U.S. Department
of Transportation
**Federal Aviation
Administration**

Great Lakes Region
2300 E. Devon Avenue
Des Plaines, Illinois 60018

OCT 22 2009

The Honorable Janice Schakowsky
United States House of Representatives
Washington, DC 20515

Dear Congresswoman Schakowsky:

Thank you for your letter dated September 30 to Jack Delaney in the Chicago Airports District Office. That letter asked the Federal Aviation Administration (FAA) to respond to questions raised by your constituents who have been impacted by noise at Chicago O'Hare International Airport.

Attached is our response to those questions that the FAA is in a position to address. In one case, only the Chicago Department of Aviation can provide the requested information. The FAA has spoken with Commissioner Andolino and requested the Department of Aviation to respond to those points.

As requested by Ms. Ann Limjoco of your staff, we are also emailing her a copy of the attached responses for her immediate use.

If you or your staff require further assistance, please contact me at (847) 294-7494.

Sincerely,

Barry D. Cooper
Regional Administrator
Great Lakes Region

Enclosures:
Transmitted Correspondence
Response to Questions

1. ***Provide us with Individual Sound Events for the 5 noise monitors we identified for the months of January, April, May, June, July, and August.***

   The "Individual Sound Events" information indicated in the September 2, 2009 letter is available from the City of Chicago. The FAA does not have the information requested. However, the FAA has contacted the Chicago Department of Aviation at the highest level and requested that this information be provided to Congresswoman Schakowsky.

2. ***Evaluate and respond to the Utilization at OMP Build Out exhibit and the disproportionate number of flights over Park Ridge Airspace.***

   The FAA studied a wide range of alternatives in the Draft Environmental Impact Statement (DEIS). In addition, the FAA was presented with suggestions and requests regarding the alternatives that could be considered for the purpose of avoiding or mitigating impacts. FAA evaluated these comments and suggestions and determined they did not meet the purpose and need of the O'Hare modernization proposal. Section 3.6 of the Final EIS and Section 11.1.2 of the Record of Decision provide the FAA's evaluation of these suggestions.

   The Final EIS, by regulation, is required to identify a "preferred alternative." The FAA in its consideration of alternatives, in addition to the relevant environmental statutes, has been mindful of its statutory charter to encourage the development of civil aeronautics and safety of air commerce in the United States (49 U.S.C. §40104). FAA also considered the congressional policy declaration that airport construction and improvement projects that increase the capacity of facilities to accommodate passenger and cargo traffic be undertaken to the maximum feasible extent so that safety and efficiency increase and delays decrease [49 U.S.C. §47101(a) (7)]. The preferred alternative is the alternative which the agency believes would fulfill its statutory mission and responsibilities, giving consideration to economic, environmental, technical and other factors.

   The FAA identified Alternative C, the City's proposed O'Hare Modernization Program, as the agency's preferred alternative in the Final EIS, for reasons discussed in detail in Section 3.7 of the Final EIS.

   The exhibit included in your letter dated September 2, 2009, titled, "Chicago O'Hare International Airport - Estimated Runway Utilization at OMP Buildout" accurately depicts the estimated runway use as evaluated by the FAA in the EIS.

   The number of flights over a community includes both arrivals and departure operations. According to the information contained in Tables F-38 and F-39 in Appendix F of the Final EIS, if the O'Hare Modernization Program were not built, the estimated percentage of operations over Park Ridge would be 55.9 percent, compared to 56.1 percent with O'Hare Modernization at the time of Build Out. We do not view this difference (two-tenths of a percentage point) to be disproportionate.

3. ***Provide updates on the Congresswoman's meetings with other US Congressmen on issues related to airport reconfigurations, noise, and pollution.***

   We understand that Representative Schakowsky's office will be responding to this question.

4. ***Work with the FAA and O'Hare to create a Mandatory Fly Quiet Program. Please refer to the packet we gave you at the April meeting for our sample noise abatement procedure for O'Hare plus articles about how other major airports handle noise.***

   The Fly Quiet Program is the City of Chicago's program. If the City were to choose to make the Fly Quiet Program mandatory, appropriate National Environmental Policy Act (NEPA) review would be required because a mandatory program could affect the size and shape of the 65 DNL Build Out Noise Contour presented and approved in the Final EIS. To date, there are no Federally approved mandatory Fly Quiet programs at any airport in the country. In addition to the NEPA analysis and potential change to the existing noise contour, the City would be imposing a flight restriction and therefore would require a Part 161 review as well—a lengthy and expensive process that has yet to be concluded favorably anywhere in the U.S. FAR Part 161, entitled "Notice and Approval of Airport Noise and Access Restrictions," addresses the issues related to competitive access, interstate commerce and the national airspace system. Under federal law, FAA approval must be obtained by an airport prior to implementation.

5. ***Review enclosed document from the City of Park Ridge website on local noise ordinances. Incorporate into Fly Quiet Program.***

   Please see the response to number 4, above regarding NEPA implications. Please also note, Paragraph 14-9-9 of the Park Ridge Municipal Code as currently posted on the City's web site specifically states airplane noise is excluded from the ordinance.

6. ***Address the issue of a Regional Airport Authority, or another single, independent body to be responsible for noise, pollution, and environmental issues surrounding O'Hare.***

   Governance of airports is a state/local responsibility. The federal government has no role in those decisions. There are multiple Federal, state and local agencies with statutory responsibility for the environmental issues in any large metropolitan area and urban setting.