOISE21, AIRQUALITY24
Anita & Paul Turdo	OCEAN1, MEETINGS31
Anita Coppens	ALT26
Anita Coppens	OCEAN1, MEETINGS31
Anita Holmes	NOISE45
Anita Reilly	NOISE82, SAFTEY18
Ann & Joseph Cogan	NOISE75, ALTITUDE16
Ann & William Stumpf	OTHER51, P&N12, OTHER50, QOL20
Ann Denise Korinda	NOISE34
Ann Duffy	OCEAN1
Ann Marie Bauman-Schlimme	ALTS20, ROW5, DNL1, MITIGATION4
Ann Napier	NOISE52, MEETINGS31, OCEAN1
Ann Pareti	NOISE52, OCEAN1, MEETINGS31
Ann Smiley	NOISE24
Anna Brodley	NOISE52
Anna Carbone	NOISE82, SAFTEY18, NEPA1
Anna Curtin	ALTS36, OCEAN1
Anna Curtin	OCEAN4
Anna Demoraes	OCEAN1, MEETINGS31
Anna Hackman	NOISE53, INT15

New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign EIS

Anna Leggio	NOISE10
Anna Re	NOISE10
Annamae&Francis Schaefer	ALT5, OCEAN1, MEETINGS31
Anne & Dexter Johnston	NOISE18, ALT4
Anne Carter	NOISE52
Anne Catalano	OCEAN1, MEETINGS31
Anne Clark	ALT7
Anne Corey	NOISE82, SAFTEY18, NEPA1
Anne Marie McCarthy	QOL5
Anne-Erik Marie-Palfrey	NOISE51, OCEAN1
Anneliese Landerer	OCEAN1, MEETINGS31
Annemarie McCarthy	QOL2, NOISE18
Annemarie Moore	NOISE82, SAFTEY18, NEPA1
AnnMarie Montanti	NOISE52, ALT5, MEETINGS31
Anonymous	ALTS32, ALTS4, NOISE89
Anthony Merlino	OCEAN1, NOICE52, MEETINGS31
Anthony Bayate	NOISE51, AIRQUALITY15
Anthony Delzotto	OCEAN1
Anthony Farhat	EC4
Anthony Farhat	NOISE37
Anthony Giannantonio	NOISE52, MEETINGS24, ALT5
Anthony Greico	INT15
Anthony Laveglia	NOISE18
Anthony Mack	NOISE52
Anton Sanko	ALTS35
Anton Sanko	NOISE39
Ara Seferian	MEETINGS31, OCEAN1, QOL17
Ardis Waldron	NOISE52
Arlene Frangod	ALTITUDE19, SAFTEY15, QOL17, ALT5
Arlene Piazza	ALT5, MEETINGS31
Arlette Wolkoff	QOL14
Arline Lane	NOISE82, SAFTEY18
Armand Tazza	OCEAN1, MEETINGS31
Armin & Lotte Sonnenschein	OCEAN1, MEETINGS31, QOL17
Arnie Diskin	ROW10
Arnold Goldberg	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Arnold Kristie	INT13, NOISE51, QOL11
Arnold&Melanie Eiger	QOL17, OCEAN1, MEETINGS31
Art Provost	OCEAN1, MEETINGS31
Art Blaufeder	NOISE18
Arthur & Janet Sisco	OCEAN1, MEETINGS31, NOISE14
Arthur Fuller	NOISE82, SAFTEY18, NEPA1
Arthur Gagen	NOISE18, SAFTEY6
Astrid Sichko	NOISE52, SAFETY15, OCEAN1, MEETINGS24
Augusta Kiefler	OCEAN1, MEETINGS31

New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign EIS

Avedis Alashaian	OCEAN1, MEETINGS31
B Marino	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
B Sachau	MEETINGS1
B Sachau	NOISE48, SAFTEY8
B Sachau	OCEAN1
B. O'Reilly	OTHER25
B.M Coholon	OCEAN1, MEETINGS31
Barbara Cornin	OCEAN1, MEETINGS31
Barbara Manning	NOISE52, QOL17, ROW10
Barbara & Alfred Musso	ALT5, NOISE59
Barbara & Jim Gilman	NOISE82, SAFTEY18
Barbara & Kenneth Koons	NOISE52, MEETINGS31, OCEAN1
Barbara Barrett & Kolton Barkol	NOISE48, AIQUALITY17, QOL11
Barbara Borkan	INT15
Barbara Britan	NOISE18
Barbara Briton-Seymour	NOISE18
Barbara Doll	NOISE52, QOL17, ROW10
Barbara Dym	NOISE52, QOL17, ROW10
Barbara Ehrentreu	NOISE82, SAFTEY18
Barbara Frawley	DNL1, ALT29
Barbara Freier	NOISE52, OCEAN1, MEETINGS31
Barbara Grossman	OCEAN1, MEETINGS31
Barbara Krause	OTHER33
Barbara Krupinski	OCEAN1, MEETINGS31, NOISE52, QOL17
Barbara M. Dille	AIRQUALITY22
Barbara Manis	ROW5
Barbara Mavian	NOISE82, SAFTEY18, NEPA1
Barbara McCormick	NOISE49
Barbara McGuire	SAFTEY18
Barbara Sachao	MEETINGS15, NOISE32, OCEAN1
Barbara Sachau	NOISE55, ALTS49
Barbara Sotnick	ALT8
Barbara Starr	NOISE20
Barbara Tobey	SAFTEY18
Barbara Wasserman	NOICE82, SAFTEY18, NEPA1
Barri Fruitbine	OCEAN1, MEETINGS31
Barry Levine	NOISE24, AIRQUALITY15
Barry Linder	NOISE82, SAFTEY18, NEPA1
Bart Creedon	NOISE50, OCEAN1
Bea Maxwell	OCEAN1, MEETINGS31
Belle Barnes	OCEAN1, NOISE52, SAFETY15, QOL17
Belle Degenaars	NOISE52
Benno Schmidbaur	NOISE40, EC8
Benno Schmidbaur	NOISE41
Bernadette Tivenan	NOISE51
Bernard Barker	MEETINGS32

New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign EIS

Bernard Barker	OTHER53
Bernard Dorfman	ALT5
Bernard Ferster	NOISE82, SAFTEY18
Bernard Nicolosi	NOISE59
Bernard S Levy	ALTS24, OCEAN1, MEETINGS4
Bernhard Albrecht	OCEAN1, NOISE52
Bert Slonim	NOISE82
Beth & Tom Schade	NOISE48, QOL15
Beth Aquaviva	NOISE52
Beth DeWit	SAFTEY18, ALT5
Beth Lerner	OCEAN1, MEETINGS31
Beth Rabin	ALT5, MEETINGS31
Beth Salamon	QOL17, NOISE48, AIRQUALITY17
Betsy Kolt	NOISE82, SAFTEY18, NEPA1
Betsy W. & Adey Richard	OCEAN2
Bette Wagreich	NOISE52
Betty Kaltnecker	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Betty Widman	NOISE52
Betty Braton	NP&N9
Betty Slane	OCEAN1
Betty Widman	QOL17, NOISE52, ROW10
Betty&Bob Morgan	OCEAN1
Beverly Regna	NOISE52, SAFTEY15, QOL17, OCEAN1, MEETINGS31
Beverly Barcelona	NOISE52, AIRQUALITY20, OCEAN1, QOL17
Beverly Borg	NOISE82, SAFTEY18, NEPA1
Bill Mayer	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Bill Gourgey	NOISE48, INT15, OCEAN1
Bill Gourgey	OCEAN1
Bill Hendra	NOISE51
Bill Howe	ALTS74
Bill Lyon	QOL9, NOISE66
Bill Seeman	NOISE52
Bill Tonner	OCEAN1, MEETINGS31, SAFTEY15
Bill Weigand	OCEAN1, NOISE52
Bill&Mary Anne Curl	OCEAN1, MEETINGS31
Bo Petkovich	OCEAN1, MEETINGS31, NOISE52
Bob McGuirl	OCEAN1, MEETINGS31
Bob Bachmann	ALT4
Bob Gerstley	NOISE52, QOL17, MEETINGS31
Bob Hurd	OCEAN1
Bob McNamara	NOISE82, NPAL5
Bob Schult	NOISE52
Bob Short	NOISE48, ALTS70
Bob Sterling	NOISE53
Bob Sterling	OCEAN1, INT14

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Bob Welch	OTHER54
Bob&Clare Feulner	NOISE52, OCEAN1, MEETINGS31
Bob&Janet Bevan	NOISE18, QOL5
Bonnie Glauber	SAFTEY18
Bonnie Monchik	NOISE41, AIRQUALITY12, MEETINGS18
Bonnie O'Keefe	NOISE52, QOL17, ROW10
Branca Costa	NOISE39, OCEAN1
Brenda Hill	NOISE82, SAFTEY18, NEPA1
Brenda Lyons	OCEAN1, MEETINGS31
Brenda S. Weiss	OCEAN1, QOL17, MEETINGS31
Brenda&Richard Wenning	NOISE52, MEETINGS31, OCEAN1
Brent Petty	ALT4
Brian Griesbaum	NOISE52, OCEAN1, MEETINGS31
Brian & Amy Lalonde	OCEAN1, MEETINGS31
Brian Bushell	OCEAN1, MEETINGS31
Brian Campbell	NOISE18
Brian Halloran	NOISE82, SAFTEY18, NEPA1
Brian Sokol	OCEAN1
Brian Timmerman	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Brian Wentland	NOISE52, OCEAN1, MEETINGS31
Bruce Belowich	NOISE52, MEETINGS31, OCEAN1
Bruce Dale	NOISE82, SAFTEY18, NEPA1
Bruce Huber	NOISE11, OTHER12
Bruce Lee	NP&N1
Bruce Seiff	OCEAN1, MEETINGS31
Bruce&Starzie Mayer	NOISE53, ALT5
Bruno&Gretchen Shimanek-Cividini	NOISE52, OCEAN1, MEETINGS31, QOL17
Bryan Wolkind	NOISE82, SAFTEY18, QOL21
Burnette Tai	NOISE39
Burt Kidorf	ALTS57
C. Dema	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
C. Lollerdo	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
C.J. De Cotiis	NOISE18
Calianese Calianese	ALT4
Cara Bucovetsky	NOISE82, SAFTEY18, NEPA1
Caren Harris	NOISE48, P&N5
Carey Krause	DECFLTS9, ALTITUDE26, OCEAN1, NP&N7
Cari Gardner	SAFTEY18
Carmel Gatto	OCEAN1, MEETINGS31
Carmela Legnini	SAFTEY18
Carmen Douglas	OCEAN1, MEETINGS31
Carol Mule	OCEAN1, MEETINGS31
Carol & Herman Kruegle	NOISE52, MEETINGS31, OCEAN1
Carol & Norm Schlesinger	SN/DEIS1
Carol Balbo	NOISE52
Carol Carollo	OCEAN1, MEETINGS31

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Carol Ford	NOISE52, OCEAN1
Carol Forte	NOISE48, ALT5
Carol Kobbe	OCEAN1, NOISE59, ALTS56
Carol Reilly	NOISE18
Carol Russo	NOISE52, ALT4
Carol Singer	NOISE82, SAFTEY18, NEPA1
Carol Wollman	ALT5, MEETINGS31
Carole Jones	OCEAN1, SAFTEY15, MEETINGS31
Carole & Victor Lotito	ALTITUDE19, OCEAN1, MEETINGS31
Carole Hecht	SAFTEY18
Carole Woudenberg	OCEAN1, MEETINGS31
Caroline Keller	ALT5
Carolyn Adessa	SAFTEY18
Carolyn Klinger-Kueter	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Carolyn Mittelstadt	NOISE82, SAFTEY18, NEPA1
Carolyn Pomeranz	NOISE6
Carolyn Thornlow	NOISE82, SAFTEY18, NEPA1
Catherine B. Contey	OCEAN1, MEETINGS31
Catherine Baecher-Scholtz	NOISE82, SAFTEY18, NEPA1
Catherine Fallon	DECFLITS8, NOISE14
Catherine Hays	NOISE48, INT16
Catherine Pollin	NOISE53
Catherine Tanelli	NOISE82, SAFTEY18, NEPA1
Cathy Jenney	OCEAN1, MEETINGS31
Cathy&Bruce Hodgdon	NOISE52, ALT4
Cecelia Donato	NOISE53, ALTITUDE14, ALT5, QOL15, OCEAN1
Celeste Moran	NOISE48, DECFLTS7
Cesar Carvalho	NOISE52, MEETINGS24, ROW10, OCEAN1
Cesare Cosenza	MEETINGS13
Cesare Cosenza	NOISE54, ALTITUDE20, OTHER46
Charles Reese	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Charles Capro	INT15, AIRQUALITY17, QOL11, OCEAN1
Charles Capro	NOISE18, QOL5, OCEAN1
Charles Capro	QOL13, AIRQUALITY15, INT15
Charles Coyle	NOISE73, ALT4
Charles Gilbert	NOISE48, ROW10
Charles Kanorr	MEETINGS14
Charles Karen	NOISE82, SAFTEY18, NEPA1
Charles Langton	NOISE52, QOL17, ROW10
Charles Randall	P&N1
Charles Ryan	NOISE52, SAFTEY15
Charles Schaller	INT12
Charri & Jeffrey Gilbert	OCEAN1, MEETINGS31
Cheryl Benus	MEETINGS31
Cheryl & Andrew Lazarus	QOL17, NOISE52, ALT5

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Cheryl & Anthony La Spada	NOISE52, MEETINGS31
Cheryl & Mike Ciofalo	SAFTEY18
Cheryl Dispoto	NOISE52, QOL17, MEETINGS31
Cheryl Graziano	QOL15, NOISE48
Chip Messick	NOISE70
Chloe Connolly	NOISE18
Chol White	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Chris & Paul Ranney	OTHER50
Chris & Susanne Patunas	NOISE52, MEETINGS31, OCEAN1
Chris Caulfield	NOISE82, SAFTEY18, NEPA1
Chris Dellarso	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Chris Markowski	NOISE18
Chris Strayve	ALTS3
Chris Stumpf	QOL17, NOISE52, MEETINGS31, ALT5
Chris Weber	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Chris Weigand	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Chris Woods	NOISE52, QOL17, OCEAN1, MEETINGS31
Christa M. Brooks	NOISE52, SAFTEY15, OCEAN1, MEETINGS31
Christianne Maurigi	NOISE18
Christie Hall	NOISE25
Christine Buxbaum	QOL20, OCEAN1
Christine De Vries	NOISE86, SAFTEY20, DECFLTS3
Christine Sinaldi	OTHER67
Christine Blake	NOISE82, SAFTEY18, NEPA1
Christine Blocker	NOISE38
Christine P.A35	ALTITUDE10, OCEAN1, AIRQUALITY5, NOISE17
Christine Robertson	NOISE52
Christopher Busso	OCEAN1, MEETINGS31
Christopher D. Olsen	OCEAN1, MEETINGS31
Christopher McNerney	NOISE18
Christopher Olsen	OCEAN1, MEETINGS31
Cindy & Larry Heiser	OCEAN1, MEETINGS31, NOISE52
Cindy & Paul Walsh	NOISE52, OCEAN1, QOL17
Cindy Gagliardi	NOISE24, OCEAN1, AIRQUALITY14
Cindy Grogan	OCEAN1, MEETINGS31
Cindy Turner DiNome	OCEAN1, MEETINGS31
Clara Harelik	NOISE20
Claudette Druehl	NOISE82, SAFTEY18
Clifford Keenan	OCEAN1, QOL17, MEETINGS31
Connor Harkins	NOISE18
Connor Londregan	NOISE18
Conor & Cathleen O'Flyner	OCEAN1, MEETINGS31
Conrad Brink	ALT4
Conrad Kass	NOISE48, AIRQUALITY17

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Constance Oshinsky	NOISE52, QOL17, ALT5, MEETINGS31
Cori Seferian	NOISE52, MEETINGS31
Corine Capodicasa	OCEAN1, MEETINGS31
Cornesco Kraffe	OCEAN1, MEETINGS31
Cory Notrica	SAFTEY18, NOISE82, NEPA1
CP Miller	SAFETY4
Craig Sheppard	OCEAN1, MEETINGS31
Curtis Bakal	SAFTEY18, NOISE82, NEPA1
Cynthia Altman	NOISE82, SAFTEY18, NEPA1
Cynthia Cartusciello	NOISE53
Cynthia Katsingris	ALTS18
Cyntia Rogers	ALT5, QOL13
D Partesi	NOISE51, QOL11
D Reback	NOISE53
Dale&Howard Gliklich	OCEAN1, MEETINGS31
Dan Davis	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Dan & Irene McGlynn	NOISE52, QOL17
Dan Clifford	QOL11
Dan Foote	NOISE18, ALT4
Dan Madden	NOISE51
Dan Ropson	SAFTEY19
Dani Glaser	NOISE82, SAFTEY18, NEPA1
Daniel Taub	NOISE82, SAFTEY18, NEPA1
Daniel Brennan	NOISE52, OCEAN1, MEETINGS31, QOL17
Daniel Weeks	NOISE42
Daniel&Heide Fraley	NP&N1, ALTS59
Danielle Giordano	OCEAN1, MEETINGS31
Danielle Kishkill	OCEAN1, NOISE52
Danielle Sprouls	NOISE48
Dara Reynolds	MEETINGS31, ALT5
Daria Gregg	SAFTEY18
Darrell Gordon	SAFTEY19
Dave Colavito	NOISE39, DOT4F3
Dave DiBiase	ALTS28
Dave Grandinetti	INT7
Dave Stein	NOISE48, AIRQUALITY17
David	ALTITUDE19
David Christensen	OCEAN1, MEETINGS31
David Goldman	SAFTEY18, NOISE82, NEPA1
David & Christine Verbraska	NOISE52, QOL17, ROW10
David Becker	NOISE82, SAFTEY18, NEPA1
David Buchner	NOISE52, SAFTEY15, OCEAN1, MEETINGS31
David Casiere	NOISE18, QOL11
David Dryerman	NOISE52, QOL17, OCEAN1
David Fischer	OCEAN1, NOISE52, MEETINGS31

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David Gerson	NOISE52, QOL17, MEETINGS31
David Herdrich	OCEAN1, MEETINGS31
David Hermanson	ALTS34
David Kasperowicz	OCEAN1, SAFTEY15
David Keller	NOISE52, ALT5, P&N14
David Keller	OCEAN1, MEETINGS31, QOL17
David Kestenbaum	OCEAN1
David Kroner	OCEAN1, MEETINGS31
David Marcus	ALT5, MEETINGS31
David Martin	SAFTEY19
David McCann	DOT4F4, MEETINGS23, OTHER34
David McCann	OTHER42
David McMullen	NOISE48
David Meinhard	QOL17
David Moskowitz	NOISE52, OCEAN1, MEETINGS31
David Nadasi	NOISE82, SAFTEY18
David Odenath	NOISE48, OCEAN1
David Pico	QOL17, NOISE52
David Quintana	NOISE49, QOL10
David Swetland	DNL1, MITIGATION3
David Swetland	NOISE18, DECFLTS11
David Wankoff	NOISE52, AIRQUAITY20, QOL17, OCEAN1
David&Robin Wood	NOISE51
Dawn Garcia	OCEAN1, MEETINGS31
Dawn Hergenhan	NOISE52, QOL17, MEETINGS31
Debbie & Eric Endresen	NOISE52, QOL17, MEETINGS31, ALT5
Debbie Cerreto	NOISE52, SAFTEY15
Debbie Grable	NOISE51
Debbie Latina	NOISE70
Debbie Replogle	NOISE53
Deborah Porth	NOISE52, AIRQUALITY20, OCEAN1
Deborah & Alfred Barcan	QOL17, OCEAN1, MEETINGS31
Deborah C. Moy	OCEAN1, MEETINGS31
Deborah Constable	NOISE41
Deborah Jurkowitz	SAFTEY18, NEPA1
Deborah Tarricone	NOISE82, SAFTEY18, NEPA1
Debra Crepea	NOISE53
Debra Gehringer	OCEAN1, MEETINGS31
Debra Refson	OCEAN1, MEETINGS31
Debra Ricciardi	NOISE48
Debra Schoen	NOISE82, SAFTEY18, NEPA1
Debra Zirlin	ALT4
Debra&Jay Dunne	NOISE52, OCEAN1, MEETINGS31
Debra&William McGinness	NOISE82, SAFTEY18, NEPA1
DeDe Russo	OCEAN1, MEETINGS31
Deirdre Marangiello	SAFTEY18, QOL21, NOISE82

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Denis & Barbara Siota	OCEAN1, MEETINGS31
Denis Cainero	ALTITUDE19, OCEAN1, QOL17, MEETINGS31
Denise Ablett	Illegible
Denise Feldman	NOISE59
Denise Weber	NOISE82, SAFTEY18, NEPA1
Dennis Heidt	OCEAN1, ALTITUDE18
Dennis Heidt	SAFTEY16
Dennis Kirby	NOISE82, SAFTEY18, NEPA1
Dennis McManus	NOISE52, QOL17, ROW10
Dennis Wharton	NOISE48
Dennis&Family Piretra	OCEAN1, MEETINGS31
Diana Bottiglieri	MEETINGS31, OCEAN1
Diana Downs	NOISE53, AIRQUALITY17
Diana Schneider	NP&N2, DECFLTS12
Diane & Robert Wintermeier	NOISE82, SAFTEY18, NEPA1
Diane Baviello	NOISE52
Diane Ernst	NOISE51, ALT5, OCEAN1
Diane Lomicky	OCEAN1, MEETINGS31
Diane Pasquale	NOISE52, QOL17, SAFTEY15
Dianne Ripley	NEPA1
Dianne Wiebe	NOISE61, NOISEL26
Dick Langenbach	NOISE52
Dick Zawitkowski	NOISE52, ALT5
Direct RNAV	OTHER48
Dolores Prokapus	NOISE25, AIRQUALITY6
Doly Due	OTHER71
Dominga & Bernardino Barrera	NOISE21, ALT4
Dominick Siclari	OCEAN1, MEETINGS31
Dominique Bournot	NOISE52, OCEAN1, MEETINGS31
Donald J. Grey	OCEAN1, MEETINGS31
Donald Riley	NOISE34, OCEAN1
Donald Rotolo	NOISE52, QOL17, OCEAN1, MEETINGS31
Donald Wszolek	NOISE52, ALTITUDE19, MEETINGS31
Donald&Beatrice Schutz	OCEAN1, MEETINGS31
Donna Agajanian	SAFTEY18
Donna B.	ALT5
Donna Daniele	OTHER12, ALTS68, NOISE73, AIRQUALITY21
Donna Gilmarten	ALTS38
Donna Goldsmith	NOISE82, SAFTEY18, NEPA1
Donna Magliano	INT15, NOISE48, AIRQUALITY17, QOL15
Donna Murphy	NOISE53
Donna Setola	NOISE52, MEETINGS31, OCEAN1
Donna Velasco	OCEAN1, MEETINGS31
Donna&Tom Adair	MEETINGS24, NOISE52, ALT4

New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign EIS

Doreen Thompson	OTHER31
Doreen&Michael Hourigan	OCEAN1, MEETINGS31
Doris & Henry Benvenisti	NOISE52, ALTITUDE19, SAFTEY15, MEETINGS31
Doris Atkinson	NOISE57, AIRQUALITY19
Doris Petersen	ALTS38, ALTITUDE12
Doris Petersen	ALTS38, NOISE49
Doris Surovy	QOL17, OCEAN1, MEETINGS31
Dorothea Gagliardi	NOISE52, ALT4, MEETINGS31
Dorothea Jandrucko	NOISE82, SAFTEY18, NEPA1
Dorothy Brimwell	ALTS38
Dorothy Connolly	NOISE16, QOL12, ROW9
Dorothy Donovan	OCEAN1, MEETINGS31
Dorothy Mangieri	NOISE52, ALTITUDE19
Dorothy Schrempf	OCEAN1, MEETINGS31
Dorothy Winter	ALT4
Doug Allen	OTHER41
Doug Skireef	SAFTEY18
Doug Wehrle	NOISE82, SAFTEY18, NEPA1
Douglas Nagy	OCEAN1, MEETINGS3, NOISE14
Douglas Nagy	OCEAN1, MEETINGS31
Douglas&Cynthia Ferguson	NOISE82, SAFTEY18, NEPA1
Dr. & Mrs. Lawrence Kaplan	OCEAN1, MEETINGS4
E Elliot	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Ed Doyle	NOISE39
Ed Moran	NOISE39
Edgar Smith	NOISE41, ALTNS32
Edith R. Shapiro	SAFTEY18
Edward & Lisa Specht	NOISE82, SAFTEY18, NEPA1
Edward Atlas	NOISE52, OCEAN1, MEETINGS31
Edward Burstein	NOISE53, OCEAN1
Edward Caso	NOISE52, QOL17
Edward Creasy	SAFTEY18
Edward Cullen	DNL1, NP&N4
Edward Downs	ALT5, QOL17, MEETINGS31
Edward Gwizdz	NOISE17
Edward Keyser	NOISE67, ALT5
Edward Schuck	NOISE52, ALTITUDE19, ALT5
Edward Trnka	ALTS45
Edward Walker	NOISE52
Edwin Thompson	NOISE52, SN/DEIS2, OTHER62
Eileen Daly	NOISE52, ALTITUDE19, AIRQUALITY20, SAFTEY15, MEETINGS31, OCEAN1
Eileen Heffman	OCEAN1, MEETINGS31
Eileen & Rich Collins	NOISE52
Eileen Hoey	MEETINGS31, ALT5

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Eileen Hoyt-Fernandez	NOISE52, OCEAN1, MEETINGS31
Eileen Phillips	QOL11, NOISE53
Eileen Sosin	NOISE4
Eileen Sosin	NOISE79
Eita Elpeleta	NOISE1, OTHER2
Eithne Mooney	QOL2, DNL3
Elaine Berger	OCEAN1
Elaine Thornberry	NOISE48, NOISE53
Eldon Priestley	NOISE53, DNL1, AIRQUALITY20
Eleanor Re	NOISE10
Eleanore Re	NOISE11
Eleanore Re	NOISE7, ROW10
Elena Malunis	NOISE82, SAFTEY18, NEPA1
Elena McLean	NOISE52
Elias Leilani	OTHER30
Elie Eashrel	MEETINGS14, NOISE46
Elie Pashrec	MEETINGS22
Elie Pashrell	SIM1, MEETINGS33, OTHER47
Elisa Odell	ALT5, MEETINGS31
Elisa Odell	NOISE52, MEETINGS31, OCEAN1
Elisa Sartana	ALTITUDE25
Elise Schneider	ALT1, NOISE52
Elizabeth Condon	NOISE82, SAFTEY18
Elizabeth Olsen	NOISE52, AIRQUALITY20, ALT5
Elizabeth Bedrosian	QOL17, SAFTEY15, NOISE52, OCEAN1, MEETINGS31
Elizabeth Clark	NOISE52, OCEAN1, MEETINGS31
Elizabeth Clark-Olsen	NOISE52, ROW10, QOL17
Elizabeth Hardman	NOISE82, SAFTEY18, NEPA1
Elizabeth Loree	NOISE48
Elizabeth Lutak	QOL5, NOISE21, AIRQUALITY13
Elizabeth Mooney	INT4, NOISE10
Elizabeth Nicklas	OCEAN1, MEETINGS31
Elizabeth Olsen	NOISE52, MEETINGS31, OCEAN1
Elizabeth Reece	NOISE39
Elizabeth Simonson	OTHER29
Elizabeth Stewart	OCEAN1, MEETINGS31, AIRQUALITY20
Elizabeth&Pablo Martinez	OCEAN1, MEETINGS31
Elizabeth&Thomas Gladwell	NOISE18
Elke D'Onofrio	QOL17, SAFTEY15, NOISE52, OCEAN1, MEETINGS31
Ella Raber	NOISE52, ALT5, MEETINGS31
Ellen George	NOISE52, OCEAN1, MEETINGS31
Ellen & Elliot Weiss	NOISE52
Ellen Broude	NOISE82, SAFTEY18, NEPA1
Ellen Golds	NOISE82, SAFTEY18, NEPA1

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Ellen Gotthardt	OCEAN1, MEETINGS31
Ellen Hendrickx	NOISE82, SAFTEY18, NEPA1
Ellen Hunt	NOISE18
Ellen Hunt	NOISE82, OCEAN1, MEETINGS37
Ellen Mercurio	QOL17
Ellen Roth	NOISE82, SAFTEY18, NEPA1
Ellen V. Simpson	OCEAN1, MEETINGS31, NOISE52
Elliot Turrini	NOISE53
Elwood Cooper	MEETINGS31, ALT4
Elyse Pleasic	OCEAN1, MEETINGS31
Elyse Solomon	NOISE52, QOL17, ROW10
Elysie Pleasic	OCEAN1, MEETINGS31
Emalee Cronwell	NOISE52, OCEAN1, MEETINGS31, QOL17
Emily Wisgerber	NOISE18
Emmanuel Faure	NOISE82, SAFTEY18, NEPA1
Eric Altneu	NOISE52, ALT5
Eric Holdorf	NOISE82, SAFTEY18, NEPA1
Eric Sokol	NOISE20, DECFLTS2
Erik Torsland	NOISE52, OCEAN1
Erin Moonan	NOISE18, AIRQUALITY11, SAFTEY6
Ernest&Dee Politz	ALT5, MEETINGS31
Erwin Ramirez	AIRQUALITY15, NOISE51
Esther Tonnessen	OCEAN1, MEETINGS31
Eugene Corcoran	ALTS42
Eugene Corcoran	SAFTEY13, ALTITUDE12
Eugene Corcoron	AIRQUALITY18
Euphrosyne Bloom	ALTS31, EC7
Euphrosyne Bloom	NOISE83
Evangelia Tsomos	OCEAN1, MEETINGS31, QOL17
Evelyn Aszmus	SAFTEY18
Evelyn Consolini	OCEAN1, MEETINGS31
Evelyn Eigner	NOISE52, SAFETY15, OCEAN1
Evelyn Hepper	OCEAN1, MEETINGS31
F. Cevesarte	OCEAN1, MEETINGS31
F. Murno	NOISE52, MEETINGS31
F. Pelemezian	NOISE52, SAFTEY15, MEETINGS31, OCEAN1
F.J. Valentino	QOL17, ALT4
Faith Salinger	OCEAN1, MEETINGS31
Faith Steinberg	NP&N6
Family Herzberger	NOISE52, ALTITUDE19, AIRQUALITY20, SAFTEY15, MEETINGS31, OCEAN2
Family Paulen	NOISE52, OCEAN1, MEETINGS31
Fangming Kong	NOISE52, OCEAN1, MEETINGS31
Faye Feit	ALT4
Felicia Anzel	NOISE82, SAFTEY18, NEPA1

New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign EIS

Flora & Andreas Frangoudis	NOISE48, OTHER39
Frances Russo	NOISE10
Frances Russo	NOISE10
Frances Scarantino	NOISE49
Frances Vukek	NOISE10, NOISE88, ALTS81
Frank Farinaro	SAFTEY15, QOL17, NOISE52, OCEAN1
Frank Almonte	NOISE52, QOL17, OCEAN1, MEETINGS31
Frank O'Brien	NOISE52, QOL17, ROW10
Frank&Jane Villani	ALTS5, MEETINGS31
Frans Verhagen	OTHER37
Fred & Sondra Greenspan	NOISE82, SAFTEY18, NEPA1
Fred Balbo	NOISE52, OCEAN1
Fred Demmerle	OCEAN1, MEETINGS31
Fred Kerhonkson	MEETINGS19, NOISE41
Fred Ornstein	OCEAN1, QOL17, NOISE52, MEETINGS31
Fred Smith	NOISE82, SAFTEY18, NEPA1
Fred Tecco	NOISE52, QOL17, ROW10
Fred Volpacchio	NOISE82, SAFTEY18, NEPA1
Fred Volpacchio	NOISE82, SAFTEY18, NEPA1
Frederick Obrock	OTHER11
Frederick O'Brock	DOT4F1, ALTS15
Frida Parker	OCEAN1
G. Moran	NOISE52, SAFTEY15, MEETINGS31, OCEAN1
Gabriel Alfaya	SAFTEY18, ALT4
Gabriel & Diane Mara	OCEAN1, MEETINGS31
Gabriel Baez	OCEAN1
Gabriella Brown	DNL1, MEETINGS13
Gail Adler	OCEAN1, MEETINGS31
Gale Brownlee	NOISE41
Gary Brooks	OCEAN1, NOISE52, MEETINGS31, AIRQUALITY20
Gary Slutsky	NOISE82, SAFTEY18, NEPA1
Gary & Joan Maillard	OCEAN1, NOISE48
Gary Blades	NOISE35, MEETINGS35, CONTAINS RESPONSE TO 4280
Gary Blades	NOISE80, MEETINGS35, RESPONSE in 4582
Gary Cohen	OCEAN1, MEETINGS31
Gary Malunis	NOISE82, SAFTEY18, NEPA1
Gary Menze	NOISE52, QOL17, ROW10
Gary Nicolini	NOISE52, OCEAN1, MEETINGS31
Gary Pettit	SAFTEY18
Gary Szek	MEETINGS8
Gary Szelc	SAME COMMENT IN EMAIL
Gary Wyssling	OCEAN1, NOISE34
Gary Wyssling	SAFETY14

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Gary&Joan Maillard	NOISE48, OCEAN1
Gene Feeney Sr.	NOISE82, SAFTEY18, NEPA1
Gene Preston	NOISE48
Genesio&Margaret Vicini	NOISE52, OCEAN1, MEETINGS31
Genny Warren	NOISE48
Geoffrey&Audrey Cheatham	NOISE52, MEETINGS31
George Baily	NOISE52, QOL17
George Ellas	QOL15, ALT5
George George	ALTS30
George Jorn	NOISE18
George White	NP&N1
George Wiener	SAFTEY18
Georgianna Grant	SAFTEY18
Gerard Tateossian	OCEAN1, MEETINGS31, QOL17
Gerri Stiner	NOISE17
Gerry O'Malley	NOISE82, SAFTEY18, NEPA1
Gisela Joppich	OCEAN1
Glen Chiger	NOISE52
Glenn Pagano	NOISE52, OCEAN1, MEETINGS31
Glenn Ball	NOISE79
Glenn Stanton	INT21, ALTS45
Gloria Guman	NOISE82, SAFTEY18, NEPA1
Gloria Lammers	NOISE52, MEETINGS31
Gloria Ponosuk	NOISE52, SAFTEY15, OCEAN1, MEETINGS31
Gloria Pskowski	ALT5, MEETINGS31
Gloria Weinstock	MEETINGS31
Glynn William	NOISE59
Gordon Smith	NOISE18
Grace Giacomello	OCEAN1
Grace Mahelsky	NOISE82, SAFETY15, NEPA1
Grace Meyer	NOISE52, OCEAN1, MEETINGS31
Grace Meyn	NOISE24
Greg Maher	SAFTEY18
Greg Green	ALTITUDE10
Greg Jarem	NOISE52, AIRQUALITY22, QOL17, OCEAN1
Greg Paranto	ALTS14
Gregory Misuta	OCEAN1, MEETINGS31
Gunther McKeown	NOISE51, ROW10
Guy Mule	ALT5, MEETINGS31
Gwen Langille	NOISE82, SAFTEY18, NEPA1
H. Ryan	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
H. Cerullo	NOISE52, QOL17, ROW10
H. Immer	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Haekyung Hong	NOISE52, MEETINGS31, OCEAN1
Hala Makowska	NOISE82, SAFTEY18, NEPA1

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Halima&Tom McDonough	OCEAN1, MEETINGS31
Hannah Buonaguro	NOISE18, AIRQUALTY11, QOLL7
Harold DeLoe	SAFTEY18, NOISE82, EJ3
Harold Ganz	NOISE52, MEETINGS31, OCEAN1
Harold Reinstein	NOISE82, SAFTEY18, NEPA1
Harriet Rola	NOISE65, QOL18
Harriet Tellem	OCEAN1, MEETINGS31
Harriet Zuk	NOISE52, SAFTEY15, ALTITUDE19,
	OCEAN1, MEETINGS31
Harrison Novak	OCEAN1, MEETINGS31
Harry Falconer	NOISE52
Harry Schultz	NOISE62
Heather Liguori	OCEAN1, MEETINGS31
Heide L. Pollack	NOICE52
Heidi Mannik	ROW10, QOL17, NOISE52
Heinz Schlenkermann	SAFTEY18
Helen O'Brian	NOISE52, OCEAN1, MEETINGS31
Helen Cibere	Illegible
Helen Coppens	ALTS26
Helen DeMartini	OCEAN1, MEETINGS31
Helen Yarscak-Lanzotti	SAFTEY18, NOISE52, AIRQUALITY22,
	NEPA1
Helene & Norman Wattman	NOISE52, OCEAN1, MEETINGS31,
Helga Roberts	AIRQUALITY1, NOISE4, OTHER2
Hendrik Bock	NOISE52, QOL17, ROW10, MEETINGS36
Henry Goldstein	OCEAN1, MEETINGS31
Henry & Karen Thomas	SAFTEY18, NEPA1
Henry Kelly	ALTS1
Herb Benkel	NOISE52, QOL17, ROW10
Herb Myers	NOISE1, ROW3
Herb Ribner	NOISE77, ALTS65
Herbert & Ruth Rivkin	NOISE52
Herbert McCarson	OTHER69
Herbert Ribner	DNL1
Herbert Water	SAFETY10
Hillary Barnett	NOISE52
Hillary Dubin	OCEAN1, MEETINGS31
Hillary Mayer	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Hollister Sykes	NOISE18
Holly Kotiadis	SAFTEY18
Howard & Jackie Kleinfelder	OCEAN1, MEETINGS31
Howard Greenberg	NOISE52, QOL17, MEETINGS31
Howard Smith	NOISE52, MEETINGS31, OCEAN1
Ian Bauer	NOISE82, SAFTEY18, NEPA1
Ines Fajardo	OCEAN1, MEETINGS31
Ingrid Katz	OCEAN1, MEETINGS31

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Irene Borborogly	INT9, OCEAN1
Irwin Miller	OCEAN1, MEETINGS31
Isabella Bannerman	NOISE82, SAFTEY18
Issac Woltshock	ALT5, MEETINGS31
J. Bere	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
J. Manuel	NOISE69
J. Marino	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
J. Perl	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
J. Virosco	NOISE52, QOL17, ROW10, MEETINGS31
J. Wagner	NOISE52, QOL17, OCEAN1
Jack & Anna Rosenberg	MEETINGS31, OCEAN1
Jack Bober	NOISE18, ALTS52
Jack Gentempo	DNL6
Jack Hartford	OCEAN1, MEETINGS15
Jackie Marek	NOISE82, SAFTEY18, NEPA1
Jackie & Joel Graber	NOISE52, QOL17, ROW10
Jackie&Greg Berlengi	OCEAN1, MEETINGS31
Jacob Magiera	OTHER67
Jacob K. Rubinstein	ALTITUDE24, OCEAN1, NOISE12
Jacob Kovolisky	NOISE18
Jacqueline Capro	NOISE18, QOL5, OCEAN1
Jacqueline Grindrod	OTHER28
James Mitchell	OCEAN1, MEETINGS31
James Wismer	NOISE18, OCEAN1, AIRQUALITY11
James & Lorraine Kelly	QOL17
James Cowderry	NOISE82, SAFTEY18, NEPA1
James DeProspero	NOISE52, OCEAN1, MEETINGS31
James DeProspero	OCEAN1, MEETINGS31
James Durkin	NOISE48, AIRQUALITY17, ALT5
James Esposito	NOISE52
James Kimball	NOISE52, SAFTEY15, OCEAN1
James Ko	OCEAN1, MEETINGS31, NOISE52
James Loderstedt	OCEAN1, NOISE18
James Lomicky	OCEAN1, MEETINGS31
James Mahood	INT20, ALTITUDE14
James Manning	NOISE18
James Manning	NOISE18
James Spencer	OCEAN1, MEETINGS31
James Wilson	NOISE25
Jamie Black	NOISE82, SAFTEY18, QOL21
Jamie Kinsel	NP&N1
Jan Rosenblatt	NOISE52, QOL17, ROW10
Jan Nolte	NOISE82, SAFTEY18, NEPA1
Jan Seiffer	NOISE52, SAFTEY15, OCEAN1
Jane Wanpi	DECFLTS8
Jane & Jesse Greenwald	NOISE52, AIRQUALITY20, OCEAN1, ALT4

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Jane Brooks	ALT4, OCEAN1
Jane Robinson	NOISE48
Jane Wertheim	OCEAN1, MEETINGS31
Jane Yendell	NOISE82, SAFTEY18, NEPA1
Janet & Martin Chambers	NOISE52, OCEAN1, MEETINGS31
Janet Barnard	OCEAN1, NOISE52
Janet Blissinger	OCEAN1, NOISE52, MEETINGS31
Janet Donaghy	NOISE52, SAFTEY15, OCEAN1, MEETINGS24
Janet Lamb	QOL15
Janet Moro	OCEAN1, MEETINGS31, QOL17
Janet Villafane	OCEAN2
Janet&Douglas Fields	ALTERNATIVE
Janice Beck	NOISE48
Janice Beck	NOISE48
Janice Cauwels	OTHER50
Janice&Peter Slampak	QOL17, MEETINGS31, OCEAN1
Janis Febish	ALT5, OCEAN1
Janson Media	ALTITUDE19, NOISE52, QOL17, ALT5
Jaqueline Loughrer	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Jared Dubin	OCEAN1, MEETINGS31
Jared Lans	OCEAN1, MEETINGS31, QOL17
Jason D'Amore	NOISE82, ALTS78
Jason D'Amore	OTHER52
Jason Fowler	NOISE48
Jay Chopra	NOISE18, AIRQUALITY11
Jay Leonard	OTHER15
Jean Petro	OCEAN1, MEETINGS31
Jean Wentworth	NOISE82, SAFTEY18, NEPA1
Jean Dorsainvil	ALTITUDE12
Jean Miller	QOL5, NOISE18, AIRQUALITY11
Jean Rivlin	SAFTEY18
Jeananne Marrone	NOISE52, OCEAN1, MEETINGS31
Jeanice Bainnson	OCEAN1, MEETINGS31
Jeanine Keenan	OCEAN1, MEETINGS31, EC1
Jeanne Kinney	QOL1
Jeanne Starren	NOISE82, SAFTEY18, NEPA1
Jeanne Stillman	MEETINGS31, OCEAN1, NEPA1
Jeanne Valenti	MEETINGS31, OCEAN1, EC11
Jeannette Hall	AIRQUALITY4, NOISE8
Jeannie Chan	NOISE18
Jeff Matesic	NOISE52, OCEAN1, MEETINGS31
Jeff Pucillo	NOISE82, SAFTEY18, NEPA1
Jeff Slivinski	NOISE18
Jeffrey & Barbara Weiss	NOISE82, SAFTEY18, NEPA1
Jeffrey Berkowitz	NOISE52

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Jeffrey Pistol	OCEAN1, NOISE18, OTHER11
Jeffrey Robinson	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Jeffrey Rowbottom	NOISE52, OCEAN1, MEETINGS31
Jeffrey Saks	NOISE82, SAFTEY18, NEPA1
Jeni Branum	MEETINGS6
Jennie Kaplan	SAFTEY18
Jennifer Frantin	OCEAN1, MEETINGS31
Jennifer Sircacchi	ALTITUDE25
Jennifer Lee	NOISE82, SAFTEY18, NEPA1
Jennifer Raspanti	NOISE52, AIRQUALITY20, SAFTEY15
Jennifer Wirchansky	OCEAN1, MEETINGS31, ALTS5
Jeremy Shapiro	QOL17, OCEAN1, ALT5
Jeremy Wilber	ALTS76
Jerome Feder	DOT4F6, NOISE87
Jerome Goodman	ALTS46, NP&N9, AIRQUALITY1
Jerome S Yates	NOISE52, QOL17
Jerome Yates	NOISE52, QOL17, ALT5
Jerry Blanke	NOISE52, QOL17, ROW10, MEETINGS36
Jerry Del Vecchio	ALT5
Jerry DeNigris	ALT1
Jerry Spada	NOISE52
Jessica Langton	NOISE52, QOL17, MEETINGS36, ROW10
Jessica Langton	NOISE52, QOL17, ROW10
Jessica Mac Pheron	OCEAN1, MEETINGS31
Jessica Mollin	QOL1, NOISE1
Jessica Parente	NOISEL49
Jett Gurman	NOISE52, SAFTEY15
Jill Scherz	NOISE52, QOL17
Jillian Vanderhoff	NOISE18, AIRQUALITY11
Jim Goldsmith	NOISE82, SAFTEY18, NEPA1
Jim Moldow	ALTITUDE19, NOISE52, OCEAN1
Jim Bois	ALTS36, OCEAN1
Jim Carlsen	NOISE52, OCEAN1, MEETINGS31
Jim Frawly	ALT11, NOISE85, OTHER72, OTHER73
Jim Marshall	ALTS66
Jo Hoffacker	ROW2, NOISE18
Joan & Family Futterman	NOISE52
Joan Dondero	NOISE52, SAFTEY15, OCEAN1
Joan Kennelly	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Joan Robles	ALT5, MEETINGS31
Joan Sarfin	NOISE12
Joan Stalib	NOISE52, AIRQUALITY20, OCEAN1
Joan Taskalos	NOISE52, ROW10, OCEAN1, ALT5
Joan&James Gifas	NOISE52, OCEAN1, MEETINGS24
Joann Minett	SAFTEY18
Joanne Rambella	ALTITUDE19, NOISE52, SAFTEY15, ALT5

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Joanne & Ralph Spinnato	OCEAN1, MEETINGS31
Joanne Bierschenk	NOISE41, DOT4F3
Joanne C. Howley	NOISE52, QOL17, ROW10, MEETINGS31
Joanne Witney	NOISE52, ROW10, DECFLTS5
Joe Farrell	ALTS62
Joe Jesuele	NOISE52
Joe Pappas	NOISE82, SAFTEY18, NEPA1
Joeen Ciannella	NOISE52, SAFTEY15, QOL17, ROW10
Joel Linard	ALTITUDE
Johann Safar	NOISE52, OCEAN1, MEETINGS31
Johanna Cairo	NOISE52, OCEAN1, SAFETY15
Johanna Cairo	NOSIE52, SAFTEY15, AIRQUALITY20, OCEAN1, MEETINGS31
Johanna Murillo	NOISE18, ALT5
John Beck	ALTITUDE19, SAFTEY15, QOL17, MEETINGS31
John Bray	MEETINGS38
John Cioffi	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
John Drake	NOISE18, AIRQUALITY11
John Fleming	NOISE52, OCEAN1, MEETINGS31
John Liguori	OCEAN1, MEETINGS31
John Lugwig	ALT3
John O'Reilly	NOISE52, SAFTEY15, OCEAN1, MEETINGS31
John Sparacio	OCEAN1, MEETINGS31
John & Angela Ruocco	OCEAN1, MEETINGS31, ALTS75
John & Cynthia Reutershan	OCEAN1, MEETINGS31, SAFTEY15, NOISE52, AIRQUALITY20, QOL17
John & Patricia Gannon	OCEAN1, MEETINGS31
John & Rose Bogert	NOISE52, QOL17, AIRQUALITY20, OCEAN1, MEETINGS31
John & Susan Gleeson	NOISE52, ALTITUDE19, OCEAN1, MEETINGS31
John & Carol Cerrato	NOISE52, SAFTEY15
John & Janette Leber	NOISE52
John Andronico	OCEAN1, MEETINGS31
John Bauman	NOISE82, SAFTEY18
John Berman	NOISE47
John Biddle	OTHER50
John Bray	MEETINGS38
John Bray	ROW5
John Breitenbach	ALTS29
John Corcoran	NOISE52, OCEAN1, MEETINGS31
John Dannenbaum	NOISE53, QOL15, ALT5
John Demarie	OCEAN1, MEETINGS31
John Donoghue	NOISE48, OCEAN1, MEETINGS31

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John Donoghue	NOISE52, ROW10
John F. Lynch	DNL1
John Fazio	AIRQUALITY, NOISE49
John Ferrara	OCEAN1, MEETINGS31, QOL17
John Flack	NOISE82, NEPA1, SAFTEY18
John Gentempo	ALTS18
John George	NOISE82, SAFTEY18, NEPA1
John Germain	INT15, ALT3
John Hammalian	OCEAN1, MEETINGS31
John Hassett	INT18, NOISE63
John Jennings	NOISE53
John Kane	SAFTEY15, NOISE52, OCEAN1, MEETINGS31, MEETINGS24
John Kasperan	QOL5, NOISE18
John Kenney	NOISE52, SAFTEY15, MEETINGS31
John LeBoutillier	ALTITUDE1, ROW1
John Leyden	NOISE82, SAFTEY18, NEPA1
John Lucey	NOISE53
John Mario	NOISE18
John Mclean	NOISE52, OCEAN1
John McLean	ROW10, NOISE52
John Mooney	DNL3, QOL2
John Mooney	QOL5, NOISE18
John Neufville	NOISE48
John P. Marin	NOISE52
John Reese	OCEAN1, MEETINGS31
John Rossi	NOISE52, ALT5
John Russell	OTHER49
John Welsh	NOISE29
John Wigger	OCEAN1, MEETINGS31
John Wood	NOISE52, OCEAN1, MEETINGS31
John&Jean Welby	OCEAN1, MEETINGS31
John&Maria Frey	OCEAN1, ALTITUDE14
Joli Neslon	NOISE52, AIRQUALITY20, QOL17, OCEAN1
JoLynn Judka	NOISE18, OCEAN1
JoLynn Judka	NOISE18
JoLynn Judka	NOISE51, QOL3, SAFETY8
JoLynn Judka	NOISE51, SAFETY8
Jon Karpoff	NOISE82, SAFTEY18, NEPA1
Jon Mikula	OCEAN1, NOISE48, QOL17
Jon Nicolas	DECFLTS8, ALTITUDE25
Jon Racich	NOISE52, MEETINGS31
Jonatahan Fein	NOISE82, SAFTEY18, NEPA1

Jonna & Kyle Rothbart	SAFTEY18, NOISE52, OCEAN1, MEETINGS31
Jonni Beggs	NOISE52, OCEAN1
Joon Choi	ALT5, MEETINGS31
Joseph Weiss	ALT5, MEETINGS31
Joseph & Doris Levitzki	OCEAN1, SAFTEY15, NOISE52
Joseph & Miriam Tort	MEETINGS43, MEETINGS44, DNL1
Joseph Arvay	NOISE48, ALT5
Joseph de Chaves	NOISE82, SAFTEY18, NEPA1
Joseph DeAngelo	INT15
Joseph Dispoto	NOISE52, QOL17, MEETINGS31, ROW10
Joseph Florio	MEETINGS21
Joseph Helduser	NOISE62, ALTITUDE17
Joseph Holl	OCEAN1
Joseph Lopes	NOISE18, QOL5
Joseph Maurigi	QOL3, OCEAN1
Joseph Papa	ALT5
Joseph Rodriguez	SAFTEY18
Joseph Ryan	ALT5
Joseph Zimmer	MITIGATION1, MITIGATION2
Josepha Gutelius	NOISE39
Josephine Moyer	ALTS17
Jospeh Coulombe	NOISE25, ALTS24
Joy Held	MEETINGS27, NOISE64, ALT5
Joy Weber	DOT4F3, HIST2
Joyce Anzalone	OCEAN1, MEETINGS31
Joyce Bloom	NOISE52, QOL17, ROW10
Joyce David	NOISE52, QOL17, ROW10
Joyce Drake	NOISE5
Joyce Okuniiwicz	ALTITUDE28
Joyce Weiser	NOISE82, SAFTEY18, NEPA1
Joyce Wellenkamp	NOISE52, ALT5
Joyce Zambito	NOISE59
Joyce&Jack Orbine	OCEAN1, MEETINGS31
Joyce-Paul Cohen	QOL16
Judi Mandi	NOISE45
Judi Shingelo	OCEAN1, MEETINGS31
Judith & Alan Duke	NOISE82, SAFTEY18, NEPA1
Judith & Thomas Bracco	SAFTEY15, OCEAN1, MEETINGS31
Judith Harrison	NOISE82, SAFTEY18, NEPA1
Judith Parker	OCEAN1, MEETINGS31
Judith Pupoli	NOISE18, OCEAN1
Judy Garceau	QOL15, ALT5, AIRQUALITY17
Judy Marino	NOISE52, QOL17, MEETINGS28
Julia Szabo	NOISE41, OTHER76
Julie & Jeffrey Benedict	OCEAN1, MEETINGS31

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Julie Delyannis	QOL17, NOISE52
Julie Gunning	NOISE18, ALTITUDE11
Julie Hirschfeld	SAFTEY18, NOISE82
Julie Oshinsky	NOISE52, QOL17, ALT5, MEETINGS31
Jun Wang	INT20, NOISE53
June Kenny	NOISE10
June Taggart	NOISE41, ALTS47
June Tooni	ALT8, NOISE18
K. Lael	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Kalman Rotenberg	OTHERL8, ALTS9
Kaoru & Takumi Miyata	NOISE52, MEETINGS31
Karen and David Francis and Jones	NOISE52, OCEAN1, MEETINGS31
Karen Casalaspro	MEETINGS21, NOISE49
Karen Listopad	ROW7, SAFTEY13
Karen Sperber	NOISE52, QOL17, ROW10
Karen White	NOISE52, ALT5, MEETINGS31
Karyn Petersen	ALTS38
Katherine Dewechter	NOISE25
Kathleen Carney	ALTS12
Kathleen Donnelly	NOISE31, AIRQUALITY7, SAFETY8
Kathleen Donovan	SAFTEY15, NOISE52
Kathleen Eichner	NOISE52, QOL17, ROW10
Kathleen O'Flynn	OCEAN1, MEETINGS31
Kathleen Warner	INT19
Kathleen&Demarest Demarest Jr.	NOISE52, INT15
Kathryn Schumacher	OCEAN1, NOISE48
Kathy Sheppard	OCEAN1, MEETINGS31
Kathy Soderstrom	ALT9
Katrina Tarplin	NOISE48
Kay Augustine	ALTITUDE19, NOISE62, ALTS79
Keith & Rosanna Dougherty	NOISE82, SAFTEY18, NEPA1
Keith Knuckey	NP&N5, ALTS64
Kelly Bram	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Kelly McCormick	ALT5, MEETINGS31
Ken Schmitt	NOISE52, OCEAN1, MEETINGS31
Ken Gardner	NOISE4, QOL1
Ken Wilson	OCEAN2
Kenneth Hawork	MEETINGS31, OCEAN1
Kenneth Arnold	ALTS19
Kenneth Arnold	NOISE29
Kenneth Dahl	NOISE18
Kenneth Lagana	NOISE52, OCEAN1
Kenneth Maxwell	OCEAN1, MEETINGS31
Kenneth Wapner	NOISE41
Kent Lucas	QOL11, ALT5
Keren Baum	NOISE52, AIRQUALITY20, MEETINGS31,

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Keri Turnamian-Todisco	OCEAN1
Kerri & Glenn Pernick	NOISE52, OCEAN1, MEETINGS31
Kerry Rokicki	AIRQUALITY20, MEETINGS31, OCEAN1
Kevin Saul	NOISE18, QOL5
Kevin McManus	OCEAN1, MEETINGS31
Kevin Mooney	NOISE52, OCEAN1, MEETINGS31
Kevin Saul	NOISE68
Kevin&Carol McCabe	OCEAN1, MEETINGS31
Kim & Robert Diccianni	NOISE52, OCEAN1, MEETINGS31
Kim Chamberlain	NOISE52, MEETINGS25
Kim Garfinkel	OCEAN1, NOISE53
Kim Karen&Paul Rapp	NOISE53, QOL17, ALT5
Kim Shepherd	NOISE52, QOL17, OCEAN1, MEETINGS31
Kim Sokol	ALTS59, NP&N1
Kim Sokol	MEETINGS7, ALTITUDE5
Kim Wentworth	NOISE24, OCEAN1
Kimberly Maki	NOISE53, AIRQUALITY15
Kira McKeown-Adamo	NOISE53, QOL15
Kloorfain Michael	OCEAN1, MEETINGS31
Koidu Bock	NOISE52, QOL17, ROW10
Kristen Racich	NOISE52, QOL17, ROW10, MEETINGS36
Kristen Labbate	OCEAN1, MEETINGS31
Kristi & Lockwood Miller	NOISE18
Kristi Holz	INT15, QOL15
Kristin Holtz	NOISE48, AIRQUALITY17
Kristin Lee	OCEAN1, AIRQUALITY20
Kristin Mikula	NOISE52
Krystina Riggi	NOISE48, ALTITUDE14, ALT5
Kurt Neurt	NOISE18, AIRQUALITY11
Kurtis Krause	SAFTEY19
Kyle Maguire	NOISE18, QOL5
L. Burns	NOISE48
L. Cotter	ALTITUDE3
L. Depinto	OTHER67
L. Lintz	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
L. Michael & Sharon A. Newman	MEETINGS3
Lainie & Gregory Miller	NOISE41, ALTITUDE11
Larry Winne	OCEAN1, MEETINGS31
Larry Taylor	QOL24, NOISE84
Larry Warshaw	OTHER13
Larry&Jeff Morgan	OCEAN1, AIRQUALITY20, ALTITUDE19,
Laura Daniels	MEETINGS31
Laura & David Walsh	NOISE59, ROW5, OCEAN1
Laura & Richard Fogarty	NOISE52, OCEAN1
	NOISE52, QOL17, ROW10
	OCEAN1, MEETINGS31

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Laura Cohan	OCEAN1, MEETINGS31
Laura David	NOISE49
Laura Hooper	ALTITUDE9, ECL5, AIRQUALITYL5, NOISE36
Laura Nejes	ALTITUDE13
Laura Rubin-Reick	NOISE82, SAFTEY18, NEPA1
Laura Waters	OCEAN1
Lauren Hulkower	NOISE52, ALTITUDE19, MEETINGS31
Lauri Zarin	NOISE45
Laurie Salzberg	NOISE82, SAFTEY18, NEPA1
Laurie Corey	NOISE82, SAFTEY18
Laurie Heedles	MEETINGS21
Laurie Heedles	NOISEL49, MEETINGS21
Laurie Lieberman	NOISE82, QOL21
Laurie&Jeff Gerber	NOISE52
Lawrence Loeffler	NOISE52, OCEAN1
Lawrence Smeen	NOISE52, MEETINGS31
Lawrence Wagreich	NOISE52
Lee Kewsong	QOL3
Leon Ciampo	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Leon & Eleanor Kobrin	NOISE52, OCEAN1, MEETINGS31
Leonard Levy	NOISE52
Leonore&William Rosenzweig	OCEAN1, NOISE52, MEETINGS31
Lesa Brinker	OCEAN1, MEETINGS31
Leslie Cox	OTHER59
Leslie Goldstein	NOISE82, SAFTEY18, NEPA1
Leslie Nassau	OCEAN1, MEETINGS31
Leslie Quinn	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Lewis Lipmsn	OCEAN1
Lewis Nassau	MEETINGS31, ALT5
Liane& Michael Murtagh	QOL17, NOISE52, ALT4
Lilet Martinez	NOISE52, AIRQUALITY20, QOL17, MEETINGS31, ALT5
Lilian Whitaker	NOISE46
Lillian Tucci	SAFTEY18
Linda & David Kaufmann	QOL17, SAFTEY15
Linda Bickford	NOISE72
Linda Emmich	NOISE52, OCEAN1, MEETINGS31
Linda English	OCEAN1, MEETINGS31
Linda Francis	NOISE52, MEETINGS40
Linda Lammers	NOISE52, OCEAN1, MEETINGS31
Linda Lammers	OCEAN1, MEETINGS31
Linda Luciano	NOISE59
Linda McConneyhead	AIRQUALITY2, EJ1
Linda Rogers	DOT4F3
Linda Rogers	NOISE39, DOT4F3

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Linda Root	NOISE48
Linda Saieer	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Lisa Battinelli	OCEAN1, MEETINGS31
Lisa & Brian Grodin	NOISE82, SAFTEY18, NEPA1
Lisa Barfield	NOISE56, QOL13
Lisa Bleich	NOISE51
Lisa Felter	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Lisa Matalon	NOISE52, QOL17, OCEAN1, MEETINGS31
Lisa Munz	NOISE82, SAFETY18, NEPA1
Lisa Nelson	ALTITUDE15
Lisa Oshinsky	NOISE52, QOL17, MEETINGS31
Lisa Popoli	OCEAN1, MEETINGS31, NOISE52
Lisa Sunseri	NOISE52, OCEAN1, MEETINGS31
Lisa Wiegand	OCEAN1
Lisa Yakomin	NOISE52, QOL17, ROW10
Lisa&Ross Quinn	NOISE52, OCEAN1, MEETINGS31
Liz Kingley	NOISE24, QOL11, OCEAN1, AIRQUALITY15
Liz Wanvig	NOISE52, QOL17, ROW10
Liz Woodhour	NOISE48, NOISE53
Lois&Douglas Bunnell/McDaniell	OCEAN1, MEETINGS31
Lori Barnett	NOISE51, ALTITUDE13, QOL11
Lori DiSarro	ALTITUDE13, NOISE51
Lori Sciara	NOISE52, QOL17, ROW10
Lori Serafin	NOISE82, SAFTEY18, NEPA1
Lori&Michael Gruppuso	OCEAN1, MEETINGS31
Lorianne Chuquillanqu	NOISE82, SAFTEY18, NEPA1, AIRQUALITY22
Lorraine Fleming	QOL15, NOISE48
Lorraine Gela	OCEAN1, MEETINGS31
Lorraine Greiff	NOISE52, OCEAN1
Lorraine Stecher	NOISE52, AIRQUALITY20
Lorraine&Gerald Lewis	OCEAN1, MEETINGS31
Lottie Esteban	MEETINGS31, NOISE52, OCEAN1
Lou DeLuccia	NOISE17
Lou Pollak	NOISE1, EC1
Lou Ross	OCEAN1, MEETINGS31
Louise Davis	OTHER27
Louise Mullin	OCEAN1, MEETINGS31
Louise&Ronald Tuchman	NOISE52, MEETINGS31
Luciano Iannucci	NOISE52, OCEAN1, MEETINGS31
Luis Amorim	ALTITUDE12
Luke Hunsberger	NOISE41, OCEAN1
Luz Pianko	P&N3
Lydia Yoon	QOL17, OCEAN1, MEETINGS31
Lynda Merchant	NOISE82, SAFTEY18, NEPA1
Lynn & Family Reiff	NOISE52, OCEAN1, MEETINGS31

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Lynn Brown	NP&N3
Lynn Brunskill	HIST2
Lynn Scheps	NOISE52, OCEAN1, MEETINGS31
Lynne Bolson	MEETINGS31, SAFTEY15, QOL17, ROW10
M. Craig	OCEAN1, MEETINGS31
M. Dabal	NOISE53, INT15
M. Elkes	SAFTEY18
M. Haske	NOISE48
M. Offerjost	OCEAN1, QOL17, NOISE52
M. Peck	MEETINGS22
M. Ryan	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
M. Schneider	NOISE52, OCEAN1
M. Siegel	NOISE52
M. Siegel	OCEAN1
M. Smith	ALTS5
Maddy Saul	OCEAN1, MEETINGS31
Madeleine Ciocco	NOISE52, ALT5, MEETINGS31
Madeline Bogdan	NOISE52, ALT5
Madeline Perrie Howard	ALT5, MEETINGS31
Madeline Sheldon	NOISE82, NEPA1, SAFTEY18
Madelon Rosen-Solomon	NOISE82, SAFTEY18, NEPA1
Madonna Betro	OCEAN1, INT14
Maraion Kaisla	NOISE25
Marc Bushnell	NOISE52, QOL17, ROW10
Marc Krieger	NOISE52, QOL17, ROW10
Marc Fried	DOT4F3, ALTS31
Marc Intriligator	NOISE82, NEPA1, SAFTEY18
Marc Mandelman	NOISE52, SAFTEY15, OCEAN1, MEETINGS24
Marc Steve	NOISE64, ALTITUDE21
marcia Cohen	NOISE82, SAFTEY18
Marcy & Jeffrey Simon	SAFTEY19
Marcyl & John Miraglia	NOISE52, OCEAN1
Mare & Scott Illian	OCEAN1, MEETINGS31
Margaret Meehan	NOISE52, QOL17, ROW10
Margaret Meehan	NOISE52, QOL17, ROW10
Margaret Otto	MEETINGS42
Margaret Doll	NOISE52, QOL17, ROW10, MEETINGS31
Margaret Nordstrom	NOISE33
Margaret Orio	NOISE48, AIRQUALITY17, ALTS5
Margaret&Alfred Murphy	NOISE52, OCEAN1, MEETINGS31
Margie Cohen	SAFTEY18
Marguerite Barnes	OCEAN1, MEETINGS31
Mari & John Van Schaften	NOISE48, AIRQUALITY17
Maria & Jim Maggiola	NOISE82, SAFTEY18, NEPA1
Maria DeVincenzo	MEETINGS31, QOL17

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Maria Dipaola	QOL10
Maria Ferrara	NOISE52, OCEAN1, MEETINGS31, QOL17
Maria Pia Marella	NOISE82, SAFTEY18, NEPA1
Maria Richter	NOISE74, OCEAN1
Maria Stanton	ALTITUDE1
Maria Toler	OCEAN1, MEETINGS31
Maria Triantafilou	OCEAN1, NOISE52, AIRQUALITY20, MEETINGS31
Marianne Alemany	QOL17, SAFTEY15, NOISE52, OCEAN1, MEETINGS31
Marianne Illian	ALT4
Maricar Postaski	NOISE51
Marie & Donald Brett	OCEAN1, MEETINGS31
Marie Abbadie	OCEAN1, MEETINGS31
Marie Carr	QOL17, SAFTEY15
Marie Dorey	OCEAN1, MEETINGS31
Marie Madden	NOISE51
Marie Miltenberger	ALTS43
Marie Roeder	ALTS21
Marie Sineen	NOISE52, SAFTEY15, MEETINGS31, OCEAN1
Marilyn Amdur	ALT5
Marilyn Amdur	OCEAN1
Marilyn Bresnak	NOISE52, ALTITUDE19, SAFTEY15
Marilyn Greiner	SAFTEY18, NOISE82, ALT5
Marilyn Infante	NOISE52
Marilyn Occhiogrosso	SAFTEY18
Marilyn Peterson	NOISE41, MEETINGS14
Marina Schwartz	NOISE52, QOL17, ROW10, MEETINGS31
Mario Afram	NOISE52
Marion & Richard Rajoppi	NOISE53, AIRQUALITY17, ALTITUDE14, INT14
Marion Gillman	NOISE82, SAFTEY18, NEPA1
Marion Greif	NOISE82, NEPA1, SAFETY18
Marion Mahn	NOISE52, AIRQUALITY20, ALTS54
Marion Mahn	OTHER7
Marisa Pica	ALT1
Marjorie Winters	NOISE52, OCEAN1, MEETINGS31
Mark Friedland	QOL4, NP&N9, ALTS23
Mark Alexion	OCEAN1, NOISE48
Mark Bromberg	NOISE52, SAFTEY15, OCEAN1
Mark Dymond	OCEAN1, MEETINGS31
Mark Hurwitz	NOISE20, INT6
Mark I. Baumgarten	NOISE52, OCEAN1, MEETINGS31
Mark Lengel	NOISE52, QOL17, ROW10, MEETINGS31
Mark Menzella	MEETINGS31, NOISE52

Mark Stewart	NOISE10
Mark&Jacqueline Sheehy	OCEAN1, MEETINGS31
Marla Kallin	NOISE52, OCEAN1, MEETINGS31
Marlene & Robert Cohan	NOISE52, QOL17
Marlene Ardon	OCEAN1, MEETINGS31
Marlene Buckman	QOL22
Marlene Schere Pahy	OCEAN1, MEETINGS31
Marnie Mallah	NOISE82, SAFTEY18, NEPA1
Marshall Chernin	INT15
Martin Keith	NOISE41, NP&N1
Martin Keith	NOISE41
Martin Mackin	NOISE34, QOL6
Martin Schwartz	NOISE59
Martine Donofrio	OCEAN1, NOISE20
Marv Dunk	SAFTEY15
Mary Garofola	ALT5, MEETINGS31
Mary McIntyre	OCEAN1, MEETINGS31
Mary & Ann Duffy	OCEAN1, MEETINGS31, QOL17
Mary Ann Daliessio	DNL2, SAFTEY12, OTHER26
Mary Ann Priore	NOISE82, SAFTEY18, NEPA1
Mary Ann Raymond	NOISE52, QOL17, OCEAN1, MEETINGS31
Mary Anne McAleavy	NOISE62, AIRQUALITY23, ALT73
Mary Barker	OCEAN1, MEETINGS31, NOISE52
Mary Bramwig	NOISE82, SAFETY18, NEPA1
Mary Cronin	NOISE82, SAFTEY18, NEPA1
Mary Esposito	NOISE52, ALT5
Mary J. Capsouras	OCEAN1, NOICE52, MEETINGS31
Mary Jeanne White	OCEAN1, MEETINGS15
Mary Jo & Louis Panepinto	NOISE52, OCEAN1, MEETINGS31
Mary Kane	SAFTEY15, NOISE52, OCEAN1, MEETINGS31, MEETINGS24
Mary Kohl	NOISE82, SAFETY18, NEPA1
Mary Lee Fulcher	ROW6, NOISE34, EC4
Mary Lou Tierman	NOISE52, ROW10
Mary Lou Wallace	OCEAN1, MEETINGS31
Mary Mahony	NP&N9
Mary Ryan	OCEAN1, MEETINGS31
Mary Sullivan	NOISE52, MEETINGS31, OCEAN1
Maryann Butera	NOISE53, INT15
Maryann Peterson	ALT5
Maryjane Haley	NOISE25, AIRQUALITY6, AIRQUALITY4
MaryPat Scorzetti	NOISE62, SAFTEY12
Masahi Noriko Maiko Isobe	NOISE52, OCEAN1, MEETINGS31
Mathew DeBenedetto	NOISE51
Mathew Peretz	NOISE82, SAFTEY18, NEPA1
Mathew Ryan	QOL17, OCEAN1

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Mathew Scozzafava	SAFTEY15, NOISE52
Matthew Immergut	NOISE41
Matthew Immergut	NOISE41
Maud Guilfoyle	NOISE52, AIRQUALITY20
Maureen Cameron	NOISE51, OCEAN1
Maureen Ziles	NOISE52, OCEAN1, SAFTEY15
Maureen&Walt Saranchuk	INT15
Max Arnowitz	OCEAN1, MEETINGS31
Meghan Terry	NOISE51
Melanie Gardner	NOISE40
Melanie Harada	NOISE52, ALTITUDE19
Melanie Murphy	NOISE82, SAFTEY18
Melanie White	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Melanie Zeman	NOISE52, QOL17, AIRQUALITY20, MEETINGS31
Melissa & Micheal Giancarlo	OCEAN1, QOL17, MEETINGS31
Melissa Millward	INT15, NOISE48, ALTITUDE14
Melta Stuart	NOISE52, MEETINGS31, OCEAN1
Merrilea Brunell	NOISE48, QOL15
Micahel & AnnMarie Ross	NOISE82, SAFTEY18, NEPA1
Micahel Rockliff	ALTITUDE4
Michael Bolles	SAFTEY15, QOL17, ALT5
Michael Mayer	NOISE52, ROW10, QOL17
Michael Venditti	NOISE18
Michael & Carmen DeMarrais	OCEAN1, MEETINGS31
Michael & Gabrielle McIntyre	QOL17, MEETINGS31, OCEAN1
Michael & Weifei Suen Freedman	OCEAN1, MEETINGS31, QOL17
Michael & Wendy Fornatale	NOISE52, QOL17, OCEAN1, MEETINGS31
Michael Aiello	NOISE82, SAFTEY18, NEPA1
Michael Bell	OTHER21
Michael Benzwie	NOISE52, QOL17
Michael Bonnette	NOISE25, ALTITUDE8
Michael Bottiglieri	OCEAN1, MEETINGS31
Michael Bucci	ROW, ALTS2
Michael Callahan	NOISE82, SAFTEY18, NEPA1
Michael Carnevale	NOISE78
Michael Costello	SAFTEY18, NOISE82
Michael DeNigris	NOISE18, ALTITUDE7, AIRQUALITY11
Michael Donne	NOISE52, OCEAN1, MEETINGS31
Michael Falk	QOL17
Michael G. Rahmin	OCEAN1, MEETINGS31
Michael Gela	ALT5, MEETINGS31
Michael Graziano	NOISE53
Michael H. Kazigian	NOISE52, SAFTEY15, OCEAN1, MEETINGS31
Michael Johnson	NOISE82, SAFTEY18, NEPA1

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Michael Klein	ALTS16
Michael Klein	NOISE51, OTHER43
Michael Kraus	OCEAN1, MEETINGS31
Michael Lener	AIRQUALITY20, QOL17, NOISE52, ALT4
Michael Matz	MEETINGS14
Michael Newman	NOISE61
Michael P. Pisano	OCEAN1, MEETINGS31
Michael Prefi	NOISE52, SAFETY15
Michael Rockliff	AIRQUALITY1, ALTS3, OTHER3
Michael Rockliff	OTHER11
Michael Solomon	NOISE52, QOL17, ROW10
Michael Stoltz	DOT4F3
Michael Stoltz	NOISE61, ALTITUDE11
Michael Tracy	NOISE52, AIRQUALITY20, QOL17, OCEAN1
Michael Trama	ROW10
Michael Weinthal	NOISE52, MEETINGS31, OCEAN1
Michael Wergel	NOISE52, ALT5, MEETINGS31, OTHER64
Michel Rosube	OCEAN1, MEETINGS31
Michele Coulombe	ALTS25
Michele Haberli	NOISE52, ALT4
Michele Resnick	NOISE52, QOL17, OCEAN1, MEETINGS31
Michelle Fenimore	NOISE82, NEPA1, SAFETY18
Michelle Green	MEETINGS12
Michelle Holland	NOISE48, INT15
Michelle Kassan	NOISE82, SAFETY18, NEPA1
Mick Duvalle	ALTS39
Mike Bandazian	OCEAN1
Mike Dually	ALTS39
Mike Guma	MEETINGS31, ALT5
Mike Morrow	ALT5
Mike Rokicki	NOISE18, SAFETY6
Mildred & Frank Ruckel	NOISE82, SAFETY18
Miles Lamb	ALT5
Mindy Gura	NOISE1, OCEAN1, MEETINGS4
Miranda Purves	NOISE46
Miriam Moody	OCEAN1
Miro Beverin	ALTITUDE19, OCEAN1, QOL17, MEETINGS31
Mitchell Krukar	ALTS58, QOL15, AIRQUALITY17
Mitchell Miller	NOISE52, QOL17, OCEAN1
Miyuki Dellarso	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Monica Gundrum	NOISE51, ALTITUDE13
Monique Rothman	NOISE82, SAFETY18, NEPA1
Mr. & Mrs. Glodenberg	OCEAN1, MEETINGS31
Murray Berger	MEETINGS9
Nadine & Steven Timpanaro	OCEAN1, MEETINGS31

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Nadine Pechmann	NOISE48, NOISE53
Nakkil Jung	NOISE52, MEETINGS31
Nancy Goldman	NOISE52, OCEAN1, MEETINGS31
Nancy Wernikoff	NOISE52, QOL17, ROW10
Nancy Angiello	NOISE82, SAFTEY18, NEPA1
Nancy Bachman	QOL17, OCEAN1, SAFTEY15
Nancy DiCroce	AIRQUALITY18, ALTS48
Nancy Dorighi	NOISE1, ROW1
Nancy Eckel	MEETINGS29
Nancy Friend	OCEAN1, MEETINGS31
Nancy Kliot	NOISE82, SAFTEY18, NEPA1
Nancy Seligson	DNL1, ALTITUDE1, NP&N9
Nancy Ward	INT5, OTHER6
Nancy&Jack O'Brien	NOISE59, ALT4
Nancy&Richard Eichenbaum	OCEAN1, MEETINGS31
Naresh Maniar	NOISE52
Natalie Leeds	QOL17, ALT4, MEETINGS31
Nate Cloud	NOISE70, AIRQUALITY20, ROW11
Nathan & Family Bellmay	OCEAN1, QOL17, MEETINGS31
Nathan Goldfarb	NOISE19, QOL2
Navin Gupta	SAFTEY18, NEPA1
Neil Beckerman	QOL17, NOISE52, MEETINGS31
Neil Szigethy	NOISE48, QOL15
Nicholas Gunther	NOISE81, P&N13, OCEAN1, ALTS69
Nicholas L. Gunther	NEPA3, NOISE54
Nicholas Piombino	ALTITUDE27
Nicholas&Maryann Fiebach	NOISE82, SAFTEY18, NEPA1
Nicholas&Maryann Mania	NOISE52, QOL17, OCEAN1
Nick&Maria Letizia	P&N6
Nico Simeonidis	NOISE52
Nicole Maresca	NOISE82, SAFTEY18, NEPA1
Nicole Provato	QOL17, OCEAN1, MEETINGS31
Nicole Roskos	ALTS33
Nicole Roskos	NOISE41
Nicolette Flosse	NOISE82
Nicolle Lachenauer	NOISE18, ALTITUDE7, QOL5
Nina Bai	NOISE52, QOL17, OCEAN1, MEETINGS31
Nina DeBiasio	NOISE49, ALTITUDE30
Nina Swankie	NOISE52, MEETINGS31, ALT5
Nitin Nayak	NOISE82, SAFTEY18, NEPA1
NO Name	ALTITUDE12
No Name	ALTS40
No Name	NOISE49
Norah Clohessy	OCEAN1, MEETINGS31
Noreen Sciacchetano	NOISE52, MEETINGS31, AIRQUALITY20, SAFETY15

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Norma DeCroce	OCEAN1, MEETINGS31
Otto Barz	SAFTEY18
P G Davis	NOISE82
P O'Donnell	ALT5, OTHER45
Palmeria Crawford	OCEAN1, MEETINGS31
Pamela Carolan	NOISE60
Pamela Copello	NOISE52
Pamela Feldman	QOL17, NOISE52
Pamela&Edward Reichenberg	NOISE18
Pat Lampert	ALT4
Pat Bucciero	NOISE82, SAFTEY18, NEPA1
Pat Hoynes	OCEAN1, ALTS4
Pat Imodejka	SAFTEY16
Pat Kaskiw	NOISE18
Pat Large Herbert	NOISE52, OCEAN1, QOL17
Pat O'D	ALT4
Pat&Nick Novik	OCEAN1, MEETINGS31
Pat&Tony Alessi	NOISE82, SAFTEY18, NEPA1
Patric Wallace	NOISE53, ALTS44
Patrice Downey	NOISE82, SAFTEY18, NEPA1
Patricia & Daniel Lowy & Frank	NOISE82, SAFTEY18, NEPA1
Patricia Anne Woods	NOISE82, SAFTEY18, NEPA1
Patricia Cozza	NOISE52, MEETINGS31
Patricia Foley	OCEAN1, ALTS1, MEETINGS4
Patricia Grouleff	NOISE7, QOL2
Patricia Grouleff	NOISE7
Patricia Grouleff	QOL2, ALTS8
Patricia Guarino	SAFTEY18, QOL21
Patricia J. Krieger	NOISE52, OCEAN1, MEETINGS31
Patricia Jamieson	Illegible
Patricia Javier	OCEAN1, MEETINGS31
Patricia Krahnke	OTHER38
Patricia Krahnke	OTHERL22
Patricia Martina	NOISE48, OCEAN1
Patricia McGuire	NOISE52, OCEAN1
Patricia Nannery	NOISE52, OCEAN1, MEETINGS31
Patricia Peters	NOISE41, HIST3
Patricia Sestito	NOISE82, SAFTEY18, NEPA1
Patricia Smith	INT15
Patricia Speulda	OCEAN1, MEETINGS31
Patricia Sulli	OCEAN1, MEETINGS31
Patrick & Diane Hussey	OCEAN1, MEETINGS31
Patrick & Eileen Dotoli	NOISE82, SAFETY18, NEPA1
Patrick Long	INT2
Patrick McKeown	OCEAN1, MEETINGS31
Patti&Mark Mandel	NOISE52, QOL17, ROW10

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Paul Anagnostakos	OCEAN1, MEETINGS31, QOL17
Paul Criscuolo	OCEAN1, MEETINGS31
Paul Everstijn	ALTS7
Paul Fbeulich	MEETINGS4
Paul Garfinkel	NOISE52, OCEAN1, MEETINGS31
Paul Kull	NOISE34, AIRQUALITY10
Paul Scatena	NOISE52
Paul Szucs	NOISE59, ROW10
Paul Vallagrio	OCEAN1, MEETINGS31
Paul&Karen Faulise	OCEAN1, MEETINGS31
Paul&Melissa Seifried	OCEAN1, MEETINGS31
Paula Higgins	NOISE82, SAFTEY18
Paula Panzer	NOISE82, SAFTEY18, NEPA1
Pearl & Freddy Vincas	NOISE52, OCEAN1, MEETINGS31
Peggy Greenawalt	NOISE82, SAFTEY18, NEPA1
Peggy McGee	ALT5, MEETINGS31, NOISE52
Penelope Ellis	NOISE52, SAFTEY15, MEETINGS31, OCEAN1
Perry Trach	QOL15, NOISE48
Pete Dawes	OTHER4
Pete Toolen	NOISE52
Peter O'Reilly	OCEAN1, MEETINGS31
Peter Sathapornwongkul	NOISE82, SAFTEY18, NEPA1
Peter Schlactus	NOISE82, SAFTEY18, NEPA1
Peter C Orlandi	NOISE18
Peter Dougherty	NOISE82, SAFTEY18, NEPA1
Peter FANELLI	OTHER8
Peter Feigenbaum	NOISE82, SAFTEY18, NEPA1
Peter Granickas	NOISE49
Peter Kofitsas	ALT5
Peter Romero	NOISE52, SAFTEY15, OCEAN1
Peter Rufo	NOISE19
Peter Seibel	SAFTEY15, OCEAN1, NOISE52, MEETING24
Peter Shafran	NOISE82, SAFTEY18, NEPA1
Peter Sieminski	NOISE82, SAFTEY18, NEPA1
Peter Welfel	NOISE52
Peter&Melissa Walters	OCEAN1, MEETINGS31
Petros Kaloumenos	OCEAN1, MEETINGS31
Phil Cohn	NOISE52, SAFTEY15, MEETINGS31
Philip Grant	NOISE82, QOL21, NEPA1
Philip Guthoff	NOISE82, SAFTEY18, NEPA1
Phyllis Schleifer	OCEAN1, MEETINGS31
Pia Davis	NOISE41, EC3, DECFLTS4
PJ Judka	NOISE18
R Barbuto	ALT5
R DiGivanni	OCEAN1

R Kirch	ROW1
R Mullett	NOISE51, OCEAN1
Rachael Hausman	NOISE52, QOL17
Rachel & Family McGouran	NOISE52, MEETINGS31, OCEAN1
Rachelle & Andrew Knopf	NOISE52, QOL17
Rafael Vasques Sr.	NOISE51, AIRQUALITY15
Rafel & Pam Pajaro	NOISE48, DNL1, EC12, INTS15
Rai Sookram	OCEAN1, MEETINGS31
Raj Desai	ALT5, OCEAN1, MEETINGS31
Ralf Henrich	NOISE52, OCEAN1, MEETINGS31
Ralph Bankert	NOISE5
Ralph Braskett	MEETINGS5, OCEAN1
Ralph Braskett	OCEAN1, NP&N9
Ralph Cirill	ALTS13
Ralph Hayon	SAFTEY15, MEETINGS31
Ralph Pleasic	OCEAN1, MEETINGS31
Ram Rathore	NOISE34
Randall Surovy	QOL17, NOISE52, MEETINGS31
Randi Albert	OTHER67
Randy Jackson	SAFTEY18
Rani Richardson	OCEAN1, MEETINGS31
Raymond Shoemaker	NOISE25
Rebecca Sheehan	ALTITUDE1, DECFLTS1, ROW1
Regina Blakeslee	NOISE82, SAFETY18, NEPA1
Regina Cox	NOISE52
Regina Cox	OCEAN1, MEETINGS31
Renee & Vincent Picciotto	NOISE52, OCEAN1, MEETINGS31, QOL17
Reubin Graf	ALTS6
Ribner Mira	NOISE26
Rich Barton	NOISE82, SAFTEY18, NEPA1
Rich Curran	ALTITUDE19, QOL17, OCEAN1
Rich Harada	NOISE52, QOL17, OCEAN1, MEETINGS31
Rich Baudisch	NOISE52, EC10
Rich Baudisch	NOISE52, SAFETY15, OCEAN1
Rich Baudisch	NOISE52, SAFTEY15, OCEAN1, MEETINGS24
Rich Kersley	SAFETY11
Rich&Mary Siemanski	NOISE82, SAFTEY18, NEPA1, QOL22
Richard Devanna	NOISE52, OCEAN1, MEETINGS31
Richard Herzberger	NOISE52, ALTITUDE19, AIRQUALITY20, SAFTEY15, MEETINGS31, OCEAN3
Richard & Dawn Marshall	NOISE52, MEETINGS31
Richard A Hanley	NOISE52, SAFTEY15, MEETINGS31
Richard Bangs	OCEAN1, MEETINGS31
Richard Brede	AIRQUALITY17
Richard Bruno	OTHER58

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Richard Goldstein	OTHER1, DNL1
Richard Holmes	OCEAN1, QOL17, MEETINGS31
Richard Kelly	DNL1, OTHER18
Richard King	OTHER10
Richard Lane	ALT4
Richard Margolis	OCEAN1, MEETINGS31, QOL17
Richard McHugh	OTHER22
Richard McKinley	OCEAN1
Richard McOmber	OTHER16, P&N4, OTHER17, NOISE28, MEETINGS20
Richard Miller	OCEAN1
Richard Narins	OCEAN1, MEETINGS31
Richard Orecchio	NOISE82, ALTITUDE23, OTHER60, OTHER61
Richard P	QOL17, OCEAN1, MEETINGS31
Richard Porth	NOISE52, SAFTEY15, OCEAN1, MEETINGS24
Richard Rehak	NOISE48
Richard Sudock	NOISE82, NEPA1, SAFTEY18
Richard Tateossian	OCEAN1, MEETINGS31, QOL17
Richard Thabit	OCEAN1, MEETINGS31
Richard Van Cora	NOISE18, OCEAN1
Richard Ward	NOISE1, ALTITUDE1
Richard Wilson	NOISE18
Richard Winogard	NOISE52
Richard Zielke	MEETINGS14
Richard&Evelyn Wilz	NOISE52, OCEAN1, MEETINGS31, QOL17
Rick Lawrence	OTHER36
Rick Rosenthal	DNL1, OTHER23
Ricki Rusting	NEPA1
Ricky Carpentieri	ALTS71
Rita Dublin	OCEAN1, MEETINGS31
Rita Majdanski	NOISE82, SAFTEY18, NEPA1
Rob Langille	NOISE82, SAFTEY18, NEPA1
Rob & June Farnham	NOISE82, SAFTEY18, NEPA1, QOL21
Rob Belva	ALT4, NOISE51
Rob Friedberg	NOISE52, QOL17, MEETINGS31
Rob Stratton	NOISE18
Robbin Cross	NOISE18, AIRQUALITY15, ALTITUDE13
Robert Darcey	ALTITUDE19, SAFTEY15, QOL17
Robert Dashow	NOISE82, NEPA1, SAFTEY18
Robert Grieser	OCEAN1, MEETINGS31
Robert McNeil	OCEAN1, MEETINGS31
Robert Weisenfeld	NOISE54, EC2, SAFETY16
Robert Widmer	NOISE52, SAFTEY15, QOL17, OCEAN1, MEETINGS31
Robert & Arlene Widmer	NOISE52, SAFTEY15, OCEAN1,

Robert A Porto	MEETINGS31
Robert Adamo	ALT11, ALTITUDE29, EC14
Robert Bush	OCEAN1, MEETINGS31
Robert Checchio	NOISE48, AIRQUALITY17
Robert Chichetti	ALTS23
Robert Corwin	NOISE1, QOL17, OCEAN1
Robert Flowers	AIRQUALITY20
Robert Funabashi	OCEAN1
Robert Herbin	OCEAN1, MEETINGS31
Robert Kazim	NOISE82, SAFTEY18, NEPA1
Robert Large	OCEAN1, MEETINGS31
Robert LeDonne	Illegible
Robert Lucszynski	NOISE52, MEETINGS31, OCEAN1
Robert Lulskzynsky	QOL1, NOISE10
Robert Magnoli	NOISE11
Robert Mangino	OCEAN1, MEETINGS31
Robert Mavian	NOISE53
Robert McCarthy	NOISE82, SAFTEY18, NEPA1
Robert McErlean	NOISE18, QOL3
Robert Mercurio	NOISE52, OCEAN1, MEETINGS31
Robert Pitkofsky	NOISE52, QOL17
Robert Planz	QOL17, NOISE52
Robert Porto	OCEAN1, MEETINGS31
Robert Puhak	NOISE82, SAFTEY18, NEPA1
Robert Puhak	QOL5, NOISE18, AIRQUALITY10
Robert Ragazzo	QOL5
Robert Ragazzo	NOISE23
Robert Sasena	QOL17, ALTS82
Robert Sparling	NOISE52, ROW10, AIRQUALITY20
Robert Spinoso	NOISE82, SAFTEY18, NEPA1
Robert Stantzenberg	ALT4, MEETINGS31
Robert Starr	NOISE49
Robert Valle	Illegible
Robert W Green	NOISE52, QOL17, OCEAN1, MEETINGS31
Robert Zak	OCEAN1
Robert&Ardis Waldron	NOISE52, SAFTEY15, OCEAN1,
Roberta Cohen	MEETINGS24
Roberta Cripps	OCEAN1, NOISE52
Roberta Simon	OCEAN1, MEETINGS31
Roberta&Steven Rothkin	NOISE59
Robin Etzler	NOISE29
Robin Hartman	NOISE82, SAFTEY18, NEPA1
Robin Holleran	AIRQUALITY2, NOISE10
Robyn Kaminski	OCEAN1, MEETINGS31
	NOISE48, QOL11
	SAFTEY18, NOISE82

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Robyn Krumrei	NOISE52, SAFTEY15, OCEAN1
Robyn McGuiness	NOISE48, AIRQUALITY17, EC9
Rocco Tortorella	NOISE82, SAFTEY18, NEPA1
Rochelle Lang	NOISE52, QOL17, ROW10
Rochelle Weitzner	NOISE82, SAFTEY18, NEPA1
Rod Utah	ALT4, NOISE52
Rodney Ruth	INT10
Roe Romano	NOISE51, SAFETY8
Roger Dubin	OCEAN1, NOISE52, SAFTEY15, MEETINGS31
Roger P. Matles	NOISE82, SAFTEY18, NEPA1
Ron Mollozzi	QOL17, SAFTEY15
Ronald Carper	OTHER24
Ronald Eligator	NP&N1, DNL4
Ronald Goldstein	NP&N8, QOL23
Ronald Gumbaz	ALTITUDE2, DNL1, ROW13, MEETING10, AIRQUALITY4, DOT4F2, INT1
Ronald Perry	OCEAN2
Ronald Steinvurzel	NOISE82, SAFTEY18, NEPA1
Ronald&Evelyn Boley	AIRQUALITY20, NOISE52, SAFTEY15, QOL17
Roni Shapiro	NOISE41
Ronna DeLoe	NOISE82, SAFTEY18, QOL21
Ronnie Rose	NOISE82, SAFTEY18, NEPA1
Rosana Wermert	OCEAN1, MEETINGS31, OCEAN1
Rosanne Barone	NOISE18
Rose Marino	QOL21
Rose&Ray Schumacher	OCEAN1, MEETINGS31
Roselle Langton	NOISE52, QOL17, MEETINGS36, ROW10
Rosemarie Lucsczynski	NOISE43
Rosemarie Muscolo	NEPA1, SAFTEY18
Rosemarie Poveromo	DECFLTS2, NOISE14
Rosemarie Poveromo	NOISE9, AIRQUALITY1
RoseMarie Vendra	ALT5
RoseMarie Vendra	NOISE52
Rosemary Cesarano	NOISE54
Rosemary Dreger	OCEAN1, MEETING31, QOL17
Rosemary McKeown	OCEAN1, MEETINGS31
Rosemary Millet	ALTS50 , SAFETY8, NOISE21, DECFLTS3
Rosemary Wolff	NOISE52, OCEAN1, MEETINGS31
Roy Byrd	NOISE82, SAFTEY18, NEPA1
Roy Hochberg	NOISE41, DOT4F3
Ruta & Dean & Family Fiorino	NOISE52, OCEAN1, MEETINGS31
Ruth Yannelli	NOISE52, QOL17, ROW10
Ruth Maloney	QOL11, NOISE51
Ruth Neustadter	NOISE52, ROW10

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Ruth&Daniel Marino	NOISE82, SAFTEY18, NEPA1
S. Edmonds	SAFTEY18
S. Reese	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
S. Kurla	NOISE53
S. Nagy	OCEAN1
S. Toolen	NOISE52, SAFTEY15, MEETINGS31, OCEAN1
Sabrina&Scott Ganz	OCEAN1, MEETINGS31
Sally Grossman	QOL7
Sally Kern	NOISE25, AIRQUALITY6, OCEAN1, AIRQUALITY4
Salvatore & Joanne Grosso	OCEAN1, MEETINGS31
Salvatore Didato	SAFTEY18
Salvatore P. Neary	SAFETY17, AIRQUALITY2
Sam Hobbs	HIST4, MEETINGS4
Sam Argintar	OCEAN1, MEETINGS31
Sam Haddad	INT14, SAFTEY15
Sam Horowitz	ALT5, MEETINGS31
Samantha Zuckerberg	OCEAN1, MEETINGS31
Samuel M. Angelo	NOISE52, ALT4
Sandra Beach	NOISE82, SAFTEY18, NEPA1
Sandra Heiser	NOISE52, MEETINGS31, OCEAN1
Sandra L. Ellsworth	NOISE52, MEETINGS31
Sandra Laughlin	NOISE48
Sandra Rubenstein	NOISE52, QOL17, MEETINGS31
Sara Zahn	NOISE52, OCEAN1, MEETINGS31
Sara&Edward Brewster	SAFTEY18
Sarah McMane	NOISE82, SAFTEY18, NEPA1
Sarah Yingy	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Sarah Khedouri	NOISE1, ROW1
Sarah Khedouri	NOISE1
Sarah Williamson	OCEAN1, SAFTEY15, MEETINGS31
Saul Weinstein	OCEAN1, MEETINGS31
Scott Conchar	NOISE52, OCEAN1, ALTITUDE13
Scott Jacobs	SAFTEY15, QOL17, ALT5
Scott Marshall	OTHER40
Scott Nelson	NOISE82, SAFTEY18, NEPA1
Scott Randall	DOT4F3
Scott Randall	NOISE61
Scott Spelker	OCEAN1, NOISE48, QOL15
Sergio Wernikoff	NOISE52, QOL17, OCEAN1, MEETING31
Seth & Nicole Kaplan	NOISE52, ALT5
Seymor Britan	QOL5, NOISE18, MEETINGS41
Seymour Britan	ALTS10, NOISE18
Seymour Levine	SAFETY3, NOISE16
Shah Akthar	ALT5

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Sharon Basu	NOISE52, OCEAN1, MEETINGS31
Sharon & Baljit Dail	OCEAN1, MEETINGS31
Sharon Cohen Alessi	NOISE52, AIRQUALITY20, OCEAN1, MEETINGS31
Sharon Colgan	NOISE52, OCEAN1, MEETINGS31
Sharon Gernsheimer	ALT2
Sharon Gernsheimer	NOISE51
Sharon Kozinn	MEETINGS31, QOL17, OCEAN1
Sharon Mulligan	NOISE52, OCEAN1, MEETINGS31
Sharon Raphael	NOISE39
Sharon Sogliuzzo	NOISE52, OCEAN1, MEETINGS31
Sharon Souflis	NOISE52, QOL17, ROW10
Sheema Bhattacharya	NOISE82, SAFTEY18, QOL21
Sheila Cain	QOL21, NOISE82, SAFTEY18
Sheldon & Family Lustigman	NOISE52, OCEAN1, MEETINGS31
Shelley & Michael Foxman	NOISE82, SAFTEY18, NEPA1
Shelley Davis	NOISE40, EC6
Shelley Harms	NOISE71, ALTS63, P&N11, MEETINGS30
Sheri Snow	NOISE82
Shirley Harris	OCEAN1, MEETINGS31
Siavash Forootan	EJ2, ALT8, NOISE62
Siavash Forootan	NOISE30
Sigrid B. Frawley	OCEAN1, MEETINGS31
Sim Hitzel	P&N2
Simone Wilker	NOISE52, OCEAN1
Siobhan Fulco	NOISE52, QOL17, ROW10
Sona&Leo Manuelian	ALT5, QOL17, NOISE52
Sondra&Seymour Rosalsky	NOISE1, QOL1, ALTS1
Sophie Rosenfield	NOISE48, AIRQUALITY17, OCEAN1
Spencer Haimes	SAFTEY18, NOISE82
Stacey Abraham	OCEAN1, NOISEL25
Stacey Glick-Novack	NOISE52, SAFTEY15, AIRQUALITY20, MEETINGS31
Stan Lucas	OTHER63
Stanley M. Spregel	NOISE52
Stephanie Carmel	ROW10, OTHER44
Stephanie Cochin	NOISE52, ALTITUDE19, OCEAN1, MEETINGS31
Stephanie Greenwald	NOISE82, SAFTEY18, NEPA1
Stephanie Hall	QOL17, NOISE52
Stephen Donato	OTHER68, NOISE29
Stephen Margulis	SAFTEY15, NOISE52, OCEAN1, MEETINGS31
Stephen West	ALT5
Stephen Bernt	AIRQUALITY17
Stephen Harrigan	NOISE82, NEPA1, SAFTEY18

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Stephen Limbers	ALTITUDE12, NOISE49
Stephen MacDonald	NOISE39
Stephen Margulis	OCEAN1, NOISE52, MEETINGS31
Stephen Smith	NOISE82, SAFETY18, NEPA1
Stephen Smith	NOISE82, SAFTEY18, NEPA1
Stephen T. Morgan	NOISE52, MEETINGS31
Stephen Vallario	OCEAN1, MEETINGS31, QOL17
Stephen Wallach	MEETINGS17, NOISE40, ALTS47
Steve Feldgus	NP&N9, DNL2
Steve Henschel	OTHER55
Steve Mahler	EC4, OTHER20
Steve McCulloch	NOISE82, SAFTEY18, ROW3
Steve Rothkin	NOISE82, SAFTEY18, NEPA1
Steve Rothkin	NOISE82, SAFTEY18, NEPA1
Steve Steinberg	SAFTEY18, NOISE82
Steve Tuchin	NOISE82, SAFTEY18, NEPA1
Steven McKenna	NOISE52, ALTITUDE19, OCEAN1, QOL17
Steven Berger	NOISE52, QOL17, MEETINGS31
Steven Bressler	ALTS55
Steven Doblin	NOISE82, SAFTEY18, NEPA1
Steven Ornstein	NOISE52, OCEAN1, MEETINGS31
Steven Richman	OCEAN1, MEETINGS31, NOISE52
Steven Rosini	OCEAN1, MEETINGS31, QOL17
Steven Rothstein	NOISE52, MEETINGS31, OCEAN1
Steven Sperber	NOISE52, QOL17, ROW10
Steven&Barbara Pelly	NOISE52, OCEAN1, MEETINGS31
Stewart&Rita Golding	NOISE52, MEETINGS31, ALT4
Stuart Sheinbaum	NOISE52, ROW10, OCEAN1
Stuart Silfen	NOISE52, OCEAN1, ALT5
Sue Davis	NOISE82, SAFTEY18, NEPA1
Sue Lucas	QOL11, ALT5
Sue Saslaw	OCEAN1, MEETINGS31
Sue Seiler	SAFTEY18
Susan Manber	NOISE82, SAFTEY18, NEPA1
Susan & Pete Leibeskind	NOISE52, OCEAN1, MEETINGS31
Susan Benkel	NOISE52, ROW10, ALT5
Susan Brecker	NOISE82, SAFTEY18, NEPA1
Susan Ellner	OCEAN1, MEETINGS31
Susan Feit	OTHER35
Susan Hameyer	ALTITUDE19
Susan Hameyer	NOISE52, ALTS61, ALT4
Susan Hammell	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Susan Indenbaum	NOISE82, SAFTEY18, NEPA1
Susan Kalebic	OCEAN1, MEETING31, QOL17
Susan Kassouf	NOISE18, SAFTEY18, NEPA1
Susan Liebeskind	OCEAN1, QOL17, NOISE52, ROW10

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Susan Mamone	NOISE52, QOL21, AIRQUALITY22, SAFTEY18
Susan Mayrer	ALTITUDE22, OCEAN1, ALTS67, DECFLTS6, OTHER7
Susan Menze	NOISE52, QOL17, ROW10
Susan Rukeyser	SAFTEY18
Susan&Keith Loeb	OCEAN1
Susanne Heincke	SAFTEY18, NEPA1
Suzan Dunkiel	AIRQUALITY20, MEETINGS31
Suzanne Molner	NOISE48, INT15
Suzanne Nathin	NOISE52, QOL17, ROW10
Suzanne Swanson	NEPA2
Suzanne Weigand	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Suzanne Yerdon	INT15, AIRQUALITY17
Suzette Dilzer	NOISE48, AIRQUALITY17
Sybil Heine	NOISE10, AIRQUALITY2
T Felter	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
T Sharp	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
T.J. Russo	NOISE 1
Taffy Holvenstot	OCEAN1
Takumi Miyata	OCEAN1, MEETINGS31
Tammy Baudisch	NOISE52, OCEAN1, SAFTEY15
Tammy Chernin	INT15
Tammy Levinson	NOISE52, MEETINGS31
Tana Rossi	SAFTEY18
Tara Anderson	NOISE1
Tara Dubin	OCEAN1, MEETINGS31
Tara Ryan	INT15, QOL17, ROW10
Tarak Kauff	Illegible
Teresa & Douglas Bailey	NOISE52, OCEAN1
Teresa & Family Jordan	OCEAN1, MEETINGS31
Teresita & Mike Crane	NOISE52, QOL17, ROW10
Terie & Jeff Wesissman	OCEAN1, SAFTEY15, QOL17
Terrence Yanni	NOISE82, SAFTEY18, NEPA1
Terri Spinella	ALT4, OCEAN1, MEETINGS31
Terrill Doyle	NOISEL24, ECL8
Terry Davis	QOL17
Terry Powell	NOISE52, QOL17
Theresa Cancro	NOISE52, OCEAN1, SAFTEY15
Theresa Martz	NOISE82, SAFTEY18, NEPA1
Theresa Ryan	NOISE82, SAFETY18, NEPA1
Thersesa Gorman	NOISE44, QOL9
Thomas & Carmen O'Brian	NOISE52, OCEAN1, MEETINGS31
Thomas & Claire Byrne	NOISE24
Thomas & Mary J. Corcoran	NOISE52, OCEAN1
Thomas Gale	EC7

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Thomas J. Schmidt	ROW1, P&N8, SAFTEY21, ALTS80, OTHER74
Thomas Kiessling	ALTS20
Thomas Lehoczky	OCEAN1, MEETINGS31
Thomas Lutz	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Thomas O'Shea	QOL9, NOISE66
Thomas P. Halligan	OCEAN1, MEETINGS31
Thomas Sanelli	OCEAN1, MEETINGS31
Thomas&Susan Denning	NOISE48, AIRQUALITY1
Tim Beckemeyer	OCEAN1, MEETINGS31
Tim DeChiara	NOISE52, OCEAN1, MEETINGS31
Tim Hickey	NOISE82, SAFTEY18, NEPA1
Tina & A1933David Rosen	NOISE52, QOL17, OCEAN1
Tina Brodsky	NOISE52, OCEAN1, MEETINGS31
Tina Mouikis	NOISE52, MEETINGS24, OCEAN1, AIRQUALITY20, SAFTEY15
Toby Nordlinger	NOISE52, OCEAN1, MEETINGS31
Tom McKenna	NOISE52, ALT5, MEETINGS31
Tom & Cathy Gagliardi	OCEAN1, MEETINGS31
Tom Castronovo	OCEAN1, MEETINGS31
Tom Gardiner	NOISE82, SAFTEY18, NEPA1
Tom Holleran	NOISE48, AIRQUALITY17
Tom McKenna	NOISE52, ALT5, MEETINGS31
Tom Mitchell	NOISE82, SAFTEY18, NEPA1
Tom UNK	NOISE52, QOL17
Tom&Ginny Horsey	MEETINGS39
Toni Goddin	NOISE52, OCEAN1, MEETINGS31
Toni Simon	NOISE47
Tony Manzo	NOISE52, QOL17
Tony Morico	NOISE45, OTHER32
Township of Washington NJ Township Clerk	OTHER65
Township of Washington NJ Township Clerk	OTHER66
Tracey O'Connor	ALT5, MEETINGS31
Traci Howell	NOISE51, ALT6, OCEAN1
Tracy Unger	OCEAN1, MEETINGS31
Tracy Lowry	NOISE48
Tracy Morris et al	OCEAN3
Tracy Sharp	NOISE51, ALTITUDE13, DECFLIGHTS2
Trish Gallagher	NOISE82, SAFTEY18, NEPA1
Tuono Pihlava	ALTITUDE12
UNK Adler	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Alt	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Block	OTHER67
UNK Brooks	OTHER67
UNK Burns	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Ceadely	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK CnmnGrl47	NOISE52, QOL17, ROW10

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UNK Colleton	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Corzi	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Dente	DECFLTS8, ALTITUDE25
UNK Engelhart	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Gilday	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Goldstein	DECFLTS10, ALTITUDE27, OCEAN1, NP&N7
UNK HankDoris	NOISE52, ALTITUDE19, OCEAN1
UNK Hinds	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Jetm(a)	ALT2, NOISE24
UNK Jewlz	NOISE53, QOL15
UNK Kamil	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Karter	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Kirest	DECFLTS8, ALTITUDE25
UNK Kobe	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Krause	NOISE18, NP&N1, AIRQUALITY5, MEETINGS11, DNL5, ALTITUDE1 OCEAN1, NOISE52
UNK Laszlo	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Lawyer	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Lee	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Lupicki	NOISE51, ALTITUDE13
UNK Luxceer	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Mahony	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Maloney	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Manning	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK McCabe	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK McCabe	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK McCabe	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Mercer	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7 OTHER67
UNK Mortone	DECFLTS8, ALTITUDE26
UNK Murray	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Nachbur	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Nele	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Pare	OTHER67
UNK Parsloe	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Peterson	NOISE21, ROW4, QOL3
UNK P-M-B	NOISE27
UNK Reidy	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Richards	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Richards	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Ronred(a)	ROW1
UNK Rumatimo	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Saiffee	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Sewald	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Smith	DECFLTS8
UNK Smith	OTHER67
UNK Sokol	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7

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UNK Tennant	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Tentspike(a)	SAFETY7
UNK Thankuval(a)	SAFTEY18
UNK Thorburn	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Towey	OTHER67
UNK UNK	Illegible
UNK UNK	INT2
UNK UNK	INT3
UNK UNK	MEETINGS3
UNK Webes	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
UNK Wolski	OTHER67
UNK Wylik	DECFLTS8, ALTITUDE25
UNK Zadrovsky	OTHER67
UNK Zito	OTHER67
V. Gymbag	NOISE52
Valerie Grazul	ROW2
Valerie Guba	NOISE52, AIRQUALITY20
Valerie Kerekes	OCEAN1, MEETINGS31
Valerie Ringel	NOISE82, SAFTEY18, NEPA1
Valerie Wolf	NOISE52, QOL17, ROW10
Various Various	OCEAN2
Venancio Vinagre	NOISE52, QOL17, MEETINGS31, ALT5
Veronica Perry	NOISE82, SAFTEY18, NEPA1
Veronica Vogel	NOISE52, OCEAN1
Victoria Marraccini	NOISE10, DNL1
Viljar Bock	NOISE52, ROW10, QOL17, MEETINGS36
Vilna Bashi Treitler	NOISE52, OCEAN1, MEETINGS31, AIRQUALITY20
Vincent Dolce	OCEAN1, MEETINGS31
Vincent Fitzgerald	NOISE18, SAFTEY6
Vincent Galasso	OCEAN1, MEETINGS31
Vincent LaBarbera	INT11
Vincent McFadden	NOISE18
Vincent Schindel	NOISE48, QOL15, AIRQUALITY17
Vincent Tubito	OCEAN1, MEETINGS31
Vincenza Messina	ALTS38
Vinod Roa	NOISE62, ALTITUDE17
Violet & Jerry Bolzak	OCEAN1, MEETINGS31
Virgile Winik	OCEAN1, MEETINGS31
Virginia Criscuolo	OCEAN1, MEETINGS31
Virginia Horsey	OTHER19
Virginia Kolesar	MEETINGS31, ALT5
Virginia Tsenebis	OCEAN1, MEETINGS31
Vitalah Gayle Simon	NOISE82, SAFTEY18, NEPA1
Vitaliy Vayda	NOISE52, OCEAN1, MEETINGS31
Vitas Roman	NOISE48, OCEAN1

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Vivian Bergenthal	SAFTEY18, NOISE52, AIRQUALITY22, NEPA1
W. Idorriilo	DECFLTS8, ALTITUDE25, OCEAN1, NP&N7
Wade Tracey	INT14, NOISE53
Walter Applin	OCEAN1, MEETINGS31
Walter Carcione	AIRQUALITY18, EC13
Walter Carcione	ALTITUDE12
Walter Jones	NOISE52, OCEAN1, MEETINGS31
Walter Matystik	NOISE38, NEPA3
Walter Rempkowski	NOISE76, OCEAN1
Walter Romanski	AIRQUALITY20, NOISE52, SAFTEY15
Walter Stugis	NOISE82, SAFTEY18, NEPA1
Wanju Dai	OCEAN1, MEETINGS31
Ward J Riley	OCEAN1, MEETINGS31
Warren Feldman	OCEAN1, MEETINGS31, ALTITUDE19
Warren Hehl	NOISE18, QOL2
Wayne Greenstore	NOISE18, ROW2
Wayne Leiby	ALTITUDE20
Wayne Molesan	ALT5
Wendy Greenberg	SAFTEY18, NOISE82, NEPA1
Wendy Masters	QOL1
Wendy Zoland	OTHER9
Wendy Zuckerberg	OCEAN1, MEETINGS31
Wiliam Brunskill	AIRQUALITY7, ROW6, MEETINGS15
William Raymond	NOISE52, ALT5, MEETINGS31
William & Alisa Strynkowski	NOISE52, OCEAN1, QOL17, MEETINGS31
William & Barbara Safchik	NOISE82, SAFTEY18, NEPA1
William Burton	NOISE82, SAFTEY18, NEPA1, QOL17
William E. Throne	NOISE52, SAFTEY15, OCEAN1
William Enriken	MEETINGS2
William Enriken	NOISE22, QOL4
William Fitzgerald	OCEAN1, MEETINGS31
William Fitzgerald	OCEAN1, MEETINGS31
William Garrison	ALTITUDE4, NP&N9
William Hellmers	MEETINGS16
William Hepper	OCEAN1, MEETINGS31
William Jannie	NOISE58
William Johnson	NOISE18
William Redner	ALTS22
William Royall	INT1
William Stauffer	NOISE35, ALT27
William Wilson	P&N7, ALT4
William Yu	OCEAN1, MEETINGS31
Witt Barlow	NOISE82, SAFTEY18, NEPA1
Wonho Hong	NOISE52, MEETINGS31, OCEAN1
Woody Whochswender	NOISE45

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Woody Wochswender

Yashwant Patel

Yvonne Lombardo

Zachary&Monika Zalewski

Zenon Jaszczult

NOISE45

NOISE52, OCEAN1, MEETINGS31

NOISE52, OCEAN1, MEETINGS31

NOISE52, ALT4, ROW10

OCEAN1

The FAA has created General Responses in order to better address the many comments of a similar nature received from the public. The general responses were written based on sample comments the FAA created that modeled the most common received during the comment period. These responses are referred to throughout the public comment and overview the concerns that appear most often, such as the desire for noise mitigation, the concern about increases in noise, and fears of environmental impact. The General Responses also focus on concerns that the FAA is not concerned about quality of life and that the FAA has compromised safety, as well as addressing the many suggested alternatives. The responses are not unique to each commenter, but do contain adequate responses to the topic to which the commenter refers. When necessary the FAA has responded specifically to the commenter in addition to providing a reference to a General Response. The complete list of comments, their sources, and the corresponding FAA responses can be found following the General Response Section.

General Comments and Responses

The following are comments on the DEIS received from several persons and the responses.

General Comment 1: Noise should have been included in the Purpose and Need for the Proposed Project.

General Response GR-1: Noise reduction was not part of the purpose and need of the NY/NJ/PHL Airspace Redesign Project. The belief that FAA once promised to reduce noise by airspace redesign and then reneged on it stems from people taking the FAA's commitment to the communities out of context. The FAA has committed to the communities from the beginning of the project that it would consider means to reduce noise and other environmental effects where feasible and without derogating safety or efficiency of the national airspace system. It has consistently been the "where feasible" portion of the commitment that has been left out of reports on what FAA officials have promised the public.

The purpose/need statement for the project was designed to be consistent with FAA's aviation missions, in accordance with the Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act (NEPA). The purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York/New Jersey and Philadelphia areas while accommodating new technologies and reducing delays. This project is needed to maintain safety, respond to increasing aviation growth, and to mitigate mounting delays at the area's four major airports, as well as other airports throughout the system, that are impacted by air traffic in this region.

The FAA has been clear from the beginning of the process what the purpose and need was for the project: that noise impacts would be thoroughly analyzed using NIRS modeling, and noise mitigation measures would be examined. Noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes, (2) Disperse or concentrate tracks where appropriate, (3) Use advanced navigation, (4) Reduce flying time, and (5) Use less noise-sensitive areas where feasible. The FAA acknowledges that there are significant changes in noise for all alternatives other than the Ocean Routing Airspace Alternative. Upon receipt of public and agency comments, the FAA identified a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The mitigation measures examined and proposed for implementation by the FAA are contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.

General Comment 2: The airspace redesign does not meet the purpose and need stated for the Proposed Project.

General Response GR-2: The FAA disagrees with the commenter's summation that significant operational benefits are not provided by the Proposed Action; delay reductions for the Preferred Alternative are significant. Operational benefits are most directly compared by change in block time. As described in the EIS, Modifications to Existing Airspace Alternative provides a reduction of 0.9 minutes per flight, Integrated Airspace Alternative with ICC provides a reduction of 1.4 minutes per flight. The Ocean Routing Airspace Alternative, the alternative proposed/advocated by NJCAAN does not provide operational benefits, in fact the alternative increases block time by 3.9 minutes per flight. Although the Ocean Routing Airspace Alternative does provide the least overall noise impact, the operational impacts are extensive and in no way meet the FAA's purpose and need for airspace redesign. Detailed operational benefits were reported for each of the alternatives in the appendices, environmental impacts of those operational benefits are addressed for the preferred alternative by our proposed mitigation strategies. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS.

General Comment 3: The FAA should implement the Ocean Routing Airspace Alternative.

General Response GR-3: The FAA included a complete analysis of the Ocean Routing Airspace Alternative to satisfy requests made by the NJ Coalition Against Aircraft Noise (NJCAAN). Despite not meeting the purpose and need for the project, the Ocean Routing Airspace Alternative was retained for detailed environmental analysis because the alternative was proposed by NJCAAN. All of the alternatives considered in the DEIS were carefully modeled and analyzed for environmental impacts. The FAA recognizes that NJCAAN seeks to reduce noise levels over NJ, however, the Ocean Routing Airspace Alternative does not align with FAA's congressionally mandated mission to control the use of navigable airspace in the interest of safety and efficiency. Additionally, while the Ocean Routing Airspace Alternative helps some residents of New Jersey, it does not provide help for all. Although the Ocean Routing Airspace Alternative initially provides decreases in noise of 1.5 DNL in the 65 DNL and above to a small number of people and 3 DNL in the 60-65 DNL to a small number of people, those benefits are gone in 2011 and there is a net increase in those affected by noise in the 45-60 DNL interval of 2,467 people.

General Comment 4: Use of the DNL metric does not address our concerns about noise impact; the FAA should use supplemental metrics.

General Response GR-4: While use of DNL has often been the subject of controversy in airport noise studies, its use has also been the subject of scrutiny by government agencies. In their 1992 report, the Federal Interagency Committee on Noise (FICON) group focused extensively on the question of the applicability of the DNL metric. The report states the following: "After reviewing all noise exposure metrics, the FICON

technical subgroup concluded that no other metrics are of sufficient scientific standing to replace DNL. The available evidence indicates that DNL continues to be the superior metric to account for variations in the noise environment, including such factors as numbers of flights, loudness of individual aircraft, and percentage of night flights. This conclusion reaffirms the extensive technical efforts that went into selection of DNL, in the first place. The EPA "Levels Document" identified the DNL metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference (U.S. Environmental Protection Agency, 1974)." Finally, it should be noted that the findings of the 1992 FICON report reaffirmed the use of the DNL metric and the use of 65 DNL for land use compatibility.

The FAA in Orders 1050.1E, Environmental Impacts: Policies and Procedures, characterizes noise increases that are equal to or greater than 1.5 DNL within the 65 DNL range as a "significant impact". Furthermore, in consideration of the public response to past air traffic changes, the FAA has identified a threshold of a +/- 5 DNL change between 45 to 60 DNL and +/- 3 DNL between 60 to 65 DNL to identify slight to moderate levels of impact. The results of the changes in noise that meet this threshold are thoroughly documented in the DEIS.

During the development of the DEIS, consideration was given to the development of supplemental metrics, including sleep disturbance, for informational purposes. The metric for sleep disturbance is not readily available as an output from the NIRS model. Furthermore, it was found that the task of presenting such data in an efficient, meaningful, and understandable way for all persons within the 30,000+ square mile Study Area was not possible. With more than 7,000 flights at 21 airports, distributed over some 22,000 modeled flight tracks for two different years and four alternatives, the sheer magnitude of the data was considered to be overwhelming. There were also subjective issues such as how do you define an overflight of one of the 325,000+ population centroids. Would it be any flight that crosses within 1-mile of the point, 2-miles, 500-feet? Given these complexities, the FAA decided to rely on the DNL metric for this study since it accounts for both the number of events and the noise levels of those individual events, as well as the fact that it is the sole metric that will be considered in the decision making process.

General Comment GR-5: The DEIS does not discuss the health effects of aircraft noise, any increase in noise is unacceptable.

General Response 5: There is currently no consensus within or among the scientific, medical, and government communities regarding the health effects of aircraft noise. As the commenter indicates, there are some studies that indicate a possible relationship between aircraft noise and nonauditory health effects. However, these relationships tend to be weak at best, and thus far are insufficient for either the scientific or medical communities to reach a conclusion. In fact, there are other studies that conclude no relationship between increased aircraft noise and detrimental nonauditory health effects occur. In 1974, the EPA "Levels" document identified a level below 65 DNL that it believed would "protect public health and welfare with an adequate margin of safety".

There are two important points to note regarding the level that EPA identified in this document. First, a careful reading of the document reveals that EPA actually identified a separate level that it believed would specifically protect against health effects. That level was a 24-hr average level of 70 dB, or approximately 75 DNL. Secondly, the lower level identified to protect against both health effects and to protect the public welfare included a margin of safety. In other words, that level is lower than the level that actually would protect the public welfare as EPA saw it at the time. Finally, it should be noted that EPA has been a signatory agency in the development and findings of the 1992 Federal Interagency Committee on Noise (FICON) report which reaffirmed the use of the DNL metric and the use of 65 DNL for land use compatibility.

General Comment 6: The DEIS should have included an air quality analysis, moving aircraft routes will move the air pollution (soot) over my area.

General Response GR-6: Previous airspace redesign environmental documents have relied on the final rule for Determining Conformity of General Federal Actions to State and Federal Implementation Plans and the preamble to this rule which indicated that “air traffic control activities and adopting approach, departure, and en route procedures for air operations” are illustrative of de minimis actions. In the past, the EPA has agreed that airspace redesign produced de minimis emission changes. Since the issuance of the DEIS, the FAA was advised by EPA that it should not use the preamble and on February 12, 2007 issued a Draft Federal Notice *Federal Presumed to Conform Actions Under General Conformity* [Federal Register: February 12, 2007 (Volume 72, Number 28)] which formally defines these types of actions above 1,500 feet above ground level (AGL) as de minimis. FAA received comments on the notice for 45 days and is in the process of developing the Final Notice. It is expected that air traffic operations will be included in the Final Notice.

For aviation activities below 1,500 feet AGL the individual State Implementation Plans must take into account all regional pollutant sources (cumulative impact) and are, therefore, considered when setting regional air pollutant limitations. It should be noted that aviation related emissions have consistently been found to contribute much less than other transportation sources. The 2005 FAA released “Aviation and Emissions, a Primer” indicated that JFK, LGA, and EWR airports contributed only four percent NOx (a precursor to Ozone) to the metropolitan area [Compilation of data from the SIP inventories for New York and New Jersey provided by Mr. Raymond Forde, Region 2, U. S. Environmental Protection Agency, June 16, 2004. Additional data provided by Mr. Kevin McGarry, New York State Department of Conservation and Ms. Tonalee Key, New Jersey Department of Environmental Protection].

However, because the Final Notice has not been issued the FAA considered the effect of fuel consumption with the Preferred Alternative. This analysis provided in Appendix R, Effect of the NY/NJ/PHL Airspace Redesign on Aircraft Fuel Consumption, of the FEIS indicated that the Preferred Alternative with mitigation would reduce aircraft fuel consumption in the Study Area in 2011 by about 194 metric tons per average day.

Reduced fuel consumption is directly related to reducing air pollutant emissions. The EIS concludes the fuel burn consumption is reduced with the Preferred Alternative and, therefore, air pollutant emissions are reduced and presumed to be de minimis.

Air quality studies focused on particulate matter (commonly referred to as soot) have been conducted at Chicago O'Hare International Airport, Boston Logan International Airport, and Cincinnati/Northern Kentucky International Airport. The referenced studies have found that soot and other deposits under flight paths are more closely related to general urban pollutants, motor vehicle exhaust, and soot from burning non-aviation heavier fuels, such as fuel oil. Specifically, the studies concluded that components of soot are more the result of regional background pollution rather than jet fuel or aircraft engine exhaust. The underlying data base for aircraft particulates is not extensive and the FAA is working with the aviation community, including the Society of Automotive Engineers, the International Civil Aviation Organization, and NASA to develop methods and procedures for measuring aircraft engine particulate emissions. The primary exhaust emissions from jet aircraft engines are oxides of nitrogen, hydrocarbons, carbon monoxides, and smoke, all of which are measured during the FAA's engine certification process. Aircraft engines emit pollutants on the ground and in the air. On the ground, engines emit more volatile organic molecules and carbon monoxide, while in the air, they emit more nitrogen oxides. (See, for example, Evaluation of Air Pollutant Emissions from Subsonic Commercial Jet Aircraft, EPA420-R-99-013, April 1999). Fanning departures reduces the time aircraft spend running their engines on the ground and reduces airborne flying distance. These benefits more than offset the changed location of emissions. The exact balance between the two is hard to calculate, but in sum burning less fuel is an environmental benefit. Engine exhaust emission levels are measured and regulated as prescribed in 14 CFR Part 34. The regulations apply to all civil aircraft that are powered by gas turbine engines including turboprop, turbofan, and turbojet engines.

General Comment 7: The Proposed Project will lower our house values.

General Response GR-7: The property value impacts of aviation noise have been studied on multiple occasions with publication of study results beginning in the mid 1970s, to-date there is still no definitive answer. For individuals who might work at (or near) the airport or who use the airport for travel, the benefits of proximity can be reflected in residential property values. Because it is possible for an airport to have both negative and positive effects on property values, the net effect can be negative or positive. Separation of aviation noise from other noise emitters has always been at issue for determining a specific property value impact due to aviation noise. Some studies have found that impact due to aviation noise is negligible while others have found the impact to be upwards of 10 percent. A 2003 study by J. Nelson, Department of Economics, Pennsylvania State University entitled "Meta-Analysis of Airport Noise and Hedonic Property Values: Problems and Prospects" found that the "cumulative noise discount in the U. S. is about 0.5% to 0.6% per decibel at noise exposure levels of 75 dB or less". For this study 20 hedonic property value studies are analyzed, covering 33

estimates of the noise discount for 23 airports in Canada and the United States¹. . Specifically, at DNL above 65 dB, the effect is about 1% per additional dB; at DNL between 60 and 65 dB, the effect is about 0.5% per additional dB; below 55 dB DNL, no effect has been measured².

General Comment 8: The proposed redesign is unsafe.

General Response GR-8: The air traffic control system in the United States is the safest in the world and FAA works with airlines to make sure that safety is priority one. FAA will never implement an airspace design that sacrifices safety. The airspace redesign team was composed of Certified Professional Controllers. The proposed procedures do not compromise safety and are at least as safe as current procedures.

General Comment 9: The Airspace Redesign Project should not route aircraft near nuclear power plants.

General Response GR-9: The aircraft involved in this project are instrument flight rule (IFR) and are under positive control of air traffic control (ATC). Any deviation from the route or assigned altitude would immediately be reported and coordinated appropriately, just as it would with IFR traffic that is already within a few miles of the plant. Current restrictions advise pilots flying under visual flight rules to avoid the airspace above or in proximity to such plants and do not apply to aircraft being controlled by ATC. The flight tracks associated with the Preferred Alternative with mitigation do not result in an increase in separation distance of IFR flights to the Indian Point Nuclear Power Station.

General Comment 10: The analysis of DOT Section 4(f) resources in the DEIS is insufficient.

General Response GR-10: In response to comments received on the DEIS, additional 4(f) analysis has been completed. The FEIS includes additional analysis of potential environmental impacts on the National Parks, National Wildlife Refuges, and selected state parks. The FAA coordinated resolution of Section 4(f) issues with the National Park Service and US Fish & Wildlife Service.

General Comment 11: The Proposed Project will impact my quality of life.

¹ Nelson, Jon P: Aircraft Noise and the Market for Residential Housing: 50/78/24, Sept. 1978 (Available from NTIS as PB 297 681)

² Nelson, Jon P., "Hedonic Property Value Studies of Transportation Noise: Aircraft and Road Traffic", Proceedings of the International Symposium on Hedonic Methods in Real Estate, Geneva, Switzerland, June 2007.

General Response GR-11: The FAA recognizes the quality of life issues impacted by aviation activities. The FAA has the responsibility to control the use of navigable airspace in the interest of safety and efficiency. To meet this responsibility, the FAA is in the process of redesigning airspace to safely and efficiently accommodate the foreseeable increase in air traffic. The DEIS included detailed modeling of each of the alternatives, so that the FAA could identify the associated operational and environmental impacts. Upon receipt of public and agency comments, the FAA identified a Preferred Alternative and designed mitigation to minimize the environmental impacts to the extent possible. Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS provide details on the mitigation considered for the Preferred Alternative. Mitigation of the Preferred Alternative should reduce quality of life concerns relative to the airspace redesign project.

General Comment 12: The FAA has placed airline profits over the people's quality of life.

General Response GR-12: The FAA acknowledges the quality of life issues impacted by aviation activities. A comprehensive public involvement process was an integral part of this Airspace Redesign Project and impacts to residents living in communities adjacent to the airport and various flight paths were extensively analyzed, including noise impacts and environmental justice issues. The DEIS included detailed modeling of each of the alternatives, so that the FAA could identify the associated potential environmental impacts. Upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA developed the purpose and need for the airspace redesign, consistent with NEPA regulations, to reflect its mission. According to the Federal Aviation Act of 1958, the FAA's mission includes controlling the use of navigable airspace and regulating civil and military operations in that airspace in the interest of maintaining the safety and efficiency of these operations. Therefore, the purpose of the project is to increase the efficiency and reliability of the air traffic system through the adjustment of traffic flows in the New York, New Jersey, and Philadelphia areas while accommodating new technologies and reducing delays. Likewise the project is needed to maintain safety, respond to increasing aviation growth, and to mitigate mounting delays at the area's four major airports and other airports throughout the system that are impacted by air traffic in this region. NEPA was designed to have environmental considerations taken into account along with other factors.

The actions proposed in the DEIS do not improve capacity. Airspace redesigns are intended to make more efficient use of the capacity that already exists. It is true that the delay reductions are smaller than those from, for example, building a new runway, but major capacity increases like that in the New York metropolitan area are not likely any time soon. The only choice for improving efficiency is airspace redesign. The reduction in delay shown in the FEIS is an average over a large number of flights and can equate to a significant cost. It is difficult to assess the value of noise exposure, but the efficiency benefit to users of the aviation system is large. The delay reductions are

important as illustrated in “Interpreting Average Delay Metrics” in Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS.

Lastly, the beneficial employment and economic impacts of EWR, LGA, and JFK reach beyond the industry and its users. According to the Port Authority of New York and New Jersey, these airports employ 67,000 people and contribute \$48.2 billion in economic activity to the NY/NJ metropolitan region, generating some 435,000 jobs and \$16.9 billion in wages.

General comment 13: The DEIS does not address environmental justice impacts.

General Response GR-13: EO 12898 and Order 5610.2 do not bar Federal actions that potentially impact minority and low income population, however, these orders do require adequate public involvement with affected communities and disclosure of potential impact for these communities. The DEIS addressed environmental justice in accordance with EO 12898 and Presidential Memorandum and Order DOT 5610.2 which indicates that “each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environment effects of its programs, policies, and activities on minority populations and low-income populations...”. This information is disclosed in the DEIS. The FEIS updates the environmental justice analysis to include the mitigated Preferred Alternative.

Additionally, as with pre-scoping and scoping meetings, all of the public meetings following the release of the Draft EIS were designed with sensitivity to low-income and minority populations. To conduct meaningful public involvement, the FAA considered the special needs of the low-income and minority communities. Special needs were accommodated by holding meetings in locations accessible by public transit, providing translators, advertising meetings in specialized local foreign language media, and contacting community and church leaders.

General Comment 14: The Proposed Project will increase the number aircraft operations in the Study Area.

General Response GR-14: The purpose of the FAA's Proposed Action is to increase efficiency and reliability of the airspace structure and ATC system. Increasing efficiency will allow the system to accommodate natural growth and that natural growth is considered in the analysis. The Proposed Action does not induce traffic in itself, but accommodates the natural growth projected for the study area with or without the Proposed Action.

General Comment 15: Concerned that the Proposed Action will result in aircraft flying lower over my area.

General Response GR-15: None of the alternatives reduces aircraft altitudes. In the FAA’s Preferred Alternative, Integrated Airspace Alternative Variation with ICC, the increased distance below 18,000 ft is due to a longer path in an area where arrivals are currently already at 6,000 ft. This was the result of a tradeoff – since departures are much louder than arrivals, expediting departures was seen as more valuable to airspace users, air traffic controllers, and neighbors alike.

General Comment 16: The Airspace Redesign does not address the existing noise conditions in my area.

General Response GR-16: The purpose of the FAA's Proposed Action is to increase efficiency and reliability of the airspace structure and ATC system. Addressing existing noise conditions is not part of the purpose of this EIS. Specifically, the FAA has considered the potential change in noise exposure with implementation of the Proposed Action which will occur in the future.

General Comment 17: The DEIS did not address the future noise impacts in my area.

General Response GR-17: The DEIS presents the required noise information as described in the FAA Order 1050.1E. The noise analysis presented in the DEIS includes all changes associated with each alternative. Where design changes caused a reportable change in noise exposure, or any significant change, a detailed discussion was provided. The DEIS states that 5 DNL or more increases in the 45 to 60 DNL range amount to “slight-to-moderate” changes in the DNL. The DEIS also states 3 DNL or more increase in the 60 to 65 DNL range amount to “slight-to-moderate” changes in the DNL. These ranges are contained in FAA Order 1050.1E and are recommended by FICON. Additionally, FAA provided the results of the noise analysis at all Census Block locations within the Study Area, regardless of noise level or thresholds, as well as being available in an on-line noise data spreadsheet on the project web site.

Noise was a major environmental consideration throughout the EIS process. From the beginning, during the FAA’s scoping meetings, the agency made a commitment to the communities in the Study Area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other potential environmental impacts: (1) Increase altitudes, (2) Disperse or concentrate tracks where appropriate, (3) Use advanced navigation, (4) Reduce flying time, and (5) Use less noise-sensitive areas where feasible. In addition, upon receipt of public and agency comments, the FAA selected a preferred alternative and designed mitigation to minimize the environmental impacts to the extent possible. The FAA published its Noise Mitigation Report, providing detailed information on mitigation measures for its Preferred Alternative. A 30-day comment period, as well as public meetings within the Study Area, was provided. The mitigation measures examined and proposed for implementation by the FAA are

contained in Appendix P, Noise Mitigation Report, and Chapter Five, Preferred Alternative and Mitigation, of the FEIS.

General Comment 18: The Airspace Redesign does not live up to the requirements of the Expanded East Coast Plan (EECP).

General Response GR-18: Aviation Safety and Capacity Expansion Act of 1990 (ASCEA) states that the FAA will:

- issue an EIS pursuant to the NEPA of 1969 on the effects of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the EECP,
- conduct an investigation to determine the effects on air safety of changes in aircraft flight patterns over the State of New Jersey caused by implementation of the EECP,
- and transmit a report to Congress regarding the results of the EIS and investigation conducted pursuant to the EECP.

The report contained such recommendations for modifications of the EECP as the Administrator considers appropriate or an explanation of why modifications of such plan is not appropriate. Finally, implementation of the modifications should occur within a year of enactment of the Act. The redesign is not required to follow ASCEA Section 401, as it was specific to the EECP. The current noise abatement procedures were set aside, so the redesign would not be limited by these constraints. The redesign supplies alternatives that serve the purpose and need of the project, except the Ocean Routing Airspace Alternative. Airspace Redesign is a separate project from the EECP. Mitigation implemented for one project may be abandoned entirely by a future project, as long as the agency analyzes and discloses the consequences of doing so. Additionally, review of the EECP indicates that the mitigation provided by the Solberg Mitigation Proposal helped to reduce the number of Union County residents experiencing noise levels of 45-60 DNL. The Preferred Alternative, Integrated Airspace Alternative Variation with ICC, would not increase reportable noise levels (i.e. FAA criteria for determining impact of increases in aviation noise) within the areas that benefited from the Solberg Mitigation Proposal. See Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign, of the FEIS for more detail.

General Comment 19: There should be a supplemental DEIS.

General Response GR-19: The DEIS, published in December 2005, was complete and adequate. According to CEQ Regulations Section 1502.9b, Final EISs must respond to comments and the agency must discuss at appropriate points in the FEIS any responsible opposing view which was not adequately discussed in the DEIS and indicate the agency's response to the issue raised. The FAA has prepared its Final EIS and responded to comments and opposing views received on the Draft EIS. According to CEQ Regulations Section 1502.9c, agencies must prepare supplements to either Draft or Final EISs if (1) the agency makes substantial changes in the proposed action that are relevant

to environmental concerns, or (2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. The FAA has not made substantial changes in the proposed action, nor are there significant new circumstances or information relevant to environmental concerns and bearing on the proposed action and its impacts. Therefore, the FAA will not be preparing a supplemental DEIS.

General comment 20: The comment period on the DEIS should be extended.

General Response GR-20: The minimum comment period required is 45 days per 40 CFR 1506.10(c). In every instance, the FAA's public involvement process was far more than adequate and went well beyond what is normally expected or needed. There was ample opportunity for people to comment after the Draft EIS was published and the public comment period far exceeded the 45-day requirement. The Draft EIS was published in December 2005 and the comment period remained open until July 1, 2006. The FAA strongly believes that the process for this study has been open and accessible to all that desired to participate.

General Comment 21: The public meetings did not address my area specifically.

General Response GR-21: The noise impact stations were staffed by noise modelers who were available to answer all questions related to the noise modeling results. It should be noted that the noise impact stations were usually the busiest and the modelers remained at the stations during the panel question period to answer as many questions as possible. In addition, the FAA developed a web based tool that allowed any resident to enter in his/her address and display the modeled noise impacts for a particular alternative.

General Comment GR-22: The displays were either too general in nature, inaccurate or difficult to understand.

General Response 22: The primary goal of the public meetings was to inform the public of the changes in route structure in an easy to understand format. Posters that displayed route information depicted only major flows, flows on the centerline flow of traffic, and flows into and out of the five modeled airports to avoid confusion and ensure readability. Additionally, each display station was manned by Air Traffic and Environmental experts who could explain the display.

The displays for each of the project alternatives contained changes to the departure and arrival flows from the No Action Alternative as well as those flows that would remain the same specific to the five major airports in order to permit workshop participants to compare elements of alternative design without visiting multiple stations.

In addition, the noise impact stations were staffed by noise modelers who were available to answer all questions related to the noise modeling results.

General Comment 23: The FAA should have supplied a hard copy of the DEIS to me.

General Response GR-23: CEQ permits distribution of an Executive Summary initially. Hard copies of the DEIS were placed in 71 local libraries across the Study Area. For those who specifically asked for a hardcopy or indicated that they were unable to access the CD or website, such as NJCAAN, a hardcopy was provided. In addition to the distribution of the DEIS to the public, the FAA has undertaken an extensive public outreach program for the DEIS project. Over 90 public meetings have been held to date to explain and communicate the project to specific stakeholders. Numerous special interest briefings, as well as meetings with elected and agency officials, have been conducted. Additional public meetings presenting the Noise Mitigation Report were conducted prior to the release of the Final EIS.

General Comment 24: I was not aware of the DEIS availability or the public meetings in my area.

General Response GR-24: The EPA published a Notice of Availability for the DEIS in the Federal Register on December 30, 2005. In addition, 2,800 newsletters were sent out to notify residents of the release of the DEIS. Public information meetings were held from February 2006 through May 2006. On February 16, 2006 emails were sent to over 580 residents listing the specific meeting locations and on February 24, 2006, postcards were sent to over 3,200 residents with specific meeting locations. Each meeting was publicized through multiple local newspapers and radio stations. The public meeting process consisted of 30 meetings held in various locations throughout the Study Area.

General Comment 25: Additional public meetings were needed.

General Response GR-25: CEQ regulations did not require the FAA to hold public hearings on this project. However, public workshops were provided as a mechanism to assist the public with interpretation of the technical aeronautical materials presented in the Draft EIS and to afford the public the opportunity to speak with air traffic controllers about the workings of the airspace system. Over the course of the EIS process the FAA conducted 96 public meetings in various locations within the Study Area. The FAA has provided adequate opportunity to attend public meetings.

General comment 26: Why can't aircraft noise be directed over compatible land uses/water.

General Response GR-26: In some situations, aircraft flights can be directed over compatible land uses when there are compatible land and adequate navigation techniques available. The FAA agrees that flying over water is a way to reduce noise exposure for some communities. The Preferred Alternative with mitigation makes extensive use of the technique. Unfortunately, further expansion of over-water routing is not possible. That airspace is already being used. For example, in the current system, over the Long Island Sound and below 14,000 feet can be found: LGA arrivals, HPN arrivals, JFK departures, LGA departures, EWR departures, ISP departures, FRG departures, and general aviation traffic to dozens of satellite airports. Over the water south of Long Island can be found: JFK arrivals, JFK departures, LGA arrivals, LGA departures, PHL departures, HPN departures, ISP arrivals, and general aviation traffic to satellite airports on Long Island and as far away as Massachusetts.

Because the airports are located in densely populated area, it is impossible not to fly over them. The study area for this project is densely populated and in proximity to the major airports as described in Section 3.3 Land Use. Therefore, it would be impossible to route aircraft to avoid densely populated areas. The Study Area contains approximately 29 million people. In this area, 8,000 to 10,000 flights overfly the population safely on a daily basis. Past attempts to locate airports in sparsely populated areas have ultimately failed, because the populations moved to them (Denver, Dallas). Airports and air carriers are responsible for the scheduling of flights to meet market demands; the FAA cannot dictate flight schedules. Land use planning around an airport is the responsibility of the local and state jurisdictions. The FAA has recommended guidelines for land use planning that state and local governments can implement, but these are guidelines, not criteria or enforceable regulations. It is the local government's right and responsibility to zone and manage land use around the airport.

General Comment 27: Aviation noise should be distributed equitably over the Study Area.

General Response GR-27: It has been a longstanding policy of FAA to avoid shifting noise from one community to another solely for noise abatement purposes. However, if it is necessary to shift noise from one community to another because of aviation operational needs, then an environmental review must be done to disclose the impacts to the public of the necessity of such shifts in noise, as is the case here with the DEIS.

General Comment 28: The FAA should limit airport operations in order to reduce noise impact.

General Response GR-28: The FAA has no statutory control over aviation operational levels, but is responsible for controlling the use of the navigable airspace and regulating

civil and military operations in that airspace for the interest of maintaining the safety and efficiency of both of these operations. Operational levels are determined by airlines and other aviation users, including passengers. In order to impose operational restrictions, the airport proprietor would have to complete a 14 CFR Part 161 study in accordance with the Airport Noise and Capacity Act (ANCA) of 1990 (49 U.S.C. App. 2153, 2154, 2155, and 2156).

While the FAA has the responsibility for safe and efficient use of the airspace, The Aviation Noise Abatement Policy of 1976 and FAA Order 1050.11, Noise Control Planning, identify airport proprietors as responsible for taking the lead in local aviation noise control plans and issues. This is appropriate because the airport proprietor has the best understanding of the local noise climate, community needs and desire, and the requirements of the airport users. Hence, the FAA does not normally initiate noise control programs. Rather, airport proprietors may choose propose specific noise abatement initiatives to the FAA. Under such circumstances it is the responsibility of the FAA to determine only if the proposed initiatives are both safe and efficient, not whether they are appropriate from the local land use compatibility perspective

General Comment GR-29: The FAA should implement advanced technology solutions to reduce noise impact.

General Response GR-29: RNAV/RNP procedures cause aircraft to adhere to a preplanned track. At the lowest altitudes, this is not generally useful for efficiency, unless reduced pilot-controllers communication is important. It is most useful when a track over compatible land uses can be found; these places are where RNAV/RNP will be used in the Preferred Alternative. RNAV approach and departure procedures are heavily used in the Preferred Alternative. The airways were designed with these features in mind, except for increasing lateral dispersion. In other places RNAV/RNP will not be used a low altitudes because it neither improves efficiency nor noise exposure.

RNAV/RNP procedures can only increase capacity where some existing constraint such noise abatement procedures has reduced it. Removing those existing constraints is a primary means by which the Preferred Alternative increases efficiency. All potential benefits of these types of procedures that could be safely included were included. The airspace redesign sets requirements for new technologies. In both the Modifications and Integrated Airspace Alternatives, routes are specified that have no ground-based navigation aids to support them. This will require new Area Navigation standards to be applied. In the Integrated Airspace Alternative Variation with ICC, several of the airways are not spaced to current criteria. Required Navigation Performance routes will have to be defined in these cases. Both of these require new technology to support them. The trend in question involves the willingness of aircraft owners to purchase avionics suites that enable their aircraft to participate in use of such routes. Without a forecast of equipage levels that make RNAV/RNP routing practical, none of these designs would have been proposed. “Can Precision Navigation Increase the Efficiency of Newark Ocean Routing?” in Appendix O, Operational Analysis of Mitigation for NY/NJ/PHL Airspace

Redesign, of the FEIS provides detail on advanced technologies solutions for placing flight paths over specific land uses without impacting efficiency.

General Comment 30: Additional airports or existing airports should be expanded to reduce delay.

General Response GR-30: The DEIS considered changes in airport use in Chapter Two, Alternatives, but found that use of satellite airports would not address the inefficiencies of the present day NY/NJ/PHL Metropolitan Area airspace since traffic would still be required to operate into and out of the current terminal and en route airspace structure.

General Comment 31: Different modes of transportation should be used to reduce noise impacts and alleviate aircraft delay and congestion.

General Response GR-31: Alternative Modes of Transportation was among the categories of alternatives considered and rejected in the DEIS. Use of other modes of transportation would not address present day inefficiencies of the NY/NJ/PHL Metropolitan Area airspace. Multi-modal solutions are for regional transportation authorities; FAA does not have authority over other modes of transportation and it is outside the scope of this study.

General Comment 32: General Aviation should be addressed in the EIS.

General Response 32: The 21 airports included in the noise modeling represent well over 90% of the IFR flight planned traffic originating or terminating within the Study Area of the EIS. Furthermore, all military and general aviation IFR flight planned traffic was included in the modeling at each of the 21 airports. In addition, the noise modeling also included all IFR flight planned overflights of the Study Area (including military and general aviation) where any portion of the flight occurred at or below the 14,000 MSL altitude. The 14,000 MSL threshold is based on FAA's policy to evaluate flights up to 10,000 feet above ground level. This highest point within the Study Area was found to be about 4,000 feet in elevation, meaning that 10,000 feet above that point would be 14,000 feet above sea level. This altitude cap was then extended across the whole of the Study Area regardless of ground elevation. Additionally, the Study Area is in Class B airspace. Class B airspace, by definition means that VFR pilots must contact air traffic control for permission to enter. If the airports are unable to accept a VFR arrival without disrupting a busy IFR flow, permission will not be granted. VFR traffic, by definition, is not subject to air traffic control. VFR pilots avoid controlled airspace whenever possible. Therefore, VFR traffic will not impact controller workload, system capacity, and/or efficiency estimates at the major airports. At the smaller airports, workload and system capacity and/or efficiencies are too small to measure, so they are not a factor in the operational evaluation.

General Comment 33: The DEIS is inadequate.

General Response GR-33: The FAA strongly disagrees that the DEIS is inadequate. The DEIS, published in December 2005, is complete and adequate. Based on the requirements set forth under NEPA and FAA Order 1050.1E, the DEIS adequately addressed the noise and other environmental impacts on all areas within the expansive project Study Area which includes a complex airspace. Noise impacts, in particular, were rigorously evaluated and noise level changes exceeding FAA's thresholds were reported, mapped, and discussed in detail in the DEIS for each alternative.

General Comment 34: The No Action Alternative will not increase noise levels.

General Response GR-34: There is a misconception that if no action is taken the noise will remain the same. Regardless of the alternative chosen, operational levels will grow in the future within the Study Area. Growth in operations is demand driven and operations will continue to grow as long as there is demand. Without the Proposed Action the efficiency of the airspace will not be improved, but the demand will still grow and air carriers will find a way to meet the demand (e.g. larger aircraft, etc.). As detailed in Chapter Four, with the No Action Alternative the population living within the 65 DNL will increase by approximately 5% between 2006 and 2011.

General Comment 35: The Integrated Airspace Alternative Variation with ICC will increase noise levels.

General Response GR-35: The DEIS clearly indicated that some of the alternatives investigated had the effect of creating both "significant" and slight to moderate noise increases in various locations within the Study Area. The details regarding these changes are discussed in the document, as well as the causes based on each alternative. It should be noted, however, that the FAA's Preferred Alternative actually provides a slight reduction in the number of persons exposed to significant noise levels of 65 DNL or more. Noise abatement measures were considered for all areas experiencing noise increases due to the Preferred Alternative, the FAA considered measures related to all the areas of reportable noise increases and beyond. The mitigation measures examined and proposed for implementation by the FAA are contained in Chapter Five, Preferred Alternative and Mitigation, of the FEIS. Mitigation of the Preferred Alternative has eliminated any significant impacts of the Alternative by the year 2011.

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NEPA ISSUES

GENERAL

Supplemental Draft Requested (NEPA-1)

Source: Jeanne Stillman, Rosemarie Muscolo, Ricki Rusting, Dianne Ripley, Barbara Wasserman, Susan Kassouf, Marc Intriligator, Richard Sudock, Michelle Fenimore, John Flack, Madeline Sheldon, Robert Dashow, Philip Grant, Grace Mahelsky, Michelle Kassan, Theresa Ryan, Andrew Nappi, Stephen Smith, Mary Bramwig, Mary Kohl, Patrick & Eileen Dotoli, Lisa Munz, Regina Blakeslee, Warsenn, Roberta&Steven Rothkin, Michael Aiello, Jane Yendell, Steven Doblin, Steve Rothkin, John George, Harold Reinstein, Philip Guthoff, Peter Sieminski, David Becker, Elena Malunis, Gary Malunis, Joyce Weiser, Douglas&Cynthia Ferguson, Gene Feeney Sr., Robert Sparling, Steve Tuchin, Carolyn Mittelstadt, Dorothea Jandrucko, Charles Karen, Veronica Perry, John Leyden, Dennis Kirby, Madelon Rosen-Solomon, Sue Davis, Carolyn Thornlow, Michael Johnson, Cynthia Altman, Susan Brecker, Debra Schoen, Micahel & AnnMarie Ross, Patricia & Daniel Lowy & Frank, Albert Corten, Tim Hickey, Ellen Golds, Carol Singer, Peter Dougherty, Nicole Maresca, Arthur Fuller, Barry Linder, Denise Weber, Ellen Broude, Beverly Borg, Jeff Pucillo, Maria Pia Marella, Pat & Tony Alessi, Lorianne Chuquillanqu, Bruce Dale, Deborah Tarricone, Jeanne Starren, Ellen Hendrickx, Dani Glaser, Brenda Hill, Lori Serafin, Brian Halloran, James Cowderry, Nancy Kliot, Stephen Smith,

Paula Panzer, Monique Rothman, Laura Rubin-Reick, Elizabeth Hardman, Fred Volpacchio, Betsy Kolt, Christine Blake, Michael Callahan, Trish Gallagher, Witt Barlow, Chris Caulfield, Judith Harrison, Mary Cronin, Emmanuel Faure, Patricia Sestito, Tom Mitchell, Peter Shafran, Doug Wehrle, Felicia Anzel, Scott Nelson, Annemarie Moore, Jon Karpoff, Aidan Brewer, Nancy Angiello, Gloria Guman, Fred Smith, William Burton, Rocco Tortorella, Ronnie Rose, Steve Rothkin, Shelley & Michael Foxman, Ellen Roth, Patrice Downey, Gerry O'Malley, Peter Feigenbaum, Mathew Peretz, William & Barbara Safchik, Keith&Rosanna Dougherty, Mary Ann Priore, Jennifer Lee, Cara Bucovetsky, Susan Indenbaum, Amy Gardiner, Valerie Ringel, Marion Gillman, Pat Bucciero, Vitalah Gayle Simon, Jonatahan Fein, Hala Makowska, Nicholas&Maryann Fiebach, Tom Gardiner, Ruth&Daniel Marino, Alan Shapiro, Robert Herbin, Debra&William McGiness, Albert Mahelsky, Anne Corey, Terrence Yanni, Jeffrey Saks, Rich&Mary Sieminski, Eric Holdorf, Theresa Martz, Gwen Langille, Peter Sathapornwongkul, Drs. Lepsky & Annise, Maria & Jim Maggiola, Fred & Sondra Greenspan, Roy Byrd, Peter Schlactus, Robert Porto, Rob Langille, Joseph de Chaves, Anne Carbone, Daniel Taub, Catherine Tanelli RochelleWeitzner, Lynda Merchant, Leslie Goldstein, Stephanie Greenwald, A.J. Kydd, Marnie Mallah, Diane & Robert Wintermeier, Patricia Anne Woods, Rob & June Farnham, Rich Barton, Catherine Baecher-Scholtz, Ronald Steinvurzel, Robert Mavian, Gary Slutsky, Barbara Mavian, Jeffrey & Barbara Weiss, Joe Pappas, Edward & Lisa Specht, Donna Goldsmith, Peggy Greenwalt, Jim Goldsmith, Nitin

Nayak, Sandra Beach, Rita Majdanski, Susan Manber, Ian Bauer, Jackie Marek, Lisa & Brian Grodin, Anges Mlinko, Jan Nolte, Roger P. Matles, Sarah McMane, Laurie Salzberg, Jean Wentworth, Judith & Alan Duke, Walter Stugis, Andrew Blumberg, Henry & Karen Thomas, Deborah Jurkowitz, Navin Gupta, Susanne Heincke, Helen Yarscak-Lanzotti, Vivian Bergenthal, Curtis Bakal, Cory Notrica, Wendy Greenberg, David Goldman, Walter Matystik

Comment: These commenters stated, "A supplemental Draft Environmental Impact Statement is needed that will address our many concerns." The concerns they refer to include the safety of flights over Indian Point Nuclear Power Plant. Many comments also included: "I would like the FAA to specifically address the impacts to our neighborhood--the West End of the Town of New Castle-- including quantifying noise levels, which is vitally important to us, and has a very significant effect on the value of our homes."

Response: See General Responses GR-19, GR-9, GR-17, and GR-7.

Need for new Draft DEIS (NEPA-2)

Source: Suzanne Swanson

Comment: "It is a quality of life issue and needs much further investigation. You can not just arbitrarily pick an alternate route and just glaze over the effects on the citizens that will be affected by the new pattern. More has to be done and the pattern has to completely studied as to its effect on the communities. I am opposed to the level

of study done so far and request a more intensive Draft DEIS be done."

Response: See General Response GR-19.

Elevation (NEPA-3)

Source: Mark Friedland, Nicholas L. Gunther, Walter Matystik

Comment: "The DEIS does not address the effect of elevated terrain in the Woodstock, New York, region. The topography of this region causes the planes landing at Newark, at least 100 miles away, to sound very loud despite their altitude. There has been no study of this during the entire Metropolitan Airspace Redesign effort, despite my bringing it up at several meetings. The planes should be re-routed so they don't pass over this pristine and sensitive Catskill Park region."

Response: The Noise Integrated Routing System (NIRS) model does take in to account terrain. Additional analysis for the Catskill Park was completed for the FEIS, see Chapters Four and Five and Appendix J.

PUBLIC MEETINGS

Meetings --Notice in Tinton Falls, NJ (MEETINGS10)

Source: Ronald Gumbaz

Comment: Commenter states he "Acknowledge[s] the notice of this meeting which was provided several weeks ago in some of the newspaper without giving the actual site of the meeting, Riverside Drive Association

only received notice of this meeting in the mail on Monday of this week. I believe those long cards that the FAA sent out giving the times, dates, and locations of the various meetings in New Jersey should have been sent out weeks ago."

Response: Comment noted.

Meetings --Exhibits in Elizabeth, NJ (MEETINGS11)

Source: Krause

Comment: Commenter states, "These exhibits here do not show what the precise noise impact or routes will be over our communities, particularly Canford where I live, but all of Union County. So it is difficult to measure or to estimate what the noise impact would be on our communities and hopefully when the EIS comes out, it will show this information."

Response: See General Responses GR-22 and GR-17.

Meetings --New Castle, NJ (MEETINGS12)

Source: Michelle Green

Comment: Commenter says "I had signed up to receive information from the capacity enhancement program. I had never received any information whatsoever. I knew about this meeting through Mr. Carper's office representative for Delaware. I think there should be better coordination between the two FAA sponsor groups." " I think the format of this program is calculated

to discourage public comment. People are asked to come in and watch a video and they are dispersed to a room for about one hour to look at the presentation and the question and answer period. The time for interaction is very late in the evening, from 8 to 9pm, a time when most people would prefer to be at home. I dont think the format is very well thought through." "Also, I just learned that there is data available for monitoring noise in this area, and it was not brought out at the capacity enhancement presentation. I think that is would be very useful if someone would look at it in connection with this airspace redesign program."

Response: The FAA disagrees. Extensive thought was applied in developing the format and presentation materials. Although the panel period was scheduled to last one hour often times the panel members stayed beyond the scheduled timeline to answer additional questions. The stations were meant to allow individuals to ask questions directly of the experts in each area. The Capacity Enhancement Plan for PHL is beyond the timeline of the Airspace Redesign study and is therefore not considered in this EIS.

Meetings --Charts and Graphs in Paulsboro, NJ (MEETINGS13)

Source: Cesare Cosenza, Gabriella Brown

Comment: Commenter notes that the new runway being built in Philadelphia is not addressed in any of the charts or graphs. Another commenter feels that the issues were already decided before the meeting and feels that the interest of

the airlines is more important than the interest of the citizens.

Response: The extension of Runway 17/35 at PHL is included in the noise modeling but was not shown graphically due to the overall scale of the display boards. The FAA identified a preferred alternative in March of 2007 after comments on the DEIS were reviewed. Lastly, see general response GR-12.

**Meetings --Folsom PA, NJ
(MEETINGS14)**

Source: Elie Eashrel, Michael Matz, Charles Kanorr, Marilyn Peterson, Richard Zielke

Comment: Commenter would like to suggest that they try to put the presentation on local cable news in order to reach a wider audience. Another commenter notes that there was very short notice for attending the meeting and because of this very few people from Tinicum Township were able to attend. Another commenter notes that it seems like Tinicum Township was left out of this meeting. He wonders why this continually seems to happen. Commenter feels that the people working in the building next door were talking so loudly that he could not hear the video. Commenter also feels that the people he spoke with were unprepared and seemed to have a rehearsed script. Despite the many charts it was still confusing to understand what was being proposed and the commenter feels that the presentation should have been geared more towards people without professional experience.

Response: The FAA notes the comment relative to local cable news, it should be noted that meeting notices were sent to local newspapers and local cable companies could have recorded the meeting.

In December, 2005 a newsletter announcing the availability of the Draft EIS along with project contact information, was mailed directly to the Office of the Chairman, Delaware County Council in order to provide relevant project information to a local centralized agency with county oversight. In addition, a postcard identifying the specific public meeting locations was mailed out in February, 2006 also to the Delaware County Council.

Newspaper advertisements identifying the meeting location in Ridley Park, PA where published in the following papers: The Philadelphia Inquirer, The Philadelphia Daily News, The Delaware County News and Town Talk; all with circulation in Delaware County. In addition Public Service Announcements were run in rotation at the following stations, also with coverage in Delaware County: WITN, WDEL and WMPH.

Airspace Redesign is a technical issue and the FAA worked to present the topic so that a layman would understand. See general response GR-22.

**Meetings --Parsiffany, NJ
(MEETINGS15)**

Source: Wiliam Brunskill, Barbara Sachao, Jack Hartford, Mary Jeanne White

Comment: Commenter feels the meeting was to distribute propaganda rather to focus on answering questions. The commenter feels that the questions of the people as a body should be addressed. Commenter feels the FAA set up this meeting to avoid the wrath of the people in this area who are fed up with the noise, danger, and pollution which is causing loss of sleep, and health afflictions. Commenter also notes that only having one hour devoted to answering question of the public is inadequate. One commenter notes that the presentation did not give adequate consideration for the ocean re-routing alternatives. One commenter felt that the increase of slick displays between meetings demonstrated an attempt to overwhelm those in attendance. One commenter felt that meetings were for PR and that the decisions had already been made at the expense of the taxpayers.

Response: The FAA disagrees. The work station setting is meant to allow one on one conversation so that the general public may obtain information specific to their needs. Although the panel period was scheduled to last one hour often times the panel members stayed beyond the scheduled timeline to answer additional questions. See general response GR-22. The FAA identified its preferred alternative in March 2007 after comments on the DEIS had been reviewed.

**Meetings --Hasbrouck Heights, NY
(MEETINGS16)**

Source: Alisha Ritt

Comment: Commenter is extremely impressed with the amount of time and

effort spent upgrading local airspace. Commenter believes we also need to upgrade our use of new technology and while it may mean a marginal increase in noise on the ground for those of us who travel frequently it will be very convenient. The proposed system is one that we have needed for a long time.

Response: Comment noted.

**Meetings --Saugerties Area, NY
(MEETINGS17)**

Source: Stephen Wallach

Comment: Commenters were unaware of the meeting and voiced opinion through email.

Response: See general response GR-24.

**Meetings --Kingston, NY
(MEETINGS18)**

Source: Bonnie Monchik

Comment: Commenter felt that the video was extremely dissapointing and the language was unintelligible and was geared toward the FAA stance. Another commenter felt that the video and presentation were not directed at an audience who was unaware of the problem. She suggested that the presenters spoke in code and is angry that the presentation was not directed toward ordinary people.

Response: Airspace Redesign is a technical issue and the FAA worked to present the topic so that a layman would understand. See general response GR-22.

**Meetings --Kingston, NY
(MEETINGS19)**

Source: Fred Kerhonkson

Comment: Commenter felt that the entire format of the meeting was offending. The visuals were difficult to see and the people answering questions about the displays had difficulty answering and were talking about efficiency instead of about environmental. The purpose of the meeting was operational and efficiency and the commenter does not feel that the concerns about noise or impact from noise were a priority. Commenter also notes that the style of answering questions made him feel like a moron and that the concerns of noise were pointless.

Response: Airspace Redesign is a technical issue and the FAA worked to present the topic so that a layman would understand. See general response GR-22. The FAA notes the commenter's concern about discussion of noise and other environmental impacts at the meetings. The commenter should note that public meetings on the DEIS and Noise Mitigation Report focused extensively on the potential noise impacts.

Meetings --General (MEETINGS2)

Source: William Enriken

Comment: The commenter was appalled at the lack of publicity and feels that the fact the correct information was not given to people is very suspicious.

Response: The FAA went to great efforts to advertise the public meetings and issuance of the DEIS.

**Meetings --Tinton Falls, NJ
(MEETINGS20)**

Source: Richard McOmber

Comment: The commenter notes that the notice of the meeting was given several weeks ago, but that the location of the meeting was not clear. The commenter also notes that the cards the FAA sent out, should have been sent far earlier to provide ample time for residents to attend.

Response: Comment noted.

**Meetings --Howard Beach, NY
(MEETINGS21)**

Source: Karen Casalaspro, Laurie Heedles, Joseph Florio, Laurie Heedles

Comment: Commenter notes that while the presentation was beautiful, most of the audience members had no idea what it meant for them or how it was going to affect them. She also notes that throughout the film there was no mention of the South Queens areas and wonders if the plans for this area is already decided. Another commenter noted that the presentation/presenters gave the impression that nothing could be done about the traffic congestion. Another commenter felt there should have been a brochere and pamphlets with pictures and explanations rather than posters. Another commenter noted that the South Queens area and the

airport JFK were left out of the study presented at the meeting.

Response: See general response GR-22. The public meetings focused on the area of the meeting place and areas of reportable noise impact. Because the airspace in the Study Area is so complex with dense population it was had for the FAA to develop alternatives that met the purpose and need of the Airspace Redesign. Materials were provided at the public meetings. All areas within the Study Area (including South Queens) were considered in the EIS.

**Meetings --Manhattan, NY
(MEETINGS22)**

Source: M. Peck

Comment: Commenter would like to applaud the efforts of the staff that worked on the presentations. Their willingness to explain charts and graphs to the public in a clear and forthright manner was appreciated. Commenter was also pleased to learn that the new plan will not result in a requirement to add new expensive equipment.

Response: Comment noted.

**Meetings --Manhattan, NY
(MEETINGS22)**

Source: Elie Pashrec

Comment: Commenter noted that: "No general aviation was mentioned in DVD. No general aviation mentioned in chart. The computer modeling for IFR is based only on airlines not on helicopter ops and not general aviation. No one is looking at the big picture. LaGuardia only has the worst delays because of the other

airports; the solutions are misguided. Answer to questions are simply wrong here and the people doing the answer simply don't know. Why is there no poster nor talk of airspace changes? Not a single picture of specific airspace changes. If we only have till 6/1/06 to comment, how can we comment without seeing proposed changes?

Response: See general responses GR-32 and GR-22. The FAA does not understand the comment, the majority of the materials at the meetings illustrated airspace proposals.

**Meetings --Folsom, PA
(MEETINGS23)**

Source: David McCann

Comment: Commenter notes that the meeting did not discuss concerns about what is causing the air congestion.

Response: Comment noted.

**Meetings --Bergen County, NJ
(MEETINGS24)**

Source: Donna&Tom Adair, Anthony Giannantonio, Tina Mouikis, Cesar Carvalho, Joan&James Gifas, Astrid Sichko, Rich Baudisch, Richard Porth, Marc Mandelman, Robert Zak, Mary Kane, John Kane

Comment: "Please consider extending by three month the current public comment period to give state and local officials a chance to understand and speak to the impact of the proposed aircraft traffic redesign."

Response: See General Response GR-20.

**Meetings --Pascack Valley, NJ
(MEETINGS25)**

Source: Kim&Robert Diccianni

Comment: "We are also upset at your agency for not having the decency or respect to offer meetings to the public of the townspeople effected to hear our opinion. We understand there are other options available but this is the one favored by the FAA. If we had been invited to speak with officials to hear your side of the story and stance on this subject, that would have been the right way to proceed. We would have listened and been respectful. We may not have agreed but we would have given you the opportunity to speak. Regretfully, the FAA does not feel the same courtesy should be given the Townspeople of the Pascack Valley. Instead, we are told you have refused to hold Public Meetings with the townspeople and this is the way things are going to be done."

Response: A meeting was held in Pascack Valley with elected officials in May 22, 2006. Additionally, notices of the public meetings were widely publicized. Advertisements were placed in several newspapers serving Bergen County including the Newark Star Ledger, the El Diario, The Bergen Record, and The North Jersey Herald News. In addition public service ads ran on the following radio stations serving Bergen County: WAXQ 104.3 FM, WGBO 88.3 FM, WBLS 107.5 FM, WCAA 105.9 FM, WDHA 105.5 FM, WDHA 105.5 FM, WHZ 100.3 FM, WJUX 103.1 FM, WKTU 103.5 FM, WNEW 102.7, and WRKS 98.7 FM.

**Meetings --Howard Beach, NY
(MEETINGS26)**

Source: A. Greene

Comment: "I attended the redesign meeting held in Howard Beach recently an it was a masterpiece in the art of deception. The four page pamphlet that was given to attendees devoted two pages to a description of noise giving the impression that the design project is concerned about noise which of course it is not. The presentation was highly technical and probably could have been condensed to several facts. If you live near an airport you will get more noise and breath in more jet exhaust the air transportation system is more important than your health and well being. We are going to squeeze more planes in the limited airspace by flying planes closer together increasing flight frequency. Secretary Moneta wants to tripple aviation within ten years encourage corporate jets and air taxis and more point to point commercial flights. There is no concern about the increase in CO₂ production global warming and dimming that this tripling of aviation will engender..those who promulgate this effort are environmental criminals."

Response: Although noise reduction was not included in the purpose and need for the Action noise impact was a major environmental consideration throughout the EIS process. From the beginning, during the FAA's scoping meetings, the agency made a commitment to the communities in the study area that, where possible, it would build the following techniques into the design to reduce aircraft noise and other

potential environmental impacts: (1) Increase altitudes; (2) Disperse or concentrate tracks where appropriate; (3) Use advanced navigation; (4) Reduce flying time; and (5) Use less noise-sensitive areas where feasible. See general responses GR-14, GR-5, and GR-6.

**Meetings --Manhattan, NY
(MEETINGS27)**

Source: Joy Held

Comment: "I missed the 4/27/2006 meeting in Manhattan since you switched to email notification and did not contact me."

Response: Comment noted.

**Meetings --Oradell, NJ
(MEETINGS28)**

Source: Judy Marino

Comment: "I would also like to express my displeasure at the way the FAA presents information regarding this issue on their website. While you provide some information (mostly technical) about the plans and provide images of display boards, it was almost impossible to find any real information that we could do research on...your maps were all mock-ups of the poster boards that you used at these presentations but it was impossible to print these or get a closer look at the entire picture. It's almost as if you don't really want the public to get the whole picture."

Response: The FAA notes your issues with website information. Airspace Redesign is a complex issue and the

FAA worked to present the materials in layman's terms.

**Meetings --Litchfield County, CT
(MEETINGS29)**

Source: Nancy Eckel

Comment: "On the cut-off date, my area of Litchfield County receives the news of the new flight plans over our area? I certainly oppose the change until public hearings have been well advertised and held!"

Response: The FAA is unsure of the cut-off date referenced however, the public was provided ample time to comment on the DEIS. Comment noted.

**Meetings --Tinton Falls, NJ
(MEETINGS3)**

Source: L Lintz

Comment: "I appreciate you all taking the time and effort to host this meeting and explaining what the plan is all about." The comment also includes: "The DVD presentation was about airlines alone. Statistically this is not a proper way to represent the NY airspace as was noticed by many people in the audience the night of the meeting. I noticed that none of the displays contained any information relating to General Aviation, except one minor helicopter operations simulator." The comment also includes complaints that the meetings are not properly publicized and that more "pilots from all walks of life should be encouraged to attend."

Response: The FAA disagrees, the DVD provided information about

multiple issues. See general response GR-32.

**Meetings --Norfolk, CT
(MEETINGS30)**

Source: Shelley Harms

Comment: I am dismayed at the late notice our area received of this proposal and that no hearing was held in our area. I would like to have the opportunity to participate in a thorough hearing about these issues.

Response: See General Response GR-24.

**Meetings --Pascack Valley, NJ
(MEETINGS31)**

Source: Kerri & Glenn Pernick, Suzan Dunkiel, Alan Scharfstein, Robert Spinoso, Terri Spinella, Peggy McGee, Tracey O'Connor, Joon Choi, Ernest&Dee Politz, Arlene Piazza, Issac Woltshock, Gloria Pskowski, Sam Horowitz, Kelly McCormick, Carol Wollman, David Marcus, Elisa Odell, Beth Rabin, Joan Robles, Madeline Perrie Howard, Joseph Weiss, Guy Mule, Mary Garofola, Michael Gela, Annamae&Francis Schaefer, Raj Desai, Edward Downs, Denis Cainero, Miro Beverin, Andy Cooper, John Beck, Elwood Cooper, Mike Guma, Dara Reynolds, Virginia Kolesar, Eileen Hoey, Lewis Nassau, Lottie Esteban, Mark Menzella, Jeanne Valenti, Jeanne Stillman, Ara Seferian, Diana Bottiglieri, Andrew Murro, Jack & Anna Rosenberg, Kenneth Hawork, Sharon Kozinn, Maria DeVincenzo, Lynne Bolson, Gloria Weinstock, Cheryl Benus, John Donoghue, Sharon Cohen

Alessi, Lilet Martinez, Dorothea Gagliardi, Tom McKenna, Ella Raber, Michael Wergel, Karen White, AnnMarie Montanti, William Raymond, Tom McKenna, Eileen Daly, Family Herzberger, Richard Herzberger, Stephanie Cochin, John & Susan Gleeson, Doris & Henry Benvenisti, Noreen Sciacchetano, Stewart & Rita Golding, Alex Gontcharov, Nina Swankie, Mary Sullivan, Bruce Belowich, Brenda&Richard Wenning, Michael Weinthal, Chris & Susanne Patunas, Ann Napier, Carol & Herman Kruegle, Barbara & Kenneth Koons, Donna Setola, Elisa Odell, Robert LeDonne, Amy & Brian LaLonde, Howard Smith, Elizabeth Olsen, Steven Rothstein, Haekyung Hong, Wonho Hong, Rachel & Family McGouran, Sandra Heiser, Melta Stuart, Harold Ganz, Alice-Marie Schwenkler, Geoffrey & Audrey Cheatham, Nakkil Jung, Louise & Ronald Tuchman, Cheryl & Anthony La Spada, Gloria Lammers, Kaoru & Takumi Miyata, Lawrence Smeen, Sandra L. Ellsworth, Patricia Cozza, F Murno, Stephen T. Morgan, Jon Racich, Cori Seferian, Richard & Dawn Marshall, Tammy Levinson, Ruta & Dean & Family Fiorino, Paul Garfinkel, Kevin&Carol McCabe, Keri Turnamian-Todisco, Debra & Jay Dunne, Lisa&Ross Quinn, Gary Nicolini, James DeProspero, Lisa Sunseri, Grace Meyer, Barbara Freier, John Corcoran, John Wood, Walter Jones, Richard&Evelyn Wilz, Rosemary Wolff, Dominique Bournot, Steven & Barbara Pelly, Linda Lammers, Helene & Norman Wattman, Edward Atlas, Eileen Hoyt-Fernandez, David Moskowitz, Jeananne Marrone, Tim DeChiara, Jim Carlsen, Luciano Iannucci, Johann Safar, Genesio & Margaret Vicini, Sara Zahn, Margaret &

Alfred Murphy, Janet & Martin Chambers, Yvonne Lombardo, Steven Ornstein, Sharon Colgan, Fangming Kong, Elizabeth Clark, Brian Wentland, Jeffrey Rowbottom, Michael Donne, Robert McErlean, Adam Shapiro, Ralf Henrich, Linda Emmich, Kevin McManus, Maria Ferrara, Patricia Nannery, Vitaliy Vayda, Renee & Vincent Picciotto, Bob & Clare Feulner, Daniel Brennan, Bruno & Gretchen Shimanek-Cividini, Yashwant Patel, Tina Brodsky, Ann Pareti, Emalee Cronwell, Vilna Bashi Treitler, Nancy Goldman, Glenn Pagano, Helen O'Brian, Leon & Eleanor Kobrin, Pearl & Freddy Vines, John Fleming, Sheldon & Family Lustigman, Patricia J. Krieger, Sharon Basu, Toni Goddin, Susan & Pete Leibeskind, Jeff Matesic, Lynn Scheps, Sharon Sogliuzzo, Thomas & Carmen O'Brian, Masahi Noriko Maiko Isobe, Lynn & Family Reiff, Ken Schmitt, Mary Jo & Louis Panepinto, Richard Devanna, Ellen George, Mark I. Baumgarten, Marla Kallin, Family Paulen, Marjorie Winters, Sharon Mulligan, Karen and David Francis and Jones, Brian Griesbaum, Melanie Zeman, John & Rose Bogert, Constance Oshinsky, Julie Oshinsky, Sandra Rubenstein, Rob Friedberg, Bob Gerstley, Steven Berger, David Gerson, Lisa Oshinsky, Venancio Vinagre, Cheryl Dispoto, Dawn Hergenhan, Debbie & Eric Endresen, Howard Greenberg, Joseph Dispoto, Kim, Karen, & Paul Rapp, Lisa Matalon, Donald Rotolo, Nina Bai, Michele Resnick, Sergio Wernikoff, Frank Almonte, Robert Valle, Chris Woods, Mary Ann Raymond, Rich Harada, Michael & Wendy Fornatale, Marina Schwartz, Margaret Doll, Mark Lengel, J Virosco, Joanne C. Howley, Stacey Glick-Novack, Harriet Zuk, John

Kenney, Andrea Newman, Penelope Ellis, S Toolen, G Moran, Amy Linardic, F Pelemezian, Marie Sineen, Richard A Hanley, Phil Cohn, David Buchner, Gloria Ponosuk, John O'Reilly, Robert & Arlene Widmer, Christa M. Brooks, Michael H. Kazigian, Beverly Regna, Robert Widmer, Madeleine Ciocco, Johanna Cairo, Mary Ryan, Alicia Johnson, Larry Warshaw, Rosemary Dreger, Susan Kalebic, Elizabeth Stewart, Warren Feldman, Jennifer Wirchansky, John & Angela Ruocco, Jeanine Keenan, Andrew Blumberg, Lisa Popoli, Alisa Snider, Mary Barker, Cindy&Larry Heiser, Barbara Krupinski, Bo Petkovich, Steven Richman, James Ko, Ellen V. Simpson, Rosana Wermert, Paul Anagnostakos, Michael & Weifei Suen Freedman, Richard Margolis, Gerard Tateossian, Richard Tateossian, Margaret Parchmont, Janet Moro, Steven Rosini, Jared Lans, Stephen Vallario, Evangelia Tsomos, John Ferrara, Armin & Lotte Sonnenschein, David Keller, Monaghan, Mary & Ann Duffy, Bill Tonner, John & Cynthia Reutershan, Lori&Michael Gruppuso, Tim Beckemeyer, Evelyn Consolini, Beth Lerner, Mark Dymond, Tom Castronovo, Judi Shingelo, Amanda Mendez, Alan Snider, Rose&Ray Schumacher, Rani Richardson, Anna Demoraes, Doreen & Michael Hourigan, Elizabeth&Pablo Martinez, Sue Saslaw, Lois & Douglas Bunnell/McDaniell, Michael Bottiglieri, Dennis&Family Piretra, Ingrid Katz, Rai Sookram, Bea Maxwell, Thomas Sanelli, Mark & Jacqueline Sheehy, Harriet Tellem, Carole Woudenberg, Anneliese Landerer, Takumi Miyata, Andrea Martins, Armand Tazza, Jane Wertheim, Amy Janosky, Nancy & Richard Eichenbaum, Sabrina&Scott Ganz,

Avedis Alashaian, Elyse Pleasic, Paul&Karen Faulise, Virginia Tsenebis, Wanju Dai, Dale&Howard Gliklich, Joyce & Jack Orbine, James DeProspero, Donald & Beatrice Schutz, Alan Lieber, John & Jean Welby, Diane Lomicky, James Lomicky, John Reese, Elysie Pleasic, Ralph Pleasic, Paul Vallagrio, John Demarie, Vincent Tubito, Helen DeMartini, Fred Demmerle, Dorothy Schrempp, Robert Planz, Palmeria Crawford, Dorothy Donovan, Carmel Gatto, Amy Stephan, Nancy Friend, Norma DeCroce, Richard Bangs, Bill&Mary Anne Curl, Marlene Schere Pahy, Robert Adamo, Kira McKeown-Adamo, Rosemary McKeown, Patrick McKeown, Lorraine & Gerald Lewis, Violet & Jerry Bolzak, Pat&Nick Novik, Andrea Spingeld, Kathy Sheppard, Craig Sheppard, Walter Applin, William Hepper, Evelyn Hepper, Linda Lammers, Marie&Donald Brett, Vincent Galasso, Michel Rosube, William Yu, Barri Fruitbine, Adam Fruitbine, Louise Mullin, Aline Lewis, Ines Fajardo, William Fitzgerald, Kevin Saul, Laura Cohan, Esther Tonnessen, Debra Gehringer, Kenneth Maxwell, Halima & Tom McDonough, Susan Ellner, William Fitzgerald, Peter & Melissa Walters, Robert Funabashi, Jackie & Greg Berlangi, Paul & Melissa Seifried, Petros Kaloumenos, Cindy Grogan, Wendy Zuckerberg, Samantha Zuckerberg, B.M Coholon, Richard Thabit, DeDe Russo, Sam Argintar, Brenda Lyons, Paul Criscuolo, David Kroner, Harrison Novak, Linda English, Christopher Olsen, John Hammalian, Maddy Saul, Anne Catalano, Anita & Paul Turdo, Joanne & Ralph Spinnato, Robert Kazim, Judith Parker, John Andronico, Robert Magnoli, Elizabeth Nicklas, Richard Narins, Marie Dorey, Maria Toler, Virginia Criscuolo, Max

Arnowitz, Debra Refson, David Herdrich, Kevin Saul, Barbara Cornin, Robin Hartman, Peter O'Reilly, Saul Weinstein, Joanluca@optonline.com, Patrick & Diane Hussey, A Guffanti, Lisa Battinelli, Alfred & Gemma Baffa, Roberta Cohen, Gary Cohen, Catherine B. Contey, Danielle Giordano, Dominick Siclari, Bob McGuirl, Augusta Kiefler, Rita Dublin, Virgile Winik, Christopher D. Olsen, Julie & Jeffrey Benedict, Mary Lou Wallace, Adam Shapiro

Comment: "I also believe that there should be a public hearing held in the Pascack Valley, so that we are better informed of your plans." Many comments from Bergen county requested a public meeting and an extension of the comment period to July 1, 2006.

Response: A meeting was held in Pascack Valley with elected officials in May 22, 2006. Additionally, notices of the public meetings were widely publicized. Advertisements were placed in several newspapers serving Bergen County including the Newark Star Ledger, the El Diario, The Bergen Record, and The North Jersey Herald News. In addition public service ads ran on the following radio stations serving Bergen County: WAXQ 104.3 FM, WGBO 88.3 FM, WBLS 107.5 FM, WCAA 105.9 FM, WDHA 105.5 FM, WDHA 105.5 FM, WHTZ 100.3 FM, WJUX 103.1 FM, WKTU 103.5 FM, WNEW 102.7, and WRKS 98.7 FM. See General Response GR-20.

**Meetings --River Vale, NJ
(MEETINGS32)**

Source: Bernard Barker

Comment: "I demand a public meeting be advertised and held in the effected area. The proposed plan must be outlined and published in the local papers several weeks before the meeting or you will be considered hiding something injurious to the public."

Response: During the process the FAA held over 90 meeting with the public, holding these meeting in various locations. With the extent of the Study Area there was no feasible way to hold a meeting in every town.

**Meetings --General Aviation
(MEETINGS33)**

Source: Elie Pashrell

Comment: "My questions as to why the GA is not being properly represented were not answered adequately [at the FAA meeting in Manhattan]."

Response: See General Response GR-32.

**Meetings --Raritan College
(ALTERNATIVE)**

Source: Janet & Douglas Fields

Comment: "We attended the re-design presentation at Raritan College earlier this year and found it truly amazing. The data that was collected and displayed left us better informed about the volume of traffic in the subject air

space. As pilots in the study area we did not realize how much traffic moved through it. The passenger and freight loads are a major part of the area's economy. What we feel was missing was a completely free approach to increasing the capacity of the air space. There are many new technologies available on board aircraft and in the ATC system that were not prominently mentioned and reliever airports did not get much attention. We felt the study was following a pre-ordained direction rather than a free, no holds barred approach. The latter approach will produce some proposals which are impractical or impossible to implement, but the potential for some really innovative proposals is also a possibility."

Response: The FAA's Preferred Alternative, the Integrated Airspace Alternative Variation with ICC, was developed from a "clean sheet" see Chapter Two of the EIS. Also see general response GR-29.

**Meetings --Orson, PA
(MEETINGS35)**

Source: Gary Blades

Comment: We are writing because the FAA did not designate a meeting place in our area to receive our input. Maybe you didn't realize that we have a serious problem. Please let me know if you can arrange a meeting for us in thie area. If not, please include my comments in the PUBLIC RECORD.

Response: Comment Noted.

**Meetings --Bergen County, NJ
(MEETINGS36)**

Source: Roselle Langton, Jessica Langton, Hendrik Bock, Koidu Bock, Jerry Blanke, Viljar Bock

Comment: Residents of Woodcliff Lake request "another review of the data and implementation of one of the less disruptive alternatives"

Response: There will not be another review period. With mitigation the FAA's Preferred Alternative has not significant noise impacts.

**Meetings --Union County, NJ
(MEETINGS37)**

Source: Ellen Hunt

Comment: "The common outdoor and indoor sound level comparisons in your brochure are ridiculous. How often does the average taxpayer in Union County go to a rock band, ride a subway train, run a garbage disposal, use a vacuum, etc to justify the upsetment of their lives?"

Response: This illustration was meant to provide the reader with common events that provide representative noise levels.

**Meetings --Paulsboro, NJ
(MEETINGS38)**

Source: John Bray

Comment: "At the Paulsboro meeting, one of the displays you had set up, showed the air traffic flow over the area surrounding the Philadelphia airport. The density of the plane traffic over

Collingswood and surrounding towns was so heavy you couldn't even read the names on the map. all you could see was this pitch black swath of represented air traffic, far more than anywhere else. Something must be done to redistribute this so it is not so unfairly concentrated."

Response: See General Response GR-27.

**Meetings --Thorofare, NJ
(MEETINGS39)**

Source: Tom & Ginny Horsey

Comment: "We have attended meeting, heard the nonsense and are very disgusted as we feel that this is a done deal already. Why do you have to get people excited and then tell them that the reconstruction is already in the works. I am responding as I recently went to a meeting where I found out that 5 airports are being looked at and yes, we have no say in this whole process."

Response: The FAA identified the Preferred Alternative in March 2007 clearly after timeline of the meeting the commenter attended. Public comments on the DEIS were accepted for over six months.

**Meetings --Springfield, NJ
(MEETINGS4)**

Source: Bernard S Levy, Sam Hobbs, Paul Fbeulich, Mindy Gura, Patricia Foley, Dr. & Mrs. Lawrence Kaplan

Comment: "The exhibit room contained all the he worst qualities of an abstract art exhibit and a high school algebra lesson all rolled into one."

Response: See General Response GR-22.

**Meetings --Warwick, NY
(MEETINGS40)**

Source: Linda Francis

Comment: "We have been given to understand that our elected officials have had no notification of this 'redesign' and so have not had a chance to adequately address the FAA. This sounds entirely inappropriate considering that our Supervisor and everyone in Warwick is well aware of being abused by the air traffic above out town. Is it possible that the FAA is trying to keep Warwick from complaining?"

Response: See General Response GR-25.

**Meetings --Springfield, NJ
(MEETINGS41)**

Source: Seymor Britan

Comment: "After attending the March 21, 2006 meeting at the Springfield, New Jersey Holiday Inn, I became convinced that you do not wish to regulate the airline industry. You seem to cater to their requests."

Response: the FAA does not regulate the airlines that authority was taken away from the Federal government in through the Airline Deregulation Act of 1978. The main purpose of the Act was to remove government control from commercial aviation and expose the passenger airline industry to market forces.

**Meetings --River Vale, NJ
(MEETINGS42)**

Source: Margaret Otto

Comment: "My daughter can find NO FAA "PUBLIC MEETINGS" INFORMATION" for residents of River Vale, Hillsdale, Oradell and Old Tappan on the web at www.faa.gov. I, unfortunetly at age 84, do not own a computer; therefore, even though my River Vale mailing address is 50 years old my email address remains: deprived.com. Can you please send me the FAA's public meeting information for "Bergen county residents" for your proposed Airspace redesign?"

Response: Comment noted.

Meetings --Exhibits (MEETINGS43)

Source: Joseph & Miriam Tort

Comment: Commenter cited discrepancies on exhibits displayed at public meeting because they did not show traffic over Monmouth County. Commenter refers to figures 2.2 and 2.2.5 as well as an unlabeled chart: "One of the charts (unlabeled) that was show during the one hour presentation purported to show the incoming traffic over the Monmouth County area into Kennedy. It showed the traffic at 8,000 feet over the Navesink River in Monmouth County. This was obviously in error as was acknowledged by the person explaining the chart. When I went back to the engineers in the center of the room and checked the comptuer elevations, the elevations over the

Navesink River are as low at 1500 feet and average in the area of 2500 feet. Therefore, that chart too was in error. "

Response: Comment noted.

**Meetings --Monmouth County, NJ
(MEETINGS44)**

Source: Joseph & Miriam Tort

Comment: The commenter feels that the meeting should have been oriented towards Monmouth County. He also notes, "There was no discussion using Runway 22 for arrivals which I understand can be used in lieu of Runway 13L and would reduce the noise over Monmouth County. Due to the limited time of questioning and the very strict structuring of the questioning, I was not able to ask this question."

Response: See General Responses GR-22 and GR-17.

**Meetings --Springfield, NJ
(MEETINGS5)**

Source: Ralph Braskett

Comment: Commenter feels that the DVD presentation and meeting exhibited obvious bias against ocean routing.

Response: The FAA disagrees. The Ocean Routing Airspace Alternative was analyzed on the same level as the other alternatives however the alternative did not meet the purpose and need for the Proposed Action. See general response GR-3.

**Meetings --Jersey City, NJ
(MEETINGS6)**

Source: Jeni Branum

Comment: Commenter feels like the meeting was pleasant and well done. Her questions were answered effectively. However, she feels that the advertizing was lacking and would prefer to have an ongoing advertising campaign rather than a one time large ad.

Response: Comment noted.

**Meetings --Westfield, NJ
(MEETINGS7)**

Source: Kim Sokol

Comment: Commenter feels that information and posters presented at the meeting did not contain adequate information to inform resident about the boundary lines and allow the residents to determine how the re-routed flights would affect their homes. Commenter also notes that more time should be allowed so that the citizens can have their questions answered. Commenter notes that several of the forms for comments had the incorrect location printed at the top. Commenter feels that this is a serious matter and will affect the decision .

Response: See general response GR-22 relative to meeting materials. The DEIS contained more detailed information and spread sheets were provided on the FAA website for the public to determine noise exposure levels for their specific census block. Decision makers will base their decision on information provided in the FEIS which includes the concerns

expressed by the public and reviewing agencies.

**Meetings --Fanwood, NJ
(MEETINGS8)**

Source: Gary Szek

Comment: Commenter appreciates the contractors coming and making the presentation and believes that the solution is very difficult. Commenter feels that the meeting resulted in no obvious solutions and notes that the FAA will have to give more serious consideration to those with complaints of noise.

Response: Comment noted.

**Meetings --Elonhurst, NY
(MEETINGS9)**

Source: Murray Berger

Comment: Commenter feels "that the entire program study became suspect when it referred to its impact as a precise number. A computer extrapolations were rounded for the ease of the presentation. Such precise figures indicate a pretentiousness that casts doubt on the intelligence of the analysts!"

Response: Comment Noted.

**SHORT NOTICE/ NO COPIES OF
DEIS SENT**

**Notification complaint – Livingston,
NJ (SN/DEIS-1)**

Source: Carol & Norm Schlesinger

Comments: Commenter is “shocked to learn that neither our Livingston Township mayor, nor members of the town council have received copies of the NY/NJ/PHL Metropolitan Airspace Redesign Draft Environmental Impact Statement. Nor is the number listed on my notice for any questions (1-866-347-5463) a working number!”

Response: Multiple meetings were in areas of New Jersey that were expected to receive reportable noise changes due to the Proposed Action. Livingston will not receive reportable noise changes due to the Proposed Action. See General Response GR-25. Comment noted specific to the telephone number.

**Impossible to Download DEIS
(SN/DEIS-2)**

Source: Edwin Thompson

Comments: Commenter states that the DEIS cannot be downloaded from the FAA website.

Response: The FAA did receive some complaints about the ability to download the DEIS. The documentation, specifically graphics, required large file sizes to adequately illustrate the noise impacts and because of file size some of the public was not able to download the files. It should be noted that public libraries were provided copies of the DEIS for those that had no access to the Internet.

PURPOSE AND NEED

PURPOSE AND NEED – GENERAL

Definite Need for Solution to Routing Inefficiencies (P&N-1)

Source: Charles Randall

Comment: This commenter is an active duty USAF pilot and says that while he does not know the solution, he can certainly attest to the severity of the problem (inefficiencies in airspace routing). He said that Resolution Advisories are too frequent when flying the USAF 757, and that when flying his GA Bellanca Super Viking aircraft, ATC always adds time and distance to his routing. He hopes the solution will be helpful to all.

Response: Comment Noted.

Lack of Community Oriented Goals (P&N-10)

Source: Abby Friedman

Comment: This commenter would like there to be “community oriented goals such as 'minimize impact of air traffic over densely populated suburban areas’” in the EIS.

Response: The purpose and need for the Airspace Redesign focused on the FAA’s mission of safety and efficiency. The Study Area of the Airspace Redesign is mostly densely populated especially in proximity to the major airports making it nearly impossible to route aircraft away from these areas. For suburban areas where possible

compatible land use was considered when developing the alternatives.

Environmental (P&N-11)

Source: Shelley Harms

Comment: Commenter believes that current research should be taken into account. He says, “I am involved in ongoing bird studies in two forests in Norfolk, CT and believe that additional jet noise would interfere with scientists' ability to monitor our bird populations because we will be unable to hear the birds' calls. This ought to be included in your environmental impact statement.”

Response: The Proposed Action does not have any reportable noise changes in the Norfolk CT area. The FEIS has an extensive discussion of potential migratory bird impacts in response to agency comments.

Need to Cut Back (P&N-12)

Source: Ann & William Stumpf

Comment: Commenter notes that “since the PA ownership, the airport has outgrown, in capacity and size of aircraft, the reasonable tolerance of its neighbors.” She continues to explain that “there is need to recognize the excess and to specifically cut back on the size and quantity of the noisy jet aircraft using Teterboro.”

Response: Actions by the PANYNJ are outside the scope of this study.

Purpose of Redesign-General (P&N-13)

Source: Nicholas Gunther

Comment: Commenter asserts that "one of the principle purposes of the Airspace Redesign must be to provide a reasonable distribution of air traffic over all the affected areas, and to distribute the burden and the harm from the associated noise pollution reasonable, fairly and equitably over the residents of those areas. More particularly, to avoid a continued serious adverse affect on the health and well-being of the residents of the immediate neighborhood in which I reside, air traffic over this neighborhood must be reduced. Any increase in air traffic concentration over this neighborhood represents a serious health hazard and is therefore unacceptable."

Response: See General Responses GR-27 and GR-5.

Need to Preserve Investments (P&N-14)

Source: David Keller

Comment: Commenter states that "You are adversely affecting the single greatest investment--dare I say savings vehicle--which many people in this area have: their homes and property. Any environmental impact assessment of your proposal must take this into account, and it is my understanding that it currently does not."

Response: See General Response GR-7.

General --(P&N-15)

Source: Margaret Nordstrom

Comment: Comment expresses FAA should have included noise levels in the development of the DEIS. Commenter also notes that by ignoring the previous concerns of the citizens the FAA appears to be disregarding the results of the meetings.

Response: See General Response GR-1. The FAA considered all public input.

Purpose of Redesign –Noise (P&N-2)

Source: Sim Hitzel

Comment: Comment notes that the study should include a means to reduce congestion that does not increase noise over so many areas.

Response: After identifying the Preferred Alternative, the FAA designed mitigations to minimize the environmental impacts to the extent possible.

Purpose of Redesign –Noise (P&N-3)

Source: Luz Pianko

Comment: Commenter would like to see the purpose include a solution without re-routing.

Response: The FAA presumes the commenter is requesting that other modes of transportation be considered. See general response GR-31.

Purpose of Redesign –(P&N-4)

Source: Richard McOmber

Comment: Commenter notes that capacity should be the primary concern of the EIS.

Response: The Airspace Redesign is needed to increase efficiency not capacity.

Previous Legislation (P&N-5)

Source: Caren Harris

Comment: Commenter notes that the study neglects to consider the areas within the New Jersey Highlands Act, the headwaters for most of the major NJ waterways, and the areas where the population has been kept low to maintain the “Green Acres” aspect of the state.

Response: The EIS considers all pertinent regulations.

Purpose of Redesign –Noise (P&N-6)

Source: Nick&Maria Letizia

Comment: Commenter states, “The FAA should not undertake any changes that would increase air traffic over Bergen County, NJ without completing an environmental impact statement and a full assessment of the potential destruction of an air disaster on the ground.”

Response: The EIS considers the potential environmental impacts associated with the Proposed Action.

Failure of the Redesign (P&N-7)

Source: William Wilson

Comment: Commenter states that the redesign of the NY/NJ/PHL airspace is unacceptable because the environmental impact statement failed to take into account the economic and social costs of implementation.

Response: See general response GR-33.

Will fail to meet (P&N-8)

Source: Thomas J. Schmidt

Comment: Commenter believes that the proposed plans will fail to meet the purpose and need of the study.

Response: The FAA disagrees. See General Response GR-2.

PURPOSE AND NEED – NOISE

Need for Noise Criteria—(NP&N1)

Source: Krause, Martin Keith, Daniel & Heide Fraley, Ronald Eligator, Agnes Kim-Meade, George White, Bruce Lee, Jamie Kinsel, Kim Shepherd

Comment: Commenter feels that noise should have been used as one of the criteria in the purpose and need of the DEIS. Another commenter felt that

noise should have been part of the purpose and need and the fact that it was not, represents a "bait and switch to get people to fun this and then not follow through." Another commenter claims that the FAA 'promised they would look at noise mitigation and they have not, at least there is minimal attention to it." She continues to explain that it is difficult for residents to understand why noise is not a major factor in the decision. ... So we request the FAA to take serious responsibility, as they have been directed by Congress, to mitigate the noise problem." Commenter from the Catskill area would like to see noise reduction included as part of any redesign. One commenter from Morris County NJ, feels that a reduction of aircraft noise should be a formal goal of the redesign project. Commenter from Kingston also notes that noise reduction should have been a significant part of the DEIS.

Response: See General Response GR-1.

Need for Noise Criteria--(NP&N2)

Source: Diana Schneider

Comment: As a resident of Manhattan and a citizen concerned with quality of life issues, especially the deleterious effects that aircraft emission and overflights are known to cause, I am very concerned that both noise and pollution objective have been dropped from the objectives of the redesign only to be replaced by efficiency and expediency."

Response: See General Responses GR-1, GR-5, and GR-6.

Need for Noise Criteria--(NP&N3)

Source: Lynn Brown

Comment: "I attended the Public Meeting in Springfield, NJ and was extremely upset that the proposed plan did not seriously consider noise abatement for the many congested areas surrounding the NY/NJ airspace."

Response: See General Response GR-1

Need for Noise Criteria--(NP&N4)

Source: Edward Cullen

Comment: "The FAA should conduct modeling of air traffic patterns designed to minimize or eliminate noise from scheduled air traffic in the affected areas at night. Restrictions similar to those in the Voluntary Restraint From Flying program at Westchester County Airport, and modifications of those restrictions, should be modeled and studied. The results of the modeling studies should be reported to the governors, senators, and members of the US congressional delegations from New Jersey, Connecticut, Pennsylvania, and New York well before any changes to the Metropolitan Area Airspace are implemented."

Response: The FAA completed extensive modeling of air traffic for the entire study area. See general response GR-28.

Need for Noise Criteria--(NP&N5)

Source: Keith Knuckey

Comment: "The underlying objectives driving the FAA's Airspace Redesign project are all self-serving business goals. There are no community oriented goals such as "minimize impact of air traffic over densely populated suburban areas."

Response: The FAA disagrees. The purpose and need of the Airspace Redesign is based on FAA's mission to provide a safe and efficient airspace.

Lollerdo, Jaqueline Loughrer, L Depinto, Alan Pevia, Betty Kaltnecker, Susan Hammell, K Lael, J Bere, Joan Kennelly, Adler, Ceadely, Chris Dellarso, Chris Weber, Suzanne Weigand, Saifee, H Immer, Rumatimo, Miyuki Dellarso, Webes, McCabe, T Felter, Lisa Felter, Carolyn Klinger-Kueter, McCabe, Chris Weigand, Sokol, Parsloe, Maloney, Luxceer, B Marino, J Marino, Alison Toates, Thorburn, Hinds, McCabe, Sewald, Tennant, Mahony, Gilday, Corzi, Kamil, Manning, Reidy, Nachbur, Kobe, Engelhart, Wylik, Mortone, Carey Krause, Azelc

Need for Noise Criteria--(NP&N6)

Source: Faith Steinberg

Comment: Comments indicated that noise pollution should have been included in the DEIS.

Response: See general response GR-1.

Comment: "I believe the FAA should focus on decreasing aircraft noise over residential neighborhoods in Union County, NJ.

Response: See general response GR-1.

Union County, NJ--(NP&N7)

Source: Goldstein, Rosemarie Poveromo, Lee, E. Elliot, T. Sharp, Thomas Lutz, Murray, Dan Davis, C. Dema, Ana Vubro, Linda Saieer, Aher Funver, Nele, Chol White, Melanie White, Richards, Kelly Bram, Brian Timmerman, John Cioffi, Jeffrey Robinson, Arnold Goldberg, Burns, Sarah Yingy, Karter, J. Perl, Colleton, Bill Mayer, Hillary Mayer, H. Ryan, M. Ryan, Leslie Quinn, W. Idorrilo, Charles Reese, S. Reese, Alt, Leon Ciampo, Richards, Lawyer, C

Westchester County, NY--(NP&N8)

Source: Ronald Goldstein

Comment: "The analysis provided by the FAA completely fails to achieve the goal of providing residents with inadequate [sic] noise data and what little information is provided is not very good. An independent analysis of this proposed change in flight plans says this change would substantially increase noise levels in Stamford and New Canann as well as Greenwich and surrounding Westchester County towns. This change is clearly detrimental to the well being and quality of life in these towns, and we will not stand for it."

Response: See general response GR-1 and GR-11.

Noise in DEIS--(NP&N9)

Source: William Garrison, Jerome Goodman, Nancy Seligson, Krause, Steve Feldgus, Betty Braton, Mary Mahony, Ralph Braskett, Mark Friedland

Comment: Comments recognized that noise reduction was not a purpose of the DEIS, but feels that there are environmental matters, specifically noise related, that are not addressed. Comments also were concerned with the way the noise was handled in the DEIS. Comments indicated that noise reduction should have been a purpose of DEIS.

Response: See General Response GR-1 and GR-33

ALTERNATIVES

ALTERNATIVES – GENERAL

Arrivals and Departures (ALTS-1)

Source: Henry Kelly, Sondra & Seymour Rosalsky, Patricia Foley

Comments: "As a pilot I was concerned about impacts to HPN arrivals and Departures and possible class Brava [sic] impacts. It appears that there are none. I remain a bit concerned that LGA traffic could be an impact to Runways 29 and 34 at HPN as the LGA traffic will be descending as it approaches HPN coming down the sound. It appears that a good deal of thought is being put into noise impact. Obviously the redesign is required to mitigate arrival and departure delays at the majors. The creation of additional departure routes will help congestion. Arrivals due to IFR traffic may still present issues despite the improvements as they are runway dependent."

Response: Comment noted. See General Response GR-32.

Re-Routing - Industrial (ALTS-10)

Source: Seymour Britan

Comment: Commenters note that re-routing planes over industrial areas is the only solution.

Response: See General Response GR-26.

Parallel Runway (ALTS-12)

Source: Kathleen Carney

Comment: Commenters support investigation of the possibility of a parallel runway to the Delaware river in attempts to reduce the need for re-routing and eliminate already existing noise.

Response: See General Response GR-30.

New Airports (ALTS-13)

Source: Ralph Cirill

Comment: Commenter feels that Philadelphia needs more than one airport, suggesting "a spur from Egg Harbor into the airport so people maybe that can't fly into Philly could fly into Atlantic City." The comment also suggests buses from various airports to ease the traffic coming into Philadelphia.

Response: See General Responses GR-30 and GR-31.

Expand Surrounding Airports (ALTS-14)

Source: Greg Paranto

Comment: Commenter feels that expanding Allentown and Atlantic City would increase their air traffic and decrease the need for re-routing airplanes. More direct flights to these locations and the development of shuttle services to and from these facilities would also help.

Response: See General Response GR-30.

Opposition to Specific Alternative (ALTS-15)

Source: Frederick O'Brock

Comment: "EWR fanning proposal was rejected in the EIS for the EECF because of high noise impacts. However, you now include it. This was not acceptable then nor is acceptable now. Someone else adds: we oppose the Administration's modified and integrated airspace redesign proposals, especially the westward fanning-out of south flow departures. We believe that the proposed actions would not only negatively impact our property values, but most importantly, directly affect the health, quality of life, and overall well-being of our children."

Response: Comment noted. See General Responses GR-7, GR-5, and GR-11.

Limiting Flights, No Hubbing (ALTS-16)

Source: Michael Klein

Comment: Commenter states that "Legislation needs to be instituted to limit the 3 major airports' air traffic. Some airlines fly many aircraft with very few passengers on board. Since this is a major economic resource, flights need to be as efficient as possible for economic, energy saving purposes and for the residents subjected to the effects. Airlines will fly 2 people on a plane because Washington keeps bailing them

out. Just as the government requires miles per gallon requirements for auto manufacturers, the government needs to institute passengers per plane requirements. ... Continental airlines should not be allowed to utilize Newark as a hub; ferrying passengers from all over to Newark to their final destination. FedEx, UPS, and others can utilize hubs in remote airport locations, not one of the busiest airports in the world. Relocating a hub does not affect travel time, it is just that the Port Authority gave Continental cheap rent to use Newark as a hub."

Response: See General Response GR-28.

Change Take-off Patterns (ALTS-17)

Source: Josephine Moyer

Comment: The commenter would like to see the take-off patterns from the Philadelphia airport changed.

Response: The FAA's Preferred Alternative includes multiple headings.

Provide Relief or Sound Proofing (ALTS-18)

Source: John Gentempo Cynthia Katsingris

Comment: Commenter notes that the alternatives of "fanning procedures" and "ocean-routing" combined will provide the most equitable distribution and mitigation of aircraft noise.

Response: Comment noted.

Route Adjustment (ALTS-19)

Source: Kenneth Arnold

Comment: Commenter feels the plane's route should be moved a little to the north or a little to the south to avoid his house.

Response: The FAA's Preferred Alternative adjusts routes to increase efficiency.

Technology and Re-routing (ALTS-2)

Source: Michael Bucci

Comment: Commenter states, "With the availability and use now of GPS technology, Runway 22 at LGA should not require traffic to land with ILS system...therefore, planes should be rerouted over the sound."

Response: See General Responses GR-29 and GR-26.

Suggestions for Alternatives to Reduce or Mitigate Noise Impacts (ALTS-12)

Source: Kathleen Carney

Comment: Commenter suggests a noise study for the proposal of the east-west runway at Philadelphia.

Response: Considerations for a new runway at PHL are beyond the scope of this EIS. See General Response GR-30.

New Airport (ALTS-21)

Source: Thomas Kiessling

Comment: "Channels should be dredged and dredging material used to provide an island for a new airport in the bay. Current airport cannot be expanded since it is in the city, new airport would eliminate noise we are all currently experiencing."

Response: See General Response GR-30.

Arrival and Departure (ALTS-22)

Source: Marie Roeder

Comment: Commenter suggests that the arrivals into Philadelphia from and to DC and to NY be altered. She feels that the arrivals can be fixed from the north and south if the aircraft would be put in trail at a higher altitude. She also feels that the arrival and departure flows should not cross and that arrivals should continue to have a high altitude.

Response: Comment noted. The FAA's Preferred Alternative incorporates continuous descent approaches and places more east flow arrivals over the river and reduces departure headings during low demand periods.

Support of Re-Routing (ALTS-23)

Source: William Redner, Mark Friedland

Comment: Commenter recognizes the need for the airspace redesign project and feels that changing the re-routed flights due to one area's complaints will create a new problem elsewhere.

Response: Comment noted.

**Redirection and Noise Abatement
(ALTS-24)**

Source: Bernard S. Levy, Joseph Coulombe

Comment: Commenter has two suggestions, the first of which requires air traffic controllers to line up incoming flights further from the airports. This would allow the flights to no longer have such low altitudes and the noise from accelerating and decelerating would be further from the communities in South Jersey. She also suggests that the FAA should require the Flight Standard District Office in Philadelphia to implement a noise abatement program. He suggests that requiring pilots to maintain at least 3000 feet altitude until they are within 6 miles of the airport would be ideal.

Response: Ultimately all flights must be at a lower altitude to incept approach navigational aids. Lining up aircraft further out would only serve to increase flight time and fuel consumption.

Noise Abatement Alternatives (ALTS-25)

Source: Robert Checchio

Comments: Commenter offers two suggestions. The first: allow planes to line up and maintain higher altitudes closer to the airport. This would lessen the noise and pollution impact on Philadelphia and south Jersey communities. The second suggestion is to include a noise abatement program to be implemented by the flight standard district office in Philadelphia.

Response: Ultimately all flights must be at a lower altitude to incept approach navigational aids. Lining up aircraft further out would only serve to increase flight time and fuel consumption. Noise abatement measures may be requested by the Airport Sponsor, FAA approves these measures based on safety and feasibility.

**Consider other Alternatives
Regardless of Cost (ALTS-28)**

Source: Dave DiBiase

Comments: Commenter would like to know the process for adding information into the airspace redesign for the New York Area. He describes, "Avantair is a fractional carrier operating 25 Piaggio P-180 aircraft. The P-180 is the fastest turboprop operating today and will out perform many turbojet counterparts. Currently, we are restricted from using arrivals such as the Jaik One (turbojet only) into the New York area even though the aircraft will easily meet turbojet performance criteria. Instead of limiting certain arrivals into the New York area based on turbojet or turboprop, would it be possible to deal with it on the basis of performance and the capabilities of the aircraft instead? If not, what would the process be to include the P-180 in the same performance regime as a turbojet so we are not limited to routes better suited for KingAirs or other similar turbo propelled aircraft?"

Response: The question is not specific to the EIS.

Alternative using EECF (ALTS-3)

Source: Michael Rockliff Chris Strayve

Comments: "Abandoning the hard won noise mitigation procedures (post EECF) for minimal efficiency benefits seems counter-productive."

Response: See general responses GR-2 and GR-35.

Re-route Route 17 (ALTS-30)

Source: George George

Comments: One commenter offers an alternative which would solve the noise complaints: Re-routing route 17 will solve the noise and pollutant problem in Hasbrouck Heights.

Response: The FAA is unsure of the commenter's comment. Perhaps the commenter is recommending aligning aircraft with Route 17. See general response GR-26.

New York State Thruway, I-87 (ALTS-31)

Source: Euphrosyne Bloom, Marc Fried

Comments: Commenters agree that traffic should be re-routed over I-87 without significant impacts to community.

Response: See general response GR-26.

Talco 213 - Kingston, NY – ALTS-32

Source: Anonymous

Comments: Commenter suggests moving Talco 213 7 to 10 miles east away from Woodstock. Commenter is also concerned about the noise from the aircraft affecting the environment.

Response: Comment noted.

Talco Intersection and V214 – Kingston, NY (ALTS-33)

Source: Nicole Roskos

Comment: Commenter would like the Talco intersection and V214 to be redirected away from the Catskills.

Response: Comment noted. Chapters Four and Five of the EIS provide additional analysis of the Catskills area.

New Airport (ALTS-34)

Source: David Hermanson

Comment: Commenter suggested building new airport on Sandy Hook. This would eliminate the international traffic from other N.Y. airports and decrease the traffic flow in the metro area. The features the site offers include: Earl Navel weapons depot has a 2 mile pier complex in the Leonardo on the South side of the lower bay. It's rail road and adjacent roadway crosses North Jersey Commuter Rail lines. All of the major Highways: Garden State parkway, Routes 35, 34, and major connecting roads. We are about 90 minutes from Atlantic City and Philadelphia. The bay is about 20 feet deep and should be no major problem to construct on. Other assets include: 25% of the population of the US lives within a 4 hour drive. Exxon and Hess refineries within 15

miles by barge. Passenger Terminals could be located on Staten Island and in Monmouth Co., New Jersey. It's a secure site with remote terminals away from aircraft operations. Almost all of the site is on public lands. Please see actual comment for more detailed advertisements.

Response: See General Response GR-30.

Corridor 213 (ALTS-35)

Source: Anna Curtin, Jim Bois

Comment: Commenter would like the flight corridor 213 to be moved over the NY state thruway.

Response: Comment noted.

Direction of Landing (ALTS-38)

Source: Doris Petersen

Comment: "When planes are landing along the Canarsie Run to JFK Airport pilots need to keep their aircraft left of the beacon lights so that they will not be flying directly over residents' homes." Another commenter notes that "When the planes stay south of the strobe lights when landing there is a favorable dramatic change in the noise level." One comment included sentiments that over time the pilots stray more and more from these lights. Several residents expressed frustration with the lack of regulation on this matter.

Response: Comment noted, there is no regulation for approach alignment.

Noise Suppression Engine (ALTS-39)

Source: Mike Dualle, Mick Duvalle

Comment: Commenter suggests that we replace the old fleet with planes that are equipped with a noise suppression engine. This would not only cut down on the noise, but also the air pollution. He notes that the noise suppression engine will emit less nitrous oxide from the emissions and the air quality in the areas (especially those with minorities) would increase.

Response: Multiple Federal agencies are working toward aircraft that generate less noise and air pollution.

Military Airspace (ALTS-4)

Source: Anonymous

Comment: Commenter suggests using military air space, especially during rush hour, to reroute flights over the water to reduce noise.

Response: The FAA can not use military airspace, it is for military use.

Runway 4 at EWR (ALTS-40)

Source: Unknown Commenter

Comment: "Better disperse departure traffic using Runway 4 at EWR." Commenter also would like to suggest the use of newer, quieter planes during sleeping hours.

Response: Comment noted. The FAA has no statutory control over the type or time aircraft operate.

Railroad (ALTS-41)

Source: Alisha Ritt

Comment: Commenter suggests restructuring the railroad system so there is not such a dependence on air flights.

Response: See General Response GR-31.

Take-Offs and Landings (ALTS-42)

Source: Eugene Corcoran

Comment: Commenter would like cameras installed near runways to record approaches and takeoffs and this would help record the altitude and alleviate safety fears of nearby residents. Commenter also notes that the affect of wind shear and turbulence could be documented from those cameras.

Response: Comment noted.

New Routes (ALTS-43)

Source: Marie Miltenberger

Comment: Commenter suggests that establishing new routes through north central New Jersey for westbound flights out of north central New Jersey. He notes that this makes sense because the planes would be traveling through commercial zones where residents are less likely to be disturbed by noise.

Response: See General response GR-26.

Semi-Annual Flight Paths (ALTS-44)

Source: Patric Wallace

Comment: Commenter suggests creating two flight paths, one for summer and one for winter. These two efficient flight paths could be alternated, giving semi-annual relief to the affected residents.

Response: Rotating alternatives from season to season would require different charts for pilots, different radar screens for controllers, and different computer adaptations for every air traffic control facility in the vicinity. All the people involved would have to change their procedures, which would decrease safety. However, under any single alternative, traffic is different every day. The natural changes in wind and weather disperse flights in many directions. The annual-average day, required by regulations for assessing the differences among alternatives, represents a combination of all possibilities, but there will probably never be a day exactly like that. Half of the time, the total number of flights will be less. Some days, there will be no traffic at all many locations.

Stewart/Newborgh Airports (ALTS-45)

Source: Edward Tranka, Glenn Stanton

Comment: Commenter is concerned with the lack of adequate use of the Stewart/Newborgh airports. If airports moved move of their operations to Stewart and the State created an air train on the side of the river, then the traffic and noise in the Saugerties area would be reduced.

Response: See General Responses GR-30 and GR-31.

Regulation (ALTS-46)

Source: Jerome Goodman

Comment: Commenter feels that more regulation of the FAA is a necessary alternative to redesign.

Response: Comment noted.

Alternate Route (ALTS-47)

Source: Stephen Wallach, June Taggart

Comment: Commenter suggests that the route that would be moved over the Thruway be moved westward into the Catskills. Commenter also suggests that the planes fly higher and start the descent further.

Response: See General Response GR-26.

Alternate Airports (ALTS-48)

Source: Nancy DiCroce

Comment: Commenter suggests that we utilize other existing airports to accommodate increasing air traffic.

Response: See General Response GR-30.

Flight Capacity (ALTS-49)

Source: Barbara Sachau

Comment: Commenter suggests that flights be required to be full before taking off, this would eliminate extra noise. Commenter also suggests that before flights be re-routed, nearby airports be utilized to their maximum capacity.

Response: See General Responses GR-28 and GR-30.

Talco 213 (ALTS-5)

Source: Margaret Orio, Jennifer Wirchansky

Comment: Commenter says, "When are we here in Ulster County under the Talco 213 flight lane going to get some relief from over flights? If the lane were moved over 5 miles to the east it would be over the Hudson River, with the ambient noise from the railroad and thruway, no one would be bothered by the airplanes. But here in the Catskill Park area, it's terrible [sic] annoying. Please consider this alternative."

Response: See General Response GR-26. The commenter should not that moving flight paths always has the potential of impacting other people.

Airport Growth (ALTS-50)

Source: Rosemary Millet

Comment: Comments suggests that the ABE airport be allowed to handle some of the expected growth. Also, she

suggests that the Jersey Central railroad line begin to be utilized to its full potential. She feels that between these two options the stress and increase in noise in Newark would be mitigated.

Response: See General Responses GR-30 and GR-31.

decision to redesign the flight patterns. There is ample non-residential areas (including waterways) for the FAA to use as opposed to over the heads of our families."

Response: See General Response GR-26.

Alternate for Decreasing Noise (ALTS-52)

Source: Jack Bober

Comment: "I think I have a solution to lower the volume. That's by writing a note to the community about the noise and what it is doing to the population. Like you could say that it is keeping us up and that is why most of us are not doing well in school, work, etc."

Response: Comment noted.

Expand Stewart/MacArthur Expansion (ALTS-56)

Source: Carol Kobbe

Comment: Comment suggests expanding Stewart and MacArthur airports before re-design.

Response: See General Response GR-30.

Expanding Train System (ALTS-54)

Source: Marion Mahn Pat Hoynes

Comment: Commenter suggests that expanding the train system would allow more people to travel without flying.

Response: See General Response GR-31.

Combine Plans (ALTS-57)

Source: Burt Kidorf

Comment: Why not a combination? (e.g. combining air traffic control at a single facility and also routing planes (over the Hudson River, Newark Bay and the ocean) away from highly populated Bergen County?)

Response: The FAA's Preferred Alternative integrates the functions of the NY TRACON and NY Center. See General Response GR-26.

Quality of Life Metric (ALTS-55)

Source: Steven Bressler

Comment: "I strongly suggest that the FAA use quality of life metrics in the

Noise Over Morris County (ALTS-58)

Source: Mitchell Krukar

Comment: Commenter supports any one of the three plans that does not increase noise over Morris County.

Response: Comment noted.

Maintaining Higher Altitude (ALTS-59)

Source: Kim Shepherd, Daniel & Heide Fraley

Comment: Commenter states that the FAA should "allow arriving planes to line up and maintain higher altitudes closer to the airport. The current system of arrivals flying under departures is an antiquated system causing most of the noise and efficiency problems in our area. The new program would lessen the noise and pollution impact on South Jersey & Philadelphia communities, while allowing for more airport throughput."

Response: Comment noted.

Full Integration (ALTS-6)

Source: Reubin Graf

Comment: Commenter states in comment that "...if you are truly seeking the best, most efficient airspace between N90 and ZNY, and incorporate necessary airspace from the North (ZBW) and the South (ZDC). FULL INTEGRATION would bring the most efficient, most flexible use of the airspace for the users! Artificially creating barriers vis-à-vis an arbitrary airspace ceiling for political expediency

would be a shame and counter-productive!"

Response: Comment noted.

Light Rail (ALTS-60)

Source: A Greene

Comment: Commenter suggests five alternatives: 1) high speed rail should replace or reduce shuttle flights 2) tax write offs for corporate jets should be eliminated or greatly reduced. 3) frequent flyers miles should be eliminated as this adds to congestion and delays. 4) lifetime free air travel for airline employees should be eliminated as this practice adds to delays and congestion and constitutes a further subsidization by the taxpayer 5) the FCC rations the limited broadcasts bands so should the FAA ration the limited air space instead of trying to crowd it further.

Response: The FAA has no statutory ability to implement any of the commenter's alternatives.

General (ALTS-61)

Source: Susan Hameyer

Comment: Comment suggests: "1) Require realistic flight scheduling by the airlines so that the number of flights scheduled at a given time is limited to the number that can actually depart at that time. Departure here is defined as lifting off from the runway not pushing away from the gate. 2) Prohibit airlines from using these airports as hubs which

would eliminate unnecessary connecting flights and reduce traffic. 3) Encourage airlines to use large capacity airplanes instead of smaller jets in order to reduce the number of flights. 4) Direct flights over industrial areas, rivers, and the ocean in order to avoid polluting and endangering residential areas. 5) Require airlines to upgrade their aircraft engines continually with the latest technology in order to minimize noise pollution and emissions."

Response: The FAA has no statutory ability to implement alternatives one through three, nor five. See General Response GR-26 in response to discrete comment four.

General (ALTS-62)

Source: Joe Farrell

Comment: Owner of Bellanc Turbo Viking gives suggestions: "First: Create /G (RNAV) GPS TEC or Preferred Routing over NYC Class Bravo that provides at routing at 9-15000 feet. It CAN be done if you are creating air carrier routes. Second: Consider opening up V44 IFR OVERFLIGHT only of NYC airspace with an entry point over CT and an exit over southern NJ at 9000-17000 for singles and twins. Third: Create another Victor airway further out over the ocean than V44 but closer than 40 miles offshore. Create a /G or RNAV entry and exit point to allow higher performance GA to overfly NYC at efficient altitudes that avoid the NY arrivals. Perhaps RNAV GA routes can be created depending on West or East arrivals/departures out of the NYC airports being 20 miles east or west of JFK for overflight - and those routes

simply reported as a NOTAM by NY Center / Approach as they change. A least even though winds and runways change we'd have a fighting chance of knowing where we are going."

Response: There are three proposals here. First, the Alternatives all maintain the current system of vectored departures between 10,000 and 20,000 ft. This area is used to weave departures from all the New York City airports onto their desired airways. It will not be possible to create a TEC preferred routing in this area.

Second, V44 goes directly from the Deer Park VOR to the CAMRN arrival fix. JFK arrivals from the west are descending southbound from 19-20,000 ft in this area, and JFK arrivals are descending northbound from 11,000 ft. It would not be safe to add a flow of overflight traffic. Third, the airway requested already exists. It is called V139 and it runs just west of the Warning Area boundary, 35 miles abeam the JFK VOR. It is not generally usable by single-engine aircraft like a Viking.

No Fly Day (ALTS-63)

Source: Shelley Harms

Comment: Comment reads: "Why can't [the planes] circle over the ocean? Or can't you limit the number of jets that can be permitted in this one small area? ... I would urge you to declare a 'no fly' day once a year - September 11 would be a good day - when millions can enjoy the silence and reflect on the tragedy that occurred that day."

Response: See General Response GR-28.

Altitude, Noise, Frequency (ALTS-64)

Source: Keith Knuckey

Comment: Comment from NJ suggests: "Increasing the altitude (without changing anything else) would automatically reduce noise and give residents the impression of less traffic. ... Varying the approaches and/of spreading them over a wider areas would reduce frequency of traffic over a single location thereby improving the quality of life for these residents. With minimal adjustments and at a fuel savings several flight paths can be rerouted over less developed areas."

Response: The metropolitan area includes some of the most complex airspace in the US and raising altitudes would not be a simple effort. See General Responses GR-26 and GR-27.

New Airport (ALTS-65)

Source: Herb Ribner

Comment: Comment states, "Perhaps creation of a new airport north of NYC with Rapid Transit connections to the city would be the best and safest solution to the anticipated increases in air traffic, rather than the current proposals."

Response: See General Responses GR-30 and Gr-31.

Steward Airport (ALTS-66)

Source: Jim Marshall

Comment: Commenter states, "I live in the Environmental Impact Area and would like to suggest a possible solution to the problem. A few miles north of the area is Steward Airport. It is not used anywhere near it's maximum. The NY thruway is right next to it. There is also rail service to New York close by. Why not eliminate the congestion by using that airport. Use the local area of "high priority" flights only."

Response: Now that the PANYNJ controls Stewart Airport, changes may be made. However, the FAA is not responsible for these changes. See also, General Response GR-30.

Retrofitting (ALTS-67)

Source: Susan Mayrer

Comment: Comment reads, "Retrofit those super-loud jets with noise-attenuating devices, especially those aircraft which, apparently, are coming out of Teterboro Airport. Better yet, ban those very loud jets until they can be replaced with quieter jets. Use "Roll-backs" There is just too much air traffic, plain and simple."

Response: Congress is considering a ban on Stage 1 and 2 aircraft weighing less than 75,000 pounds within FAA reauthorization in 2007, which could help reduce the noise generated at Teterboro Airport.

NEED TOPIC (ALTS-68)

Source: Donna Daniele

Comment: Comment reads: Regardless of which proposal you choose, the greatest positive impact for us would be the raising of altitudes. Montgomery, NJ is 30+ miles from the airport. When you add in the extra flying distance it takes to make the u-turns both for Runways 22 and 4, the distance is more like 40 miles. Use the "glide slope principle" and altitudes needn't be lower than 9,000 feet. Also, Dylan 2 arrivals to EWR Runway 22 pass Montgomery usually between 5,000 and 6,000 feet. No reason to. Other considerations are: LGA arrivals which are at least 10,000 feet out here, so there's no problem, and any departures from EWR are at least 12,000 feet by the time they reach Montgomery (not many at all come this way) So there's no good reason flights to Runway 22 passing over Montgomery NJ can't be at least 8,000 feet. EWR arrivals that are sequencing South to land on Runway 4 are even worse. These pass over at 3,000 to 4,000 feet. As was absolutely stated by the TRACON supervisor you had at the Westin Forrestal Hotel public meeting. He said that you had to be at 3000 feet. We're still 40 miles from the runway. 3,000 to 4,000 feet is ludicrous for arrivals. Sequencing can be conducted at a much higher altitude. The best scenario: EWR arrivals that use Dylan 2 can be redirected and take a heading of 040 out of Yardley and this sends them completely around Montgomery and other populous towns. It also cuts about a minute of flying time off of the arrival. These EWR arrivals at the 040 heading should be at 8,000 feet down here in Mercer and lower Somerset Counties

because there's nothing else in the way as I already stated."

Response: The FAA's Preferred Alternative, does raise the downwind altitudes for EWR. In fact, the reduction in noise exposure north and west of EWR illustrated in Chapter Five of the FEIS is primarily due to the raised downwind altitude. For a detailed illustration compare Figures 12 and 13 in the Noise Mitigation Report, Appendix P of the FEIS. Higher downwind altitudes to EWR are a direct result of expedited departures at higher altitudes.

Equitable Distribution (ALTS-69)

Source: Nicholas Gunther

Comment: Comment states, "Distribute air traffic more equitably, it also offers a vital possibly unique opportunity to redirect air traffic from populated areas to other areas where there is less population density and thus less harm to the residents.

Response: See General Response GR-26.

General (ALTS-7)

Source: Paul Everstijn

Comment: Commenter suggested that to reduce frustrations felt by pilots during lengthy delays "gigantic screens" be "placed in or close by the 'ballpark' that informs the pilots about their sequence, delays over certain fixes, and weather updates. If the delays are really bad, cartoons could be shown."

Response: Comment noted.

Flight Path (ALTS-70)

Source: Bob Short

Comment: "Why can't the jets landing at Morristown Airport fly down the route 80 corridor to the 287 corridor? The same for helicopters."

Response: The 80 corridor is a major arrival gate area for JFK, LGA, and EWR.

Westchester Airport (ALTS-71)

Source: Ricky Carpentieri

Comment: Comment states, "Although the Westchester airport was here long before we moved here 41 years ago, it certainly has grown with not only commercial but private corporate planes taking off. If you look at all the vehicles parked in the garage, you will notice most of them belong to the state of CT. Have the planes fly over Greenwich/Stamford, etc. They have too much to say with our airport anyway."

Response: Comment noted.

Operational Comparison of Alternatives (ALTS-72)

Source: Alan Krampert

Comment: Comment reads, "Your 'Operational Comparison of Alternatives' chart seems to indicate reductions in work controller loads and flight time saved. I believe you should hire more controllers if their work load needs to be reduced OR why don't you embrace CPDLC wide? Again, not enough funding for the FAA?"

Response: Comment noted.

New Airport, South East PA (ALTS-73)

Source: MaryAnne McAleavy

Comment: Comment reads, "I suggest an alternate solution/proposition. A regional airport in South East PA would better serve our population."

Response: See General Response GR-30.

Stewart Airport (ALTS-74)

Source: Bill Howe

Comment: Comment reads, "Your proposed change to flight paths at Newark airport in order to decrease congestion does not utilize Stewart Airport in Orange County, Newburg, New York. There is plenty of space available there and the current flight paths can continue. In addition, studies conducted by the Port Authority of New York and New Jersey indicate that the main cause of delays at Newark are weather, gate space, and runway limitations. None of these are remedied

by change flight paths in order to reduce congestion."

Response: See General Response GR-30. The purpose of the airspace redesign is to increase efficiency of the airspace and gate space and runway limitations are capacity issues.

Rotational Routes (ALTS-75)

Source: John & Angela Ruocco

Comment: Comment reads, "Perhaps rotating traffic patterns every quarter or six months so that no one geographic area is affected permanently."

Response: Rotating alternatives from every quarter of six months would require different charts for pilots, different radar screens for controllers, and different computer adaptations for every air traffic control facility in the vicinity. All the people involved would have to change their procedures, which would decrease safety. However, under any single alternative, traffic is different every day. The natural changes in wind and weather disperse flights in many directions. The annual-average day, required by regulations for assessing the differences among alternatives, represents a combination of all possibilities, but there will probably never be a day exactly like that. Half of the time, the total number of flights will be less. Some days, there will be no traffic at all many locations.

Accommodate the Catskills (ALTS-76)

Source: Jeremy Wilber

Comment: Comment reads, "The purpose of this letter is to recommend the plan that would narrow the flight paths and raise their altitude. However, I urge you to consider refining the plan and move the concentrated flight path further east to that it follows the New York State Thruway corridor. My reason for this suggestion is that the corridor is already subject to considerable ambient noise. Another reason is that the Thruway corridor has a lower elevation (compared to most of the Catskill Park to its west). This means there would even be more separation (and mitigation of noise impacts) between the aircraft and the ground it passes over."

Response: See General Response GR-26.

ILS Approach (ALTS-78)

Source: Jason D'Amore

Comment Commenter states, "If the ILS approach were shifted less than 1/2 mile to the east (over the sound) until the planes were South of my area they could join the ILS over Pelham Bay Park (where nobody lives) in the Bronx still @10km from the airport. Additionally, I do not understand why flight paths are not better distributed so that one community does not have to bear the brunt of all the air traffic. In quiet neighborhoods like mine, with very little ambient noise (40-45 dbA) the fly-over of a plane at 65-70 dbA represents more than a quadrupling of sound levels. ...While I do not purport to be and engineer or understand the best way to mitigate our noise pollution problem,

certainly technology and routing techniques exist which could result in significant sound abatement for the Sound Shore Communities. Keep in mind that we have no wish to route the planes over someone else's backyard, we simply would like the planes to fly 1-2 thousand feet east of their current patterns until they are closer to LGA."

Response: See General Response GR-29.

New International Airport (ALTS-79)

Source: Kay Augustine, Bernar S. Levy

Comment: "Commenter says, "I think we should have a second airport which could be for national flights and keep Philadelphia airport for foreign flights or some combination that would keep everyone happy." Another commenter believes that building a new international airport would relieve a lot of the issues at hand.

Response: See General Response GR-30.

Out to Sea (ALTS-80)

Source: Tom Schmidt

Comment: "Go North of Asbury and circle water where it is safer. It will preserve and save beautiful areas and will provide some peace. Now the volume from the west and south can be handled using the water North and outside of Asbury. There, the only traffic comes from the south whether domestic or international or the west so

it is a natural, the delays will still occur but you will not upset anyone, period.

Response: Comment noted. The commenter's alternative will not meet the purpose and need for the project.

Out over Elizabeth (ALTS-81)

Source: Frances Vukek

Comment: "If modern technology has virtually eliminated the risk of midair collision why can't they use straight out over Elizabeth where they belong?"

Response: Fanned headings provide the operational efficiency needed for the Airspace Redesign.

Out over Elizabeth (ALTS-82)

Source: Robert Ragazzo

Comment: "While we understand that we must expect some air traffic, we don't feel that anyone at the FAA considered that our elevated altitude magnifies the impact of this traffic dramatically. It is our position that the majority of incoming and outgoing traffic from the three area airports should be diverted over lower lying areas. It is not logical nor is it equitable to treat all communities the same without regard to impact."

Response: The FAA disagrees with the commenter, all areas are treated equally.

Teaneck Re-Routing (ALTS-8)

Source: Patricia Grouleff, Thomas J. Schmidt

Comment: Commenter suggests that traffic be rerouted through Englewood, Palisade Park, Leonia, Clifton, Rochelle Park, Saddle Brook, or Hackensack.

Response: Comment noted.

General (ALTS-9)

Source: Kalman Rotenberg

Comment: Commenter had several alternative suggestions: "ICC is not optional it's a must and should have been done along time ago the current setup is insane- and OPERATION-RAINCHECK should be part of every instrument pilots training." In addition he commented upon building a new airport in New Jersey: "Linden NJ should be closed and a 'real' serious airport be built on top of the Arthur kill garbage dump in Staten island, with special full refunds be given back to a NJ resident's EZ-Pass for the bridge crossing whenever they fly out of Arthur Kill (KAKI is an avail name)-because it's parallel to EWR yet more than 4,500 ft apart laterally- they typical IMC RWY/4 ops at EWR and LGA won't effectively shut it down as same conditions now do Teteboro-not to mention the fact that it's a lot closer in driving time to NYC than any of the other relievers." He also felt the building of more runways would be beneficial.

Response: Comment noted. See general response GR-30.

OPPOSE ALL ALTERNATIVES

Union County and Cranford, NJ (ALT-1)

Source: Elise Schneider, Jerry DeNigris, Marisa Pica

Comment: These commenters feel that all proposed actions will have a serious negative effect on their areas. They disagree with any proposal that may increase air traffic over their homes. Commenters also feel that the planes are already flying at low altitudes and that any change to the flight patterns could make things much worse than they already are. Several comments note that none of the alternatives presented a solution to noise.

Response: Comment noted. The purpose of the Project did not include noise reduction. See general response GR-15.

Sound Shore Community and LaGuardia Areas (ALT-11)

Source: Robert A Porto, Jim Frawly

Comments: These commenters oppose all plans that would increase air traffic to or from LaGuardia and the Sound Shore Community.

Response: See general response G-14.

No Action (ALT-2)

Source: Jetm(a), Sharon Gernsheimer

Comment: These commenters from Union County, NJ all feel that routes should remain as they are so that noise levels do not increase.

Response: Comment noted. See general response GR-34.

Upper Saddle River, NJ (ALT-3)

Source: John Lugwig, John Germain

Comment: These commenters feel that there are no preferable plans offered.

Response: Comment noted.

No New FAA Plans (ALT-4)

Source: Donna & Tom Adair, Anne & Dexter Johnston, Dominga & Bernardino Barrera, Jane & Jesse Greenwald, Dorothea Gagliardi, Zachary & Monika Zalewski, Michele Haberli Carol Russo, Cathy & Bruce Hodgdon, Samuel M. Angelo, Susan Hameyer, Stewart & Rita Golding, Alex Gontcharov, Nancy & Jack O'Brien, Charles Coyle, William Wilson, Natalie Leeds, F.J. Valentino, Liane & Michael Murtagh, Gabriel Alfaya, Michael Lener, Robert Spinoso, Rob Belva, Rod Utah, Terri Spinella, Jane Brooks, Marianne Illian, Richard Lane, Bob Bachmann, Brent Petty, Calianese, Dorothy Winter, Debra Zirlin, Pat O'D Conrad Brink, Faye Feit, Pat Lampert

Comment: Commenters all oppose any new FAA plans. Many feel that any possibility of change in noise is too much.

Response: Comment noted. See General Responses GR-34.

Bergen County, Morris County, Delaware County, Hackensack and Cranford, NJ and Westchester County NY (ALT-5)

Source: Peggy McGee, Tracey O'Connor, Joon Choi, Ernest & Dee Politz, Arlene Piazza, Issac Woltshock, Gloria Psksowski, Sam Horowitz, Kelly McCormick, Carol Wollman, David Marcus, Elisa Odell, Beth Rabin, Joan Robles, Madeline Perrie Howard, Joseph Weiss, Guy Mule, Mary Garofola, Michael Gela, Barbara & Alfred Musso, Annamae & Francis Schaefer, Raj Desai, Janis Febish, Cyntia Rogers, Edward Downs, Sona&Leo Manuelian, Adam Hart, Caroline Keller, Joseph Papa, Miles Lamb, Mike Morrow, RoseMarie Vendra, Wayne Molesan, Jerry Del Vecchio, Peter Kofitsas, Donna B., Joseph Ryan, Amy Luchsinger, Maryann Peterson, Shah Akthar, R. Barbuto, Marilyn Amdur, Bernard Dorfman, Stephen West, Janson Media, Joanne Rambella, Arlene Frangod, Joy Held, Mike Guma, Dara Reynolds, Virginia Kolesar, Eileen Hoey, Lewis Nassau , Jerome Yates, Alan Lieberman, Johanna Murillo, James Durkin, Joseph Arvay, Carol Forte, Kristin Mikula, Diane Ernst, Elizabeth Olsen, Lilet Martinez, Tom McKenna, Ella Raber, Michael Wergel, Karen White, AnnMarie Montanti, William Raymond, Tom McKenna, David Keller, John Rossi, Dick Zawitkowski, Joyce Wellenkamp, Eric Altneu, Seth & Nicole Kaplan, Madeline Bogdan, Mary Esposito, Edward Schuck, Anthony Giannantonio,

Nina Swankie, Stuart Silfen, Constance Oshinsky, Julie Oshinsky, Venancio Vinagre, Debbie & Eric Endresen, Susan Benkel, Joan Taskalos, Bruce & Starzie Mayer, Cecelia Donato, John Dannenbaum, Edward Keyser, Alice Shafran, Madeleine Ciocco, P O'Donnell, Albert Dib, Kent Lucas, Sue Lucas, Judy Garceau, George Ellas, Cheryl & Andrew Lazarus, Chris Stumpf, Jeremy Shapiro, Michael Bolles, Scott Jacobs, Beth DeWit, Marilyn Greiner

Comment: Commenters all note that other alternatives that do not increase noise should be considered.

Response: Comment noted. The FAA's Preferred Alternative with mitigation eliminates all significant noise impacts. See general response GR-35.

Westfield, NJ (ALT-6)

Source: Allison Gillespie, Traci Howell

Comments: These comments all note that the increase of noise in their area from the proposed plans is unacceptable.

Response: The FAA's Preferred Alternative with mitigation eliminates all significant noise impacts. See general responses GR-35.

People's Needs (ALT-7)

Source: Anne Clark, Mary Anne McAleavy

Comments: These comments all note that the FAA is not meeting the people's

needs, rather it is serving its own purposes.

Response: The proposed project meets the Purpose and Need and, therefore, services the needs of the public.

"No Action" (ALT-8)

Source: June Tooni, Barbara Sotnick, Siavash Forootan

Comments: All these comments request the "No Action" option. One comment notes that this option is the only one that does not jeopardize the safety, quality of life, or environment.

Response: Comment noted. See General Response GR-34.

Westfield, NJ (ALT-9)

Source: Kathy Soderstrom

Comments: Comment reads, "Let's drop the issue leave things as they are and if people in the area [Westchester County] don't like it they can live somewhere else. I will agree that the airlines should not uncontrolled increase the *amount* of traffic. They were there, they had a profitable amount of flights, lets keep the numbers within reason not change take off and landing patterns."

Response: Comment noted.

Bad to Worse (ALT-26)

Source: Anita Coppens

Comment: Commenter believes things are bad enough the way they are and feels that changing would make things worse. She notes that the noise levels are already loud and feels that with re-routing the vibrations and sleepless nights would become more frequent. One commenter notes that all the alternatives would make her life more noisy.

Response: See General Response GR-34.

Permanent Noise (ALT-27)

Source: William Stauffer

Comment: Two commenters note that there is going to be noise no matter what and wonder why things must be changed at all. One points out that it seems like a lot of work to jeopardize something that they are used to.

Response: See General Response GR-34.

Noise Reduction (ALT-29)

Source: Barbara Frawley, John Breitenbach

Comment: Commenter believes that until noise reduction is part of a possibility then no action is necessary.

Response: See General Response GR-34.

OCEAN ROUTING

Support for Ocean Routing (OCEAN-1)

Source: Kerri & Glenn Pernick, Alan Scharfstein, Terri Spinella, Jane Brooks, Annamae & Francis Schaefer, Raj Desai, Janis Febish, Christine P., Jim Moldow, Carole & Victor Lotito, Denis Cainero, Miro Beverin, Andy Cooper, Rich Curran, Anna Curtin, Jim Bois, Jacob K. Rubinstein, Goldstein, Lee, E. Elliot, T. Sharp, Thomas Lutz, Murray, Dan Davis, C. Dema, Ana Vubro, Linda Saieer, Aher Funver, Nele, Chol White, Melanie White, Richards, Kelly Bram, Brian Timmerman, John Cioffi, Jeffrey Robinson, Arnold Goldberg, Burns, Sarah Yingy, Karter, J. Perl, Colleton, Bill Mayer, Hillary Mayer, H. Ryan, M. Ryan, Leslie Quinn, W. Idorrilo, Charles Reese, S. Reese, Alt, Leon Ciampo, Richards, Lawyer, C Lollerdo, Jaqueline Loughrer, L. Depinto, Alan Pevia, Betty Kaltnecker, Susan Hammell, K. Lael, J. Bere, Joan Kennelly, Adler, Ceadely, Chris Dellarso, Chris Weber, Suzanne Weigand, Saifee, H. Immer, Rumatimo, Miyuki Dellarso, Webes, McCabe, T. Felter, Lisa Felter, Carolyn Klinger-Kueter, McCabe, Chris Weigand, Sokol, Parsloe, Maloney, Luxceer, B. Marino, J. Marino, Alison Toates, Thorburn, Hinds, McCabe, Sewald, Tennant, Mahony, Gilday, Corzi, Kamil, Manning, Reidy, Nachbur, Kobe, Engelhart, Carey Krause, Charles Capro, Alan Krampert, Irene Borborogly, Ralph Braskett, Barbara Sachao, Lottie Esteban, Jeanne Valenti, Jeanne Stillman, Ara Seferian, Diana Bottiglieri, Andrew Murro, Jack

& Anna Rosenberg, Kenneth Hawortk, Sharon Kozinn, Toby Nordlinger, Mindy Gura, Richard Van Cora, Judith Pupoli, JoLynn Judka, Charles Capro, Jacqueline Capro, Cindy Gagliardi, Kim Sokol, Liz Kingley, Sally Kern, Luke Hunsberger, Sophie Rosenfield, Bill Gourgey, John Donoghue, Patricia Martina, David Odenath, Vitas Roman, Gary & Joan Maillard, Bart Creedon, Diane Ernst, Traci Howell, Anne-Erik Marie-Palfrey, Maureen Cameron, R. Mullett, David Wankoff, Keren Baum, Beverly Barcelona, Deborah Porth, Jane & Jesse Greenwald, Sharon Cohen Alessi, Joan Stalib, Joli Neslon, Michael Tracy, Greg Jarem, Eileen Daly, Family Herzberger, Richard Herzberger, HankDoris, Stephanie Cochin, Steven McKenna, John & Susan Gleeson, Cesar Carvalho, Mary Sullivan, Bruce Belowich, Brenda & Richard Wenning, Michael Weinthal, Chris & Susanne Patunas, Ann Napier, Carol & Herman Kruegle, Barbara & Kenneth Koons, Donna Setola, Elisa Odell, Robert LeDonne, Amy & Brian LaLonde, Howard Smith, Elizabeth Olsen, Steven Rothstein, Haekyung Hong, Wonho Hong, Rachel & Family McGouran, Sandra Heiser, Melta Stuart, Harold Ganz, Ruta & Dean & Family Fiorino, Stuart Silfen, Scott Conchar, Joan & James Gifas, Paul Garfinkel, Kevin & Carol McCabe, Keri Turnamian-Todisco, Debra & Jay Dunne, Lisa & Ross Quinn, Gary Nicolini, James DeProspero, Lisa Sunseri, Grace Meyer, Barbara Freier, John Corcoran, John Wood, Walter Jones, Richard & Evelyn Wilz, Rosemary Wolff, Dominique Bournot, Steven & Barbara Pelly, Linda Lammers, Helene & Norman Wattman, Edward Atlas, Eileen Hoyt-Fernandez, David Moskowitz, Jeananne Marrone, Tim DeChiara, Jim Carlsen, Luciano

Iannucci, Johann Safar, Genesio & Margaret Vicini, Sara Zahn, Margaret & Alfred Murphy, Janet & Martin Chambers, Yvonne Lombardo, Steven Ornstein, Sharon Colgan, Fangming Kong, Elizabeth Clark, Brian Wentland, Jeffrey Rowbottom, Michael Donne, Robert McErlean, Adam Shapiro, Ralf Henrich, Linda Emmich, Kevin McManus, Maria Ferrara, Patricia Nannery, Vitaliy Vayda, Renee & Vincent Picciotto, Bob&Clare Feulner, Daniel Brennan, Bruno & Gretchen Shimanek-Cividini, Yashwant Patel, Tina Brodsky, Ann Pareti, Emalee Cronwell, Vilna Bashi Treitler, Nancy Goldman, Glenn Pagano, Helen O'Brian, Leon & Eleanor Kobrin, Pearl & Freddy Vines, John Fleming, Sheldon & Family Lustigman, Patricia J. Krieger, Sharon Basu, Toni Goddin, Susan & Pete Leibeskind, Jeff Matesic, Lynn Scheps, Sharon Sogliuzzo, Thomas & Carmen O'Brian, Masahi Noriko Maiko Isobe, Lynn & Family Reiff, Ken Schmitt, Mary Jo & Louis Panepinto, Richard Devanna, Ellen George, Mark I. Baumgarten, Marla Kallin, Family Paulen, Marjorie Winters, Sharon Mulligan, Karen and David Francis and Jones, Brian Griesbaum, Cindy&Paul Walsh, Pat Large Herbert, Aileen Mulligan, William & Alisa Strykowski, Johanna Cairo, Tammy Baudisch, Maureen Ziles, Theresa Cancro, Alan Bachman, Erik Torsland, Jonni Beggs, M Schneider, Veronica Vogel, Marcy & John Miraglia, Patricia McGuire, Teresa & Douglas Bailey, John Mclean, Carol Ford, Kenneth Lagana, Fred Balbo, Simone Wilker, Lawrence Loeffler, Laura Daniels, Lorraine Greiff, Thomas & Mary J. Corcoran, Kim, Karen & Paul Rapp, Lisa Matalon, Donald Rotolo, Mitchell Miller, Tina & David

Rosen, J. Wagner, Nina Bai, David Dryerman, Michele Resnick, Sergio Wernikoff, Frank Almonte, Robert Valle, Chris Woods, Nicholas & Maryann Mania, Mary Ann Raymond, Rich Harada, Michael & Wendy Fornatale, Joan Taskalos, Stuart Sheinbaum, Rich Baudisch, Evelyn Eigner, Astrid Sichko, Harriet Zuk, Andrea Newman, Penelope Ellis, S. Toolen, G. Moran, Amy Linardic, F Pelemezian, Marie Sineen, Joan Dondero, Mark Bromberg, Peter Romero, Rich Baudisch, Richard Porth, James Kimball, Marc Mandelman, Robert Zak, Janet Donaghy, Robyn Krumrei, Jan Seiffer, David Buchner, Gloria Ponosuk, William E. Throne, William E. Throne, John O'Reilly, Robert & Arlene Widmer, Christa M. Brooks, Michael H. Kazigian, Beverly Regna, Robert Widmer, Edward Burstein, Larry & Jeff Morgan, Walter Rempkowski, Susan Mayrer, Nicholas Gunther, Ellen Hunt, Johanna Cairo, Mary Ryan, Alicia Johnson, Larry Warshaw, Kristin Holtz, John & Maria Frey, Dennis Heidt, Patricia Foley, Pat Hoynes, Madonna Betro, Bob Sterling, Rosemary Dreger, Susan Kalebic, Jack Hartford, Mary Jeanne White, Elizabeth Stewart, Warren Feldman, Jennifer Wirchansky, John & Angela Ruocco, Jeanine Keenan, Andrew Blumberg, Lisa Popoli, Alisa Snider, Mary Barker, Cindy & Larry Heiser, Barbara Krupinski, Bo Petkovich, Steven Richman, James Ko, Ellen V. Simpson, Rosana Wermert, Paul Anagnostakos, Michael & Weifei Suen Freedman, Richard Margolis, Gerard Tateossian, Richard Tateossian, Margaret Parchmont, Janet Moro, Steven Rosini, Jared Lans, Stephen Vallario, Evangelia Tsomos, John Ferrara, Armin & Lotte Sonnenschein, David Keller,

Monaghan, Mary & Ann Duffy, Bill Tonner, John & Cynthia Reutershan, Lori & Michael Gruppuso, Tim Beckemeyer, Evelyn Consolini, Beth Lerner, Mark Dymond, Tom Castronovo, Judi Shingelo, Amanda Mendez, Alan Snider, Rose & Ray Schumacher, Rani Richardson, Anna Demoraes, Doreen & Michael Hourigan, Elizabeth & Pablo Martinez, Sue Saslaw Lois & Douglas Bunnell/McDaniell, Michael Bottiglieri, Dennis & Family Piretra, Ingrid Katz, Rai Sookram, Bea Maxwell, Thomas Sanelli, Mark & Jacqueline Sheehy, Harriet Tellem, Carole Woudenberg, Anneliese Landerer, Takumi Miyata, Andrea Martins, Armand Tazza, Jane Wertheim, Amy Janosky, Nancy & Richard Eichenbaum, Sabrina & Scott Ganz, Avedis Alashaian, Elyse Pleasic, Paul & Karen Faulise, Virginia Tsenebis, Wanju Dai, Dale & Howard Gliklich, Joyce & Jack Orbine, James DeProspero, Donald & Beatrice Schutz, Alan Lieber, John & Jean Welby, Diane Lomicky, James Lomicky, John Reese, Elysie Pleasic, Ralph Pleasic, Paul Vallagrio, John Demarie, Vincent Tubito, Helen DeMartini, Fred Demmerle, Dorothy Schrempp, Robert Planz, Palmeria Crawford, Dorothy Donovan, Carmel Gatto, Amy Stephan, Nancy Friend, Norma DeCroce, Richard Bangs, Bill & Mary Anne Curl, Marlene Schere Pahy, Robert Adamo, Kira McKeown-Adamo, Rosemary McKeown, Patrick McKeown, Lorraine & Gerald Lewis, Violet & Jerry Bolzak, Pat & Nick Novik, Andrea Spingeld, Kathy Sheppard, Craig Sheppard, Walter Applin, William Hepper, Evelyn Hepper, Linda Lammers, Marie & Donald Brett, Vincent Galasso, Michel Rosube, William Yu, Barri Fruitbine, Adam Fruitbine, Louise Mullin, Aline Lewis,

Ines Fajardo, William Fitzgerald, Kevin Saul, Laura Cohan, Esther Tonnessen, Debra Gehringer, Kenneth Maxwell, Halima & Tom McDonough, Susan Ellner, William Fitzgerald, Peter & Melissa Walters, Robert Funabashi, Jackie&Greg Berlangi, Paul & Melissa Seifried, Petros Kaloumenos, Cindy Grogan, Wendy Zuckerberg, Samantha Zuckerberg, B.M Coholon, Richard Thabit, DeDe Russo, Sam Argintar, Brenda Lyons, Paul Criscuolo, David Kroner, Harrison Novak, Linda English, Christopher Olsen, John Hammalian, Maddy Saul, Anne Catalano, Anita & Paul Turdo, Joanne & Ralph Spinnato, Robert Kazim, Judith Parker, John Andronico, Robert Magnoli, Elizabeth Nicklas, Richard Narins, Marie Dorey, Maria Toler, Virginia Criscuolo, Max Arnowitz, Debra Refson, David Herdrich, Kevin Saul, Barbara Cornin, Robin Hartman, Peter O'Reilly, Saul Weinstein, Joanluca@optonline.com, Patrick & Diane Hussey, A. Guffanti, Lisa Battinelli, Alfred & Gemma Baffa, Roberta Cohen, Gary Cohen, Catherine B. Contey, Danielle Giordano, Dominick Siclari, Bob McGuirl, Augusta Kiefler, Rita Dublin, Virgile Winik, Christopher D. Olsen, Julie & Jeffrey Benedict, Mary Lou Wallace, Adam Shapiro, Brian & Amy Lalonde, Mary McIntyre, Tara Dubin, Jared Dubin, Hillary Dubin, Anita Coppens, F Cevesarte, Michael G. Rahmin, James Spencer, Douglas Nagy, Cornesco Krafte, Thomas Lehoczky, Shirley Harris, Corine Capodicasa, Michael Kraus, Joyce Anzalone, Cathy Jenney, Phyllis Schleifer, Kretschmer, Patricia Sulli, Hagopian, Michael & Carmen DeMarrais, Patricia Javier, Williamson, John Wigger, Rosenstein, Conor & Cathleen O'Flyner, Vincent Dolce, Ward J Riley, M. Craig, Patricia Speulda,

Ellen Gotthardt, John Sparacio, Mr. & Mrs. Glodenberg, Mare & Scott Illian, Carmen Douglas, Jessica Mac Pheron, Howard & Jackie Kleinfelder, Christopher Busso, Norah Clohessy, Lou Ross, Sharon & Baljit Dail, Valerie Kerekes, Marguerite Barnes, Kathleen O'Flynn, Gabriel & Diane Mara, Robert Grieser, Charri & Jeffrey Gilbert, Gregory Misuta, Teresa & Family Jordan, Faith Salinger, Leslie Nassau, Robert McNeil, Art Provost, Bruce Seiff, Donna Velasco, Brian Bushell, Lainie & Gregory Miller, Carol Carollo, James Mitchell, Tom & Cathy Gagliardi, Thomas P. Halligan, Henry Goldstein, Abbe Lewites, Eileen Heffran, Barbara Grossman, Gail Adler, Irwin Miller, Heather Liguori, John Liguori, John & Patricia Gannon, Michael P. Pisano, Jeanice Bainnson, Donald J. Grey, Salvatore & Joanne Grosso, Regina Cox, Lesa Brinker, Marlene Ardon, Douglas Nagy, Kristen Racich, David Christensen, Jennifer Frantin, Carol Mule, Nadine & Steven Timpanaro, Denis & Barbara Siota, Jean Petro, Tracy Unger, Deborah C. Moy, Marie Abbadie, Lorraine Gela, Dawn Garcia, Sigrid B. Frawley, Cindy Turner DiNome, Laura & Richard Fogarty, Alice Nahs, Dr. & Mrs. Lawrence Kaplan, Anthony Merlino, Mary J. Capsouras, Alice O'Reilly, Jeffrey Pistol, James Loderstedt, Martine Donofrio, Gary Wyssling, Scott Spelker, Jon Mikula, Mark Alexion, Kathryn Schumacher, Gary & Joan Maillard, Maria Triantafilou, Leonore & William Rosenzweig, David Fischer, Stephen Margulis, Gary Brooks, Janet Blissinger, Belle Barnes, Roger Dubin, Bill Weigand, Bernhard Albrecht, Robert & Ardis Waldron, Janet Barnard, Danielle Kishkill, Laszlo, Kim Chamberlain, Carol Kobbe, Stacey

Abraham, Ralph Braskett, Richard Holmes, Clifford Keenan, Nathan & Family Bellmay, Melissa & Micheal Giancarl, Brenda S. Weiss, Susan Liebeskind, M. Offerjost, Fred Ornstein, Sarah Williamson, Carole Jones, Joseph & Doris Levitzki, Terie & Jeff Wesissman, David Kasperowicz, Gabriel Baez, B Sachau, Zenon Jaszczult, Gisela Joppich, S. Nagy, Brian Sokol, Brian Sokol, Bill Gourgey, Laura Waters, Taffy Holvenstot, Miriam Moody, Ann Duffy, Betty & Bob Morgan, Joseph Holl, Frida Parker, Bob Hurd, Lisa Wiegand, R DiGivanni, David Kestenbaum, Richard McKinley, Lewis Lipmsn, Richard Miller, Robert Flowers, Angela Costello, Susan & Keith Loeb, Elaine Berger, Mike Bandazian, Anthony Delzotto, Marilyn Amdur, Grace Giacomello, Betty Slane, Lezette, Robert W Green, M Siegel, A Paul, Arthur & Janet Sisco, Richard P., Michael & Gabrielle McIntyre, Janice&Peter Slampak, Jeremy Shapiro, Lydia Yoon, Nicole Provato, Doris Surovy, Arnold&Melanie Eiger, Deborah & Alfred Barcan, Alina Lupo, Nancy Bachman, Mathew Ryan, Elke D'Onofrio, Marianne Alemany, Elizabeth Bedrosian, Christine Buxbaum, Joseph Maurigi, Judith & Thomas Bracco, Peter Seibel, Jonna & Kyle Rothbart, Azelc

Comment: Commenters prefer the ocean routing alternative. Ocean routing is preferable because quality of life would improve and noise would be reduced. Commenters feel the additional time added to a fight is worth the extreme noise reduction. One commenter felt that the reduction of delays from integrated approach did not outweigh the reduction of noise from the ocean. Commenter feels that the

additional cost airline minimal when considering the impact of low income areas. Several commenters believe that the FAA is primarily concerned with profit rather than the potential for noise pollution. One commenter favors the ocean option because it will reduce the noise and feels that not taking this option demonstrates the FAA's favor for the aviation industry. One commenter feels that the new technology should be considered when examining the ocean re-route. The technology might affect the efficiency and allow it to be taken into consideration. One commenter felt that the FAA did not give ocean routing fair consideration. One commenter feels the increase in ticket price is worth the peace of mind. One commenter feels that the noise level and quality of life will be preserved through the ocean routing option. Commenter felt that the extra time and cost was well worth the health and safety of the population. Another commenter strongly reminds the FAA that economics are not everything. One commenter feels that after a 4 (or 6) year study it should be obvious that ocean routing is a viable solution. She does not understand why this option is not being accepted. Another commenter notes that it is not just the politicians that support the ocean routing, but also the citizens of New Jersey. Another commenter feels that Ocean Routing is the only solution to the noise problem. One commenter notes that the ocean routing possibility was not investigated adequately by the FAA and feels that this option would achieve a net decrease in noise. One commenter notes that the only acceptable solution is to use the ocean route in order to appease noise in Morris County. One commenter notes that the ocean route plan will affectively reduce noises and the environmental

impact on the NJ areas and will also increase the level of safety. One commenter notes that she as a frequent flyer would absorb the costs and potential delays in order to receive the quiet from the ocean routing. All of these comments prefer ocean routing to any plan that would increase the flight traffic noise in their area. Commenters from Bergen County all note the unacceptable nature of any other plan.

Response: See general responses GR-3, GR-12 and GR-8. The FAA's Preferred Alternative incorporates use of ocean routing on EWR Runways 22L/R from 10 :30 PM and 6 :00 AM. Specific to Bergen County the changed arrival paths to EWR in the Preferred Alternative that affect Bergen County, NJ and Rockland County, NY have been needed for years. The short final approach segment to EWR is one of the most important limits on the airport's arrival efficiency. The paths proposed in the Preferred Alternative undo that limit. To reduce the impact these paths have on county residents, the Mitigated Preferred Alternative raises the downwind leg of the arrivals from the south, which means that aircraft with better descent performance are higher. At night, aircraft from the northwest are descending more smoothly on their continuous-descent approaches, so their engines will be quieter. These mitigations improve the noise exposure in Bergen and Rockland Counties substantially, compared to the Preferred Alternative.

Petition (OCEAN-2)

Source: Ronald Perry, Ken Wilson, Betsy-W Adey-Richard, Janet Villafane

Comment: Comments signed, "I strongly object to the redesign plan, the increased noise and pollution over NJ are absolutely unacceptable to thousands of residents already bothered by current aircraft traffic. The only solution is to use ocean route!"

Response: Comment noted. See General Responses GR-3, GR-35, and GR-6

Petition (OCEAN-3)

Source: Tracy Morris et al

Comment: Petition submitted reading, "We, the undersigned ask the FAA to implement the Ocean Routing Flight Route in order to relieve noise pollution in Morris Passaic and Sussex counties." was signed by 187 people.

Response: See General Response GR-3.

Petition (OCEAN-4)

Source: Anna Curtin, et. al.

Comment: Form letter reading: "I strongly object to the redesign plan, the increased noise and pollution over NJ are absolutely unacceptable to thousands of residents already bothered by current aircraft traffic. The only solution is to use ocean route!" was signed by 39 people.

Response: See General Responses GR-3, GR-35, and GR-6.

No Acceptable solution (OCEAN-5)

Source: Anna Curtin, Jim Bois

Comment: Commenter feels that the only acceptable solution presented is the ocean routing and that if this is not selected, than remaining with the current flight paths is preferable.

Response: Comment noted, also see General Response GR-34.

INTEGRATED ALTERNATIVE

Integrated Airspace over Purchase, NY (INT-1)

Source: William Royall, Ronald Gumbaz

Comment: This commenter does not think it is worth the effort to implement the Integrated Airspace Alternative because its advantages are ‘hardly improve[d]’ over the Modifications to Existing Airspace Alternative. The commenter does not think the operational benefits of the Integrated Airspace Alternative are sufficient to improve delays, and comes to the conclusion that either the airports are already ‘too stretched’ or that a better alternative is needed with a five to ten minute improvement in delays if possible.

Response: See General Response GR-2.

Bergen County Support (INT-10)

Source: Rodney Ruth

Comment: Commenter feels that after chart viewings Bergen County would be in favor of the Integrated Air Space

Alternative as opposed to the other three plans.

Response: Comment noted.

Integrated Alternative Support (INT-11)

Source: Vincent LaBarbera

Comment: Commenter is in favor of the integrated system.

Response: Comment noted.

Integrated Alternative Support (INT-12)

Source: Charles Schaller

Comment: Commenter in favor of the integrated airspace alternative and notes that we need to increase efficiency and safety for our air traffic control. He also notes that noise abatement is not needed in the Ulster County New York State area.

Response: Comment noted.

Integrated Alternative with ICC, Union County (INT-13)

Source: Arnold Kristie

Comment: Commenter does not approve of the integrated airspace alternative with ICC plan because it will increase traffic over residential areas of NJ specifically Union County.

Response: Comment noted.

**Integrated Alternative with ICC,
Noise (INT-14)**

Source: Wade Tracey, Alicia & David Villa, Sam Haddad, Marion & Richard Rajoppi, Madonna Betro, Bob Sterling

Comment: Commenters feels that this proposal is unacceptable because of the increase in noise level.

Response: The FAA's Preferred Alternative with mitigation eliminates significant noise impacts, see General Response GR-35.

**Integrated Alternative with ICC,
Mendham, Chester, Bergen, and
Morris County (INT-15)**

Source: Charles Capro, Suzanne Yerdon John Germain, Donna Magliano, Melissa Millward, Alan Krampert, Kristi & Lockwood Miller, Barbara Borkan, Patricia Smith, Maureen & Walt Saranchuk, Joseph DeAngelo, Marshall Chernin, Tammy Chernin, Anthony Greico, Bill Gourgey, Michelle Holland Suzanne Molner, Kathleen&Demarest Demarest Jr., Maryann Butera, Anna Hackman, M. Dabal, Agnes Smethy, Charles Capro

Comment: Commenters all feel that this plan is unacceptable and oppose routing planes over their areas because of the increase in air traffic and noise.

Response: Comment noted. The FAA's Preferred Alternative with mitigation eliminates significant noise impacts, see General Response GR-35.

**Integrated Alternative with ICC,
Morris County (INT-16)**

Source: Catherine Hays

Comment: Commenter feels this proposal is not acceptable and that the increase in noise levels in Morris County would be detrimental to the area. Commenter also feels that the 200 million that the airline will save is not worth sacrifice of so many people.

Response: See General Response GR-35 and GR-12.

**Integrated Alternative with ICC,
Maryland (INT-17)**

Source: Unknown Commenter

Comment: Residents of Maryland oppose Integrated alternative with ICC because of the increase noise levels and their affect on their daily lives.

Response: See General Response GR-35.

**Integrated Alternative with ICC,
Emerson, NJ (INT-18)**

Source: John Hassett

Comment: Residents of Emerson, NJ oppose the Integrated Airspace Alternative.

Response: Comment noted.

Integrated Airspace Redesign (INT-19)

Source: Kathleen Warner

Comment: Commenter sees the merit of the proposal, but has concerns about the "complexity of additional airspace stratification resulting in interrupted user climbs. He states that "An ICC without the corresponding New York Center High Altitude airspace will eliminate the users ability to optimize aircraft and performance and result in an increase in fuel consumption." He also notes that "totally efficient air traffic and user operation can only be realized if one facility controls the airspace from the ground to flight level 600 over a specific geographic area. This efficiency would be substantiated through the ease of air traffic flows and optimized aircraft performance." Finally he suggests that in order "to realize the benefits of airspace redesign all the New York Center High Altitude Airspace must be fully integrated with the ICC."

Response: Comment noted.

Integrated Control Complex System (INT-2)

Source: Patrick Long, A. Rahman

Comment: Commenter feels that this option is the best choice to maximize efficiency of the air traffic system. One commenter also noted that this option many advantages, rather than just one.

Response: Comment noted.

Integrated Alternative with ICC, Mendham Township, NJ (INT-20)

Source: James Mahood, Jun Wang

Comment: Residents of Mendham Township find this alternative unacceptable.

Response: Comment noted.

Integrated Alternative with ICC, General (INT-21)

Source: Glenn Stanton

Comment: "It seems to me that the ICC flight planning would be the better alternative to the proposed ocean routing flights over Bergen county proposal because we already have air traffic noise and pollution to deal with on a daily basis and hardly need more concentrations of it. Needless to say, I am against any proposal to increase flights over northern Bergen County, NJ. Perhaps some more examination of Stewart International airport is warranted?"

Response: Comment noted. Also, see General Response GR-30.

Integrated Airspace Opinion (INT-3)

Source: Unknown Commenter

Comment: Commenter feels that the Integrated program is the most sensible, noting the minimal increase in noise levels. However, he notes the downside of combining the TRACON and Centers into one building.

Response: Comment noted.

Integrated Airspace Opinion (INT-4)

Source: Elizabeth Mooney

Comment: Commenter feels that re-routing planes is a good solution however concerned about LGA and suggests that traffic can potentially be shifted to JFK.

Response: Comment noted. The FAA has no statutory ability to shift aircraft operations amongst airports.

Opposing Integrated Airspace Alternative (INT-5)

Source: Nancy Ward

Comment: Commenter, representing the free holder of Union County, opposes the modifications especially the re-routing over Newark.

Response: Comment noted.

Opposing Integrated Airspace Alternative (INT-6)

Source: Mark Hurwitz

Comment: Commenter representing the township of Springfield opposes the integrated and modified airspace proposals. He particularly opposes the fanning of EWR south flow departures.

Response: Comment noted. The FAA's Preferred Alternative with mitigation reduces the use of fanned headings at EWR as described in Appendix P, Noise Mitigation Report, in the FEIS.

Integration of Air Traffic (INT-8)

Source: Unknown Commenter

Comment: Commenter states, "I also don't understand the integration of the arrivals and departure into Newark, into the proposed arrival and departure patterns at Kennedy Runway 13. It would seem to me that one of them is going to have to be lower than the other because they are going to be crossing each other, and I did not see any great definition of the altitudes at which the planes are going to be going over Monmouth County into and out of Kennedy."

Response: See appendices C and O of the EIS for altitude changes proposed for the FAA's Preferred Alternative.

Opposing Integrated Airspace Alternative (INT-9)

Source: Irene Borborogly

Comment: Commenters feels that both the integrated alternatives will affect the noise levels

Response: See General Response GR-35.

ENVIRONMENTAL CONSEQUENCES

ENVIRONMENTAL CONSEQUENCES - GENERAL

General Environmental Impact (EC-1)

Source: Amy Dziemain, Jeanine Keenan, Lou Pollak, Mark Friedland

Comment: Commenters are concerned with the affect the changes will have over the environment and request a way to lessen the problem.

Response: See General Response GR-35.

Fuel Dumping (EC-10)

Source: Rich Baudisch

Comment: "I understand that fuel dumping is a common practice used by large aircraft to reduce weight before landing. However, I do not see an environmental impact statement which refers to this situation. This is a concern that should be addressed before implementation of any plan which change the flight pattern"

Response: The Federal Aviation Administration (FAA) sets requirements for when and how fuel dumping may occur in Order 7110.65P. The Order stipulates that fuel can only be dumped above a minimum altitude of 2,000 ft (610 m), to improve its evaporation, and that a dumping aircraft must be separated from other air traffic by at least 5 miles (8 km). Air traffic

controllers are also instructed to direct planes dumping fuel away from populated areas and over large bodies of water as much as possible. The same guidelines apply to military aircraft, and most air bases only permit fuel dumping in a specified area. The ability to dump fuel is provided on large wide body aircraft such as the Boeing 747s. However, for smaller narrow body planes such as the Airbus 320 or Boeing 737 which weigh considerably less and are able to make a safe landing immediately after takeoff even when fully loaded these aircraft types are not equipped with and do not require an emergency fuel dump system.

It should be noted that fuel dumping is only done in emergency situations and is not an everyday occurrence. The cost of fuel makes fuel dumping even less attractive for airlines.

Ecosystems (EC-11)

Source: Jeanne Valenti

Comment: Commenter notes, "Our already fragile ecosystem has been strained by uncontrollable population growth destroying our drain off land. Adding more noise and vapor trails will only quicken the break down of the ecosystem."

Response: See General Responses GR-5 and GR-6.

GENERAL (EC-12)

Source: Rafel & Pam Pajaro, Mark Friedland

Comment: Commenter states, "No environmental assessment has been done to analyze the air pollution caused by an increase in air traffic. Because of a loophole in existing laws, the FAA does not have to consider any of the affects on air quality caused by re-routing hundreds of flights a day over our towns. A layer of soot could settle over my pools lawn furniture and windows. Think of what could settle in my children's lungs."

Response: See General Response GR-6.

General, Howard Beach, NY (EC-13)

Source: Walter Carcione

Comment: Commenter states, "There are families in Howard Beach and the health effects of increased air traffic must be evaluated. The FAA argument that we families bought homes close to the airport (Buyer Beware!) is not a good one. An analogy would be because a family bought a home in a high crime area that those families should not complain if the crime increases threefold, those families as we have a right not to have any agency fail its responsibility; in the example, threefold increase in crime, in our reality, increased air traffic and that air traffic being more concentrated with specific flight paths. This is madness not to have a study on the health effects since it is projected that air traffic will increase."

Response: See General Response GR-5.

Jet Fuel (EC-14)

Source: Robert A. Porto

Comment: Commenter is concerned about the effect of jet fuel on children and would like the danger to be highlighted to more parents.

Response: See General Response Gr-6.

General (EC-2)

Source: Robert Weisenfeld

Comment: "I would like to ask for a clearer explanation of the following two alternatives: Modifications to Existing Airspace, Integrated Airspace Alternative. Do either of these options involve new flight paths which will bring more noise and pollution to more neighborhoods currently not affected?"

Response: See General Response GR-35.

Global Warming (EC-3)

Source: Pia Davis, A Greene

Comment: Commenters feels that the potential increase of flight traffic and air pollution will add to global warming.

Response: See General Response GR-6.

General (EC-4)

Source: Steve Mahler, Anthony Farhat, Mary Lee Fulcher, Mark Friedland

Comment: "Noise pollution, air pollution, potential aviation accidents, and the ever present post 9/11 fear of jets being used as instruments of destruction are very real." Another notes that during warm weather the ground smells like jet

fuel as the planes fly over her neighborhood. Another final resident from Hasbrouck Heights notes the strong smell of jet fumes. One commenter also notes that the noise impacts are not properly addressed.

Response: See General Responses GR-5, GR-6, and GR-8.

Environmental Concerns, West Milford Township, NJ (EC-5)

Source: Unknown Commenter

Comment: Comment reads "I live in the middle of a forest. It is a watershed owned by the City of Newark, New Jersey. It supplies water to many, many people in many towns in New Jersey. This air traffic causes a turbulence which causes the trees to move their branches in an unnatural manner. This unnatural manner destroys the integrity of the cambium layer of the tree which in turn causes splits in the bark and eventually death of the trees. The watershed will not sustain the death of the trees and supply water to the cities in New Jersey."

Response: The FAA is unable to find scientific proof that air traffic turbulence produces any affect on trees. The exception would be trees located in the immediate vicinity of a runway end.

Fuel Dumping, Ulster County, NY (EC-6)

Source: Shelley Davis

Comment: Comment states: Planes are constantly dumping fuel which I believe has lead to an extremely high rate of

cancer near the LI airports. The Hudson Valley already has a high breast cancer rate due to apple orchard spraying. We don't need more reasons to die.

Response: The Federal Aviation Administration (FAA) sets requirements for when and how fuel dumping may occur in Order 7110.65P. The Order stipulates that fuel can only be dumped above a minimum altitude of 2,000 ft (610 m), to improve its evaporation, and that a dumping aircraft must be separated from other air traffic by at least 5 miles (8 km). Air traffic controllers are also instructed to direct planes dumping fuel away from populated areas and over large bodies of water as much as possible. The same guidelines apply to military aircraft, and most air bases only permit fuel dumping in a specified area. The ability to dump fuel is provided on large wide body aircraft such as the Boeing 747s. However, for smaller narrow body planes such as the Airbus 320 or Boeing 737 which weigh considerably less and are able to make a safe landing immediately after takeoff even when fully loaded these aircraft types are not equipped with and do not require an emergency fuel dump system.

It should be noted that fuel dumping is only done in emergency situations and is not an everyday occurrence. The cost of fuel makes fuel dumping even less attractive for airlines. Also see General Response GR-6.

Environmental Concern over Catskills (EC-7)

Source: Euphrosyne Bloom, Thomas Gale

Comment: Comment concerned the impact of re-routing over Catskill park. One notes that the noise will affect the recreational and scenic reserve and planes should be re-routed over I-87 instead. Another commenter notes that the Shawangunk Ridge is of increasing importance as a sanctuary for the expanse of noise near the metropolitan area.

Response: Comment noted. The FEIS includes additional analysis of potential impact to the Shawangunk Ridge. Air carriers and the residents of the communities below them agree that higher altitudes are desirable. Newark arrivals have been kept as high as possible in this area. The constraint that makes higher altitudes impossible is the presence of departures above them. Departures are generally louder than arrivals, so this is the best way to organize traffic from all points of view.

Wetlands in Saugerties (EC-8)

Source: Benno Schmidbaur

Comment: Comment concerns the impact of the wetlands and historical district near the Saugerties area.

Response: The Preferred Alternative does not involve any ground disturbances; there is no impact to the area noted by the commenter.

Highlands Region (EC-9)

Source: Robyn McGuinness

Comment: Comment expresses concern about the pollution from aircraft

affecting the Highlands Region and the water quality in the protected wetlands.

Response: See General Response GR-6.

USE OF DNL METRIC

Objections to DNL Measurements (DNL-1)

Source: Ann Marie Bauman-Schlimme, Nancy Seligson, Barbara Frawley, Gabriella Brown, David Swetland, Edward Cullen, Richard Kelly, Rick Rosenthal, Herbert Ribner, John F. Lynch, Joseph & Miriam Tort, Ronald Gumbaz, Victoria Marraccini, Rafel & Pam Pajaro, Eldon Priestley, Richard Goldstein

Comments: Comments express that the DNL metric is not meaningful because it is a 24 hour average. One comment suggests creating maximum occurrence of dB, rather than using the average. Another comment suggests measuring the peak noise levels rather than the average. One commenter is concerned about those residents whose DNL levels will not meet the threshold, but will hear two or three spikes of noise a day. One comment wishes that the FAA and mathematicians would report the actual acoustical levels rather than the averages.

Response: See General Response GR-4.

Unsure what DNL Means (DNL-2)

Source: Mary Ann Daliessio, Steve Feldgus

Comments: Commenters were unsure about what DNL means.

Response: See General Response GR-4.

Dissatisfaction with DNL (DNL-3)

Source: John Mooney, Eithne Mooney

Comments: Commenter feels he needs more information in addition to DNL, currently feels that any changes will negatively affect his quality of life and home value.

Response: See General Responses GR-4, GR-11, and GR-7.

DNL as Insufficient Measurement (DNL-4)

Source: Ronald Eligator

Comments: Commenters feel that the one year average DNL is not sufficient and that other scriptors should be used.

Response: See General Response GR-4.

DNL Archaic (DNL-5)

Source: Krause

Comments: Commenters states, "One of the problems with the FAA measurement of noise and trying to determine the impacts on our communities is their use of the 65-decibel measurement for a threshold. This is an archaic, out-of-date, dismal use of measurement. Most everyone than you talk to in the noise measurement field admits that the 65-decibel threshold is not adequate, that it should be changed to more accurately reflect noise impact. We were told the FAA was going to change this or was going to look into changing it. Please take this into consideration. It is not adequate to measure noise in communities that are not directly under the airport."

Response: See General Response GR-4.

DNL Inaccurate (DNL-6)

Source: Jack Gentempo

Comments: "One of the pieces of information that should be made available is the actual number of over flight for every census tract and block. This raw data I assume is a component in computing DNL values. The actual number of flights can be another valuable interpretive tool. For example, when I attended the FAA Redesign meeting recently at the Raritan Valley Community College the FAA consultant projected the number of flights for the tract and block of my residence. I found that the number was seriously flawed, well below the visual count that I can easily make on a daily basis. If this is the information that is input to create the DNL figure then I certainly can quibble

with that DNL value as not being representative. We get a huge number of planes vectoring our airspace and the actual count is very important."

Response: See General Response GR-4. Extensive analysis went into the noise modeling for this project.

ALTITUDE – LOW ALTITUDE

Low Altitude—Over Homes (ALTITUDE10)

Source: Christine P, Greg Green

Comments: Commenter felt that the low altitude of the planes caused structural damage to his home. Another commenter notes that the low flying planes create loud noises that disturb her children.

Response: Low frequency aircraft noise usually associated with rattling or vibration poses no known risk of adverse public health consequences, nor a risk of structural damage. Low level aircraft flights are not usually associated with vibration. See General Response GR-15.

Low Altitude—Cragmoor, NY (ALTITUDE11)

Source: Julie L. Gunning, Michael & Sharon A. Newman, Michael Stoltz

Comments: Several residents are concerned with the low flying planes

over their historical community. Several also note it is more fuel efficient to fly at high altitudes.

Response: See General Response GR-15, the commenter is correct aircraft are more fuel efficient at higher altitudes.

Low Altitude—Howard Beach, NY (ALTITUDE12)

Source: Stephen Limbers, Jean Dorsainvil, NO Name, Walter Carcione, Tuono Pihlava, Luis Amorim, Doris Petersen, Eugene Corcoran

Comments: Comments concerned with the fact that planes are too low and that, especially during the early morning (3 AM) flights, the planes are so loud the walls shake. Comments also include mention of flights failing to follow strobe lights while landing. One resident expressed concern about helicopters failing to follow the flight paths, as well.

Response: Comment noted.

Low Altitude—Union County, NJ (ALTITUDE13)

Source: Lori DiSarro, Laura Nejes, Robbin Cross, Tracy Sharp, Lori Barnett, Lupicki

Comments: Comments concerned with the fact that planes are too low and that during evening and late nights the planes already disturb their quality of life. Comments also include mentioning of the increase of low flying planes affecting the lives of the residents.

Response: Comment noted, see General Responses GR-15 and GR-11.

Low Altitude—Mendham Township, NJ (ALTITUDE14)

Source: Marion & Richard Rajoppi, Cecelia Donato, John & Maria Frey, Melissa Millward, James Mahood, Kristin Mikula

Comments: Comment notes that the planes are already at very low altitudes and an increase in low flying planes would be detrimental to the sanity of life.

Response: Comment noted. Also, see General Response GR-15.

Low Altitude—Montgomery, NJ (ALTITUDE15)

Source: Abby Friedman, Lisa Nelson

Comments: Commenters note that the altitude, more than the noise, is the concern with the redesign.

Response: See General Response Gr-15.

Low Altitude—Staten Island, NY (ALTITUDE16)

Source: Ann & Joseph Cogan

Comments: Commenters note that planes already fly low and that with re-

routing this problem would only be magnified with increased air traffic.

Response: See General Response GR-15.

Low Altitude—Bergen County, NJ (ALTITUDE19)

Source: Warren Feldman, Larry Warshaw, Harriet Zuk, Melanie Harada, Dorothy Mangieri, Doris & Henry Benvenisti, Marilyn Bresnak, John & Susan Gleeson, Steven McKenna, Stephanie Cochin, Unknown Commenter, Hank, Doris Donald Wszolek, Lauren Hulkower, Edward Schuck, Richard Herzberger, Eileen Daly, Susan Hameyer, David & Arlene Frangod, John Beck, Robert Darcey, Rich Curran, Andy Cooper, Miro Beverin, Denis Cainero, Carole & Victor Lotito, Kay Augustine, Joanne Rambella, Janson Media, Jim Moldow

Comments: Commenters concerned with the increase of low-flying planes before the re-routing occurs. Several commenters note particularly that the inclement weather traffic patterns rely heavily on low altitudes which are particularly loud, distressing, and dangerous. All comments opposed to the increase in planes--low altitude or otherwise.

Response: See General Response Gr-15.

**Low Altitude—Tinton Falls, NJ
(ALTITUDE2)**

Source: Ronald Gumbaz

Comments: Comments requested that the altitude of flights be increased over the study area.

Response: See General Response GR-15. The FAA's Preferred Alternative includes higher altitudes for various procedures. See also Appendices C and O.

**Low Altitude—Gloucester County, NJ
(ALTITUDE20)**

Source: Wayne Leiby, Cesare Cosenza

Comments: Comments concerned with the increasing number of low flying planes, before the re-routing even begins.

Response: See General Response GR-15.

**Low Altitude—Helicopters: NY, NY
(ALTITUDE21)**

Source: Marc Steve

Comments: I would also like to add a complaint about the number of low-level helicopter flyovers in this neighborhood [northern Manhattan]. This type of incursion has jumped dramatically in frequency over the past two years.

Response: Helicopter routes will not be affected by the Airspace Redesign. Helicopter flights are not included in the redesign nor is the mitigation of existing conditions.

**Low Altitude—Burlington County, NJ
(ALTITUDE23)**

Source: Richard Orecchio

Comments: Commenter notes that low flying planes and the plan to create layers in the sky creates unnecessary noise in areas surrounding Philadelphia.

Response: See General Response GR-15.

**Low Altitude—Nassau County, NY
(ALTITUDE24)**

Source: Unknown Commenter

Comments: The commenter notes that in the years since he purchased his home, the flights have increased and have been decreasing in altitude.

Response: Comment noted.

**Low Altitude—Union County, NJ
(ALTITUDE25)**

Source: Elisa Sartana, Alyssa Gray, Jennifer Sircacchi, Lee, E. Elliot, T. Sharp, Thomas Lutz, Murray, Dan Davis, C. Dema, Ana Vubro, Linda

Saieer, Aher Funver, Nele, Chol White, Melanie White, Richards, Kelly Bram, Brian Timmerman, John Cioffi, Jeffrey Robinson, Arnold Goldberg, Burns, Sarah Yingy, Karter, J. Perl, Colleton, Bill Mayer, Hillary Mayer, H. Ryan, M. Ryan, Leslie Quinn, W. Idorrilo, Charles Reese, S. Reese, Alt, Leon Ciampo, Richards, Lawyer, C. Lollerdo, Jaqueline Loughrer, L. Depinto, Alan Pevia, Betty Kaltnecker, Susan Hammell, K. Lael, J. Bere, Joan Kennelly, Adler, Ceadely, Chris Dellarso, Chris Weber, Suzanne Weigand, Saifee, H. Immer, Rumatimo, Miyuki Dellarso, Webes, McCabe, T Felter, Lisa Felter, Carolyn Klinger-Kueter, Chris Weigand, Sokol, Parsloe, Maloney, Luxceer, B. Marino, J. Marino, Alison Toates, Thorburn, Hinds, Sewald, Tennant, Mahony, Gilday, Corzi, Kamil, Manning, Reidy, Nachbur, Kobe, Engelhart, Jon Nicolas, Wylik, Mortone, Kirest, Dente

Comments: "I oppose the proposed FAA airspace redesign that lower the altitude of the planes that fly over Westfield NJ."

Response: See General Response GR-15. Comment noted.

**Low Altitude—Cranford, NJ
(ALTITUDE26)**

Source: Carey Krause

Comments: "I oppose the proposed FAA airspace redesign that lower the altitude of the planes that fly over Cranford, NJ."

Response: See General Response GR-15.

**Low Altitude—Brooklyn, NY
(ALTITUDE27)**

Source: Angela Antonino, Nicholas Piombino, Goldstein

Comments: Commenter notes that suggestions during the meeting to alleviate noise included raising the altitude of flights over Brooklyn, specifically the Park Slope. He would like this alternative to reduce noise considered.

Response: Comment noted. Assuming that LGA operations are of the most concern to the commenter the FAA's Preferred Alternative basically maintains existing arrival altitudes but dues allow departures to climb to higher altitudes than with the Future No Action Alternative.

**Low Altitude—Sussex County, NJ
(ALTITUDE28)**

Source: Joyce Okuniiewicz

Comments: Commenter notes that when spending time outdoors, she notices more and more low flying airplanes from Teterboro, La Guardia, Kennedy, and Morristown. She notes in a following letter that: "Using my personal observations, the contiguous area of Lake Sparta/Bel Air dr. /Fox trail/Boulder Ridge/Lake Paul has outrageously heavy traffic. Please note the proximity of major flyways V213,

V39, and most especially V249, which goes directly over these areas including Bel Air Drive. These flyways permit low-flying traffic as well as high, the former being much worsened by the land elevation of 1,200-1,300 ft. Traffic is not confined to these airways, as there is a great deal of directional variation on top of this." She continues to note the three main levels of problems: Traffic directed towards the Sparta VORTAC, traffic directed from the Sparta VORTAC to northeast Sparta, and the narrow route going southeast over Bel Air Drive. She hopes that these issues can be addressed separately and asks: "What does the town of Sparta have to do to get favorable treatment in the NY/NJ airspace redesign? How can I learn more about how traffic is determined within a VORTAC's region? And Will you please remove the low-flying, narrow pathway going southeast over Bel Air Drive? She continues her correspondence with the FAA in a third letter thanking for their information, and sharing maps with areas she would like further knowledge about.

Response: The FAA understands your concern about low flying aircraft, see General Response GR-15. No town is given special treatment for airspace redesign. For more information on air traffic considerations the commenter can consult the Aeronautical Information Manual, FAA's official guide to basic flight information and ATC procedures.

**Low Altitude—Harridon, NY
(ALTITUDE29)**

Source: Robert A Porto

Comments: "Since Runway 22 was opened, and jet altitudes have been lowered over Harrison, I have been getting more and more disgusted with the lack of regard by the FAA for our well being on the ground."

Response: Comment noted. See General Response GR-15.

Low Altitude—Newark, LaGuardia, JFK (ALTITUDE3)

Source: L Burns

Comments: Comments expressed concern about the low altitudes of flights near these airports.

Response: See General Response GR-15.

**Low Altitude—General
(ALTITUDE30)**

Source: Nina DeBiasio

Comments: "It disturbs me to see that areas, near JFK, in Nassau County are not nearly affected. Why?" Additionally the commenter suggests that the issue of planes flying too low over Howard Beach should have been addressed in the report.

Response: Existing conditions are discussed, but not mitigated in the EIS. See General Response GR-15.

**Low Altitude—Princeton, NJ
(ALTITUDE4)**

Source: William Garrison, Micahel Rockliff

Comments: The damage caused by the new holding patterns at low altitudes is not justified by the benefits according to the commenters.

Response: See General Response GR-15.

**Low Altitude—Westfield, NJ
(ALTITUDE5)**

Source: Kim Sokol

Comments: Commenter feels that planes are flying to low and opposes any flight path changes that allow planes to decrease their altitude.

Response: See General Response GR-15.

**Low Altitude—Springfield, NJ
(ALTITUDE6)**

Source: Unknown Commenter

Comments: Commenter feels that the low flying planes are a general hazard, create excessive noise, cause windows to rattle, and disturb life.

Response: Comment noted. See General Response GR-15.

**Low Altitude—Cranford, NJ
(ALTITUDE7)**

Source: Alex Porter, Michael DeNigris, Nicolle Lachenauer, The Van Cora Family

Comments: One commenter explains that planes fly lower when the humidity levels are higher. "They roar over our communities at an unacceptably low level and are very disturbing and frightening to children who may be out of ball fields or families in parks." Other comments express concern with the low flying planes in the area.

Response: Comment noted. See General Response GR-15.

**Low Altitude—Philadelphia, PA
(ALTITUDE8)**

Source: Michael Bonnette

Comments: "Upon arrival into Philadelphia pilots are often directed to unnecessarily low altitudes. This common practice on both visual and non-visual approaches is both noise unfriendly and fuel inefficient for the airlines. "

Response: Comment noted.

Low Altitude—West Milford Township, NJ (ALTITUDE9)

Source: Laura Hooper

Comments: "I live in West Milford Township, New Jersey, which is northern Passaic. I live on top of a mountain that is 1,350, approximately, feet. The air traffic comes at me from the northwest and banks directly over my home east. When I look up they are so low as to appear as large as my home. The planes are low and pass directly over me. I can wave sometimes at the passengers as the planes go by. I cannot report the numbers because they are not written on the bottoms of the wings. I cannot see the numbers as the plans are low and directly over me."

Response: Comment noted. See General Response GR-15.

Low Altitude—Roselle, NJ (ALTITUDE90)

Source: Peter Fanelli

Comments: "I oppose the proposed FAA airspace redesign that lower the altitude of the planes that fly over Roselle, NJ."

Response: See General Response GR-15.

AIR QUALITY

Air Quality – Meeting (AIRQUALITY1)

Source: Michael Rockliff, Helga Roberts

Comment: Commenter did not see anything at the public meeting regarding the air quality impacts. Comments are concerned with the fact that that the new plans would increase number of flights and, therefore, air pollution.

Response: See General Responses GR-6 and GR-14.

Air Quality – Randolph, NJ (AIRQUALITY10)

Source: Paul Kull, Robert Puhak

Comment: Commenter notes the engines' CO2 emissions are dispersed overhead and fall into the sensitive natural area.

Response: Carbon dioxide is an odorless, colorless non-flammable gas, which is naturally mainly found in air, but also in water as a part of the carbon cycle. Perhaps the commenter is references particulate matter. See General Response GR-6.

Air Quality – Cranford, NJ (AIRQUALITY11)

Source: Jean Miller, Erin Moonan, Andrew O'Neill, Krystina Riggi, Jay Chopra, Jillian Vanderhoff, John Drake, Hannah Buonaguro, Michael DeNigris, James Wismer

Comments: Comment expresses the belief that the re-routing of planes will have an adverse affect on the air quality in the area.

Response: See General Response GR-6.

**Air Quality – Catskills, NY
(AIRQUALITY12)**

Source: Bonnie Monchik

Comment: Comment concerns the fact that re-routing will affect the air pollution level in the Catskill Parks.

Response: See General Response GR-6.

**Air Quality – Elizabeth, NJ
(AIRQUALITY13)**

Source: Elizabeth Lutak

Comments: Comment concerns the health affects from the decrease in air quality. The resident notes that she neither smokes nor has asthma, but still has difficulty breathing.

Response: See General Response GR-6.

**Air Quality – Westfield, NJ
(AIRQUALITY14)**

Source: Cindy Gagliardi

Comments: Comment concerns the fact that re-routing planes over the residential area will increase the air pollution. One also notes that the rising fuel costs should not allow us to compromise the environment.

Response: See General Response GR-6.

**Air Quality – Union County, NJ
(AIRQUALITY15)**

Source: Liz Kingley, Anthony Bayate, Rafael Vasques Sr., Kim Wentworth, Charles Capro, Erwin Ramirez, Robbin Cross, Barry Levine, Liz Kingley

Comment: Comment concerns the fact that the re-routing would increase air pollution. Another comment noted that Union County already suffers from significant air pollution from air traffic. One resident notes that Union County, specifically Westfield, already suffers from pollution.

Response: See General Response GR-6.

**Air Quality – Morris County, NJ
(AIRQUALITY17)**

Source: Richard Brede, Stephen Bernt, Mitchell Krukar, Charles Capro, Suzanne Yerdon, Donna Magliano, James Durkin, Margaret Orio, Robyn McGuinness, Sophie Rosenfield, Robert Bush, Tom Holleran, Kristi Holz, Dave Stein, Suzette Dilzer, Mari & John Van Schaften, Conrad Kass, Vincent Schindel, Allen Bahrs, Marion & Richard Rajoppi, Diana Downs, Judy Garceau Alik Ellas

Comment: Comment notes that the potential increase in low flying aircraft will reduce the air quality of the area. One comment explains that the raise in air traffic will raise pollution levels and affect the quality of life of the residents. One comment was particularly

concerned about the increase in air pollution reducing property values. Another resident notes that the already existing air pollution will become worse. Many note that air quality affects not only their health, but their quality of life.

Response: See General Responses GR-6, GR-14, GR-7, and GR-11.

Air Quality – Howard Beach, NY (AIRQUALITY18)

Source: Nancy DiCroce, Angela Antonino, Mark Friedland

Comment: Comment concerned with the increase of planes affecting the air pollution levels in the area. One comment included fears of cancer and noted all the dirt and grime after a flight takes off. Another resident notes the increase in fuel emissions when the planes have to correct their paths which they failed to follow. One comment reads: "I attended the meeting in Howard Beach and received very surprising news; with all the studies done that cost millions of dollars, no one bothered to study the pollution and health effects of the plan. This is simply unacceptable. There are families living in Howard Beach and the health effects of increased air traffic must be evaluated." Another commenter states: "I do not know whether legislation requires the DEIS to address pollution, but the DEIS does not do so."

Response: See General Responses GR-6 and GR-5.

Air Quality – Gloucester County, NJ (AIRQUALITY19)

Source: Doris Atkinson

Comment: Comment concerned with the fact that the already poor quality air will get worse if the flight patterns are re-routed over the area.

Response: See General Response GR-6.

Air Quality – Health (AIRQUALITY2)

Source: Linda McConneyhead, Sybil Heine, Salvatore P. Neary

Comment: Comments concern the effect that frequently over passing airplanes have on air quality and, consequentially, health.

Response: See General Response GR-6.

Air Quality – Bergen County, NJ and New Castle DE (AIRQUALITY20)

Source: Kerri & Glenn Pernick, Suzan Dunkiel, Walter Romanski, Ronald & Evelyn Boley, Alan Scharfstein, Michael Lener, Robert Corwin, Elizabeth Olsen, Marion Mahn, Keren Baum, Eileen Daly, Tina Mouikis, Noreen Sciacchetano, Vilna Bashi, Treitler, Robert Sasena, Eldon Priestley, Melanie Zeman, John & Rose Bogert, Johanna Cairo, Larry Warshaw, Kristin Holtz, Elizabeth Stewart, John & Cynthia Reutershan, Maria Triantafilou, Gary Brooks, Nate Cloud, Beverly Barcelona, Deborah Porth, Jane & Jesse Greenwald, Sharon Cohen, Alessi, Joan Stalib, Joli Neslon, Michael Tracy, Allen Broadman, Lilet Martinez, Jennifer

Raspanti, Lorraine Stecher, Valerie Guba, Maud Guilfoyle, Herzberger Family & Richard Herzberger

Comment: Comment concerned with the increasing flight creating higher level of air pollution.

Response: See General Responses GR-14 and GR-6.

**Air Quality – Somerset County, NJ
(AIRQUALITY21)**

Source: Donna Daniele

Comment: Comments concerned with the air pollution from the increase of flights in the area.

Response: See General Responses GR-14 and GR-6.

**Air Quality – Westchester, NY
(AIRQUALITY22)**

Source: Barbara M. Dille, Greg Jarem, Helen Yarscak-Lanzotti, Vivian Bergenthal

Comment: Comments are concerned that with the increase of air traffic, the air quality will be damaged.

Response: See General Responses GR-14 and GR-6.

**Air Quality – Delaware County, PA
(AIRQUALITY23)**

Source: Mary Anne McAleavy

Comment: Comments are concerned with the increase of air pollution after the redesign is implemented. Note that there has not been an adequate investigation into this change in the DEIS.

Response: See General Response GR-6.

**Air Quality – Elizabeth, NJ
(AIRQUALITY24)**

Source: Angie Murrilo

Comment: Comments are concerned about the change in air quality. Several wonder if the FAA even considered/studied it.

Response: See General Response GR-6.

**Air Quality – Health
(AIRQUALITY4)**

Source: Jeannette Hall, Ronald Gumbaz, Maryjane Haley

Comment: Comments from Tinton Falls express concern about the possible increase in flights affecting the air quality, and consequentially the health of the residents. Commenters from Middletown also express concern about the air quality's affect on health.

Response: See General Response GR-6.

**Air Quality –General
(AIRQUALITY5)**

Source: Christine P., Krause

Comment Commenter states: "We have a severe air quality problem in this area, especially over the City of Elizabeth, and these proposals would increase that problem." Another commenter notes that the air quality of the unspecified area suffers from the increase in planes.

Response: See General Responses GR-6 and GR-14.

**Air Quality –Paulsboro, NJ
(AIRQUALITY6)**

Source: Maryjane Haley, Sally Kern, Dolores Prokapus

Comment Comments concern the increase in air pollution due to re-routed flights.

Response: See General Response GR-6.

**Air Quality –Floral Park, NJ
(AIRQUALITY7)**

Source: Wiliam Brunskill, Kathleen Donnelly

Comment: Commenter is concerned that the increase in flights due to re-routing that will increase air pollution.

Response: See General Response GR-6 and GR-14.

**Air Quality –Parsippany, NJ
(AIRQUALITY8)**

Source: Unknown Commenter

Comment Commenter notes that there was no attempt to reduce pollution for low flying planes in the DEIS. It notes that one solution would be to re-route over water.

Response: See General Response GR-6.

NOISE - GENERAL

Larchmont, NY --(NOISE1)

Source: T.J. Russo, Richard Ward, Lou Pollak, Mindy Gura, Eita Elpeleta, Sondra & Seymour Rosalsky, Robert Chichetti, Sarah Khedouri, Nancy Dorigi, Herb Myers, Tara Anderson, Sarah Khedouri, Jessica Mollin, Mark Friedland

Comment: Residents are concerned about the existing noise in Larchmont and surrounding areas. One commenter notes that he and his family are no

longer able to sit outdoors. One commenter reports that the noise is distracting and irritating. One commenter is aware that other areas are affected, but would like to see the FAA offer a response to the specific needs of the Larchmont area. All acknowledge that the noise has gotten worse over the years.

Response: See General Responses GR-17 and GR-35.

New York --(NOISE10)

Source: Robin Etzler, Elizabeth Mooney Sybil Heine, Ronald Gumbaz, Victoria Marraccini, Mark Stewart, Frances Vukek, June Kenny, Anna Leggio, Eleanor Re, Anna Re, Frances Russo, Frances Russo, Robert Lucszynski

Comment: Comments indicate that the noise must be addressed and that alternative plans should have been included in the DEIS report. Many express frustrations of the noise continually getting worse over the years. One commenter notes that his daughters can read the numbers on the sides of the planes as they pass by his house. Comments request that after airplanes be re-routed they remain quiet between 10 pm and 7 am.

Response: The FAA's Preferred Alternative with mitigation eliminates all significant noise impacts. Operational restrictions can not be implemented without a Part 161 Study, which are promoted by Airport Sponsors.

Uniondale, New York Areas --(NOISE11)

Source: Bruce Huber, Robert Lulskzynsky, Eleanor Re

Comment: Comments indicate the existing noise is already too loud and express wishes that the planes to be re-directed elsewhere. One comment notes that conversations outdoors are often rendered impossible. Suggestions for re-routing planes include: Queens County.

Response: Comment noted.

Jackson Heights, NY --(NOISE14)

Source: Douglas Nagy, Arthur & Janet Sisco, Rosemarie Poveromo, Catherine Fallon

Comment: Comments oppose the redesign because noise, as well as air traffic, will increase.

Response: See General Responses GR-14 and GR-35.

Central New Jersey --(NOISE15)

Source: Alice O'Reilly

Comment: Comments note how existing noise levels affect sleep. Comments also

note that failure to re-route over ocean will result in higher noise levels.

Response: See General Response GR-35.

Noise over Reston, VA --(NOISE16)

Source: Dorothy Connolly, Seymour Levine

Comment: Commenter expressed concern about already existing noise levels and explains that the plans proposed would increase number of planes 600%. Another comment notes that the noise has become so loud that the quality of life is decreasing, windows are rattling, and bedrooms shake.

Response: See General Responses GR-14 and GR-35.

General --(NOISE17)

Source: Christine P., Gerri Stiner, Lou DeLuccia, Edward Gwizdz

Comment: Comment notes that the proposal will increase noise pollution. Comments find all current proposals unacceptable.

Response: Comment noted. See General Response GR-35.

Cranford, NJ --(NOISE18)

Source: June Tooni, Seymour Britan, Erin Moonan, Andrew O'Neill, Krystina Riggi, Jay Chopra, Jillian Vanderhoff, John Drake, Robbin Cross, Hannah Buonaguro, Dan Foote, Anne & Dexter, Johnston, Alan Lieberman, Johanna Murillo, Julie Gunning, Michael DeNigris, Nicolle Lachenauer, Jack Bober, David Swetland, Amy Wang, Krause, James Wismer, Richard Van Cora, Judith Pupoli, JoLynn Judka, David Casiere, Warren Hehl, Robert McCarthy, The Van Cora Family, Charles Capro, Jacqueline Capro, Kerry Rokicki, Joseph Lopes, Bob & Janet Bevan, Kurtis Krause, Wayne Greenstore, Mike Rokicki, Susan Kassouf, Arthur Gagen, Vincent Fitzgerald, Richard Wilson, C.J. De Cotiis, Ellen Hunt, Vincent McFadden, William Johnson, Barbara Britan, James Manning, George Jorn, James Manning, Anthony Laveglia, Art Blaufeder, JoLynn Judka, Hollister Sykes, JoLynn Judka, Brian Campbell, Barbara Briton-Seymour, Emily Wisgerber, Connor Harkins, Jeff Slivinski, Kristen Labbate, Pat Kaskiw, Chloe Connolly, Connor Londregan, Rob Stratton, Chris Markowski, Jacob Kovolisky, Christopher McNerney, Jolynn Judka, Kenneth Dahl, Pamela & Edward Reichenberg, John Mario, Amy Casiere, Carol Reilly, Jeannie Chan, Gordon Smith, Rosanne Barone, Christianne Maurigi, JoLynn Judka, Elizabeth & Thomas Gladwell, PJ Judka, Michael Venditti, Peter C Orlandi, Jeffrey Pistol, James Loderstedt, Annemarie McCarthy, Robert Puhak, Jean Miller, Seymour Britan, John Mooney, John Kasperan, Jo Hoffacker

Comment: Comments explains that the existing noise levels affects their small

children's sleep patterns and the fear that proposed plans will increase levels to an unbearable level. Multiple comments express concerns about the lack of sleep. One comment noted that the increase in noise would be about 3/1. Concerns among the residents include their houses vibrating, the affect of noise on their physical health. One comment expressed that noise levels are expected to double once the air flights are re-routed. Another comment noted that hearing the planes during the day and evening was stressful for both parents and children. Many comments expressed concern about the changes bringing an increase in air traffic. A comment claims that over 35,000 residents will see a doubling of noise, in addition to even more residents being affected in less severe ways. One comment notes that in addition to the noise levels increasing, that it should be the responsibility of the FAA to consider proposals that would seriously mitigate the noise. One person notes that he will gladly pay extra for his plane tickets so he can live without the noise and other pollutants. One comment likened it to living beneath three layers of interstate highways and noted that the noise was not a matter of NIMBY, but rather a matter of sharing the burden. He noted that the entire surrounding area benefitted from having the international airport nearby and that it only seemed logical that the areas that share the benefit, share the costs as well. Another resident would like the FAA to take noise and efficiency into consideration when making the decision about re-routing. One family notes that while they appreciate the convenience to the airport, any further shift in flights affecting the noise, would affect their children. A final commenter notes that the low flying helicopters are quite a

disturbance as well. One comment, from multiple students, notes that the planes can be disturbing in school and the town would not be the same with air traffic overhead. A great number of the comments noted how the style of life in the town would be affected with an increase in planes overhead. A common theme is also concerns about the decrease in property value.

Response: See General Responses GR-14, GR-5, GR-27, and GR-35. Helicopter routes are not changed in the Airspace Redesign and not included in the noise modeling.

Roselle Park, NJ --(NOISE19)

Source: Nathan Goldfarb, Peter Rufo

Comment: Commenter concerned about already loud noise and the proposal which will increase air traffic.

Response: See General Response GR-14.

Springfield, NJ --(NOISE20)

Source: Eric Sokol, Mark Hurwitz, Barbara Starr, Clara Harelik, Martine Donofrio

Comment: Comments about noise levels affecting health and concerned about vibrating homes. One comment notes particularly that the noise is distracting and annoying over schools.

Response: See General Response GR-5.
Comment noted.

Elizabeth, NJ --(NOISE21)

Source: Rosemary Millet, Angie Murrilo, Dominga & Bernardino Barrera, Alexander Mirabella, Peterson, Alexander Sharpe, Elizabeth Lutak

Comment: Comments concern the already high levels of noise increasing because of the proposed changes. One comment also expressed specific concerns about land value and quality of life. One comment notes that if the 'fanning proposal' passes, then the noise will increase three-fold. A final comment concerns the possibility of deafness because of the frequent shouting.

Response: See General responses GR-35, GR-17, GR-11, and GR-5.

Union, NJ --(NOISE22)

Source: William Enriken

Comment: Comment concerns the extended increase of noise having affects on health and quality of life. Many residents express dissatisfaction with the FAAs current proposals--specifically the lack of noise mitigating.

Response: See General Responses GR-5, GR-11, and GR-35.

Berkeley Heights, NJ --(NOISE23)

Source: Robert Ragazzo

Comment: Comment concerns the noise and the increase in air traffic over the past 15 years. Several note the proposals will make worse rather than better the noise.

Response: See General Responses GR-34 and GR-35.

Westfield, NJ --(NOISE24)

Source: Jetm(a), Barry Levine, Cindy Gagliardi, Kim Sokol, Liz Kingley, Ann Smiley, Grace Meyn, Thomas & Claire Byrne

Comment: Comment concerns the already existing noise levels and notes that the integrated plan would dramatically increase the noise in the community. One comment explains that the noise is already unbearable and that putting more air traffic over the residential areas is not a solution. One comment notes that the re-routing will provide little benefit for the dramatic increase in noise.

Response: See General Responses GR-35, GR-14, and GR-12.

Paulsboro, NJ --(NOISE25)

Source: Maryjane Haley, Sally Kern, Dolores Prokapus, Michael Bonnette, Joseph Coulombe, Maraion Kaisla, Katherine Dewechter, Raymond Shoemaker, Christie Hall, James Wilson

Comment: Comment concerns the existing noise and feels that re-routing will do little or nothing to alleviate the problem. Comments express that the FAA should choose an alternative that would not add another negative to the South Jersey communities. One comment notes that the noise is so loud that the windows vibrate. Another comment notes that the proposal has no action to reduce noise in the Philadelphia and surrounding areas. One comment points out that the increase in flights will lead to and increase in noise and add to the degradation of the quality of life. Another comment notes that the experience of enjoying the town's new ballpark is tarnished by the aircraft noise.

Response: See General Responses GR-35, GR-14, and GR-11.

Fanwood, NJ --(NOISE26)

Source: Ribner Mira

Comment: Comment concerns the already existing noise. Comments also note that quality time outdoors is severely impacted by the noise.

Response: Existing conditions are disclosed, but not mitigated in the EIS. Comment noted.

Yorkland, Delaware --(NOISE27)

Source: Unknown Commenter

Comment: Comment concerns the increasing frequency of noise, as well as the residents losing sleep and suffering from rattling windows.

Response: Existing conditions are disclosed, but not mitigated in the EIS. See General Responses GR-34 and GR-35. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep disturbance in the overall Study Area will not be increased. Furthermore, with mitigation of the FAA's Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action.

Middletown, NJ --(NOISE28)

Source: Richard McOmber

Comment: Comment concerns the increase in air traffic and density which will increasing the noise that will result

from the 12 new departure pathways and six new arrival pathways.

Response: See General Responses Gr-14 and GR-35.

Wilmington, Delaware --(NOISE29)

Source: John Welsh, Roberta Simon, Kenneth Arnold, Stephen Donato

Comment: Comments express that the economic benefit of the airport is being favored over the serious noise impact. Several comments from the Wilmington area also noted that during inclement weather, the otherwise bearable noise becomes so severe it affects hearing and medical conditions. One commenter notes that: "Although I have hearing loss, I am still startled out of a deep sleep at times by air traffic noise, even with out windows closed."

Response: See General Responses GR-12 and GR-5. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep disturbance in the overall Study Area will not be increased. Furthermore, with mitigation of the FAA's Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action.

Tinicom Township, PA --(NOISE30)

Source: Siavash Forootan

Comment: Comments note that the noise is so extreme it shakes the bed in the night and because of the noise, the property values are decreasing steadily. Many feel the noise levels are unacceptable.

Response: See General Responses GR-7 and GR-35.

Floral Park, NJ --(NOISE31)

Source: Doreen Thompson

Comment: Comment notes that many nights its too loud to sleep due to the constant low flying aircraft. Resident is disappointed because she understood that this increase was going to be temporary, yet it still continues. She feels that the constant noise is degrading her ability to function.

Response: Existing conditions are disclosed, but not mitigated. The FAA is unsure as to what increases the commenter references. See general response GR-35.

Florham Park, NJ --(NOISE32)

Source: Barbara Sachao

Comment: Comment notes that children cannot hear in schools and that the lack of sleep leaves them more vulnerable to disease and health injuries.

Response: Comment noted. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep disturbance in the overall Study Area will not be increased. Furthermore, with mitigation of the FAA's Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action.

complains of screaming engines waking him up at 5am. Comments note that the health agencies report that noise causes stress and stress negatively affects the immune system. Another resident is concerned about the noise going up more than 5 DNL which is 3 times the current level.

Response: See General Responses GR-11, GR-35, and GR-5.

Leedom Estates --(NOISE35)

Source: William Stauffer, Gary Blades

Comment: Comments express that the noise in the house when flights are overhead is unbearable.

Response: Comment noted.

West Milford, New Jersey --(NOISE36)

Source: Laura Hooper

Comment: Comment states, "The noise of these planes is multiplied by the fact that the background noise is zero. And the whine is so piercing that I have a ringing in one of my ears that does not quit. It's tinnitus. It's from jet noise."

Response: The FAA notes that it is impossible to have background noise of zero outside of a laboratory condition. Comment noted.

Parsippany, NJ --(NOISE34)

Source: Paul Kull, Donald Riley, Martin Mackin, Ann Denise Korinda, Ram Rathore, Gary Wyssling, Mary Lee Fulcher

Comment: Comment expresses that the current flight patterns day and night are affecting the quality of life in the area and that the proposed changes would have a negative impact. One resident

Hasbrouck Heights, NJ --(NOISE37)

Source: Anthony Farhat

Comment: Comment notes that noise levels are unbearable and that Teterboro should have a night curfew so that sleep is not lost.

Response: Comment noted. Also see General Response GR-28.

Stirling, NJ --(NOISE38)

Source: Walter Matystik, Christine Blocker

Comment: Comment notes that the noise has increased recently from over passing aircraft. He notes times as early as 3 am, and was told by the FAA's complaints department that it was Newark Airports Runway 4. Comment notes that their constantly disturbed in their sleep.

Response: Comment noted. See General Response GR-35. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep disturbance in the

overall Study Area will not be increased. Furthermore, with mitigation of the FAA's Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action.

Ulster County, NY --(NOISE39)

Source: Dave Colavito, Linda Rogers, Branca Costa, Ed Doyle, Josepha Gutelius, Elizabeth Reece, Sharon Raphael, Ed Moran, Stephen MacDonald, Burnette Tai, Anton Sanko

Comment: Comment concerns the flight path being moved over the Thruway. One resident suggests that they move the path further westward over terrain that is more challenged for development. One resident is concerned about the park reserves and Shawangunk Ridge. One comment notes that the Hudson River area will not be anymore used to the noise than any other area. A resident declares that she moved to this county because of the peaceful environment and feels any changes that would jeopardize this are unnecessary. A final comment appreciates the peace since the 1980's re-routing and would like officials to consider the Shawangunk Ridge and its surrounding communities when re-routing and changing noise levels.

Response: See General Responses Gr-26, GR-35, and GR-10.

Woodbridge, NY --(NOISE4)

Source: Helga Roberts, Ken Gardner, Eileen Sosin

Comment: Comments were concerned with the existing noise over the Woodbridge and surrounding areas and requested a plan with a means of noise reduction.

Response: Existing conditions are disclosed but not mitigated. See General Response GR-35.

Saugerties, NY --(NOISE40)

Source: Shelley Davis, Benno Schmidbaur, Melanie Gardner, Stephen Wallach

Comment: Comments oppose any changes that will impact the noise over the Thruway. One comment notes that the current noise makes everything in the house shake, while another notes that the noise currently is tolerable and prefers no action.

Response: See General Responses Gr-34 and GR-35.

Kingston, NY --(NOISE41)

Source: Fred Kerhonkson, Bonnie Monchik, L. Michael & Sharon A. Newman, Edgar Smith, June Taggart, Joanne Bierschenk, Roy Hochberg, Pia Davis, Patricia Peters, Marilyn Peterson, Martin Keith, Luke Hunsberger, Julia

Szabo, Kenneth Wapner, Matthew Immergut, Deborah Constable, Gale Brownlee, Benno Schmidbaur, Matthew Immergut, Nicole Roskos, Roni Shapiro, Martin Keith

Comment: Comments concern the noise from re-routing planes and the increasing air traffic over the V213. One comment notes that the noise issue appears meaningless to those running the meeting. Another comment points out that the noise will negatively impact the environment. Many comments were particularly concerned with noise in the Catskill Park area. One comment notes that over the past ten years the residents have been promised the noise concerns would be addressed and hope now that Talco V213 can be re-routed away from the Catskills. Another comment notes that efficiency is not more important than noise abatement and that noise in this area needs to be included as part of any comprehensive redesign. One comment explains that the homes on the Shawangunk Ridge were shaken last week by low flying planes. The noise issues require full adjudication and that these issues should be considered in the DEIS. Comments also are concerning the restoring and protecting the Catskill Park. One suggestion includes re-routing along the Hudson River where the population density, trains, and city noise will drownout the airplane noise. One resident is concerned about Talco V213 flying over Minnewaska park, Catskill Park, Shawangunk Mountain, and other areas of nature. The comment expresses concern for the Ashokan Reserve which provides NYC drinkers with their water. It notes that the V213 is negativley impacting the peace and quiet of these areas. One comment noted particularly

the high density of Newark bound traffic affecting the area of Kingston. he notes that this particular pattern is called V213 and suggests that it be altered. A final comment included the necessity to preserve the peace near Cragmoor, a historical community. Multiple residents were particularly frustrated with the inability to tell if there was going to be more or less noise.

Response: The Preferred Alternative moved the centerline of the southbound EWR arrival flow about 15 miles east of the current V213. Aircraft are not all aligned on this track; a band ten miles wide will pick up about two thirds of the flights. The centerline of the new path is not exactly parallel, but is typically within 6 miles of the New York State Thruway. The No-Action noise level in the areas under the new flow, where noise increases, are about 35 dB DNL. That is similar to living near a busy two-lane road. The Preferred-Alternative noise level in the area of Ulster County from which the V213 traffic was moved is about 10 dB DNL (that is the total, not the change), which is so low that we may conclude that most noise audible in the area will come from sources other than aircraft. This noise redistribution matches well with the comments received in the scoping and Draft EIS phases of the study, so no changes were made to the Preferred Alternative in Ulster County for the mitigation phase.

Also see General Responses GR-10, GR-1, GR-26, GR-6, and Gr-35.

FAA Decibel Standards --(NOISE42)

Source: Daniel Weeks

Comment: Comment expresses disappointment that noise levels under 45 dBs are not considered significant impact and expresses resident's belief that 45 decibels should be considered significant impact.

Response: The criteria applied to assess and classify impacts are based on FAA policies and requirements stated in FAA Order 1050.1E. This criterion was generally an adoption of the recommendations made by the FICON in 1992. Refer to those documents for more information regarding the evolution of the criteria. Predicted aircraft DNL values for each alternative were provided for the entire Study Area regardless of whether they met the FAA impact criteria. In consideration of the public response to past air traffic changes, the FAA has expanded its area of consideration beyond that of the Part 150 guidelines down to the 45 DNL. The agency has identified a threshold of a +5 DNL change (between 45 and 60 DNL) to identify slight to moderate changes at lower levels. The results of the changes in noise that meet this threshold are thoroughly documented in the DEIS.

New Hyde Park, NY --(NOISE43)

Source: Rosemarie Lucszynski
Liperuote

Comment: Comment concerns the increasing noise level in the New Hyde Park area which is disturbing her sleep. Other comments note the increasing severity of the noise levels.

Response: See General Responses GR-14 and GR-35. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep disturbance in the overall Study Area will not be increased. Furthermore, with mitigation of the FAA's Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action.

Gloucester County, PA --(NOISE44)

Source: Thersesa Gorman

Comment: Comments concern the expansion of Philadelphia airport and the consequential increase of noise in the area. Residents note that the noise is already considerable and that the property value is beginning to suffer, in addition to windows rattling.

Response: Expansion of the Philadelphia Airport is a separate undertaking and is only considered cumulatively in this EIS. See General Response GR-7.

Connecticut --(NOISE45)

Source: Tony Morico, Judi Mandi, Lauri Zarin, Woody Whochwender, Woody Wochswenderm, Anita Holmes

Comment: Comments concern about the increase in noise over the north east, particularly the Connecticut areas. One commenter noted: "There is a jet every 2.5 minutes, all day, every day. What do you people think this is, Queens?" Another comment expressed concern about the Bradley International airport routes which are affecting the noise levels despite the fact that the airport is 60 miles away. One comment from Branford, CT notes that current noise levels are much too high.

Response: Comment noted. See General Response GR-35. There are no reportable noise changes in CT due to the Proposed Action.

Folsom, PA --(NOISE46)

Source: Elie Eashrel, Miranda Purves, Lilian Whitaker

Comment: Comments concern the noise level and that it has not properly been taken into consideration when evaluating the Integrated plan. One comment is concerned about the noise of low flying jets rattling her window.

Response: The FAA disagrees with the commenter; noise has been extensively analyzed in the EIS. See General Response GR-15.

Brooklyn, NY --(NOISE47)

Source: John Berman, Toni Simon

Comment: Comments note the terrible noise over the neighborhood. Comments include complaints of sleep disturbance and inability to concentrate. A resident also notes that the air traffic noise levels over the Botanic Garden and Prospect Park are entirely too loud for areas where residents generally go to relax. Another resident notes the FAA has little respect for the residents of Brooklyn and that the Port Authority is a big part of the noise problem.

Response: Comment noted. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep disturbance in the overall Study Area will not be increased. Furthermore, with mitigation of the FAA's Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action.

Morris County, NJ --(NOISE48)

Source: Barbara-Barrett Kolton-Barkol, Thomas & Susan Denning, James Durkin, Margaret Orio, Robyn McGuinness, Sophie Rosenfield, Robert Bush, Tom Holleran, Kristi Holz, Dave Stein, Suzette Dilzer, Mari & John Van Schaften, Conrad Kass, Joseph Arvay, Carol Forte, Kristin Mikula, Bob Short, Celeste Moran, Rafel & Pam Pajaro, Bill Gourgey, Michelle Holland, Suzanne Molner, Catherine Hays, Liz Woodhour, Elaine Thornberry, Nadine Pechmann, John Donoghue, Patricia Martina, David Odenath, Vitas Roman, Gary&Joan Maillard, Flora & Andreas Frangoudis, Caren Harris, Robin Holleran, Amanda Garceau, Vincent Schindel, Merrilea Brunell, Beth & Tom Schade, Neil Szigethy, Charles Gilbert, B Sachau, Jane Robinson, Jason Fowler, Tracy Lowry, Linda Root, Kyle Maguire, Debra Ricciardi, David McMullen, Elizabeth Loree, Gene Preston, Katrina Tarplin, Sandra Laughlin, Danielle Sprouls, Richard Rehak, Dennis Wharton, John Neufville, Genny Warren, Janice Beck, Janice Beck, M Haske, Scott Spelker, Jon Mikula, Mark Alexion, Kathryn Schumacher, Gary & Joan Maillard, Aliko Ellas, Perry Trach, Lorraine Fleming, Cheryl Graziano, Amy & Michael Pirrello, Beth Salamon, Donna Magliano, Melissa Millward

Comment: Comments concern the dramatic increasing noise over Morris County from the re-routing. Comments suggest ocean routing as option that citizens, as well as politicians, support. One comment notes that the redesign plan will increase the noise over Morris County and that the only acceptable plan is the ocean routing. One resident notes that the current level is already above the acceptable level and suggests that a

change in flight times may be beneficial. One resident comments that after looking at studies it seems that the air traffic and noise will increase after the re-routing and prefers the noise level to remain minimal. One resident notes that the decibels could exceed 65 and that because of this it should not pass FAA standards. A new home buyer finds the increase in noise levels unacceptable. Residents complain that under this plan the estimated noise and pollution levels are expected to increase exponentially. One comment notes that Morris County should not be required to take the brunt of all four airports that the burden of air traffic noise should be shared among all the counties. One resident is particularly concerned with flights from Laganardia and JFK. One comment notes that not only would noise increase, but it would increase by 10 fold because decibels are measured logarithmically. One comment notes that while the jets flying to the larger airports are annoying, the ones that are terrible are those that land at Morristown Airport. It notes that the jets should follow the same flight paths as the helicopters.

Response: See General Responses GR-35, GR-6, and GR-14. Comments noted.

Howard Beach, NY --(NOISE49)

Source: Karen Casalaspro, Nina DeBiasio, David Quintana, Unknown Commenter, Robert Stantzenberg, Barbara McCormick, Peter Granickas, Laura David, Frances Scarantino, John Fazio, Stephen Limbers, Doris Petersen

Comment: Comments note that the noise is unbearable from early in the morning until almost midnight. Another notes that another tragedy, similar to 9/11, should not be necessary to relieve the noise. Another comment explains that the noise in Howard Beach is loud enough to prevent the opening windows in order to save air conditioning costs. Another resident explains that there seems to be no difference in the noise levels of the plans and that this area is already at 60 DNL, which is too high. Many comments explain that the noise would be greatly reduced if the planes followed the 'sound abatement' lights that are already in place. Another comment is expressly concerned with the noise in the schools (specifically PS.MS 207) and is concerned about the noise distracting the students. Another resident believes that the high levels of noise are not only distracting for the children in the school, but that these levels are adversely affecting their health and hearing. A third commenter also noted that the children in the school were going to be affected by the increase in noise. The owner of a daycare notes that children's development is changed by the loud planes.

Response: See General Responses GR-35 and GR-5.

Plainfield and Somerville --(NOISE5)

Source: Joyce Drake, Ralph Bankert

Comment: Comments concerned the existing noise in the neighborhood. One commentator expressed that it is too late to reduce current noise levels, but efforts

should be made to keep them from rising.

Response: See General Response GR-35.

Short Hills, NJ --(NOISE50)

Source: Bart Creedon

Comment: Comment concerns the noise levels already being intrusive and explains that the increase in sound levels would be unacceptable.

Response: See General Response GR-35.

Union County, NJ --(NOISE51)

Source: Erwin Ramirez, Rob Belva, Lori DiSarro, Arnold Kristie, Anthony Bayate, Rafael Vasques Sr., Allen Bahrs, Diane Ernst, Traci Howell, Tracy Sharp, Lori Barnett, Lupicki, Monica Gundrum, Andrew Hamersley, Anne-Erik Marie-Palfrey, Maureen Cameron, R Mullett, Michael Klein, D Partesi, JoLynn Judka, Gunther McKeown, Roe Romano, JoLynn Judka, Mathew DeBenedetto, Bernadette Tivenan, Meghan Terry, Bill Hendra, Lisa Bleich, Maricar Postaski, Sharon Gernsheimer, Marie Madden, Dan Madden, David & Robin Wood, Debbie Grable, Ruth Maloney

Comment: Comments explain that the change in departure routes out of Newark will negatively impact Union

County. Comments note that the current noise is perfectly fine, but that any increase in noise would be too much. Another resident notes that he is opposed to redirecting the planes over Union County because of noise increase from the low flying planes. One comment notes that the combination of train whistles and plane noises is unbearable. Another comment notes that the current planes frighten children and affect quality of life. One commenter notes that noise is bearable at current altitudes, but expresses fears that re-routing will increase noise. Another resident notes that planes taking off in the south and making an immediate westward turn have much lower altitudes and cause much more noise disturbance. One comment notes that it is bad enough to have noise pollution, the changes will make it much worse. One comment notes particularly that Runways 22 and 11 having simultaneous arrivals is not only loud, but possibly dangerous. Many express concern about the inconsideration of the FAA.

Response: See General Responses GR-35, GR-5, GR-15, GR-11, and GR-8.

Bergen County, NJ --(NOISE52)

Source: Walter Romanski, Ronald & Evelyn Boley, Michael Lener, Elise Schneider, Rod Utah, Peggy McGee, Sona & Leo Manuelian, Jim Moldow, Janson Media, Joanne Rambella, Donna & Tom Adair, Lottie Esteban, Mark Menzella, David Wankoff, Elizabeth Olsen, Marion Mahn, Keren Baum, Beverly Barcelona, Deborah Porth, Jane & Jesse Greenwald, Sharon Cohen

Alessi, Joan Stalib, Joli Neslon, Michael Tracy, Allen Broadman, Lilet Martinez, Jennifer Raspanti, Lorraine Stecher, Valerie Guba, Maud Guilfoyle, Greg Jarem, Dorothea Gagliardi, Zachary & Monika Zalewski, Michele Haberli, Carol Russo, Cathy & Bruce Hodgdon, Samuel M. Angelo, Tom McKenna, Ella Raber, Michael Wergel, Karen White, AnnMarie Montanti, William Raymond, Tom McKenna, David Keller, John Rossi, Dick Zawitkowski, Joyce Wellenkamp, Eric Altneu, Seth & Nicole Kaplan, Madeline Bogdan, Mary Esposito, Eileen Daly, Family Herzberger, Richard Herzberger, Edward Schuck, Lauren Hulkower, Donald Wszolek, Hank Doris, Stephanie Cochin, Steven McKenna, John & Susan Gleeson, Marilyn Bresnak, Doris & Henry Benvenisti, Dorothy Mangieri, Melanie Harada, Susan Hameyer, Rich Baudisch, Kathleen & Demarest Demarest Jr., Anthony Giannantonio, Tina Mouikis, Cesar Carvalho, Kim & Robert Diccianni, Noreen Sciacchetano, Stewart & Rita Golding, Alex Gontcharov, Nina Swankie, Mary Sullivan, Bruce Belowich, Brenda & Richard Wenning, Michael Weinthal, Chris & Susanne Patunas, Ann Napier, Carol & Herman Kruegle, Barbara & Kenneth Koons, Donna Setola, Elisa Odell, Robert LeDonne, Amy & Brian LaLonde, Howard Smith, Elizabeth Olsen, Steven Rothstein, Haekyung Hong, Wonho Hong, Rachel & Family McGouran, Sandra Heiser, Melta Stuart, Harold Ganz, Alice-Marie Schwenkler, Geoffrey & Audrey Cheatham, Nakkil Jung, Louise&Ronald Tuchman, Cheryl & Anthony La Spada, Gloria Lammers, Kaoru&Takumi Miyata, Lawrence Smeen, Sandra L. Ellsworth, Patricia Cozza, F Murno, Stephen T. Morgan, Jon Racich, Cori Seferian, Richard &

Dawn Marshall, Tammy Levinson, Linda Francis, Ruta & Dean & Family Fiorino, Stuart Silfen, Scott Conchar, Joan & James Gifas, Paul Garfinkel, Kevin & Carol McCabe, Keri Turnamian-Todisco, Debra & Jay Dunne, Lisa & Ross Quinn, Gary Nicolini, James DeProspero, Lisa Sunseri, Grace Meyer, Barbara Freier, John Corcoran, John Wood, Walter Jones, Richard&Evelyn Wilz, Rosemary Wolff, Dominique Bournot, Steven & Barbara Pelly, Linda Lammers, Helene & Norman Wattman, Edward Atlas, Eileen Hoyt-Fernandez, David Moskowitz, Jeananne Marrone, Tim DeChiara, Jim Carlsen, Luciano Iannucci, Johann Safar, Genesis&Margaret Vicini, Sara Zahn, Margaret & Alfred Murphy, Janet & Martin Chambers, Yvonne Lombardo, Steven Ornstein, Sharon Colgan, Fangming Kong, Elizabeth Clark, Brian Wentland, Jeffrey Rowbottom, Michael Donne, Robert McErlean, Adam Shapiro, Ralf Henrich, Linda Emmich, Kevin McManus, Maria Ferrara, Patricia Nannery, Vitaliy Vayda, Renee&Vincent Picciotto, Bob&Clare Feulner, Daniel Brennan, Bruno & Gretchen Shimanek-Cividini, Yashwant Patel, Tina Brodsky, Ann Pareti, Emalee Cronwell, Vilna Bashi Treitler, Nancy Goldman, Glenn Pagano, Helen O'Brian, Leon & Eleanor Kobrin, Pearl & Freddy Vines, John Fleming, Sheldon & Family Lustigman, Patricia J. Krieger, Sharon Basu, Toni Goddin, Susan & Pete Leibeskind, Jeff Matesic, Lynn Scheps, Sharon Sogliuzzo, Thomas & Carmen O'Brian, Masahi Noriko Maiko Isobe, Lynn & Family Reiff, Ken Schmitt, Mary Jo & Louis Panepinto, Richard Devanna, Ellen George, Mark I. Baumgarten, Marla Kallin, Family Paulen, Marjorie

Winters, Sharon Mulligan, Karen and David Francis and Jones, Brian Griesbaum, Cindy&Paul Walsh, Pat Large Herbert, Aileen Mulligan, William & Alisa Strynkowski, Johanna Cairo, Tammy Baudisch, Maureen Ziles, Theresa Cancro, Alan Bachman, Erik Torsland, Jonni Beggs, M Schneider, Veronica Vogel, Marcy & John Miraglia, Patricia McGuire, Teresa&Douglas Bailey, John Mclean, Carol Ford, Kenneth Lagana, Fred Balbo, Simone Wilker, Lawrence Loeffler, Laura Daniels, Lorraine Greiff, Thomas & Mary J. Corcoran, Melanie Zeman, John & Rose Bogert, Constance Oshinsky, Julie Oshinsky, Judy Marino, Sandra Rubenstein, Rob Friedberg, Bob Gerstley, Steven Berger, David Gerson, Lisa Oshinsky, Venancio Vinagre, Cheryl Dispoto, Dawn Hergenhan, Debbie & Eric Endresen, Howard Greenberg, Joseph Dispoto, Roselle Langton, Jessica Langton, Kim Karen&Paul Rapp, Lisa Matalon, Donald Rotolo, Mitchell Miller, Tina & David Rosen, J Wagner, Nina Bai, David Dryerman, Michele Resnick, Sergio Wernikoff, Frank Almonte, Robert Valle, Chris Woods, Nicholas&Maryann Mania, Mary Ann Raymond, Rich Harada, Michael & Wendy Fornatale, Hendrik Bock, Koidu Bock, Jerry Blanke, Herb Benkel, Frank O'Brien, Michael Solomon, Elyse Solomon, Marina Schwartz, Bonnie O'Keeffe, Kathleen Eichner, Margaret Doll, Steven Sperber, Susan Menze, Gary Menze, Mark Lengel, Lori Sciara, Karen Sperber, Liz Wanvig, CnmnGrl47, Lisa Yakomin, Patti&Mark Mandel, Kloorfain Michael, Fred Tecco, Suzanne Nathin, Joyce David, Barbara Manning, Laura & David Walsh, Marc Bushnell, Sharon Souflis, Jackie & Joel Graber, Ruth Yannelli, Siobhan Fulco,

Marc Krieger, H Cerullo, Nancy Wernikoff, Andy Cooper, Barbara Doll, Charles Langton, Jessica Langton, Valerie Wolf, David & Christine Verbraska, Margaret Meehan, Rochelle Lang, Barbara Dym, Jan Rosenblatt, Margaret Meehan, Teresita & Mike Crane, Dennis McManus, J Virosco, Joanne C. Howley, Joyce Bloom, Diane Pasquale, Tony Manzo, Robert Mercurio, Terry Powell, Tom, Edward Caso, Rachelle&Andrew Knopf, George Baily, Rachael Hausman, Dan & Irene McGlynn, Michael Benzwie, Marlene & Robert Cohan, Jill Scherz, Jerome S. Yates, Susan Mamone, Ruth Neustadter, Robert Sasena, Susan Benkel, Joanne Witney, Joan Taskalos, Stuart Sheinbaum, Viljar Bock, Elizabeth Clark-Olsen, Michael Mayer, John Donoghue, Mary Lou Tierman, Rich Baudisch, Evelyn Eigner, Astrid Sichko, Stacey Glick-Novack, Harriet Zuk, John Kenney, Andrea Newman, Penelope Ellis, S Toolen, G. Moran, Amy Linardic, F. Pelemezian, Marie Sineen, Richard A Hanley, Phil Cohn, Joan Dondero, Mark Bromberg, Peter Romero, Rich Baudisch, Richard Porth, James Kimball, Marc Mandelman, Robert Zak, Janet Donaghy, Robyn Krumrei, Jan Seiffer, David Buchner, Gloria Ponosuk, William E. Throne, John O'Reilly, Robert & Arlene Widmer, Christa M. Brooks, Michael H. Kazigian, Beverly Regna, Robert Widmer, Joen Ciannella, John & Carol Cerrato, Jett Gurman, Charles Ryan, Debbie Cerreto, Edwin Thompson, Pamela Copello, Bob Schult, Edward Walker, Nico Simeonidis, Christine Robertson, Jerry Spada, Joe Jesuele, Marilyn Infante, Jeffrey Berkowitz, Carol Balbo, Obhester, Anna Brodley, Beth Aquaviva, Diane Baviello, Belle Degenars, Bill Seeman, James

Esposito, Mario Afram, Elena McLean, Regina Cox, Richard Winogard, M Siegel, Amy Glazer, Ardis Waldron, Harry Falconer, V Gymbag, Bette Wagreich, Lawrence Wagreich, Herbert & Ruth Rivkin, Pete Toolen, Laurie&Jeff Gerber, Dick Langenbach, Eileen & Rich Collins, RoseMarie Vendra, Anthony Mack, Andrew Previtali, John & Janette Leber, Naresh Maniar, Adrian & Joan Winkelhoff, Peter Welfel, Anne Carter, Betty Widman, Stanley M. Spregel, Paul Scatena, Ellen & Elliot Weiss, Joan & Family Futterman, Kristin Lee, Hillary Barnett, Andy & Roxy Peeke, Leonard Levy, Glen Chiger, Lisa Popoli, Alisa Snider, Mary Barker, Cindy&Larry Heiser, Barbara Krupinski, Bo Petkovich, Steven Richman, James Ko, Ellen V. Simpson, John & Cynthia Reutershan, Maria Triantafilou, Leonore & William Rosenzweig, David Fischer, Stephen Margulis, Gary Brooks, Janet Blissinger, Belle Barnes, Roger Dubin, Bill Weigand, Bernhard Albrecht, Robert & Ardis Waldron, Janet Barnard, Danielle Kishkill, Laszlo, Susan Liebeskind, M Offerjost, Fred Ornstein, Joseph & Doris Levitzki, Liane & Michael Murtagh, Cheryl & Andrew Lazarus, Randall Surovy, Neil Beckerman, Chris Stumpf, Betty Widman, Andrew Groh, David Pico, Stephanie Hall, Allan Greeley, Pamela Feldman, Julie Delyannis, Robert Pitkofsky, Elke D'Onofrio, Marianne Alemany, Elizabeth Bedrosian, John McLean, Heidi Mannik, Mary Kane, John Kane, Stephen Margulis, Kathleen Donovan, Mathew Scozzafava, Peter Seibel, Frank Farinaro, Helen Yarscak-Lanzotti, Vivian Bergenthal, Jonna & Kyle Rothbart

Comment: Comments note that the proposed traffic pattern will add significant noise in addition to the noise already coming from Teterboro. One comment explains that in addition to regular air traffic noise, the area has frequent low flying helicopters which are equally disturbing. All oppose the rerouting of planes over the County. Many comments note that the noise levels are projected to rise by nine decibels in Woodcliff Lake. Concerns including property value, health affects, and quality of life were all common.

Response: See General Responses GR-35, GR-7, GR-5, and GR-11. The changed arrival paths to EWR in the Preferred Alternative that affect Bergen County, NJ and Rockland County, NY have been needed for years. The short final approach segment to EWR is one of the most important limits on the airport's arrival efficiency. The paths proposed in the Preferred Alternative undo that limit. To reduce the impact these paths have on county residents, the Mitigated Preferred Alternative raises the downwind leg of the arrivals from the south, which means that aircraft with better descent performance are higher. At night, aircraft from the northwest are descending more smoothly on their continuous-descent approaches, so their engines will be quieter. These mitigations improve the noise exposure in Bergen and Rockland Counties substantially, compared to the Preferred Alternative. Opposition to rerouting of planes over Bergen County is noted.

Mendham Township, NJ --(NOISE53)

Source: Wade Tracey, Alicia & David Villa, Jun Wang, Liz Woodhour, Elaine Thornberry, Nadine Pechmann, Kim Wentworth, Marion & Richard Rajoppi, Diana Downs, Bruce & Starzie Mayer, Cecelia Donato, Patric Wallace, Eldon Priestley, Maryann Butera, Anna Hackman, M. Dabal, Edward Burstein, John Dannenbaum, Kimberly Maki, Jewlz, Kim Garfinkel, Debra Crepea, Catherine Pollin, D Reback, Cynthia Cartusciello, Alice McManus, John Lucey, Michael Graziano, Elliot Turrini, Donna Murphy, Bob Sterling, S. Kurla, Debbie Replogle, John Jennings, Robert Mangino, Kim Chamberlain, Eileen Phillips,

Comment: Comments concern the increase in noise level due to increased air traffic. Comment also concern the value of homes decreasing because of noise levels. Several residents are concerned about the increase in air traffic and noise, as well as the resulting reduction in property values.

Response: See General responses GR-14, GR-7, and GR-35.

Deptford, NJ --(NOISE54)

Source: Nicholas L. Gunther, Cesare Cosenza, Robert Weisenfeld, Rosemary Cesarano

Comment: Comments concern the noise levels in Deptford, NJ--both existing and potential increase in noise are unacceptable.

Response: See General Response GR-35.

Parsippany, NJ --(NOISE55)

Source: Barbara Sachau

Comment: Comments concern the already high levels of noise. Several comments note that an increase in flights is unnecessary because often flights are not full to capacity.

Response: Comment noted.

Summit, NJ --(NOISE56)

Source: Lisa Barfield

Comment: Comments concern with the increase in flight traffic that will increase already noticeable noise. Several note that conversations can be difficult to have at current noise levels.

Response: See General Response GR-35.

Mantua Township, NJ --(NOISE57)

Source: Doris Atkinson

Comment: Comments concern the increase in noise pollution, but also point out that the air quality will decrease if flight numbers increase.

Response: See General Responses GR-35 and GR-6.

Arden, DE --(NOISE58)

Source: William Jannie

Comment: Comments concern the continual annoyance of overhead airplanes.

Response: Comment noted.

Park Ridge, NJ --(NOISE59)

Source: Barbara & Alfred Musso, Nancy & Jack O'Brien, Paul Szucs, Larry & Jeff Morgan, Bernard Nicolosi, Joyce Zambito, Glynn William, Denise Feldman, Martin Schwartz, Linda Luciano, Roberta Cripps, Carol Kobbe

Comment: Comments concern the increase of noise from the adjusted flight patterns. Comments claim the existing noise is more than enough. Residents also note the noise of helicopters in addition to the flights.

Response: See General Response GR-35. The EIS does not analyze helicopter operations.

Mamaroneck Areas --(NOISE6)

Source: Carolyn Pomeranz

Comment: Comments were concerned with the already increasing noise levels in the neighborhoods of Mamaroneck.

Response: Comment noted.

Pascack Valley, NJ --(NOISE60)

Source: Pamela Carolan

Comment: Comments concern the increase of noise in the Valley.

Response: Comment noted.

Cragsmoor, NY --(NOISE61)

Source: Michael Stoltz, Dianne Wiebe, Michael Newman, Scott Randall

Comment: Comments concern the increase of noise in this historic town in the Shawangunk Mountain Range. Residents point out that Sam's Point Park and the Minnewaska are nearby and will be affected by the noise. Many have concern about FAA neglecting these natural areas.

Response: See General Response GR-10.

Delaware County, PA --(NOISE62)

Source: Kay Augustine, Siavash Forootan, Mary Anne McAleavy, Joseph

Helduser, Vinod Roa, Angela Gentile,
Mary Pat Scorzetti, Harry Schultz

Comment: Comments concern the already existing noise and note that an increase in noise would create unnecessary disturbance. One comment notes that according to the FAA website, the sound in her area would increase over 200%, which is unacceptable even if it is below the 65 dB limit. One comment notes that sound levels would rise by at least 5dB for over 100,000 people, thus affecting 39,000 households. The comments all note that the increase in noise would be undesirable.

Response: See General Response GR-35.

Emerson, NJ --(NOISE63)

Source: John Hassett

Comment: Comments oppose the redesign because of the increase in noise.

Response: See General Response GR-35. Comment noted.

Manhattan, NY --(NOISE64)

Source: Joy Held, Marc Steve

Comment: Comments oppose the redesign because of the increase in noise, particularly over the park areas

such as: Central Park, Hudson River Park, NY Botanical Gardens, etc

Response: Comment noted. See General Response GR-35.

Southern NJ --(NOISE65)

Source: Harriet Rola

Comment: Comments oppose the redesign because of the increase in noise over South Jersey.

Response: Comment noted. See General Response GR-35.

Camden, NJ --(NOISE66)

Source: Bill Lyon, Thomas O'Shea

Comment: Comments oppose the redesign because already high noise levels will increase.

Response: Comment noted. See General Response GR-35.

Ridley Park, PA --(NOISE67)

Source: Edward Keyser

Comment: Comments concerned about a 200% increase in noise levels. Others complain of already loud noises, disturbances in schools, and the effects

of the noise on hearing and other physical health.

Response: See General Responses GR-35 and GR-5.

Hasbrouck Heights, NJ --(NOISE68)

Source: Kevin Mooney

Comment: Comments concerned about the increase in noise that will come from the re-routing. Noise is already obvious at inconvenient hours--earlier than 6AM.

Response: See General Response GR-35.

Newark, NJ --(NOISE69)

Source: J. Manuel

Comment: Comments concerned about the already loud noises and the possibility that after that re-routing the noise will be even more disturbing.

Response: See General Response GR-35.

Teterboro Airport Area --(NOISE7)

Source: Patricia Grouleff, Eleanore Re Patricia Grouleff

Comment: Comments were concerned with the already high noise levels that

seem to have increased in the years since 9/11.

Response: Comment noted.

New Castle, DE --(NOISE70)

Source: Buxbaum

Comment: Comments concerned about the noise from existing flight patterns. Comments concerning the noise level waking children at night and making hearing difficult were expressed.

Response: Comments noted.

Norfolk, CT --(NOISE71)

Source: Shelley Harms

Comment: Comments concerning the noise level increase that will come with the redesign.

Response: See General Response GR-35.

Nassau County, NY --(NOISE12)

Source: Jacob K. Rubinstein, Joan Sarfin

Comment: Comments note the already loud airplane noises and are concerned that the re-routing would increase noise levels. One comment explains that the

noise disrupts sleep and gives the elderly dizzy spell and headaches.

Response: See General Response GR-35 and GR-5. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep disturbance in the overall Study Area will not be increased. Furthermore, with mitigation of the FAA's Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action.

**Colebrook and Greenwich, CT --
(NOISE72)**

Source: Linda Bickford, Charles Coyle

Comment: Comments concern the noise disrupting the quiet corner of the state. Comments notes: "Why ruin the beauty of our tiny hamlet with the noise of constant jets overhead?" Commenter also concerned with the increase of noise from the re-design and asserts that the FAA must be more sensitive to those on the ground.

Response: Comments noted. See General Response GR-35.

Somerset County, NJ --(NOISE73)

Source: Donna Daniele

Comment: Comments note that the noise is already terrible and that property values have been continually dropping.

Response: See General Response GR-7.

Monmouth County, NJ --(NOISE74)

Source: Maria Richter

Comment: Comments note that the noise is already significant and that re-routing would only increase it.

Response: See General Response GR-35.

Staten Island, NY --(NOISE75)

Source: Ann & Joseph Cogan

Comment: Comments are concerned that re-routing would cause more planes, and consequentially, noise over their area.

Response: See General Response GR-14 and GR-35.

Burlington County, NJ --(NOISE76)

Source: Walter Rempkowski

Comment: Comments concern the increase of noise in the area, in addition to the FAA's inconsideration of the residents' peace of mind.

Response: Comment noted.

General --(NOISE77)

Source: Unknown Commenter

Comment: Comment noted that the redesign would increase the noise for 281,000 people by 5dB if the Integrated airspace without ICC was implemented. Comment also noted that these areas are those furthest from the airport.

Response: See General Response GR-35.

Middlesex County, NJ --(NOISE78)

Source: Michael Carnevale

Comment: Comments express concern over the already increasing flight noise, quick to point out that the redesign has not been approved yet the flight patterns have already noticeably changed. Comments also indicate that the planes fly during the night and disturb sleep.

Response: The FAA has not implemented any of the flight procedures included in the Proposed

Action. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep disturbance in the overall Study Area will not be increased. Furthermore, with mitigation of the FAA's Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action.

Essex County, NJ --(NOISE79)

Source: Susan Mayrer, Agnes Smethy, Glenn Ball, Eileen Sosin

Comment: Comments note that the already noisy and dirty jets have been plaguing them. Comments also note that the noise level is so high that when they fly by during the night (between the hours of 11 pm and 7 am) they wake residents. Comments also note that the property value in the area will likely decrease with an increase of flights and noise.

Response: Comment noted. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination

of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep disturbance in the overall Study Area will not be increased. Furthermore, with mitigation of the FAA's Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action. Also, see General Response GR-7.

Tinton Falls Areas --(NOISE8)

Source: Jeannette Hall

Comment: Comments were concerned with the existing and recently increasing noise levels in their neighborhoods. One commenter was specifically concerned with the increase in noise affecting the health of her family.

Response: See General Responses GR-14 and GR-5.

Wayne County, PA --(NOISE80)

Source: Gary Blades

Comment: Comments concern the loud jet noise over Orson, PA. The constant stream of jet noise over the dairy farm is concerning because of the distance from any airport.

Response: Comment noted.

Stamford, CT --(NOISE81)

Source: Nicholas Gunther

Comment: Commenter expresses concerns about noise pollution from overhead air traffic. The comment notes that the health affects from the excessive noise, which include a quote from the World Health Organization reading: "Environmental noise affects health and well-being physically, mentally, and socially. There is ample evidence showing that high noise levels interfere with speech and communication, cause sleep disturbance, decreased learning ability and scholastic performance, increase stress-related hormones, blood pressure changes, ischemic heart disease as well as the use of psychotropic drugs and medicines." One resident notes that the noise levels pose a serious health concern: "The health hazards of excess air traffic noise pollution are well known-anxiety, hypertension, stress, headaches, depression, distress, cardiac issues, diminished immune response, declines (often dramatic) in academic performance of students." This commenter also notes that the noise pollution will often continue past midnight.

Response: There are no reportable noise changes due to the Proposed Action in Stamford, CT.

General --(NOISE89)

Source: Anonymous

Comment: Comment claims that the noise measurements used by the FAA to assess the potential impact of the subject plan are also significantly flawed as described in the Courier-Post, May 31 2006 and the EECF Plan.

Response: Noise measurements were not used for analysis. The FAA used the NIRS model to determine change in noise exposure and assess impact. See General Response GR-4.

Carolyn Thornlow, Michael Johnson, Cynthia Altman, Susan Brecker, Debra Schoen, Micahel & AnnMarie Ross, Patricia & Daniel Lowy & Frank, Albert Corten, Tim Hickey, Ellen Golds, Carol Singer, Peter Dougherty, Nicole Maresca, Arthur Fuller, Barry Linder, Denise Weber, Ellen Broude, Beverly Borg, Jeff Pucillo, Maria Pia Marella, Pat & Tony Alessi, Lorianne Chuquillanqu, Bruce Dale, Deborah Tarricone, Jeanne Starren, Ellen Hendrickx, Dani Glaser, Brenda Hill, Lori Serafin, Brian Halloran, James Cowderry, Nancy Kliot, Stephen Smith, Paula Panzer, Monique Rothman, Laura Rubin-Reick, Elizabeth Hardman, Fred Volpacchio, Betsy Kolt, Christine Blake, Michael Callahan, Trish Gallagher, Witt Barlow, Chris Caulfield, Judith Harrison, Mary Cronin, Emmanuel Faure, Patricia Sestito, Tom Mitchell, Peter Shafran, Doug Wehrle, Felicia Anzel, Scott Nelson, Annemarie Moore, Jon Karpoff, Aidan Brewer, Nancy Angiello, Gloria Guman, Fred Smith, William Burton, Rocco Tortorella, Ronnie Rose, Steve Rothkin, Shelley & Michael Foxman, Ellen Roth, Patrice Downey, Gerry O'Malley, Peter Feigenbaum, Mathew Peretz, William & Barbara Safchik, Keith&Rosanna Dougherty, Mary Ann Priore, Jennifer Lee, Cara Bucovetsky, Susan Indenbaum, Amy Gardiner, Valerie Ringel, Marion Gillman, Pat Bucciero, Vitalah Gayle Simon, Jonatahan Fein, Hala Makowska, Nicholas & Maryann Fiebach, Tom Gardiner, Ruth & Daniel Marino, Alan Shapiro, Robert Herbin, Debra & William McGiness, Albert Mahelsky, Anne Corey, Terrence Yanni, Jeffrey Saks, Rich&Mary Sieminski, Eric Holdorf, Theresa Martz, Gwen Langille, Peter Sathapornwongkul, Drs. Lepsky & Annise, Maria & Jim

Westchester Count, NY --(NOISE82)

Source: Alice Shafran, Richard Orecchio, Jason D'Amore, Marion Greif, Stephen Harrigan, Marc Intriligator, Richard Sudock, Michelle Fenimore, John Flack, Madeline Sheldon, Robert Dashow, Bob McNamara, Ellen Hunt, Philip Grant, Laurie Lieberman, Grace Mahelsky, Michelle Kassin, Theresa Ryan, Andrew Nappi, Stephen Smith, Mary Bramwig, Mary Kohl, Patrick & Eileen Dotoli, Lisa Munz, Regina Blakeslee, Warsenn, Roberta & Steven Rothkin, Michael Aiello, Jane Yendell, Steven Doblin, Steve Rothkin, John George, Harold Reinstein, Philip Guthoff, Peter Sieminski, David Becker, Elena Malunis, Gary Malunis, Joyce Weiser, Douglas & Cynthia Ferguson, Gene Feeney Sr., Robert Sparling, Steve Tuchin, Carolyn Mittelstadt, Dorothea Jandrucko, Charles Karen, Veronica Perry, John Leyden, Dennis Kirby, Madelon Rosen-Solomon, Sue Davis,

Maggiola, Fred & Sondra Greenspan, Roy Byrd, Peter Schlactus, Robert Porto, Rob Langille, Joseph de Chaves, Anna Carbone, Daniel Taub, Catherine Tanelli, Rochelle Weitzner, Lynda Merchant, Leslie Goldstein, Stephanie Greenwald, A.J. Kydd, Marnie Mallah, Diane & Robert Wintermeier, Patricia Anne Woods, Rob & June Farnham, Rich Barton, Catherine Baecher-Scholtz, Ronald Steinvurzel, Robert Mavian, Gary Slutsky, Barbara Mavian, Jeffrey & Barbara Weiss, Joe Pappas, Edward & Lisa Specht, Donna Goldsmith, Peggy Greenwalt, Jim Goldsmith, Nitin Nayak, Sandra Beach, Rita Majdanski, Susan Manber, Ian Bauer, Jackie Marek, Lisa & Brian Grodin, Anges Mlinko, Jan Nolte, Roger P. Matles, Sarah McMane, Laurie Salzberg, Jean Wentworth, Judith & Alan Duke, Walter Stugis, Ronna DeLoe, Bryan Wolkind, Jamie Black, Sheema Bhattacharya, Steve McCulloch, Arline Lane, Anita Reilly, David Nadasi, Mildred & Frank Ruckel, Bernard Ferster, Paula Higgins, Barbara & Jim Gilman, Claudette Druehl, John Bauman, Isabella Bannerman, Amy Goldsmith, Marcia Cohen, Barbara Ehrentreu, Laurie Corey, Elizabeth Condon, Melanie Murphy, Sheri Snow, Nicolette Flosse, Bert Slonim, P G Davis, Sheila Cain, Marilyn Greiner, Harold DeLoe, Curtis Bakal, Cory Notrica, Wendy Greenberg, David Goldman, Michael Costello, Julie Hirschfeld, Robyn Kaminski, Spencer Haimes, Steve Steinberg, Deirdre Marangiello

Comment: Comment concerned with the increase of noise from the re-design and claims that the impact on residents and towns will be negative. Many note the decrease in property value. Several

of the comments note that the planes regularly break curfew now, and that an increase of planes from the re-routing would be even worse. Several comments also note the annoyance of low flying helicopters in the area.

Response: See General Responses GR-35 and GR-7. Comments regarding HPN operations should be directed to the Airport Sponsor.

Warwick, NY --(NOISE83)

Source: Euphrosyne Bloom

Comment: Comment notes that the residents are tired of hearing and seeing Newark's planes and that these aircraft can be extremely loud at times. The comment also notes that the noise is so loud talking becomes difficult.

Response: Comment noted.

Voorhees, NJ --(NOISE84)

Source: Larry Winne

Comment: The comment notes that the noise levels significantly hinder the neighborhoods way of life. The noise is so loud the windows must remain shut and it is difficult to spend time outdoors.

Response: Comment noted.

Boonton Township, NJ --(NOISE85)

Source: Jim Frawly

Comment: In the Star Ledger this past Sunday, your spokesman states that only 15,000 people, including 13,000 prisoners, would receive significant noise from Alternative 4. That is so misleading. ... Your threshold for the term "significant" is faulty as you may recall you used the same lame methodology in 1987 when you installed the EECF. Your own report on the DEIS shows clearly that many more thousands will be subjected to more noise, albeit less than the 5 dnl increase at 65 dnl that you use as your threshold for "significant". Please note Table 3 in 2.2 which shows 40569 will receive more noise mostly in Morris County."

Response: The criteria applied to assess and classify impacts are based on FAA policies and requirements stated in FAA Order 1050.1E. This criterion was generally an adoption of the recommendations made by the FICON in 1992. Refer to those documents for more information regarding the evolution of the criteria. Predicted aircraft DNL values for each alternative were provided for the entire Study Area regardless of whether they met the FAA impact criteria. In consideration of the public response to past air traffic changes, the FAA has expanded its area of consideration beyond that of the Part 150 guidelines down to the 45 DNL. The agency has identified a threshold of a +5 DNL change (between 45 and 60 DNL) to identify slight to moderate changes at lower levels. The results of the changes in noise that meet this threshold are thoroughly documented in the DEIS.

Teaneck, NJ --(NOISE86)

Source: Christine De Vries

Comment: "I respectfully request that you do a noise monitoring study on the ground in Teaneck, NJ." The commenter notes the noise levels in the area would likely confirm that they do not exceed EPA noise standards.

Response: Comment noted. The FAA will not be conducting any further noise monitoring for the Airspace Redesign.

Robert Moses State Park --(NOISE87)

Source: Jerome Feder

Comment: "The noise measurements taken at Robert Moses State Park (Table 3.11, Site 5 on page 3-24 of the DEIS) are much higher than expected and are not representative of FINS. Please further explain the measurements in the DEIS and identify the contributing sound sources."

Response: The noise measurements were not used by the decision makers to determine the Preferred Alternative, monitored data merely provides a general insight into the ambient noise levels for various land uses in the Study Area.

Mariners Harbor --(NOISE88)

Source: Frances Vukek

Comment: "On January 1st, 2000 the Advance published new air rules: Aircraft must be 12% quieter. That is fiction. Fact: Planes are noisier than ever. All the news that unfit to print." Commenter would like the planes retrofitted to reduce noise.

Response: Airport Noise and Capacity Act of 1990 (ANCA) required phased elimination of the operation of civil, subsonic stage 2 within the US by December 31, 1999. The 2007 FAA reauthorization may include plane elimination of civil subsonic stage 2 turbojet airplanes under 75,000 pounds.

New York --(NOISE9)

Source: A. Greene, Rosemarie Poveromo

Comment: Comments indicated that the presented options will increase the noise levels in their areas.

Response: See General Response GR-35.

QUALITY OF LIFE

Quality of Life - General (QOL-1)

Source: Sondra & Seymour Rosalsky , en Gardner, Jessica Mollin, Robert Lucsczynski, Wendy Masters, Jeanne Kinney

Comment: Comments note that FAA should be aware of the quality of life they are affecting.

Response: See General Response GR-11.

Quality of Life – Howard Beach, NY (QOL-10)

Source: David Quintana, Maria Dipaola

Comment: Comments express concern that the quality of life will be negatively affected if the re-routing plan is accepted. Comments also note that the noise is already considerable and that proceeding with this plan shows lack of consideration for the quality of life. Many note difficulty sleeping and enjoying time outside.

Response: See General Response GR-11 and GR-35. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep

disturbance in the overall Study Area will not be increased. Furthermore, with mitigation of the FAA's Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action.

**Quality of Life – Union County, NJ
(QOL-11)**

Source: Arnold Kristie, Charles Capro, David Casiere, Liz Kingley, Barbara Barrett, Kolton Barkol, Robin Holleran, Allen Bahrs, Lori Barnett, D. Partesi, Kent Lucas, Sue Lucas, Ruth Maloney, Eileen Phillips, Dan Clifford

Comments: Comments express concern that the quality of life will be negatively effected if the re-routing plan is accepted. Comments also note that the noise is already considerable and that proceeding with this plan shows lack of consideration for the quality of life.

Response: See General Responses GR-11 and GR-35.

**Quality of Life – Union County, NJ
(QOL-12)**

Source: Dorothy Connolly

Comment: Comments express concern that the quality of life will be negatively affected. Many note that the FAA is favoring efficiency over quality of life.

Response: See General Responses GR-11 and GR-12.

**Quality of Life – Union County, NJ
(QOL-13)**

Source: Cyntia Rogers, Lisa Barfield, Charles Capro

Comment: Comments express concern that their quality of life is suffering. Many note that quality of life will continue to decline with the redesign and proposed increase of air traffic.

Response: See General Responses GR-11 and GR-14.

**Quality of Life – Morris County, NJ
(QOL-14)**

Source: Amanda Garceau, Arlette Wolkoff

Comment: Comments express concern that the quality of life will be negatively affected if the re-routing plan is accepted. Comments also note that the noise is already considerable and that proceeding with this plan shows lack of consideration for the quality of life.

Response: See General Response GR-11.

**Quality of Life – Morris County, NJ
(QOL-15)**

Source: Mitchell Krukar, Donna Magliano, Kristi & Lockwood Miller, Vincent Schindel, Merrilea Brunell, Beth & Tom Schade, Neil Szigethy, Cecelia Donato, John Dannenbaum, Kimberly Maki, Jewlz, Scott Spelker, Judy Garceau, George Ellas, Aliko Ellas, Perry Trach, Lorraine Fleming, Cheryl Graziano, Amy & Michael Pirrello, Janet Lamb

Comments: Comments express concern that quality of life will be affected with the re-routing proposals. Many complain of hearing problems and continued stress.

Response: See General Response GR-11 and GR-5.

Quality of Life – Montvale, NJ (QOL-16)

Source: Joyce-Paul Cohen

Comments: Comments expresses concern that the quality of life will be negatively affected if the re-routing plan is accepted.

Response: See General Response GR-11.

Quality of Life – Bergen County, NJ (QOL-17)

Source: Ronald & Evelyn Boley, Alan Scharfstein, Michael Lener, Edward Downs, Sona & Leo Manuelian, Janson Media, Denis Cainero, Miro Beverin, Andy Cooper, Rich Curran, Robert Darcey, John Beck, Arlene Frangod, Alan Krampert, Tara Ryan, Ara Seferian, Sharon Kozinn, Maria DeVincenzo, Lynne Bolson, Jerome Yates, Robert Chichetti, Hannah Buonaguro, David Wankoff, Beverly Barcelona, Joli Neslon, Michael Tracy, Allen Broadman, Lilet Martinez, Greg Jarem, Steven McKenna, Richard & Evelyn Wilz, Maria Ferrara, Renee & Vincent Picciotto, Daniel Brennan, Bruno & Gretchen Shimanek-Cividini, Emalee Cronwell, Cindy & Paul Walsh, Pat Large Herbert, Aileen Mulligan,

William & Alisa Strynkowski, Melanie Zeman, John & Rose Bogert, Constance Oshinsky, Julie Oshinsky, Judy Marino, Sandra Rubenstein, Rob Friedberg, Bob Gerstley, Steven Berger, David Gerson, Lisa Oshinsky, Venancio Vinagre, Cheryl Dispoto, Dawn Hergenhan, Debbie & Eric Endresen, Howard Greenberg, Joseph Dispoto, Roselle Langton, Jessica Langton, Kim, Karen & Paul Rapp, Lisa Matalon, Donald Rotolo, Mitchell Miller, Tina & David Rosen, J Wagner, Nina Bai, David Dryerman, Michele Resnick, Sergio Wernikoff, Frank Almonte, Robert Valle, Chris Woods, Nicholas & Maryann Mania, Mary Ann Raymond, Rich Harada, Michael & Wendy Fornatale, Hendrik Bock, Koidu Bock, Jerry Blanke, Herb Benkel, Frank O'Brien, Michael Solomon, Elyse Solomon, Marina Schwartz, Bonnie O'Keeffe, Kathleen Eichner, Margaret Doll, Steven Sperber, Susan Menze, Gary Menze, Mark Lengel, Lori Sciara, Karen Sperber, Liz Wanvig, CnmnGrl47, Lisa Yakomn, Patti & Mark Mandel, Kloorfain Michael, Fred Tecco, Suzanne Nathin, Joyce David, Barbara Manning, Laura & David Walsh, Marc Bushnell, Sharon Souflis, Jackie & Joel Graber, Ruth Yannelli, Siobhan Fulco, Marc Krieger, H Cerullo, Nancy Wernikoff, Andy Cooper, Barbara Doll, Charles Langton, Jessica Langton, Valerie Wolf, David & Christine Verbraska, Margaret Meehan, Rochelle Lang, Barbara Dym, Jan Rosenblatt, Margaret Meehan, Teresita & Mike Crane, Dennis McManus, J Virosco, Joanne C. Howley, Joyce Bloom, Diane Pasquale, Tony Manzo, Robert Mercurio, Terry Powell, Tom, Edward Caso, Rachelle & Andrew Knopf, George Baily, Rachael Hausman, Dan & Irene McGlynn, Michael Benzwie,

Marlene & Robert Cohan, Jill Scherz, Jerome S Yates, Viljar Bock, Elizabeth Clark-Olsen, Michael Mayer, Kim Garfinkel, William Burton, Rosemary Dreger, Susan Kalebic, Barbara Krupinski, Paul Anagnostakos, Michael & Weifei Suen Freedman, Richard Margolis, Gerard Tateossian, Richard Tateossian, Margaret Parchmont, Janet Moro, Steven Rosini, Jared Lans, Stephen Vallario, Evangelia Tsomos, John Ferrara, Armin & Lotte Sonnenschein, David Keller, Monaghan, Mary & Ann Duffy, John & Cynthia Reutershan, Jon Mikula, Belle Barnes, Richard Holmes, Clifford Keenan, Nathan & Family Bellmay, Melissa & Micheal Giancarlo , Brenda S. Weiss, Susan Liebeskind, M Offerjost, Fred Ornstein, Terie&Jeff Wesissman, Richard P., F.J. Valentino, Robert Ragazzo, Michael & Gabrielle McIntyre, Janice & Peter Slampak, Beth Salamon, Liane & Michael Murtagh, Cheryl & Andrew Lazarus, Randall Surovy, Neil Beckerman, Chris Stumpf, Betty Widman, Andrew Groh, David Pico, Stephanie Hall, Allan Greeley, Pamela Feldman, Julie Delyannis, Robert Pitkofsky, Jeremy Shapiro, Lydia Yoon, Nicole Provato, Doris Surovy, Arnold & Melanie Eiger, Deborah & Alfred Barcan, Alina Lupo, Nancy Bachman, Mathew Ryan, Elke D'Onofrio, Marianne Alemany, Elizabeth Bedrosian, Marie Carr, Ron Mollozzi, Linda & David Kaufmann, Ellen Mercurio, Michael Falk, David Meinhard, James & Lorraine Kelly, Terry Davis,

Comments: Comments express concern that the quality of life will be negatively affected if the re-routing plan is accepted. Comments also note that the noise is already considerable and that

proceeding with this plan shows lack of consideration for the quality of life in Bergen County. Many comments note that the 9 decibel increase in noise volume will alter the quality of life considerably. Many comments note that property values will also decrease with the quality of life.

Response: See General Responses GR-11, GR-35, and GR-7.

Quality of Life – Southern NJ (QOL-18)

Source: Harriet Rola, Agnes Smethy

Comments: Comments note that they are opposed to the redesign because of the negative impact on Southern New Jersey's quality of life.

Response: See General Response GR-11.

Quality of Life Delaware County, PA (QOL-19)

Source: Angela Gentile

Comment: Comments express that the increase of noise over so many houses would greatly inhibit the quality of life for the area.

Response: See General Response GR-35 and GR-11.

Quality of Life – Springfield, NJ (QOL-2)

Source: John Mooney, Warren Hehl, Nathan Goldfarb, Alexander Mirabella,

Patricia Grouleff, Patricia Grouleff, Eithne Mooney, Annemarie McCarthy

Comments: Comments express concern about quality of life. Several note that efficiency should not be more important than sleep and sanity.

Response: See General Responses GR-11 and GR-12.

Quality of Life - Hackensack, NJ (QOL-20)

Source: Christine Buxbaum, Albert Dib, Ann & William Stumpf

Comments: Comment notes that the continual noise from the Teterboro airport reduce the quality of life significantly and that unless there is a plan to change the traffic patterns in favor of the residents, than nothing should be done. Several note that the quality of life will greatly decreased if there continues to be excessive noise and un-tangible benefits to those suffering. Several note the FAA's lack of consideration for residents.

Response: See General Responses GR-11 and GR-34. It should be noted that pursuing noise abatement for Teterboro rests with the Airport Sponsor.

Quality of Life Westchester County, NY (QOL-21)

Source: Susan Mamone, Philip Grant, Laurie Lieberman, Rob & June Farnham, Ronna DeLoe, Bryan Wolkind Jamie Black, Sheema Bhattacharya, Sheila Cain, Rose Marino, Deirdre Marangiello, Patricia Guarino

Comments: Comments concern the decrease in quality of life that will inevitably follow and increase in flight traffic.

Response: See General Responses GR-11 and GR-14.

Quality of Life, General (QOL-22)

Source: Rich & Mary Siemenski, Marlene Buckman

Comment: Commenter states, "I'm writing this email to address the recent proposed changes to the air traffic over NY and NJ. I'm not against improvements to the air traffic control at Newark Liberty Airport. However, I ask that such remediation take into consideration the impact that such action will have on the quality of life, health, and environment of those of us living in the affected towns and regions. The Port Authority of NY and NJ has offered reasonable alternatives that makes traffic improvements without sacrificing quality of life. I ask that you consider their suggestions."

Response: The EIS considers the potential environmental impacts associated with Airspace Redesign. See General Response GR-11.

Quality of Life - Stamford, New Canaan, and Greenwich, CT (QOL-23)

Source: Ronald Goldstein

Comment: The proposed change is "clearly detrimental to the well being and quality of life in these towns and we will not stand for it." One commenter

notes that the home is a sanctuary and that one should be able to retreat and recover in this home and not be assaulted with noise pollution.

Response: There is no reportable noise change from the Proposed Action in the areas from which the comments are made. See General Response GR-11.

Quality of Life Voorhees, NJ (QOL-24)

Source: Larry Winne

Comment: Comment notes that what would otherwise be a quiet neighborhood if it were not for the continual air traffic overhead. The windows must be shut to keep out the noise and it is difficult to spend time outdoors.

Response: Comment noted.

Quality of Life Union County, NJ (QOL-3)

Source: Robert McCarthy, Peterson, JoLynn Judka, Joseph Maurigi, Lee Kewsong

Comment: Comments express concern about quality of life. Several note that aside from the lack of sleep and rattling windows, they feel that the FAA should be more concerned with consumer and resident satisfaction than delays and efficiency. Many comments express concern about their inability to make use of their backyard without being assaulted by airplane noise.

Response: See General Responses GR-11 and GR-12.

Quality of Life - Springfield, NJ (QOL-4)

Source: William Entriken, Mark Friedland

Comment: Comments include frustrations about continual decrease in quality of life and the preference of profit over residents.

Response: See General Response GR-11 and GR-12.

Quality of Life - Cranford, NJ (QOL-5)

Source: Robert Puhak, Jean Miller, Seymour Britan, John Mooney, John Kasperan, Elizabeth Lutak, Anne Marie McCarthy, Robert Puhak, Nicolle Lachenauer, The Van Cora Family, Charles Capro, Jacqueline Capro, Kerry Rokicki, Joseph Lopes, Bob & Janet Bevan, Kurtis Krause

Comment: Comments express concern that the quality of life will be negatively affected if the re-routing plan is accepted. Comments also note that the noise is already considerable and that proceeding with this plan shows lack of consideration for the quality of life. Residents note that the FAA needs to consider the quality of lives above efficiency and delay. Several commenters feel they can no longer make use of their yards and are forced indoors.

Response: See General Responses GR-11 and GR-12

**Quality of Life - Parsippany, NJ
(QOL-6)**

Source: Martin Mackin

Comment: Comments express concern that the quality of life will be negatively affected if the re-routing plan is accepted. Comments also note that the noise is already considerable and that proceeding with this plan shows lack of consideration for the quality of life. Many note difficulty sleeping, rattling windows, and other disturbances.

Response: See General Response GR-11. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep disturbance in the overall Study Area will not be increased. Furthermore, with mitigation of the FAA's Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action.

**Quality of Life - Gloucester County,
NJ (QOL-7)**

Source: Sally Grossman

Comment: Comment notes that the noise of aircraft impact the quality of life of the residents Gibbstown, NJ.

Response: Comment noted.

**Quality of Life - Gloucester City, NJ
(QOL-9)**

Source: Bill Lyon, Thomas O'Shea, Thersesa Gorman

Comment: Comments express concern that the quality of life will be negatively affected if the re-route is accepted. Comments include complaints of rattling windows, shaking roofs, and inability to sleep.

Response: See general responses GR-11. The Airspace Redesign project does not induce operational changes but seeks to accommodate the natural growth projected for the Study Area. Pursuant to FAA Order 1050.1E the determination of impact is based on the change in environmental condition between the no action and the proposed action at a defined time (year of analysis), there is no differential in night time operations with the Proposed Action therefore potential for sleep disturbance in the overall Study Area will not be increased. Furthermore, with mitigation of the FAA's Preferred Alternative significant noise impacts are eliminated with only slight to moderate noise changes associated with the Proposed Action.

AIR QUALITY

Air Quality – Meeting (AIRQUALITY1)

Source: Michael Rockliff, Helga Roberts

Comment: Commenter did not see anything at the public meeting regarding the air quality impacts. Comments are concerned with the fact that the new plans would increase number of flights and, therefore, air pollution.

Response: Comment General Responses GR-14 and GR-6.

Air Quality – Randolph, NJ (AIRQUALITY10)

Source: Paul Kull, Robert Puhak

Comment: Comment notes the engines' CO₂ emissions are dispersed overhead and fall into the sensitive natural area.

Response: Carbon dioxide is a odorless, colorless non-flammable gas, which is naturally mainly found in air, but also in water as a part of the carbon cycle. Perhaps the commenter is references particulate matter. See General Response GR-6.

Air Quality – Cranford, NJ (AIRQUALITY11)

Source: Jean Miller, Erin Moonan, Andrew O'Neill, Krystina Riggi, Jay Chopra, Jillian Vanderhoff, John Drake, Hannah Buonaguro, Michael DeNigris, James Wismer

Comments: Comment expresses the belief that the re-routing of planes will have an adverse affect on the air quality in the area.

Response: See General Response GR-6.

Air Quality – Catskills, NY (AIRQUALITY12)

Source: Bonnie Monchik

Comment: Comment concerns the fact that re-routing will affect the air pollution level in the Catskill Parks.

Response: See General Response GR-6.

Air Quality – Elizabeth, NJ (AIRQUALITY13)

Source: Elizabeth Lutak

Comments: Comment concerns the health affects from the decrease in air quality. The resident notes that she neither smokes nor has asthma, but still has difficulty breathing.

Response: Comment noted.

Air Quality – Westfield, NJ (AIRQUALITY14)

Source: Cindy Gagliardi

Comments: Comment concerns the fact that re-routing planes over the residential area will increase the air pollution. One also notes that the rising fuel costs should not allow us to compromise the environment.

Response: See General Response GR-6.

**Air Quality – Union County, NJ
(AIRQUALITY15)**

Source: Liz Kingley, Anthony Bayate, Rafael Vasques Sr., Kim Wentworth, Charles Capro, Erwin Ramirez, Robbin Cross, Barry Levine, Liz Kingley

Comment: Comment concerns the fact that the re-routing would increase air pollution. Another comment noted that Union County already suffers from significant air pollution from air traffic. One resident notes that Union County, specifically Westfield, already suffers from pollution.

Response: See General Response GR-6. Comments noted.

**Air Quality – Morris County, NJ
(AIRQUALITY17)**

Source: Richard Brede, Stephen Bernt, Mitchell Krukar, Charles Capro, Suzanne Yerdon, Donna Magliano, James Durkin, Margaret Orio, Robyn McGuinness, Sophie Rosenfield, Robert Bush, Tom Holleran, Kristi Holz, Dave Stein, Suzette Dilzer, Mari & John Van Schaften, Conrad Kass, Vincent Schindel, Allen Bahrs, Marion & Richard Rajoppi, Diana Downs, Judy Garceau, Aliko Ellas

Comment: Comment notes that the potential increase in low flying aircraft will reduce the air quality of the area. One comment explains that the raise in air traffic will raise pollution levels and affect the quality of life of the residents. One comment was particularly concerned about the increase in air pollution reducing property values.

Another resident notes that the already existing air pollution will become worse. Many note that air quality affects not only their health, but their quality of life.

Response: See General Responses GR-15, GR-6, GR-11, and GR-7.

**Air Quality – Howard Beach, NY
(AIRQUALITY18)**

Source: Nancy DiCroce, Angela Antonino

Comment: Comment concerned with the increase of planes affecting the air pollution levels in the area. One comment included fears of cancer and noted all the dirt and grime after a flight takes off. Another resident notes the increase in fuel emissions when the planes have to correct their paths which they failed to follow. One comment reads: "I attended the meeting in Howard Beach and received very surprising news; with all the studies done that cost millions of dollars, no one bothered to study the pollution and health effects of the plan. This is simply unacceptable. There are families living in Howard Beach and the health effects of increased air traffic must be evaluated."

Response: See General Response GR-6.

**Air Quality – Gloucester County, NJ
(AIRQUALITY19)**

Source: Doris Atkinson

Comment: Comment concerned with the fact that the already poor quality air will get worse if the flight patterns are re-routed over the area.

Response: See General Response GR-6.

**Air Quality – Health
(AIRQUALITY2)**

Source: Linda McConneyhead, Sybil Heine, Salvatore P. Neary

Comment: Comments concern the effect that frequently over passing airplanes have on air quality and, consequentially, health.

Response: See General Response GR-6.

**Air Quality – Bergen County, NJ and
New Castle DE (AIRQUALITY20)**

Source: Kerri & Glenn Pernick, Suzan Dunkiel, Walter Romanski, Ronald & Evelyn Boley, Alan Scharfstein, Michael Lener, Robert Corwin, Elizabeth Olsen, Marion Mahn, Keren Baum, Eileen Daly, Tina Mouikis, Noreen Sciacchetano, Vilna Bashi Treitler, Robert Sasena, Eldon Priestley, Melanie Zeman, John & Rose Bogert, Johanna Cairo, Larry Warshaw, Kristin Holtz, Elizabeth Stewart, John & Cynthia Reutershan, Maria Triantafilou, Gary Brooks, Nate Cloud, Beverly Barcelona, Deborah Porth, Jane & Jesse Greenwald, Sharon Cohen, Alessi, Joan Stalib, Joli Neslon, Michael, Tracy Allen Broadman, Lilet Martinez, Jennifer Raspanti, Lorraine Stecher, Valerie Guba, Maud Guilfoyle, Richard Herzberger and family

Comment: Comment concerned with the increasing flight creating higher levels of air pollution.

Response: See General Responses GR-14 and GR-6.

**Air Quality – Somerset County, NJ
(AIRQUALITY21)**

Source: Donna Daniele

Comment: Comments concerned with the air pollution from the increase of flights in the area.

Response: See general responses GR-6 and GR-14.

**Air Quality – Westchester, NY
(AIRQUALITY22)**

Source: Barbara M. Dille, Greg Jarem, Helen Yarscak-Lanzotti, Vivian Bergenthal

Comment: Comments are concerned that with the increase of air traffic, the air quality will be damaged.

Response: See General Responses GR-14 and GR-6.

**Air Quality – Delaware County, PA
(AIRQUALITY23)**

Source: Mary Anne McAleavy

Comment: Comments are concerned with the increase of air pollution after the redesign is implemented. Note that there has not been an adequate investigation into this change in the DEIS.

Response: See General Responses GR-6 and GR-33.

**Air Quality – Elizabeth, NJ
(AIRQUALITY24)**

Source: Angie Murrilo

Comment: Comments are concerned about the change in air quality. Several wonder if the FAA even considered/studied it.

Response: See General Response GR-6.

**Air Quality – Health
(AIRQUALITY4)**

Source: Jeannette Hall, Ronald Gumbaz, Maryjane Haley

Comment: Comments from Tinton Falls express concern about the possible increase in flights affecting the air quality, and consequentially the health of the residents. Commenter from Middletown also expresses concern about the air quality's affect on health.

Response: See General Response GR-6.

**Air Quality –General
(AIRQUALITY5)**

Source: Christine P., Krause

Comment Commenter states: "We have a severe air quality problem in this area, especially over the City of Elizabeth, and these proposals would increase that problem." Another commenter notes that the air quality of the unspecified area suffers from the increase in planes.

Response: See General Response GR-6 and GR-14.

**Air Quality –Paulsboro, NJ
(AIRQUALITY6)**

Source: Maryjane Haley, Sally Kern, Dolores Prokapus

Comment Comments concern the increase in air pollution due to re-routed flights.

Response: See General Response GR-6.

**Air Quality –Floral Park, NJ
(AIRQUALITY7)**

Source: Wiliam Brunskill, Kathleen Donnelly

Comment Commenter is concerned that the increase in flights due to re-routing that will increase air pollution.

Response: See General Response GR-6.

**Air Quality –Parsippany, NJ
(AIRQUALITY8)**

Source : Unknown Commenter

Comment Commenter notes that there was no attempt to reduce pollution for low flying planes in the DEIS. It notes that one solution would be to re-route over water.

Response: See General Responses GR-6 and GR-26.

Air Quality –West Milford, NJ (AIRQUALITY9)

Source: Unknown Commenter

Comment "I have problems breathing because of the poor air quality. Lately I have been able to get the air traffic to stop for three days. When I do, the sky is blue again instead of an ashy gray."

Response: Comment noted.

HISTORIC RESOURCES

Villages of the Ardens—Historic Homes –Ardencroft, PA (HIST1)

Source: Amy Pollock

Comments: The true villages of the Ardens are on the National Register of Historic Places as a traditional cultural property. Our culture is strongly reinforced, maintained and passed on outside. When we have air traffic that flies over our heads, waking us up by rattling our windows at 4:00 a.m. and air

traffic flying overhead such that it constantly interrupts outdoor theater productions because frequently planes are less than one minute apart, there is most definitely an impact on our way of life.

Response: Coordination with the Delaware State Historic Preservation confirms that there will be no adverse effect from the Proposed Action.

Cragmoor—Historic Homes – Cragmoor, NY (HIST2)

Source: Joy Weber, Lynn Brunskill, Patricia Peters

Comments: Commenter notes that the community is listed in the registry of historic places and feels that the re-routing will disturb the peace and quiet of the Shawangunk Ridge. Another commenter notes that the elevation is merely 2,000 feet and this impacts the noise from the low flying planes.

Response: Coordination with the NY State Historic Preservation Office confirms that there will be no adverse effect from the Proposed Action.

Cranford—Historic Homes – Cranford, NJ (HIST3)

Source: Patricia Peters

Comments: Comment notes that her historic house of 106 years vibrates as the planes pass by and feels that her old style Victorian House will be damaged if the noise levels increase any further.

Response: Comment noted.

DEPARTMENT OF TRANSPORTATION ACT, SECTION 4(F)

DOT – Neversink Highlands Greenway (DOT4F2)

Source: Ronald Gumbaz

Comment: Commenter is concerned about the 150 acre park will have noise disturbance and that the ability to use the land for recreation will be compromised.

Response: The noise exposure levels for Neversink River State Unique Area are provided in the EIS as an extension of the Catskill State Park.

DOT – Shawangunk Ridge (DOT4F3)

Source: Marc Fried, Joy Weber, Scott Randall, Linda Rogers, Michael Stoltz, Dave Colavito, Linda Rogers, Joanne Bierschenk, Roy Hochberg

Comment: Comment notes that the increase air traffic over this island will affect the dwarf pine trees, pitch pine forest and the rare plants and animal species. One comment claims that abatement of noise is important in this area of Minnewaska and Sams Point Park Preserves on Shawangunk Ridge because of their value as publicly protected places of quiet the elevation of the ridge and their proximity to airports. A third comments notes that the FAA must respect the Shawangunk mountain range. One resident notes that the community dates back to the 1800's and is listed in the registry of historic places.

Response: Additional analysis was completed for the Shawangunk Ridge. See General Response GR-10, as well as Chapters Four and Five in the EIS.

DOT – Governor Printz Park (DOT4F4)

Source: David McCann

Comment: Commenter notes that during the DVD, the presentation showed that Governor Printz Park would be affected by increased noise levels.

Response: The commenter is correct. However, the FAA's preferred Alternative with mitigation eliminates significant noise impacts.

DOT – Areas Deserving to be Preserved (DOT4F5)

Source: Amy Wang

Comment: Commenter lists 10 areas within the area of New Castle Delaware and Chester County PA. The list reads: The Brandywine Conservancy, Hagley Museum & Library, Longwood Gardens, Winterthure, Delaware Natural History Museum, Delaware Ornithological Society, Delaware Watershed Hoopes Reservoir & Valley Garden Parks' Watershed, Delaware Nature Society at Ashland, Woodlawn Trustee, and Brandywine Creek State Park. He also notes that the list could be extended to include historical places, noting Alfred I. Institute & Gardens.

Response: The EIS considers all National Parks and Service Lands, National Forests, National Wildlife

Refuges, as well as State Parks, Forests, and other areas of state significance.

DOT—National Parks (DOT4F6)

Source: Jerome Feder

Comment: "Given that a National Park is involved and ISP departures do not apparently currently over-fly FINS, please try to avoid over flight of FINS. In any case, better information on motivation and benefits is needed, as well as examination and analysis of alternatives that would not over-fly FINS. Since the ability to enjoy the natural soundscape on calm days is a key part of the FINS experience, please further examine and analyze the soundscape at a number of locations within FINS, and analyze, using the standards applicable to National Parks, any proposed new aviation noise intrusions."

Response: FINS is analyzed extensively in the FEIS. Noise exposure chances range from as much as .9 DNL to -1.7 DNL depending on the location of the analysis point. See Chapter Five of the FEIS.

ENVIRONMENTAL JUSTICE

Environmental Justice--(EJ1)

Source: Linda McConneyhead

Comment: Commenter is concerned about the health of minorities in the area and if they will be properly educated about the changes that may affect their health and lifestyles.

Response: See General Response GR-13.

Environmental Justice--(EJ2)

Source: Siavash Forootan

Comment: "After thinking about the categories you considered in your plan (according to your explanatory video shown at the meeting) I have devised a new hypothesis. The reason why a 'low income residential neighborhood' even exists on the list of your considerations is only to make sure there are no 'high income residential neighborhoods' in your way. Apparently, the amount of noise that people tend to make about these things seems to be directly proportional to their income, and consequently, to the value of their properties. Because, people like me and my wife who have to work a total of 4 jobs to afford a house, don't really have any time to chase the FAA around to try to convince them not to fly aircraft a few hundred feet above their child's bedroom. "

Response: See General Response GR-13. Comment noted.

Environmental Justice--(EJ3)

Source: Harold DeLoe

Comment: "It would appear to me in reading YOUR report, "New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign Project Scoping Report Environmental Impact Statement" from March of 2002 that a study was performed by a company

named Geospec Inc at the behest of neighborhood associations in the wealthy community of Greenwich, CT as well as unnamed communities in Westchester. I am curious as to which unnamed communities in Westchester participated in hiring Geospec. I would venture to guess that the unnamed communities would be affluent communities bordering the Greenwich area. It is blatantly obvious to me that the proposal to reroute flights away from this area of wealth, where it was previously determined that the least number of people would be impacted by noise from incoming and outgoing flights, is contrary to all previous studies carried out so diligently by local government. Instead, these flights would be rerouted over less affluent areas, impacting more people and directing flights directly over Indian Point. To go forward with this plan would not only be foolish, but dangerous, and unconscionable."

Response: The FAA does not purposely place aircraft over any specific income level. Also, see General Response GR-9.

MITIGATION

taken during the development during the EIS.

MITIGATION – GENERAL

Mitigation—Funding (MITIGATION3)

Mitigation—Combined Mitigation – (MITIGATION1)

Source: David Swetland

Source: Joseph Zimmer

Comment: Commenter notes that: There was a meeting regarding funding for considering alternatives and mitigation plans and the statement was made that because of lack of funding, alternative plans had to be made first and then mitigation had to be looked at. He continues to say, "If the FAA is being asked to create greater efficiencies with their space, this has got to be to the benefit of the airline corporations and corporations that run the different airports that are involved. How is it that we can't have funding that would protect the citizens that actually fund the government body like the FAA?"

Comment: The commenter would like to propose a mitigation strategy that "would encompass all four alternatives that were proposed here tonight, February 28, 2006. This mitigation strategy would have the benefit of a shorter route, speed up arrival time into Newark, reduce fuel, aircraft fuel, utilize and rejoin existing flight routes and pass over non-populated areas."

Response: The FAA's Preferred Alternative is the best alternative for meeting the Purpose and Need for Airspace Redesign.

Response: Comment noted.

Mitigation—EWR/Monroe, NJ (MITIGATION2)

Mitigation—Noise Curfew (MITIGATION4)

Source: Joseph Zimmer

Source: Ann Marie Bauman-Schlimme

Comment: There have been recent changes to routing at EWR and we don't believe these were part of the redesign so we want to know what was the cause for those changes.

Comment: Commenter suggests that the runway be shut down from midnight to 6am, rather than staying open for 24 hours.

Response: The FAA is unsure of the specific changes that the commenter is referring to, however, see Section 1.2.6.4 of EIS for description of other initiatives

Response: See General Response GR-28.

**Mitigation—General
(MITIGATION5)**

Source: Robert Weisenfeld

Comment: Comment has several suggestions. The first is that over water routes be used to mitigate noise problems. The second is that airplanes be fitting with ‘hush kits’ to muffle the noise and bring the levels to that of modern plans. He also suggests that the Port Authority impose congestion pricing of airport takeoff and land fees. He believes that “the FAA Airspace Redesign Project should compare the costs and benefits of such congestion pricing arrangements. He also notes that smaller airports, such as Stewart, could take on more of the traffic burden. And that if these options are not possible, consideration for building a new airport in the NY metropolitan airport should be considered.

Response: See General Responses GR-26 and GR-30. The commenter should talk directly to the PAHYNJ relative to the congestion management comment. The FAA has not statutory ability to require other airports to handle existing airport operations.

INCREASE ALTITUDE

**Increase Altitude—Larchmont, NY
(ALTITUDE1)**

Source: Rebecca Sheehan, John LeBoutillier, Maria Stanton, Richard Ward, Krause

Comments: Comments requested that the altitude of flights be raised over the

study area. Many feel that the planes are flying far too low. Several suggest that the glide slope is used as a means to raise the height of the planes.

Response: Comment noted. The FAA’s Preferred Alternative raises flight altitudes in some locations. See Appendixes C and O.

**Increase Altitude—Delaware County, PA
(ALTITUDE17)**

Source: Joseph Helduser, Vinod Roa

Comments: Comments request that the issue of low flying planes be addressed. One comment notes that "considering the distance from the airport I fail to see why some planes are allowed to fly so low??"

Response: Comment noted. See General Response GR-15.

**Increase Altitude—Somerset, NJ
(ALTITUDE18)**

Source: Dennis Heidt

Comments: Comment notes that flying planes so low greatly increases the noise level and that by raising the altitude, the noise would be mitigated.

Response: Raising Altitudes would not in itself mitigate all noise. Comment noted. The FAA’s Preferred Alternative raises flight altitudes in some locations. See Appendixes C and O.

**Increase Altitude—Essex County, NJ
(ALTITUDE22)**

Source: Susan Mayrer

Comments: "Many jets are flying too low (especially those smaller corporate type jets). From my research, I have discovered this is because the FAA is using "layering" in an attempt to accommodate more air traffic. Thus, many jets are flying over my house at all different levels, at times".

Response: while the FAA does place aircraft at different altitudes, the separations between aircraft are safe.

DECREASE NUMBER OF FLIGHTS

**Decrease Flights—General
(DECFLTS1)**

Source: Rebecca Sheehan

Comments: Comments request the number of flights over the study area reduced as there are far too many planes already flying overhead.

Response: See General Response GR-28.

**Decrease Flights—Roselle, NJ
(DECFLTS10)**

Source: Goldstein

Comments: "I oppose the proposed FAA airspace redesign that increase the

number of airplanes that fly over Roselle, NJ."

Response: See General Response GR-14.

**Decrease Flights—Flight Frequency
(DECFLTS11)**

Source: David Swetland

Comments: Everything possible should be done to minimize the traffic into the Northeast, only allowing people whose trips either originate or terminate in the airports to use them. All connecting flights should be through airports that are not in this complex Northeast corridor, which would perhaps allow for the reduction of, an absolute reduction in the number of flights entering the area.

Response: The FAA has no statutory ability to eliminate connecting flights within the Study Area. See General Response GR-28.

**Decrease Flights—Flight Reduction
(DECFLTS12)**

Source: Diana Schneider

Comments: "We also encourage the Port Authority and the FAA to do all possible to work with the carriers to cut down on all redundant flights. There is no reason to have thirteen flights when only two are required."

Response: The FAA has no statutory ability to force carriers to reduce redundant flights.

**Decrease Flights—Westfield, NJ
(DECFLTS2)**

Source: Rosemarie Poveromo, Eric Sokol

Comments: Comment notes that the amount of planes that fly over Westfield NJ should be reduced.

Response: See General Response GR-28.

**Decrease Flights—Newark and
LaGuardia (DECFLTS3)**

Source: Rosemary Millet, Christine De Vries

Comments: Comment would like the number of flights into the Newark and LGA airports reduced.

Response: See General Response GR-28.

**Decrease Flights—Catskill Park, NY
(DECFLTS4)**

Source: Pia Davis

Comments: Comment notes that the Catskill Park will benefit if the number of flights are reduced.

Response: See General Response GR-28.

**Decrease Flights—Crowding
(DECFLTS5)**

Source: Celeste Moran, Andrew Hamersley, Joanne Witney

Comments: Comment notes that if the airways are so crowded, the FAA should reduce the number of flights before re-routing plans continue.

Response: See General Response GR-28.

**Decrease Flights—Essex County, NY
(DECFLTS6)**

Source: Susan Mayrer

Comments: Comment from Essex County, NJ notes that the area is already saturated with jet noise and that before re-routing is necessary, the number of flights should be reduced.

Response: See General Response GR-28.

**Decrease Flights—Westchester
County, NY (DECFLTS7)**

Source: Celeste Moran

Comments: Comment from Westchester County, NY notes that the FAA should focus on decreasing the number of flights and reducing access to small planes before re-routing planes over nuclear power plants.

Response: See General Response GR-28 and GR-9.

FEIS for further information. Also see General Response GR-26.

Decrease Flights—Cranford, NJ (DECFLTS9)

Source: Carey Krause

Comments: "I oppose the proposed FAA airspace redesign that increase the number of airplanes that flyover Cranford, NJ."

Response: See General Response GR-14.

ROUTE OVER WATER

Route Over water—General (ROW1)

Source: Rebecca Sheehan, John LeBoutillier, Sarah Khedouri, Nancy Dorighi, Thomas J. Schmidt, Andrew Libo, Ronred(a)

Comment: Commenter wanted flights to be rerouted over the water. One commenter felt that this option had not been properly investigated. Another comment noted that by not considering routing over water, the plan shows favoritism of the air carriers.

Response: This was considered as a possible mitigation measure. It was rejected because the negative effects of moving other traffic out of the way were greater than its benefits. See Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign of the

Route Over Water—Route over Hudson or Atlantic (ROW10)

Source: Tara Ryan, Lynne Bolson, Charles Gilbert, Gunther McKeown, Zachary & Monika Zalewski, Cesar Carvalho, Joseph Dispoto, Roselle Langton, Jessica Langton, Hendrik Bock, Koidu Bock, Jerry Blanke, Herb Benkel, Frank O'Brien, Michael Solomon, Elyse Solomon, Marina Schwartz, Bonnie O'Keefe, Kathleen Eichner, Margaret Doll, Steven Sperber, Susan Menze, Gary Menze, Mark Lengel, Lori Sciara, Karen Sperber, Liz Wanvig, CnmnGrl4, Lisa Yakomin, Patti&Mark Mandel, Kloorfain Michael, Fred Tecco, Suzanne Nathin, Joyce David, Barbara Manning, Laura & David Walsh, Marc Bushnell, Sharon Souflis, Jackie & Joel Graber, Ruth Yannelli, Siobhan Fulco, Marc Krieger, H. Cerullo, Nancy Wernikoff, Andy Cooper, Barbara Doll, Charles Langton, Jessica Langton, Valerie Wolf, David & Christine Verbraska, Margaret Meehan, Rochelle Lang, Barbara Dym, Jan Rosenblatt, Margaret Meehan, Teresita & Mike Crane, Dennis McManus, J Virosco, Joanne C. Howley, Joyce Bloom, Ruth Neustadter, Robert Sasena, Susan Benkel, Joanne Witney, Joan Taskalos, Stuart Sheinbaum, Viljar Bock Elizabeth Clark-Olsen, Michael Mayer, John Donoghue, Mary Lou Tierman, Joen Ciannella, Paul Szucs, Eleanore Re, Susan Liebeskind, Betty Widman, Andrew Groh, John McLean, Stephanie Carmel, Heidi Mannik, Michael Trama, Arnie Diskin

Comment: Commenters believe traffic should be re-routed over Hudson or Atlantic. Many comments from Union, Morris, and Bergen Counties in New Jersey.

Response: Routing aircraft over the Hudson River was considered as a possible mitigation measure. It was rejected because the negative effects of moving other traffic out of the way were greater than its benefits. See Appendix O, Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign of the FEIS for further information. See General Response GR-26.

Route Over Water—Route over Delaware River (ROW11)

Source: Nate Cloud

Comment: Comment notes that re-routing over the Delaware River would eliminate much of the noise that is currently projected for the re-design.

Response: See General Response GR-26.

Route Over Water—Re-routing over Bay (ROW13)

Source: Ronald Gumbaz

Comment: Commenter expresses that jets should be re-routed over the Newark Bay and Upper Bay areas.

Response: See General Response GR-26.

Route Over Water—Cranford, NJ and Long Island Sound (ROW2)

Source: Wayne Greenstore, Jo Hoffacker, Valerie Grazul

Comment: It is my opinion that take offs and landings should be over water, so as to cause the least disturbance to local residents. Another respondent proposed routing over water for safety purposes.

Response: See General Response GR-26.

Route Over Water—Long Island Sound (ROW3)

Source: Herb Myers, Steve McCulloch

Comment: Commenters note that the best solution to the current noise level would be re-routing the planes over the Long Island Sound.

Response: See General Response GR-26.

Route Over Water—From Elizabeth, NJ (ROW4)

Source: UNK Peterson

Comment: Commenters from Elizabeth, NJ feels that the three-fold increase of noise will be eliminated if the flights are routed over a body of water.

Response: See General Responses GR-3 and GR-26.

Route Over Water—To and From Philadelphia (ROW5)

Source: Ann Marie Bauman-Schlimme, Larry & Jeff Morgan, Barbara Manis, John Bray

Comment: Commenter wants to re-route planes coming in and out of Philly.

Response: See General Response GR-26.

Route Over Water—From Parsippany, NJ (ROW6)

Source: Wiliam Brunskill, Mary Lee Fulcher

Comment: Commenters from Parsippany, NJ feel that pollution would be reduced if planes were re-routed over water. Another commentator feels that re-routing over water would be safer for take offs and landings.

Response: See General Response GR-26.

Route Over Water—From Howard Beach, NY (ROW7)

Source: Karen Listopad, Allan Greene

Comment: Commenters from Howard Beach, NY feel that the noise is already unbearable and that routing the planes over water would be the best solution for this. One commenter feels that this option is not being utilized and that if they were, then the planes would not have to land over the homes at Howard Beach.

Response: See General Response GR-26.

Route Over Water—From Reston, VA (ROW9)

Source: Dorothy Connolly

Comment: Commenter notes that routing over water would eliminate the new noise they have been experiencing and that it seems more efficient.

Response: See General Response GR-26.

MODELING

SIMULATION

General Aviation (SIM1)

Source: Elie Pashrell

Comments: "I noticed that none of the simulation programs take General Aviation into account for the planned airspace changes. This is important not just for GA but for the airlines as well who operate in the same airspace. The airspace is still part of our free USA and should be designed with freedom, convenience, and economical viabilities in mind."

Response: See General Response GR-32.

General Noise Modeling (SIM2)

Source: Mark Friedland

Comments: "The computer modeling used to predict noise impact for the DEIS does not reflect actual noise impact that currently occurs from commercial air travel in the New York area, nor does it accurately incorporate the noise impacts that will actually occur from the Airspace Redesign."

Response: The commenter is correct on the first point, the noise analysis is based on the future conditions with and without the Proposed Action. For the second point, extensive radar data and

current operational procedures were used to develop the track data and track usage which is used to develop the No Action Alternative.

General Noise Modeling (SIM3)

Source: Robert Weisenfeld

Comments: "In order to ensure the accuracy of this process, the FAA should collect data from ground monitoring stations located all over Queens County for comparison with computer model predictions. Setting up an automated monitoring station somewhere in each Queens zip code would help to provide the necessary density of data."

Response: Measurements only represent a finite time frame and are not inclusive of all conditions at all areas near the measurement sites. Also, it is important to note that the changes in noise levels associated with each of the alternatives are solely based on the computations from the NIRS noise modeling and would not be influenced by field noise measurements. Noise modeling results are used by the decision makers when developing the Record of Decision for this project.

OTHER

OTHER – GENERAL

Other—Atmospheric Disruption (OTHER1)

Source: Richard Goldstein

Comment: The DEIS did not include impact of airspace redesign on "atmospheric disruption/air movement patterns from a concentration of flight activity."

Response: Beyond vortex considerations flight activity does not influence the atmospheric air movement.

Other—Perception that Public Being Mislead (OTHER10)

Source: Richard King

Comment: Commenter concerned that the FAA staff 'misrepresents the facts as to elevation at which aircraft cross the coastline in the area near Highlands where I live.'

Response: The FAA has not intentionally misled anyone, with the extent of the Study Area mistakes can be made the FEIS provides correction where necessary.

Other—EECP (OTHER11)

Source: Michael Rockliff, Frederick Obrock

Comment: Commenter states: "When the FAA determined that noise abatement was unfeasible within the EECP, it stated in the final EIS that it would address the issue in a 'follow-on regional study.' Given that commitment, why was noise mitigation dropped when creating these new alternatives?!" Another commenter notes that, "The mitigations to the EECP have finally brought a measure of relief. Please consider the number of people impacted by flight route changes and the resulting noise"

Response: See General Response GR-18.

Alternatives—Graphics (OTHER12)

Source: Donna Daniele

Comment: One commenter noted that Figure 2.1 "shows major departures via "West Departure Gate" from JFK directly over our community. This seems unnecessary. Why not use the Ocean Departure Gate until they have gained sufficient altitude (15,000 ft minimum) to turn West?" She also notes about figure 2.25 that "It is commendable that you have moved the South Arrival Post northeast to some extent. This post has been a major source of noise pollution to eastern Monmouth County as many aircraft fly at 2000 ft and even less approaching JFK while coming inland a dozen miles - far from the South Arrival Post. They do this to maintain spacing. Can you mandate spacing over the Atlantic? Why must it be done over our

community?" She also suggests that using Runway 22 at JFK more often would reduce the noise in Monmouth during the hours between noon and midnight. Another commented: "On your Future No Action, figure 2.4, the Western arrival band comes in South of Princeton and then vectors to LGA. My problem is that I live 7 miles north of where these flights should be coming in and I have a continuous flow for Milton 3 arrivals to LGA fly right over my house."

Response: The commenter should note that Figures 2.1 and 2.4 illustrate what will happen if nothing is changed (No Action). Figure 2.25 represents the FAA's Preferred Alternative which appears to be the commenters preferred alternative as well.

Other—PHL Delays (OTHER13)

Source: Larry Taylor

Comment: "Your airspace redesign forgets one very large input - the 3 Washington-Baltimore airports. For example, PHL is sandwiched between the 3 WA-BWI airports and the 3 NY/LGA airports. Having operated in all these airports extensively as a professional airline pilot, I can tell you inequitably that the delays in PHL are much larger than at all the other, and completely unfair to PHL. This needs to be fixed by increasing the number of outbound gateways and raising the priority of departures in PHL. As I was told years ago, WA-BWI has the politicians, NY-NJ has \$\$\$, and PHL has neither. This certainly seem to be

right. Please take a look at on ground delays at PHL versus other airports. I think you'll find that PHL the worst in the world."

Response: Comment noted.

Other—EECP (OTHER14)

Source:

Comment: The EIS for the EECP concluded with the ineffective Solberg Mitigation Plan and the state meant that meaningful noise mitigation (from EECP levels) can only be achieved through a regional redesign. That redesign is the subject of the current DEIS, but the noise impacts range from 4x-7x above the EECP (i.e. the current level)! How do you intend to satisfy the congressional mandate to resolve the problem caused by the EECP? I need to know the noise change for my home to meaningfully comment. You have not provided this, limiting my ability to respond. The EWR fanning proposal was rejected in the EIS for the EECP because of high noise impacts. However, you now include it. This was not acceptable then, nor is it acceptable now."

Response: See General Response GR-18.

Other—Perception that Public Being Mislead (OTHER15)

Source: Jay Leonard

Comment: Commenter believes that the integrated plan has been influenced by those with personal benefit. "I would like someone to help me find evidence by studying how many people who were involved with the decision to implement the EECF subsequently went to work for airlines within a year or two after the EECF was implemented." The commenter continues to express his belief that there are ulterior motives driving those implementing the studies.

Response: The FAA has no other motive but to increase efficiency and reliability of the airspace structure and ATC system, thereby accommodating growth while enhancing safety and reducing delays in air travel.

Other—Graphics (OTHER16)

Source: Richard McOmber

Comment: Commenter notes that Figures 2.2, 2.4, and 2.5 are incorrect because they do not correctly show routes over the Middletown area. He states, "So I would say secondly that to the extent that the chart is wrong, then the conclusion reached as a result of the chart have to be wrong."

Response: The Figures in Chapter Two of the EIS are schematic in nature (not precise) to show general flows. The modeling used precise locations.

Other—Impact Change in Separation Aircraft (OTHER17)

Source: Richard McOmber

Comment: Commenter states, "I believe the proposed separation route of three nautical miles as opposed to five nautical miles will just compress the air traffic and result in more noise and more pollution."

Response: Comment noted.

Other—PHL Delays (OTHER18)

Source: Richard Kelly

Comment: Commenter believes airlines should not be permitted to schedule flights in clusters and then complain of delays.

Response: Comment noted.

Other—Perception that Public Being Mislead (OTHER19)

Source: Virginia Horsey

Comment: Commenter feels that no matter what residents do the airlines will continue to fly over their rooftops. She feels that the meeting was a waste of her time and that there is nothing positive about any of the proposals for the 17-35 runway.

Response: Comment noted. The commenter should note that this EIS is for Airspace Redesign and not extending Runway 17/35 at PHL.

Other—Potential Increase of Aircraft (OTHER2)

Source: Helga Roberts, Amy Dziemain, ita Elpeleta

Comment: Commenters are concerned with the possible increase of flight traffic over their neighborhoods and homes. One commenter suggested that we 'cut down on air travel and have less flights.'

Response: See General Responses GR-14 and GR-28.

Other—Saturation Point (OTHER20)

Source: Steve Mahler

Comment: "I have seen nothing to suggest the FAA understands that there is a saturation point to which our local air space can be utilized. We live in the most densely populated metropolitan area in the United States. I cannot see how the stated FAA performance target is served by sending more flights over north and central Jersey. Re-routing planes over our communities is dangerous and just plain wrong."

Response: See General Response GR-8.

Other—Saturation Point (OTHER21)

Source: Michael Bell

Comment: Commenter believes that in the past several months the flights into

Newark Airport have changed. He feels that these routes were made recently and were not part of the redesign project. Commenter would like to know what the cause for such change was and why they were not aware of such modifications. He notes that there are several low income areas that are affected as well as several parks and wildlife.

Response: The FAA is unaware of any changes made recently for flights at EWR. See General Responses GR-13 and GR-10. See also, Chapters Four and Five for extensive discussion on the potential impacts to wildlife.

Other—PHL Delays (OTHER22)

Source: Richard McHugh

Comment: Commenter feels that PHL has outgrown its boundaries. He notes that delays are a way of life and that 'we must face the reality that we cannot always get what we feel is our correct time and depart arrive at a more convenient and efficient time for the air port and area.' He also notes that his property value goes down when there are delays and hopes that the awful changes in noise and sleepless nights make it worth it.

Response: Commenter should note that expansion at PHL is not included for consideration in this EIS.

Other—Perception that Public Being Mislead (OTHER23)

Source: Rick Rosenthal

Comment: Commenter feels that presentation was skewed and that the presentation clearly presented what was favored most by the FAA. He feels that the ocean routing option was not thoroughly examined and that the use of an average DNL is unacceptable.

Response: Comment noted. See also, General Responses GR-3 and GR-4.

Other—Light Jets (OTHER24)

Source: Ronald Carper

Comment: "Given the advent of very light jets scheduled to enter the market in 2006, how will the airspace redesign impact general aviation airports that are projected to have greater than 20 daily operations? If the very light jet market becomes a reality over the next decade, at what point would the FAA be required to conduct a revised EIS?"

Response: Very light jets are not discretely identified in the forecast for the Airspace Redesign. However in September 2006 in front of the Senate Commerce Aviation Subcommittee, leaders from the FAA and the general aviation industry gave testimony on the introduction of very light jets (VLJs) into the national airspace system. FAA officials, Nicholas Sabatini, Associate Administrator for Aviation Safety, and Michael Cirillo, Vice President of

Systems Operation Services within the FAA's Air Traffic Organization, agreed. They told the committee that the FAA has the capability to safely introduce all aircraft into the system, no matter the size, speed or performance. "VLJs will be assimilated into the system in an orderly fashion," said Sabatini. Cirillo added, "Major airports will not be inundated with VLJs".

Other—Weather (OTHER25)

Source: B. O'Reilly

Comment: Right now, on good weather days we do not have planes flying overhead, however on rainy days it is every 40 seconds or so. I am very concerned about how the new design will affect us in the future. Do you know how I can find out about how the new design plan will affect Richmond Hill Queens.

Response: See General Response GR-17

Other—Decisions (OTHER26)

Source: Mary Ann Daliessio

Comment: "I'd like to know how and why decisions are made, why there was no concern about the people that live under where those planes are going to go, and why it was all just about air traffic control, why there was no concern for the citizens in these areas."

Response: The FAA's mission is to provide the safest, most efficient aerospace system in the world. The

FAA does consider the potential impact to the environment and public concern in its decision making process as evidenced by this EIS and the extensive public involvement associated with its development.

Other—Mountain Lakes (OTHER27)

Source: Louise Davis

Comment: "What would be the impact to the Mountain Lakes?"

Response: See General Response GR-17.

Other—Statement of Congressman Bill Parcell, Jr. (OTHER28)

Source: Jacqueline Grindrod

Comment: Commenter referred to the congressman's statement which was read at the Public Hearing on April 5, 2006 and supports his ideas.

Response: Comment noted.

Other—Airline Growth Assumption (OTHER29)

Source: Elizabeth Simonson

Comment: Commenter feels that the information presented is based on the faulty assumption that the airline industry is going to continue to grow. The commenter would like to see the redesign focused on planning for a 10%

drop in air traffic volume, which would reduce the noise and the heavy volume. The commenter also notes the primary priority should be the preservation of the environment and quality of life.

Response: The FAA's forecasts are based on projected demand. The projected demand is not expected to drop.

Other—Benefit/Cost Analysis (OTHER3)

Source: Michael Rockliff

Comment: The commenter requests a benefit/cost analysis in addition to an impact of air quality study.

Response: The FAA will complete a benefit/cost analysis after issuance of the Record of Decision. See General Response GR-6.

Other—Islip Airport (OTHER30)

Source: Elias Leilani

Comment: "Why aren't you considering an Islip airport? "

Response: Islip is modeled in the Airspace Redesign.

Other—Noise Damage in Howard Beach (OTHER31)

Source: Doreen Thompson

Comment: "My concern is that with the increase in air traffic homes built before there was so much air traffic in the area will feel the impact/vibrations and will be damaged. There are cultural buildings in the Jamaica area that will crumble. Windows will drop and steps will crumble. I know that research has no been done to address this but I am certain that this is a problem."

Response: See General Response GR-14. The FAA is currently researching the low frequency noise.

Other—Questions about Redesign (OTHER32)

Source: Tony Morico

Comment: "Commenter from North Branford CT wonders: Will the redesign decrease the amount of plane traffic in our area? If so, what type of aircraft will it affect? And if the redesign will reduce the amount of aircraft flying over our home, when can I expect to see a change?"

Response: There is no reportable noise change in the commenter's area of concern.

Other—Previous Studies (OTHER33)

Source: Barbara Krause

Comment: Comments offered were unrelated to study.

Other—Comments Unrelated to Study (OTHER34)

Source: David McCann

Comment: Comment concerned with 1990 Aviation Safety and Capacity Expansion Act.

Other—Questions: Monmouth County, NJ (OTHER35)

Source: Susan Feit

Comment: Commenter would like to know: "Specifically what air traffic patterns are traveling over my house? What is the altitude of the flying jets? What has changed recently with air traffic patterns over my house to increase the noise? What are the impacts of the new plan with respect to jet noise and air traffic over my house? What is being done to reduce the noise, specifically over my house?"

Response: Without a specific address the FAA can not provide a specific answer. None of the alternatives considered created a reportable noise change in Monmouth County.

Other—Abatement/Enforcement (OTHER36)

Source: Rick Lawrence

Comment: "My problem is that other than recommended noise abatement programs for Morristown Airport

nothing is required. There is no enforcement and planes can fly whatever altitude they want, low, over houses, and you can't do anything about it other than call the airport and then send out a letter to the pilot. There's no enforcement. Why can't they fine them?"

Response: Most noise abatement procedures are voluntary and pilot safety always takes precedent. Issuing fines is often connected to impacting interstate commerce which is illegal.

Other—Redesign Necessity (OTHER37)

Source: Frans Verhagen

Comment: "I would like to make six points. 'The most important one of which is that the redesign is a way to put more planes into the air. Why should that be done? Supposedly on account of the tripling of aircrafts in the next 30 years as projected by the industry Boeing and others, following the FAA projections. So if those projections were more objective, the redesign would not be so necessary.' What is really needed is an intermodal system of surface and air transportation. We have to do away with air 21 and T21 and have one intergraded transportation legislation. Being the president of the local coalition SAFA, INC, a coalition of 24 civic groups that work for sustainable, equitable and accountable aviation and being also the president of the National Citizens Aviation Watch Group, I consider this whole redesign a way of pacifying people into believing that the tripling of aviation is necessary for

economic reasons. What is really needed for the aviation industry is to be socially and ecologically responsible and pay for all the costs involved in this premium mode of transportation, which aviation is."

Response: The FAA disagrees with the commenter, the redesign project is not about capacity enhancement, but about efficiency enhancement. The FAA has confidence in the forecast used for the redesign, see Appendix B, A Comparative Analysis of NY/NJ/PHL Forecast and 2005 Actual Traffic. See General Response GR-31. Much of the comment is beyond the scope of this EIS.

Other—Citizens for a Peaceful Valley in Central New Jersey (OTHER38)

Source: Patricia Krahnke

Comment: "I represent Citizens for a Peaceful Valley in Central Valley in New Jersey. Could you please explain to us how these proposed changes will affect the free airspace in Central New Jersey used by aerobatics pilots?"

Response: The same warnings that are issues for areas used for aerobatic maneuvers will be necessary in the future.

Other—Previous Legislation (OTHER39)

Source: Flora & Andreas Frangoudis

Comment: "The document dismisses these effects even though the areas you are dealing with are: within the confines of the New Jersey Highlands Act, contain the head waters for most of the major NJ waterways, and whose population has been kept low to maintain the "Green Acres" aspect of the state"

Response: The Proposed Action does not impact water quality.

Other—Status Quo (OTHER4)

Source: Pete Dawes

Comment: Commenter feels that until further studies are done and newer technology is available, things should remain as they are.

Response: See General Response GR-34.

Other—Request (OTHER40)

Source: Scott Marshall

Comment: "I read the Draft EIS for the "New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign" with great interest. While I don't have a comment, I would like to know the schedule for implementation of the new airspace design. Please forward me the current or tentative or proposed implementation schedule for the airspace redesign of the recommended alternative."

Response: The exact schedule for implementation depends upon the

issuance of the Record of Decision (ROD), however, some aspects of the Proposed Action would be implemented shortly after the FAA issues the ROD.

Other—Redesign (OTHER41)

Source: Doug Allen

Comment: "If you redesign the NW airspace, please remember that GA pilots need VFR corridors to fly SE toward Atlanta (past the Washington ADIZ, without losing 2 hours flying time), NE toward New England, east toward Long Island and west."

Response: Comment noted.

Other—Airspace Redesign (OTHER42)

Source: David McCann

Comment: Comments offer a summary of the problems with the proposed changes to the PHL airspace. It is noted that the airports in this study are owned/operated by Port Authority and are thus represented by appointed leaders, leaving half of Delaware County with no representation. The commenter also refers to extended public scandal related to the recent expansion of the airport and argues that no airspace changes should be considered until the investigation/arrests are complete. The commenter goes on to note that some of the delays are the responsibility of the airlines and that taxpayers and citizens should not have to fund airlines that

have failing business plans. Finally the commenter notes that the FAA is a government agency that should be serving the needs of the people and that public meetings and insulated houses do little to offset the results of an organization that has such little regard for public well being.

Response: The FAA does serve the needs of the flying public by providing the safest airspace in the world.

Other—EWR Runways (OTHER43)

Source: Michael Klein

Comment: "The FAA claims they cannot calculate a formula to control aircraft turning left off Runway 22, yet the FAA found a way to allow Runway 22 and Runway 11 simultaneous arrivals. Flights that fly 'head on', the same 'head on' the FAA claims they cannot deal with for EWR Runway 22 departure left turns? The same head on with EWR runway 11 and Teterboro arrivals that intersect over Union, NJ? The same 'head on' with JFK and LGA traffic? I am requesting a congressional investigation into this matter, why are left turns not really permitted only off EWR Runway 22, since EWR traffic exceeds LGA it should be priority?"

Response: EWR is the westernmost of the four big New York City airports. For EWR departures to turn left towards the east, other controllers would have to create synchronized gaps in the streams of LGA arrivals, JFK arrivals, and JFK departures. This can

not be done safely without severe penalties to the efficiencies of the other two airports. The problem of synchronizing gaps is solvable when only two flows are involved. Synchronizing four flows among four different controllers is not. The converging flows between EWR 11 and TEB 06 are under the control of the same air traffic controller, so gaps can be created as needed. Arrivals to EWR 22L and 11 are not independent; appropriate gaps are coordinated with EWR tower. JFK and LGA flights that appear to be converging have a boundary between them that both controllers respect. This is the same situation as currently exists between EWR and LGA.

Other—Lost Flights (OTHER44)

Source: Stephanie Carmel

Comment: "I was told that I would not have flights over my home in Maplewood, yet everything at this time of year-and this year is no different-it's been bad for the past month. It appears the planes 'get lost' and are flying low over my home."

Response: The commenter can never be assured that "no flights will be over a house". However, the FAA has not implemented anything with regard to the Proposed Action.

Other—Helicopters (OTHER45)

Source: P. O'Donnell

Comment: "Also LIMIT helicopter traffic as well. It seems there are NO rules on that issue!!"

Response: Helicopter operations will not be affected by the Airspace Redesign are not included in the modeling for the EIS.

Other—Runway17-35 (OTHER46)

Source: Cesare Cosenza

Comment: "Do not lengthen runway 17-35."

Response: Lengthening Runway 17/35 is not part of this EIS.

Other—European Algorithms/General Aviation (OTHER47)

Source: Elie Pashrell

Comment: Comments offer a summary of the problems with the proposed changes to the PHL airspace. It is noted that the airports in this study are owned/operated by Port Authority and are thus represented by appointed leaders, leaving half of Delaware County with no representation. The comment also refers to extended public scandal related to the recent expansion of the airport and argues that no airspace changes should be considered until the investigation/arrests are complete. The comment goes on to note that some of the delays are the responsibility of the airlines and that taxpayers and citizens

should not have to fund airlines that have failing business plans. Finally the commenter notes that the FAA is a government agency that should be serving the needs of the people and that public meetings and insulated houses do little to offset the results of an organization that has such little regard for public well being.

Response: Comment noted. The FAA does serve the needs of the public by providing the safest airspace in the world.

Other—Specific Redesign Suggestion (OTHER48)

Source: Direct RNAV

Comment: "If a piston plane is coming from LNS to FRG do not send them by Pawling and BDR-it's stupid-separate by altitude. From FRG to TEB do not send them to Robbinsville area-direct LGA direct could work at 15,000-2,000 feet."

Response: Comment noted.

Other—Perception the Public Being Mislead (OTHER49)

Source: John Russell

Comment: "In all my discussions, including pointed questioning regarding the area near Westchester Airport, there was never any information given regarding the proposed change to the take-off pattern at Westchester Airport. The maps indicating the change in

ground level noise showed no impact to the areas in close proximity to the airport. Clearly that is not the case with respect to the new proposal. Whether the lack of clarity on this issue was intentional or not, the fact remains that the residents of both CT and NY around the airport will be Significantly Effected by the proposed changes. There has been no public explanation of this portion of the airspace redesign, that is just wrong. This specific issue, which will affect hundreds of thousands of people, deserves a full public hearing."

Response: The FEIS includes detailed discussion of HPN. However, the FAA's Preferred Alternative with mitigation eliminates all significant impact.

airport is used mostly by athletes and celebrities, rather than local residents. It is also noted that any change of air-traffic should be made in favor of the residents, rather than those flying. The comment also notes that traffic should remain the same unless the noise level decreases and quality of life increases. Another comment notes: "Those that use the Teterboro airport utility would be better served at any of the larger, coastal airports which should not be allowed to outsource "private" jet aircraft accommodations. ... Teterboro should now be solidly capped and then quickly cut back down to an appropriate scale."

Response: Comment noted. Also, see General Response GR-34 and GR-28.

Other—Regulations for airfare (OTHER5)

Source:

Comment Commenter feels that bringing back regulation to airfares would force airlines to "run a real business with a slight profit."

Response: Comment noted.

Other—Teterboro Size (OTHER51)

Source: Ann & William Stumpf

Comment: "Teterboro Airport's owner, The Port Authority of New York and New Jersey, enjoys toll tax revenue with no direct accountability to citizens, particularly those living near Teterboro. Since the PA ownership, the airport has outgrown, in capacity and size of aircraft, the reasonable tolerance of its neighbors. There is need to recognize the excess and to specifically cut back on the size and quantity of the noisy jet aircraft using Teterboro."

Response: Comment noted. See also, General Response GR-28.

Other—Teterboro Airport (OTHER50)

Source: Albert Dib, Chris & Paul Ranney, John Biddle, Janice Cauwels

Comment: One comment notes that the air traffic to and from Teterboro does not benefit anyone in the area, because the

Other—Mitigation Suggestions from Pelham NY (OTHER52)

Source: Jason D'Amore

Comment: Is it possible to move the ILS markers 1000-2000 feet to the east so the planes will fly more directly over Long Island Sound? Whenever the weather permits could the planes use the LFA approach which routes them more directly over the sounds? When the ILS is in use would it be possible to route the planes in a more dispersive fashion so that the Sound Shore communities (Larchmont, Mamaroneck, New Rochelle, and Pelham) do not bear the brunt of the noise? Could higher altitudes be used to lesson the noise as the planes fly overhead?"

Response: The Airspace Redesign did not consider infrastructural changes including navigational equipment. The FAA's Preferred Alternative raises altitudes to the extent possible in consideration of the complex airspace of the Metropolitan area. The FAA's Preferred Alternative with mitigation eliminates all significant noise impacts, see General Response GR-35.

Other—Request Plans (OTHER53)

Source: Bernard Barker

Comment: "Please forward me a complete plan including altitude assignments."

Response: Appendix C of the EIS provides altitudes associated with each

of the alternatives. Flight plans will be incorporated in FAA directives.

Other—PHL Delays (OTHER54)

Source: Bob Welch

Comment: "I think it is fine the way it is. Those planes have been flying thru that air space for years. It really bothers me when some people want to change a major situation for their own personal comfort. The planes should fly whatever pattern is safest and most efficient. I lived in that area for 24 years and it didn't bother me one bit. What really bothers me is when someone moved into the area of the traffic pattern and then wants to change things and move the problem so they are comfortable, let them move. People move all the time to get away from things they don't like. Those that are really bothered by this should think about moving."

Response: Comment noted. The Airspace Redesign is needed to increase efficiency not reduce noise.

Other—Bradley Approach Control (OTHER55)

Source: Steve Henschel

Comment: "I haven't read the full proposal yet, but one of the issues I regularly face is the inability of Bradley Approach Control (Hartford CT) to hand off to NY Center. A pilot flying the short 80 miles between BDL (and surrounding airports) and New York is

forced to fly nearly 50 miles to the southeast (usually to Groton or Madison VOR) where BDL hands off to Providence approach who then hands off to NY. It's my understanding that NY refuses to accept handoff from BDL. I don't know why. Many pilots fly VFR south to Bridgeport and then contact NY approach, but in marginal weather this is dangerous and inconvenient at best."

Response: This inefficient routing is due to the complexity of coordination among New York TRACON, New York Center, Bradley Approach Control, and Boston Center. The facility realignment envisioned for the Preferred Alternative will simplify this coordination. In addition, the reduced complexity of the airspace may improve options for traffic from smaller airports around the Integrated Control Complex airspace. Finally, the improved departure airspace for the major airports opens up some altitudes beneath the climbing aircraft. (These altitudes will be above the environmental study area.) The exact benefit will depend on the details of the facility integration, which is yet to be determined.

**Other—Bergen County, NJ
(OTHER56)**

Source: Unknown Commenter

Comment: "As a resident of Bergen County in NJ, I have had aircraft over my homes for virtually my entire life. It has never bothered me. It is part of living in a congested metro area. If your redesign will mean more safe and on-time service for our area then I am in favor of it. By the way, an oil delivery

truck passing my house just drowned out the jet going into Newark passing overhead." Another comment includes that not only is the noise part of life, but that watching the TEBs and EWRs land is what he enjoys while he BBQs. Another comment notes that: "While modernizing and redesigning PHL would increase the amount of air traffic in and out of the airport, the effects would not be as problematic as those who are complaining would lead one to believe. Instead of getting on a bandwagon to change what they feel is a reduction in the quality of life, they should be glad the airport is trying to improve. Not all of the projected flights would be flying directly over their homes depending on flight patterns resulting from weather and wind--directionality changes daily and sometimes hourly. In a 2-year span, there were 64 callers with 366 complaints-- an average of 1 complaint every other day--from an area with a population of thousands. The number of planes in and out during that time frame is also in the thousands. We believe that the redesign of PHL would only be beneficial to the airport and the traveling public--go for it!

Response: Comment noted.

Other—Perception that Public Being Mised (OTHER57)

Source: Unknown Commenter

Comment: "The FAA has continued to pursue its misguided strategy of moving noise from one municipality to another"

Response: It has been a longstanding policy of FAA to avoid shifting noise from one community to another solely for noise abatement purposes. However, if it is necessary to shift noise from one community to another because of aviation operational needs, then an environmental review must be done to disclose the impacts to the public of the necessity of such shifts in noise, as is the case here with the DEIS.

Other—Comment Unrelated to Study (OTHER58)

Source: Richard Bruno

Comment: "Since April, 2000 I have been trying to interest the FAA in the numerous errors, inconsistencies and obfuscation in the FAA's "FINDING OF NOT SIGNIFICANT IMPACT" (FONSI) that allowed the ILS on Runway 19 at Teterboro Airport (TEB) to open and allowed planes to fly dozens of feet over the high-rise apartment buildings in the Hackensack Heights and Hackensack University Medical Center (HUMC)." Commenter goes on to discuss his issues with the FONSI.

Other—General (OTHER59)

Source: Leslie Cox

Comment: "All I would ask is that you justify in your mind and your conscience that you have weighted all of the options and the option that you choose is not necessarily the most expedient one but the one that will benefit the most people

and adversely affect the least. I believe that is your job anyway, isn't it?"

Response: Comment noted. The FAA identified the Preferred Alternative based on meeting the purpose and need of the Airspace Redesign. Mitigation of the Preferred Alternative has eliminated all significant noise impact.

Other—Question/Comment from Union County Representative (OTHER6)

Source: Nancy Ward

Comment: Representative Of Union County proposed questions regarding the issues of environmental justice, the 1990 aviation expansion and safety act, the lack of noise reduction in the DEIS, the approach to safety the possibility of ocean routing and the increase noise from the re-directed flights over Newark.

Response: See general responses GR-13, GR-18, GR-1, GR-3, and GR-35.

Other—PHL Delays (OTHER60)

Source: Richard Orecchio

Comment: "Nearly 84% of all delays encountered at Philadelphia airport between 1999 and 2004 were weather-related and would not be resolved by the FAA proposed change (Source: Aviation consulting firm based in Mamaroneck, Larchmont, and New Rochelle, NY). In other words, the FAA proposal would adversely affect the quality of lives of countless families for NAUGHT.

Airplane equipment failure, runway congestion and staffing also drive delays, but none of these would be reduced by the FAA proposal to reconfigure NJEPA airspace (Source: Aviation consulting firm based in Mamaroneck, Larchmont and New Rochelle, NY and GAO Aircraft Noise Report to Congress dated August 1988, page 3 "Delay reduction are not clearly linked to the EECF plan"). "

Response: All the airspace changes in the Preferred Alternative will improve operations when severe weather disrupts operations en route. Other weather-related delays, those due to low visibility at the airports, will not be affected by airspace redesigns. It should be recalled, though, that at the airports good weather is much more frequent than bad weather (70% to 30% of the hourly reports from EWR, JFK, LGA, and PHL in 2006).

It should be noted that, according to the FAA's OPSNET database, Center Volume was the cause of 86% of all delays imposed by New York Center in the first quarter of 2007. The primary purpose of this airspace redesign is to reduce that category. Only in the summer months do weather delays surpass center volume delays in importance among delays en route. (Practically all Center Volume delays are charged to the Center, not the Airport. Center Volume delays are charged to the airport only in very rare circumstances.)

Other—Perception that Public Being Mislead (OTHER61)

Source: Richard Orecchio

Comment: "The FAA skewed numbers dramatically in support of this proposal studied a 'select' 21 of 118 airports in the NJ, PA, and NY region. Not a typical cross section of the area. The FAA also excluded all aircraft weighing 255,000 pounds and reclassified them as regional jets. (Source: Aviation consulting firm based in Mamaroneck, Larchmont and New Rochelle NY). "

Response: The small airports excluded from the study are dominated by propeller-driven aircraft operating under Visual Flight Rules (VFR). This airspace redesign is a redesign of the Instrument Flight Rule (IFR) system. VFR traffic, by definition, is not under the control of air traffic controllers. It is not obliged to use the IFR system in the baseline or in any of the alternatives. Therefore, changes in Jet Airways, Standard Terminal Approach Routes, or Instrument Departure Procedures will not cause any change in VFR flight patterns. The only part of an airspace redesign that can affect VFR flight patterns is a redefinition of Class B or Class C airspace boundaries. No such boundary changes are part of the Preferred Alternative.

The FAA did not exclude all aircraft weighing 225,000. Per section 3.5.4.1 of the EIS the FAA classified all turbo-jet aircraft weighing between 75,000 and 255,000 pounds as Medium Jets..

Other—Issues Addressed (OTHER62)

Source: Edwin Thompson

Comment "Published information in newspapers indicate that Connecticut and Westchester County, NY are bypassed, even though this direct route from the east will decrease congestion

significantly. What is the logic in avoiding this airspace? Did fuel saving play a role in the "draft" environmental impact study? If not, why, especially in these times of increasing awareness to global warming. Noise levels are quantified as minimums. This is bad science. The statement is meaningless, and decibels should be stated as maximums."

Response: The FAA is unsure of the commenter's first point. The airspace redesign included Westchester County, NY and parts of Connecticut. The FAA's Preferred Alternative does reduce fuel consumption when compared to the Future No Action Alternative. See General Responses GR-6 and GR-4.

Other—Support (OTHER63)

Source: Stan Lucas

Comment: "I want to let you know that I support the Redesign Plan offered by Senators Biden and Carper and Representative Castle. Since the airport is located in Pennsylvania and Philadelphia receives the tax revenue from the airport, it is only fair that a greater percent of the air traffic be routed over Pennsylvania while landing."

Response: Comment noted.

Other—General (OTHER64)

Source: Michael Wergel

Comment: "Can you tell me who will be the opposition candidate to you if the flight pattern change measure passes?"

Response: The FAA is unsure of the commenter's concern. The Airspace Redesign is a Federal Action no a political stand.

Other—Petition (OTHER65)

Source: Township of Washington NJ
Township Clerk

Comment: Petition signed by 24 reads: "We the undersigned are writing to express our opposition to the Federal Aviation Administration's plan to change traffic patterns that will route Liberty International Airport (Newark) aircraft traffic over Bergen County. Any increase in size and number of aircraft over Northern Bergen County holds a potentially dangerous safety hazard as well as a devastating impact on the quality of life for the entire area. We urge you to please review and rescind this unacceptable and unsafe proposal in air traffic patterns in this most densely populated region."

Response: See General Response GR-8 and GR-11. Comment noted.

Other—Petition (OTHER66)

Source: Township of Washington NJ
Township Clerk

Comment: Petition signed by 78 reads: "We the undersigned are writing to express our opposition to the Federal Aviation Administration's plan to change traffic patterns that will route Liberty International Airport (Newark) aircraft traffic over Bergen County. Any increase in size and number of aircraft over Northern Bergen County holds a potentially dangerous safety hazard as well as a devastating impact on the quality of life for the entire area. We urge you to please review and rescind this unacceptable and unsafe proposal in air traffic patterns in this most densely populated region."

Response: See General Responses GR-8 and GR-11. Comment noted.

Other—Un-marked Petition (OTHER67)

Source: Jacob Magiera, UNK Zadrovsky, Smith, Block, Pare, Brooks A. Turner, Towey, Christine Sinaldi, Randi Albert, Mercer, Zito, L. Cotter, Wolski

Comment: Petition submitted, but none of the options checked.

Response: The FAA is unsure of the comment.

Other—OIG Audit (OTHER68)

Source: Stephen Donato

Comment: Commenter refers to the OIG published in 2003, a review of the Yardley/Robbinsville "Flip-Flop" and Dual Modena, and expresses concerns that the DEIS' ability to cover cumulative impact in terms of the noise. He asks: What percentage of flights into PHL require CAT II or CAT III low visibility approaches? Approximately how many CAT II or CAT III low visibility approaches are conducted over Northern Delaware each year? Have RNP or RNAV approaches been developed for PHL via the Delaware River when arriving from the west for noise reduction? If not, how can this be made to happen?

Response: The Robbinsville-Yardley Flip-Flop and the Dual Modena Procedures are included in the No Action Alternative as these procedures were found to have no significant environmental impacts and were therefore categorically excluded from further NEPA review.

The RNAV river approach is intended for traffic from the south. These flights currently fly over Delaware on their way to the ILS. Creating noise abatement measures, such a river approach for arrivals from the west, is usually promoted by the Airport Sponsor and typically through a Part 150 Study. PHL is currently conducting a Part 150 Study.

Other—DEIS (OTHER69)

Source: Herbert McCarson

Comment: "Airspace redesign draft at Philadelphia Int. airport to be detrimental to the citizens of the affected

area. It appears said draft is set up for big business not the people."

Response: See General Responses GR-12 and GR-35.

Comment: "Are you nuts?!"

Response: Such a comment does not provide useful input.

Other—Concerns about EIS (OTHER7)

Source: Marion Mahn

Comment: Commenter unsure why called EIS when it seems to have nothing to do with the environment. She notes that the FAA seems only interested in the refusal of ocean routing.

Response: See General Responses GR-33 and GR-3

Other—Teterboro Airport (OTHER70)

Source: Buxbaum

Comment: Close Teterboro Airport Stop Newark North!!

Response: Comment noted. The Airspace Redesign does not include infrastructural changes to any of the airports included in the Study Area.

Other—General (OTHER71)

Source: Doly Due

Other—Costs (OTHER72)

Source: Jim Frawly

Comment: "Your spokesman states that there will be a merger of two Long Island control centers. You project that couple with the Alternative 4 it will save the airlines \$225 million each year and 5 minutes in flight time. However, the same spokesman stated that the same merger coupled with the No Action plan would save the airlines \$151 million each year and 3 and one-half minutes in flight time. The difference is a mere \$74 million and 1 and one-half minutes. Spread that over five major airports and the airlines using them wouldn't be enough to pay each of those CEOs. Also, you project the cost to the agency, which is supported by tax-payer money, to be about \$200 million. Sounds like a taxpayer subsidy for the airlines and not a very good investment looking at the projected consulting firms projected a \$2 billion cost for the entire plan. It was the Crown Group. Do you have the study? Can you give us the real cost that you expect Alternative 4 will be?"

Response: Neither estimated nor actual costs have yet been developed for any of the Alternatives. Upon completion of the NEPA process the FAA will develop an implementation plan for the Preferred

Alternative including a cost benefit analysis.

Other—General (OTHER73)

Source: Jim Frawly

Comment: "When you tell us that flights will be at 3000, 5000, or 7000, feet, is that above mean sea level? I believe, from another hearing, that you do use mean sea level. If so, since much of Morris County is well above sea level, say 800-900-1000+ feet, the flights that you say will be at about 5000 feet will actually be lower to the people because of the elevation in each location. Is this correct and, if so, when you project noise, do you account for the difference?"

Response: The commenter is correct about elevations being described as mean sea level. The NIRS model does account for terrain differences.

Other— Perception that Public Being Mislead (OTHER74)

Source: Thomas J. Schmidt

Comment: "You will be stacking them up no matter what so it won't help delays and will add to more 'near hits' and dissatisfied people with a government that seems already not to care by trying to sweep things 'under the rug' and hide plans from citizens whose

lawyers and government officials should and hopefully will weigh in on positively weigh for us [sic], unless there agenda is also the 'rug sweep', I guess we'll find out."

Response: See General Responses GR-2 and GR-8.

Other— Perception that Public Being Mislead (OTHER75)

Source:

Comment: "What connection does the FAA have with Elizabeth, Scotch Plains and the state? Apple polisher perhaps? We have been swindled long enough. Why don't they call New Jersey THE EMPIRE STATE and New York THE POISON IVEY STATE. Last but not least, send all the dignitaries who are responsible for giving us the shaft a visit to the press room of a newspaper or some other loud place with no ear protection and see how they like it."

Response: Such a comment does not provide useful input.

Other— General (OTHER76)

Source: Julia Szabo

Comment: "Comment notes that "it seems that it's missing in the environmental review the scope of that noise on this particular type of area. Also that I mean I haven't' seen any

evidence of a study specifically related to that. There was one law, there seems to be one law that sort of talks about protection of those areas [referring to the Catskill Park and Shawangunk areas]."

Response: The FEIS provides specific analysis for the Catskills and Shawangunk areas in Chapters Four and Five and Appendix J.

Other—EECP (OTHER77)

Source: Frederick O’Brock

Comment: "In the Daily Record on Sunday a week ago, your spokesman was quoted as saying that even the NO ACTION plan would increase noise as the airlines add flights. If that is correct there must certainly be capacity available for that to happen. Your other plans call for increased capacity, so just how much is available now? If it is as much as there was when you installed the EECP in 1987 when the airlines were very busy, why do anything if there is more capacity available now. So just how much is there?" Another comment asks: How do you intend to satisfy the congressional mandate to resolve the problem cause by EECP?

Response: The NY/NJ/PHL Metropolitan Area Airspace Redesign is not a capacity enhancing project. Significant major improvements to capacity would primarily come from the construction of new runways. Since none are proposed for the NY metropolitan area major improvement to capacity will not be realized, therefore it is imperative

that the efficiency of the airspace be increased to its maximum potential. Another way to consider the benefit of airspace redesign is the impact on throughput. Throughput is not the same as capacity. Throughput is the actually-achieved number of aircraft using a resource in a given time. It is measured by counting aircraft, whether in a real system or a simulated one. Capacity is the theoretical maximum number of aircraft that could use a resource in a given time. It is measured by surveying, queuing simulations, or mathematical models. A decrease in throughput does not mean a reduction in the number of flights, it means that delays increase. Likewise an increase in throughput does not mean an increase in flights; it means a decrease in delays. When throughput is below capacity, the system is inefficient. Reducing the difference between the throughput and the capacity is the purpose of this airspace redesign. See General Response GR-18.

Other—General (OTHER78)

Source: Walter Matystik

Comment: Commenter supplies a list of the failings of the DEIS as follows:

“It fails to adequately address all alternatives including the no action alternative as required by NEPA and FAA implementing guidelines for NEPA compliance.

“It fails to adequately address the impact of noise on surrounding communities impacted by any changes in flight patterns including those in the Town of Mount Pleasant in Westchester County, NY.

“It fails to include detailed descriptions of operations at Westchester County Airport (HPN) under the proposed actions (e.g. runway use, flight track geometry, and use rates.)

“It fails to include results of noise modeling studies used to determine impact on surrounding communities including those in the Town of Mount Pleasant in Westchester County, NY.

“The noise modeling included does not include a dense enough grid to adequately assess the potential impact of noise on surrounding communities including the Town of Mount Pleasant in Westchester County, NY.

“It fails to include and assess impacts on water quality including airborne contaminants for the Kensico Reservoir – a key component of the water supply system for the City of New York and the County of Westchester.

“It fails to address the environmental justice issues for the impacted communities including any disproportionate impact on minority and/or economically disadvantaged neighborhoods in the vicinity of HPN.

“It does not adequately explain in detail the ‘poor access to departure routes during severe weather conditions’ necessitating the proposed action.

“It improperly fails to include a sufficient margin of safety or account for other variances in its noise modeling results especially for those results that are only .2 or 1.0 decibel lower than the threshold of significance.

“It fails to address the impact on the County of Westchester and its taxpayers for substantial costs associates with modifying existing noise abatement procedures and related monitoring equipment resulting from the proposed action.

“It fails to address the potential noise and safety impacts on schools in the area of impact including but not limited to those of the Mount Pleasant Central School District.

“In general, it fails to take the requisite “hard look” at the potential impacts of the proposed action.”

Response: The FAA disagrees with the commenter. See General Responses GR-33, GR-3, GR-6, GR-13, GR-8, and GR-35. Detailed information for HPN is included in the FEIS in response multiple commenters.

Other— LGA 22 (OTHER8)

Source: Peter Fanelli

Comment: Commenter states: "This community's big concern is Runway 22. What can be done about Runway 22, I think that is something the FAA can give something, a little something to Larchmont, they may solve the problem, but everybody, you know, has to give a little, take a little. That's all, it's about Runway 22."

Response: Comment noted. Also, see General Responses GR-26 and GR-35.

Other— LGA 22 (OTHER9)

Source: Wendy Zoland

Comment: Commenter questions the changes and how they will affect the Village of Amaroneck. She would like

to know if there will be more in certain times of the day and how high or low these planes will be flying. She also is particularly concerned with how Runway 22 will be monitored and altitudes enforced.

Response: The FAA's Preferred Alternative will have no reportable noise changes for the Village of Amaranock. See General Response GR-35 and GR-15.

SAFETY CONCERNS

Safety Concerns – Parsippany, NJ (SAFETY10)

Source: Herbert Water

Comment: Commenter is concerned about the planes flying closer together and the chance of collision. He feels that the number of recent accidents has increased and that this new change will not help.

Response: See General Response GR-8.

Safety Concerns – Parsippany, NJ (SAFETY11)

Source: Rich Kersley

Comment: Commenter is in favor of whatever option is the most safe and efficient. She feels that safety is the most important factor for the public at large.

Response: Comment noted.

Safety Concerns – Delaware County, PA (SAFETY12)

Source: MaryAnn Dialysis, MaryPat Scorzetti

Comment: Commenter concerned about the re-route over the DE River and how this will affect the safety of their homes. Another comment noted that the low flying planes near the homes would not only create noise disturbance, but because of the dense neighborhoods present safety concerns.

Response: See General Response GR-8 and GR-15.

Safety Concerns – Howard Beach, NY (SAFETY13)

Source: Karen Listopad, Eugene Corcoran

Comment: Commenter notes that that after 9/11 having planes fly over homes and school is dangerous.

Response: See General Response GR-8.

Safety Concerns – Military Safety (SAFETY14)

Source: Gary Wyssling

Comment: I don't think anyone is listening number one. Are they aware that there is an army base, a very large army base, that makes our military

bombs on this route. Your gentleman, whoever the head in there is, just said they don't fly over military bases, why are they flying over this military base, the Picatinny Arsenal?

Response: The Picatinny Arsenal is identified on the New York Sectional Navigational Chart and the helicopter route is clearly depicted. The Airspace Redesign does not change helicopter routes nor model helicopters as they would not be impacted by the Proposed Action.

Safety Concerns – Bergen County, NJ (SAFETY15)

Source: Michael Prefi, Noreen Sciacchetano, Johanna Cairo, Rich Baudisch, Evelyn Eigner, Astrid Sichko, Stacey Glick-Novack, Harriet Zuk, John Kenney, Andrea Newman, Penelope Ellis, S. Toolen, G. Moran, Amy Linardic, F Pelemezian, Marie Sineen, Richard A Hanley, Phil Cohn, Joan Dondero, Mark Bromberg, Peter Romero, Rich Baudisch, Richard Porth, James Kimball, Marc Mandelman, Robert Zak, Janet Donaghy, Robyn Krumrei, Jan Seiffer, David Buchner, Gloria Ponosuk, William E. Throne, John O'Reilly, Robert & Arlene Widmer, Christa M. Brooks, Michael H. Kazigian, Beverly Regna, Robert Widmer, Joen Ciannella, John & Carol Cerrato, Jett Gurman, Charles Ryan, Debbie Cerreto, Grace Mahelsky, Belle Barnes

Comment: Bergen County has the highest population density in the tri-state area, any aircraft accident would be catastrophic. One commenter notes that

Bergen County has the highest population density in the tri-state area and any airplane accident would be catastrophic. Multiple comments express concern about the health of the citizens in the county as well.

Response: See General Responses GR-8, GR-5, and GR-6.

Safety Concerns – General (SAFETY2)

Source: A. Greene

Comment: Commenter noted that "Shortening the distance between planes from 5 nautical miles to 3 nautical miles will result in an increase safety risk. The crash over the Rockaway's several years ago was caused by the wake of the lead planes."

Response: See General Response GR-8.

Safety Concerns – Teaneck, NJ (SAFETY20)

Source: Christine De Vries

Comment: The commenter is concerned about the safety of the planes to and from Teterboro. She notes that there have been two accidents so far and wonders how many injuries are necessary before flights are limited.

Response: See General Response GR-8.

**Safety Concerns – Stacking
(SAFETY21)**

Source: Thomas J. Schmidt

Comment: "The only impact will be to aggravate the people of a great historic area by stacking here and possibly increasing the threat of unsafe airspace."

Response: See General Response GR-8.

**Safety Concerns – Elizabeth, NJ
(SAFETY5)**

Source: Alexander Sharpe

Comment: Any kind of noise or mechanical failure over this community could be very dangerous.

Response: See General Responses GR-35 and GR-8.

**Safety Concerns – Reston, VA
(SAFETY3)**

Source: Seymour Levine

Comment: Commenter concerned about interaction between planes and cell phone towers as well as the low altitude of the flight pattern affecting safety of the citizens.

Response: Obstructions to airspace are adequately marked by FAA. See General Responses GR-15 and GR-8.

**Safety Concerns – Cranford, NJ
(SAFETY6)**

Source: Mike Rokicki

Comment: Commenter feels that the excessive noise poses danger to health and safety. Commenter feels that noise from planes can be such a distraction that it causes safety concerns for those on the ground, i.e. driving.

Response: See General Response GR-35.

**Safety Concerns – South New Jersey
(SAFETY4)**

Source: C.P. Miller

Comment: Commenter concerned about the landing patterns affecting people's health and lives because of the decibel level.

Response: See General Responses GR-8 and GR-35.

**Safety Concerns – Springfield, NJ
(SAFETY7)**

Source: UNK Tentspike(a)

Comment: Commenter feels like any kind of mechanical failure over this county could be very dangerous and prefers for planes to be kept over the river.

Response: See General Response GR-8 and GR-26.

Safety Concerns – Union County and Floral Park, NJ (SAFETY8)

Source: Rosemary Millet, Kathleen Donnelly, Roe Romano, JoLynn Judka

Comment: "We can't absorb anymore airplane capacity at Newark. It's a matter of time before a plane is going to go down and we will have a catastrophe, being a heavily-populated area. Commenter concerned that similar situation from Long Island a few years ago where parts of an airplane fell on a home and the family died may happen in Union County." Several comments include concerns about the increase in air traffic posing a general threat to safety. One commenter notes that the increase of flights due to re-routing will decrease the safety of residents in her area.

Response: The FAA has strict regulations governing the certification and maintenance of aircraft. Before any type of transport category aircraft enters service and is authorized to carry passengers or cargo, it must be certified in accordance with Title 14 of the Code of Federal Regulations Part 25 known as Airworthiness Standards. Once the airline start using an aircraft type, they have to follow a vigorous maintenance schedule mandated by Title 14 of the Code of Federal Regulations Part 43 Maintenance, Preventive Maintenance, Rebuilding and Alteration. In addition, all aircraft type certificate holders, owners and operators must comply with Title 14 of the Code of Federal Regulations Part 39: Airworthiness Directives (AD). The aircraft type

certificate owner is responsible to notify the FAA when they become aware that unsafe conditions exist on one of their products. FAA will issue Airworthiness Directives when they become aware of the existence of an unsafe condition in a product or if the condition is likely to develop in other product of the same type design. Parts of planes falling off during flight most likely will require FAA to issue an Airworthiness Directives to all owners/operators who utilize that particular type of aircraft. The AD specifies a compliance time and that compliance time determines when the actions are required. Aircraft owners and operators are responsible for ensuring compliance with the requirements of all ADs that apply to their aircraft. Also, see General Response GR-8

Safety Concerns – NY, NJ, PHL (SAFETY16)

Source: Pat Imodejka, Dennis Heidt

Comment: "On August 9, 2000 my husband was killed in a midair collision of 2 small planes over Burlington County NJ. My husband's plane was on a business trip from Mercer County Airport in route to Pautexant MD. His plane collided with a small plane out of Philadelphia International Airport. 11 people were killed in this tragic accident. Both planes were operating under visual flight rules. The NTSB attributed the accident to pilot error. They simply did not see each other. I have been told that this is a busy corridor and that the potential for another accident is there. I don't know much about aviation rules and such, but I firmly believe that

something needs to be done to ensure that this never happens again. I'm not sure what that means, but if re-routing traffic or requiring planes to fly under instrument rules would help it at least would be a step in the right direction. I don't know much about your proposals but I would support any action necessary to insure that the highest safety regulations are in place and enforced."

Response: Comment noted. Also, see General Response GR-8.

Safety Concerns – General (SAFETY17)

Source: Salvatore P. Neary

Comment: "...I noticed a plane heading east toward I assume JFK or LaGuardia. To my surprise a Northbound plane heading towards, I assume Newark, appeared in the sky as well. As I watched the planes were heading for the same point in the sky. I was shocked when the Newark bound plane dove aggressively lower in what can only be described as an evasive maneuver. I know there has to be some intelligent people planning these flight paths, but after that night I watched as planes were crisscrossing each others paths on a regular basis. Please re-direct at least one of these flight paths before there is a tragedy. I am concerned for the well being of the airplane passengers and the well being of my family and neighbors."

Response: Comment noted. Also, see General Response GR-8

Safety Concerns – Westchester County, NY (SAFETY18)

Source: Gabriel Alfaya, Beth DeWit, Henry & Karen Thomas, Deborah Jurkowitz, Navin Gupta, Susanne Heincke, Helen Yarscak-Lanzotti, Vivian Bergenthal, Jonna & Kyle Rothbart, Marilyn Greiner, Harold DeLoe, Curtis Bakal, Cory Notrica, Wendy Greenberg, David Goldman, Michael Costello, Julie Hirschfeld, Robyn Kaminski, Spencer Haimes, Steve Steinberg, Deirdre Marangiello, Patricia Guarino, George Wiener, Edward Creasy, Tana Rossi, Cheryl & Mike Ciofalo, Carmela Legnini, M. Elkes, Carole Hecht, Holly Kotiadis, Salvatore Didato, Otto Barz, Aliza Garofalo, Heinz Schlenkermann, Gary Pettit, Susan Rukeyser, Randy Jackson, Jennie Kaplan, Thankuval(a), Bonnie Glauber, Joseph Rodriguez, Joann Minett, Cari Gardner, Sara & Edward Brewster, Jean Rivlin, Barbara McGuire, Carolyn Adessa, Barbara Tobey, Greg Maher, S. Edmonds, Georgianna Grant, Evelyn Aszmus, Margie Cohen, Doug Skireef, Sue Seiler, Donna Agajanian, Marilyn Occhiogrosso, Lillian Tucci, Daria Gregg, Edith R. Shapiro, Adam Hart, Rosemarie Muscolo, Barbara Wasserman, Susan Kassouf, Susan Mamone, Grace Mahelsky, Michelle Kassan, Theresa Ryan, Andrew Nappi, Stephen Smith, Mary Bramwig, Mary Kohl, Patrick & Eileen Dotoli, Lisa Munz, Regina Blakeslee, Warsenn, Roberta & Steven Rothkin, Michael Aiello, Jane Yendell, Steven Doblin, Steve Rothkin, John George, Harold Reinstein, Philip Guthoff, Peter Sieminski, David Becker, Elena Malunis, Gary Malunis, Joyce Weiser,

Douglas & Cynthia Ferguson, Gene Feeney Sr., Robert Sparling, Steve Tuchin, Carolyn Mittelstadt, Dorothea Jandrucko, Charles Karen, Veronica Perry, John Leyden, Dennis Kirby, Madelon Rosen-Solomon, Sue Davis, Carolyn Thornlow, Michael Johnson, Cynthia Altman, Susan Brecker, Debra Schoen, Micahel & AnnMarie Ross, Patricia & Daniel Lowy & Frank, Albert Corten, Tim Hickey, Ellen Golds, Carol Singer, Peter Dougherty, Nicole Maresca, Arthur Fuller, Barry Linder, Denise Weber, Ellen Broude, Beverly Borg, Jeff Pucillo, Maria Pia Marella, Pat & Tony Alessi, Lorianne Chuquillanqu, Bruce Dale, Deborah Tarricone, Jeanne Starren, Ellen Hendrickx, Dani Glaser, Brenda Hill, Lori Serafin, Brian Halloran, James Cowderry, Nancy Kliot, Stephen Smith, Paula Panzer, Monique Rothman, Laura Rubin-Reick, Elizabeth Hardman, Fred Volpacchio, Betsy Kolt, Christine Blake, Michael Callahan, Trish Gallagher, Witt Barlow, Chris Caulfield, Judith Harrison, Mary Cronin, Emmanuel Faure, Patricia Sestito, Tom Mitchell, Peter Shafran, Doug Wehrle, Felicia Anzel, Scott Nelson, Annemarie Moore, Jon Karpoff, Aidan Brewer, Nancy Angiello, Gloria Guman, Fred Smith, William Burton, Rocco Tortorella, Ronnie Rose, Steve Rothkin, Shelley & Michael Foxman, Ellen Roth, Patrice Downey, Gerry O'Malley, Peter Feigenbaum, Mathew Peretz, William & Barbara Safchik, Keith & Rosanna Dougherty, Mary Ann Priore, Jennifer Lee, Cara Bucovetsky, Susan Indenbaum Amy Gardiner, Valerie Ringel, Marion Gillman, Pat Bucciero, Vitalah Gayle Simon, Jonatahan Fein, Hala Makowska, Nicholas & Maryann Fiebach, Tom Gardiner, Ruth & Daniel Marino, Alan Shapiro, Robert Herbin, Debra &

William McGiness, Albert Mahelsky, Anne Corey, Terrence Yanni, Jeffrey Saks, Rich & Mary Siemenski, Eric Holdorf, Theresa Martz, Gwen Langille, Peter Sathapornwongkul, Drs. Lepsky & Annise, Maria & Jim Maggiola, Fred & Sondra Greenspan, Roy Byrd, Peter Schlactus, Robert Porto, Rob Langille, Joseph de Chaves, Anna Carbone, Daniel Taub, Catherine Tanelli, Rochelle Weitzner, Lynda Merchant, Leslie Goldstein, Stephanie Greenwald, A.J. Kydd, Marnie Mallah, Diane & Robert Wintermeier, Patricia Anne Woods, Rob & June Farnham, Rich Barton, Catherine Baecher-Scholtz, Ronald Steinvurzel, Robert Mavian, Gary Slutsky, Barbara Mavian, Jeffrey & Barbara Weiss, Joe Pappas, Edward & Lisa Specht, Donna Goldsmith, Peggy Greenwalt, Jim Goldsmith, Nitin Nayak, Sandra Beach, Rita Majdanski, Susan Manber, Ian Bauer, Jackie Marek, Lisa & Brian Grodin, Anges Mlinko, Jan Nolte, Roger P. Matles, Sarah McMane, Laurie Salzberg, Jean Wentworth, Judith & Alan Duke, Walter Stugis, Ronna DeLoe, Bryan Wolkind, Jamie Black, Sheema Bhattacharya, Steve McCulloch, Arline Lane, Anita Reilly, David Nadasi, Mildred & Frank Ruckel, Bernard Ferster, Paula Higgins, Barbara & Jim Gilman, Claudette Druehl, John Bauman, Isabella Bannerman, Amy Goldsmith, Marcia Cohen, Barbara Ehrentreu, Laurie Corey, Elizabeth Condon, Melanie Murphy, Gabriel Alfaya, Beth DeWit, Henry & Karen Thomas, Deborah Jurkowitz, Navin Gupta, Susanne Heincke, Helen Yarscak-Lanzotti, Vivian Bergenthal, Jonna & Kyle Rothbart, Marilyn Greiner, Harold DeLoe, Curtis Bakal, Cory Notrica, Wendy Greenberg, David Goldman, Michael Costello, Julie Hirschfeld,

Robyn Kaminski, Spencer Haimes, Steve Steinberg, Deirdre Marangiello, Patricia Guarino, George Wiener, Edward Creasy, Tana Rossi, Cheryl & Mike Ciofalo, Carmela Legnini, M. Elkes, Carole Hecht, Holly Kotiadis, Salvatore Didato, Otto Barz, Aliza Garofalo, Heinz Schlenkermann, Gary Pettit, Susan Rukeyser, Randy Jackson, Jennie Kaplan, Thankuval(a), Bonnie Glauber, Joseph Rodriguez, Joann Minett, Cari Gardner, Sara & Edward Brewster, Jean Rivlin, Barbara McGuire, Carolyn Adessa, Barbara Tobey, Mackusa@optonline.net, Greg Maher, S. Edmonds, Georgianna Grant, Evelyn Aszmus, Margie Cohen, Doug Skireef, Sue Seiler, Donna Agajanian, Marilyn Occhiogrosso, Lillian Tucci, Daria Gregg, Edith R. Shapiro

Comment: "Your proposal would have flights travel over Indian Point Nuclear Plant. That is one of the most ridiculous things I have ever heard. It is obvious that this pattern was not properly and carefully thought out." Many comments express concern regarding the Power Plant. Another comment notes that the flight paths would be over high density areas with very few large parking lots, golf courses, or wide roads for emergency landings. Other comments included safety concerns about Kensico Dam."

Response: See General Responses GR-9 and GR-8.

Safety Concerns – Westchester County, NY (SAFETY19)

Source: Darrell Gordon, Dan Ropson, Kurt Neurt, Marcy & Jeffrey Simon, David Martin

Comment: Residents note that flying over Indian Point Nuclear Plant is not a major security risk and disagree with Andrew Spano's mission to re-routing the planes. One comment reads: Executive Spano's critique of the FAA is totally off base and is just more pandering to his wealthy constituency in Westchester County. As a pilot in good standing as well as a frequent airline passenger at this facility, I can assure that this measure is well overdue. In addition, I am an employee of Energy Nuclear North East, over and operator Indian Point Energy Center, and I know there is no meaningful risk to the Indian Point facility introduced by your plan. This is just a scare tactic that regional politicians often use to further their own agendas, which in this case are not remotely related to Indian Point. I encourage you to stick to your principles and do what is right for the aviation community and the general public, and do not be bullied by the Westchester County Executive."

Response: The FAA agrees that there is no danger with flights in the vicinity of Indian Point Nuclear Plant. See General Response GR-9.

**Safety Concerns – Larchmont, NY
(SAFETY20)**

Source: Mark Friedland

Comment: Although rare, persons on the ground have been exposed to debris from arriving and departing planes. If the Airspace Redesign concentrates departures or arrivals over certain areas, it may expose those on the ground to undue or excessive risk. This issue is not addressed in the DEIS.

Response: The FAA has strict regulations governing the certification and maintenance of aircraft. Before any type of transport category aircraft enters service and is authorized to carry passengers or cargo, it must be certified in accordance with Title 14 of the Code of Federal Regulations Part 25 known as Airworthiness Standards. Once the airline start using an aircraft type, they have to follow a vigorous maintenance schedule mandated by Title 14 of the Code of Federal Regulations Part 43 Maintenance, Preventive Maintenance, Rebuilding and Alteration. In addition, all aircraft type certificate holders, owners and operators must comply with Title 14 of the Code of Federal Regulations Part 39: Airworthiness Directives (AD). The aircraft type certificate owner is responsible to notify the FAA when they become aware that unsafe conditions exist on one of their products. FAA will issue Airworthiness Directives when they become aware of the existence of an unsafe condition in a product or if the condition is likely to develop in other product of the same type design. Parts of planes falling off during flight most likely will require

FAA to issue an Airworthiness Directives to all owners/operators who utilize that particular type of aircraft. The AD specifies a compliance time and that compliance time determines when the actions are required. Aircraft owners and operators are responsible for ensuring compliance with the requirements of all ADs that apply to their aircraft.
