

DRAFT RECORD OF APPROVAL

FEDERAL AVIATION REGULATION PART 150 NOISE COMPATIBILITY PROGRAM

MISSOULA INTERNATIONAL AIRPORT MISSOULA, MONTANA

INTRODUCTION

The Noise Compatibility Plan (NCP) for the Missoula International Airport (MSO) includes measures to abate aircraft noise, control land development, mitigate the impact of noise on non-compatible land uses, and implement and update the program. Federal Aviation Regulation (FAR) Part 150 requires that the plan apply to a period of no less than five years into the future, although it may apply to a longer period if the sponsor so desires. The NCP discusses the possibility of a parallel runway becoming operational in the future (7-10 years from date of NCP submittal), but neither the current nor future conditions include the future runway.

The objective of the noise compatibility planning process has been to improve the compatibility between aircraft operations and noise-sensitive land uses in the area, while allowing the airport to continue to serve its role in the community, state, and nation. The approval actions listed herein include all those that the airport sponsor recommends be taken by the Federal Aviation Administration (FAA). It should be noted that the approvals indicate only that the actions would, if implemented, be consistent with the purposes of Part 150. These approvals do not constitute decisions to implement the actions. Subsequent decisions concerning possible implementation of these actions may be subject to applicable environmental procedures or aeronautical study requirements.

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

The FAA has evaluated the "current conditions" noise exposure map identified as "year 2003" and found it to be representative of the "year 2004", the date of submission.

PROGRAM ELEMENTS

Measure 1: Notification to Homebuyers in Airport Influence Area This Action would result in the Airport working with title companies and realtors to develop voluntary Fair Disclosure Statements. An educational program would be developed and implemented by the Airport to educate the real estate professionals as to the need for such Statements. While individuals would not be precluded from purchasing or constructing residences within the Airport Influence Area, proper notification of the likelihood of being exposed to limited aircraft noise allows the future homeowners to make informed decisions. Page S.10.

FAA Determination: Approved.

Measure 2: Sound Attenuation Requirements for New Homes within the Airport

Influence Area The Airport will work with the local jurisdictions to amend existing regulations (building codes) as necessary, to include a sound reduction of 25 dB for newly constructed residential units within the Airport Influence Area. Manufactured homes generally are not capable of being sound attenuated, therefore, it is recommended that new manufactured home parks (what traditionally have been referred to as Mobile Home Parks) should be prohibited from inside the Airport Influence Area unless they are certified by the manufacturer to achieve sound attenuation. Modular homes are to be treated the same as on-site traditional homes. Page S.12.

FAA Determination: Approved. FAA's policy is that new noise sensitive land uses should be prevented from developing around airports or, in cases where prevention is not feasible, they should be rendered compatible with noise exposure levels through measures such as sound insulation during construction. The Missoula County Airport Authority has no control over final local land use decisions. While the FAA prefers no new noise-sensitive development, in cases where the airport sponsor does not control land uses, sound attenuation for new construction would provide compatibility with the airport. The Federal dated Register April 3, 1998 (63 FR 16409, 16411-16412). Part 150 provides that, where the community determines that residential or school uses must be allowed in the 65 DNL db contour, measures to achieve outdoor to indoor noise level reductions (NLR) of at least 25 dB and 30 dB should be incorporated into building codes. 14 C.F.R. Part 150, Table 1. The FAA's policy published in the Federal Register April 3, 1998 (Volume 63, Number 64), states that the FAA will not approve Federal funding to mitigate noise-sensitive land uses constructed after October 1, 1998.

Measure 3: Prohibit noise sensitive uses within the 65 DNL The Airport will work with local jurisdictions to amend existing land use controls i.e.; zoning regulations, prohibiting the development of noise sensitive (structures used for sleeping, learning or worshiping, other than transient uses) land uses within the 65 or greater DNL and new manufactured home parks within the Airport Influence Area. Page S.14.

FAA Determination: Approved. The Federal government has no control over local land uses. This measure is within the authority of the local land use jurisdiction(s). Beginning October 1, 1998, the FAA will approve under part 150 only remedial noise mitigation measures for existing noncompatible development and only preventive noise mitigation measures in areas of potential new noncompatible development. As of the same date, the ability to use AIP grants to carry out such measures will be affected to the extent that such remedial measures may not be approved under part 150.

Measure 4: Prohibit incompatible uses within the Extended Centerline of the Approach/Departure Path

The Airport would encourage local jurisdictions to include a prohibition on residential structures, schools, hospitals, libraries, religious facilities, retirement homes, and places of public assembly within the extended centerline of the approach/departure path in their comprehensive plan and in any future requests to change the current zoning. Low-density commercial uses, such as warehouses, industrial and non-retail uses would be encouraged, however residential uses within this area would be prohibited. These areas are graphically illustrated in Figures S3 and S4. Page S.16.

FAA Determination: Approved . The Federal government has no control over local land uses. This measure is within the authority of the local land use jurisdiction(s). This action would prohibit residential development within a geographical area as depicted by figures S3 and S4. This no-build area would extend 10,000 feet beyond each runway end and extends well beyond the 65 DNL contour for Runway 29 and runway protection zones established by FAA.

Measure 5: Operations Review and Part 150 Updates The FAR Part 150 Study is a five-year program recommended to be reevaluated prior to the end of the five-year time period. In addition, if the airport operator determines there is a significant change in either aircraft types or numbers of operations, or significant new facilities, the Study may be reevaluated prior to the end of the five-year time frame. Page S.20.

FAA Determination: Approved. This is consistent with the purpose of Part 150.

Measure 6: Require Avigation Easements by new Home Owners within the Airport Influence Area The Airport will petition the local jurisdictions to amend existing zoning and subdivision regulations to notify future home owners or home builders who desire to construct within the Airport Influence Area as a condition for permit or plat approval, new construction must achieve a 25 dB sound reduction as well as grant an avigation easement to the Airport. Page S.22.

FAA Determination: Approved. The Federal government has no control over local land uses. This measure is within the authority of the local land use jurisdiction(s).

Measure 7: Sound Attenuate or Voluntary purchase of homes within the 65 DNL It is recommended that the Airport sound attenuate to achieve a 25 dB reduction or purchase, on a voluntary basis, those single-family houses within the 65 DNL noise contour and greater. The sound attenuation would reduce inside noise levels and the purchase would remove the structure entirely, based on the Future Noise Exposure Map. As a consideration for such sound attenuation, the Airport would receive a noise easement from the homeowner. If attenuation is found to be economically unfeasible, the Airport would determine if purchase of a noise easement only would be more desirable or outright purchase of the structure. These areas can be viewed in Figures S6 and S7. There is only one home in the 65 DNL noise contour identified on the Future Noise Exposure Map. Other noise sensitive uses, such as schools or schools property (specifically the Hellgate School) should be sound attenuated, and if that is not possible, the property or buildings should be purchased, either voluntarily or not. The existing Hellgate School is off the extended centerline of the runway and noise monitoring showed a DNL of 63. In addition, the site is within the 85-90 SEL of several business jets using the runway. Page S.25.

FAA Determination: Approved in part; disapproved in part. Insulation of (1) home clearly within 65 DNL will be based upon negotiated agreements between the Airport Authority, homeowner and FAA. This is approved.

The FAA is prohibited by law from approving certain NCP recommendations for areas outside of the DNL 65 dB noise contour through fiscal year 2007. (Reference Section 189

of Public Law 108-176, Vision 100-Century Of Aviation Reauthorization Act, December 12, 2003, which specifically prohibits FAA approval of Part 150 program measures that require AIP funding to mitigate aircraft noise below DNL 65 through Fiscal Year 2007. Section 189 does not preclude the use of airport revenue or PFC funding below DNL 65 dB.) The Hellgate School is currently not within the DNL 65 dB contour (noise monitoring shows 63 DNL) and may not be approved for FAA AIP funding. Supplemental information regarding typical school day impacts may be submitted to justify use of other sources of funding.

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