

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
RECORD OF APPROVAL
14 CFR PART 150
NOISE COMPATIBILITY PROGRAM UPDATE**



**MODESTO CITY-COUNTY AIRPORT
HARRY SHAM FIELD
MODESTO, CALIFORNIA**

Cary J. Jaramali
FOR Regional Counsel, AWP-7

1 JUNE
2010
Date

X
CONCUR

NONCONCUR

Don Rapp
Manager, Airports Division, AWP-600

6/2/10
Date

X
APPROVED

DISAPPROVED

**Record of Approval
Modesto City-County Airport
Noise Compatibility Program Update**

INTRODUCTION

The City of Modesto submitted its Modesto City-County Airport (MOD) Noise Compatibility Program (NCP) Update, dated February 2009, which describes the current and future noncompatible land uses based on the parameters as established in Title 14, Code of Federal Regulations, Part 150, *Airport Noise Compatibility Planning*. The Noise Exposure Map (NEM) prepared by the City of Modesto was accepted by the Federal Aviation Administration (FAA) on January 9, 2009. The noise compatibility program includes: two recommended noise abatement elements, four land use management elements and one program management element. These measures are described in Chapter 6 of the NCP. The NCP includes a number of measures that were approved in the 1994 MOD NCP Record of Approval (ROA). However, as noted in the City of Modesto's April 15, 2010 and June 11, 2009 [Revised August 12, 2009] letters, the City of Modesto is not seeking FAA approval for these measures. In their April 15, 2010 letter, the City of Modesto submitted an updated Table 6D to replace this table in the NCP. The updated table shows which measures the sponsor seeks FAA approval. The new and existing NCP measures are summarized in the updated Table 6D.

The approvals listed herein include approval of new measures that the City of Modesto, as the airport sponsor of MOD, recommends be taken by the FAA. It should be noted that these approvals indicate only that the measures would, if implemented, be consistent with the purposes of 14 CFR Part 150. The approvals do not constitute decisions to implement the proposed measures or a commitment by the FAA to provide federal financial assistance for these measures. Later decisions concerning possible implementation of these measures may be subject to applicable environmental or other procedures or requirements. FAA is providing its decision for only those NCP measures that the City of Modesto is seeking FAA approval for.

The descriptions of the measures below summarize, as closely as possible, the airport sponsor's recommendations in the NCP and are cross-referenced to the program. The statements contained within the summarized recommendations and before the indicated FAA approval, disapproval or other determination do not represent the opinions or decisions of the FAA.

NOISE ABATEMENT ELEMENTS

1. Noise Abatement Element 3 - Pursue a change to the Department of Defense's IFR Supplement

Description: This measure is for the City of Modesto to coordinate with military units that frequently train at MOD and the Department of Defense (DOD) to pursue a revision of the DOD Instrument Flight Rule (IFR) Supplement. The IFR Supplement is the publication used by military pilots to determine specific operating characteristics for each airport. The current recommendation stated in the IFR Supplement is that turbojet operations should be discontinued between 12:00 a.m. and 5:00 a.m. Residents northwest of MOD have expressed concern over early morning military training operations. The City of Modesto's NCP is suggesting that the language should be revised to include turboprop aircraft and expand the hours from 10:00 p.m. to 8:00 a.m. This will help educate military pilots regarding noise-sensitive land uses in the vicinity of MOD. (NCP Pages 4-21, 4-22 and 6-4) The City of Modesto clarified in its August 12, 2009 letter to the FAA that the City of Modesto would "encourage" a revision to the IFR Supplement.

The City of Modesto's clarification was to acknowledge that the proposed change in operations would be a voluntary measure by DOD, if implemented.

FAA Action: Disapproved for purposes of Part 150 because there is no supporting analysis. The disapproval of this measure for Part 150 purposes does not prohibit the City of Modesto from working with the DOD to revise the recommended operational hours in the IFR Supplement on a voluntary basis.

2. Noise Abatement Element 4 - Designate a commercial service hold area near midfield

Description: This measure is for the City of Modesto to coordinate with the Modesto Airport Traffic Control Tower (ATCT) and commercial service providers to establish procedures for initiating a ground hold at the midfield location. Commercial service flights are often given a ground hold prior to departure until there is room to sequence the aircraft into the surrounding airspace. Currently, when the aircraft have left the terminal ramp area and are given a ground hold, the aircraft are held on the taxiway near the end of the runways, which increase noise over existing residential areas and has generated complaints. In an effort to decrease the effects of these ground holds, a hold area should be designated on the bypass taxiway near the intersections of Taxiways A and A1 closer to midfield. (NCP Pages 4-30 to 4-32, Exhibit 4G, 6-4 and 6-5)

FAA Action: Approved as a voluntary measure on use of a midfield holding area by airport users. The Community Noise Equivalent Level (CNEL) to the southeast of MOD is slightly reduced by moving the location of aircraft runups closer to the airport midfield.

LAND USE MANAGEMENT ELEMENTS

The City of Modesto's MOD NCP identified no current or projected incompatible land use within the CNEL 65 decibel (dB) contour. The MOD NEM and NCP disclose current and projected noise impacts to the CNEL 60 dB contour for local planning and disclosure purposes. The FAA notes that both the City of Ceres and Stanislaus County have adopted CNEL 60 dB as the transportation noise standard.

1. Land Use Management Element 6 - Adopt the Modesto City-County Airport Part 150 Noise Compatibility Program by Reference in the cities of Modesto and Ceres, and Stanislaus County General Plans

Description: This measure is for the City of Modesto to adopt the MOD NCP by reference into its General Plan. The City of Modesto would also encourage the City of Ceres and Stanislaus County to adopt the plan in the similar manner. Presently, each jurisdiction has adopted different airport planning document noise data into their local plans. This would ensure all jurisdictions are using the same noise data. A unified approach to airport land use compatibility by the City of Modesto, City of Ceres, and the Stanislaus County would ensure consistency among the three affected jurisdictions when considering the potential noise impacts on development proposals. Incorporating the Modesto City-County Airport Part 150 Noise Compatibility Study by reference into the three general plans and citing the 14 CFR Part 150 guidelines would ensure that the most recent noise exposure maps are used when evaluating development proposals. (NCP Pages 6-8 and 6-9)

FAA Action: Approved. Amendment of the City of Modesto's General Plan is within its authority. Amendment of the Stanislaus County and City of Ceres General Plans would be within their own authorities.

2. Land Use Management Element 7 - Consistently designate the area northwest of the airport within the City of Modesto and Stanislaus County General Plans

Description: This measure is for the City of Modesto to coordinate with Stanislaus County to reach a consensus regarding the General Plan designation for the Airport Neighborhood located northwest of the airport. The area northwest of the airport has different land use designations in the two General Plans. The City of Modesto General Plan designates the area for residential land uses, while the Stanislaus County General Plan identifies the area as industrial transition. However, in order for this transition to occur, existing residences would need to be removed. The City of Modesto's residential classification of the area is consistent with existing land uses, but could result in noise impacts if airport operating characteristics change in the future. The City of Modesto should amend its General Plan to be consistent with the Stanislaus County General Plan (NCP Page 6-9 and Exhibit 6 D)

FAA Action: Approved. The Federal government has no authority to control local land uses. Implementation of this measure is within the authority of the City of Modesto.

3. Land Use Management Element 8 - The City of Modesto should consider adopting an airport compatibility checklist for discretionary review of projects within its vicinity

Description: This measure is for the City of Modesto to develop and adopt an airport land use compatibility checklist for review of discretionary projects in the vicinity of the airport. The checklist for discretionary project review that relates to airport land use compatibility can be useful for governing bodies to make recommendations and decisions regarding development near the airport. The City of Modesto could coordinate the checklist with the City of Ceres and Stanislaus County for adoption into their project review procedures. (NCP Pages 6-9 and 6-10)

FAA Action: Approved. Implementation of this measure is within the authority of the City of Modesto.

4. Land Use Management Element 9 - Adopt a Noise Overlay Zone

Description: This measure is for the City of Modesto, City of Ceres, and Stanislaus County to adopt an airport compatibility overlay zone to control development in the areas surrounding MOD. Airport compatibility overlay zoning is intended to provide an additional layer of special purpose regulations to address specific environmental conditions or problems by setting performance standards to protect the public. Overlay zoning involves the creation of one or more zoning districts that supplement the regulations of the general purpose zoning districts. The airport noise compatibility overlay zone would be used to discourage future noise-sensitive development near the airport and to implement fair disclosure regulations. Fair disclosure notices would be required in the event of any new construction, reconstruction of a property, or major alteration to a structure or addition of a second unit. Table 6A, *Airport Environs Noise District Overlay Matrix*, provides recommendations for uses allowed within each zone. The City of Modesto should also encourage the City of Ceres and Stanislaus County to adopt the same airport compatibility overlay zone for their jurisdictions. (NCP Pages 6-10 to 6-12, Exhibit 6E and Table 6A)

FAA Action: Approved. The Federal government has no authority to control local land uses. The objective of the measure is to help prevent the introduction of new non-compatible land uses.

PROGRAM MANAGEMENT ELEMENT

1. Program Management Element 1 – Update Noise Exposure Maps and Noise Compatibility Program

Description: This measure is for the City of Modesto to review the NEMs and NCP and consider revisions and refinements as necessary. It is anticipated that every 7 to 10 years the program would be updated to respond to the changing conditions in the local area and in the aviation industry. However, a program update may be needed sooner if major changes in noise conditions or surrounding development occur. This is a continuation of a measure approved by the FAA in the 1994 NCP ROA. The City of Modesto updated Table 6D to request FAA approval of this continuation measure. (NCP Page 6-13 and City of Modesto letter of April 15, 2010)

FAA Action: Approved.

END OF RECORD OF APPROVAL