

## RECORD OF APPROVAL

### FEDERAL AVIATION REGULATION PART 150 NOISE COMPATIBILITY PROGRAM GREAT FALLS INTERNATIONAL AIRPORT GREAT FALLS, MONTANA

#### INTRODUCTION

The Noise Compatibility Plan (NCP) for Great Falls International Airport (GTF) 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. 14 Code of Federal Regulations, Part 150 requires that the plan apply to a period of no less than five years into the future from the date of approval, although it may apply to a longer period if the sponsor so desires. The airport sponsor has requested that the program measures be applied to the 2016 NEM (Figure G1) because it covers a larger area for potential mitigation.

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.

This is an Update to the approved 1987 Part 150 Study. That Study resulted in a Record of Approval which approved thirteen (13) out of the fourteen (14) measures submitted. All approved measures contained in the 1987 Record of Approval are to remain in effect, except as amended herein. Several of the approved measures were Recommendations to the local planning jurisdictions and remain Recommendations to those jurisdictions for implementation. The 1987 Record of Approval can be found in the Appendix of the NCP.

The new recommended measures below summarize as closely as possible the airport operator's recommendations and associated benefits in the noise compatibility program and are referenced to the program by page number. 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. Montana state law allows airport owners to implement and enforce airport land use regulations including an Airport Influence Area (Figure G.10).

The Airport sponsor has certified that the existing conditions shown in the 2005 NEM and the future 2016 NEM are representative of the conditions and forecasts at the date of submission.

## **PROGRAM ELEMENTS:**

### **Recommendation 1. Amend Local Zoning Ordinances to Minimize New Non-compatible**

**Land Uses:** *[New Measure]* This measure would request the City of Great Falls and Cascade County to amend Community Plans and Zoning Ordinances. The Airport will work with the jurisdictions to amend zoning maps, comprehensive plans, and development regulations, as necessary, to minimize new non-compatible land uses and to take into consideration FAR Part 77 height requirements. Such changes shall work towards discouraging additional non-compatible land use and to require sound attenuation of new construction to be compatible with Airport operations (Pages G.4, G.6-7).

**FAA Determination: Approved, except** height restrictions, which are addressed at 14 CFR Part 77. FAA's decision not to include the height restriction portion of this element in this Part 150 approval does not indicate FAA's disapproval of the measure for Part 77 purposes or reflect on the effectiveness of the height restriction for purposes of aviation safety. This will be reviewed on a case by case basis under project specific Part 77 evaluation.

### **Recommendation 2. Create Fair Disclosure Agreements within the Airport Influence**

**Area:** *[Amended Measure]* This measure would request the City of Great Falls and Cascade County to revise Local Land Development Codes to require as a condition of the sale of real property within an airport influence area, that notification be provided to persons or entities purchasing real property within the Airport Influence Area, they are purchasing within noise sensitive areas and are required to sign a "Fair Disclosure Agreement" acknowledging such notice has been provided (Pages G.4, G.8-11).

**FAA Determination: Approved.** The Federal government has no authority to control local land use: implementation of this measure is considered to be within the authority of the State, City and County.

**Recommendation 3. Amend Existing Building Codes:** *[Amended Measure]* This measure would request the City of Great Falls and Cascade County to amend existing building code to include specific sound attenuation requirements for newly constructed homes in the Airport Influence Area, including modular homes, and to specify that manufactured homes are prohibited from the Influence Area as they cannot be attenuated, unless certified by the manufacturer as meeting such attenuation requirements (Pages G.4, G.12-13).

**FAA Determination: Approved.** The Federal government has no authority to control local land use: implementation of this measure is considered to be within the authority of the City and County.

### **Recommendation 4. Prohibit Noise Sensitive Land Use within the 65 DNL :** *[Amended*

**Measure]** This measure would include coordination with local jurisdictions to amend existing land use controls and/or Zoning Regulations prohibiting the development of noise sensitive land uses within the 65 or greater DNL (Pages G.4, G.14-15).

**FAA Determination: Approved.** The Federal government has no authority to control local land use: implementation of this measure is considered to be within the authority of the City and County.

**Recommendation 5. Prohibit Residential Densities Greater than 2-4 units/acre:**

***[Amended Measure]*** This measure would request prohibition of noise sensitive land uses with a density greater than 2-4 units/acre and places of assembly within the extended approach/departure path (Figure G.4) of the Great Falls International Airport (Pages G.4, G.16-17).

**FAA Determination: Approved.** The Federal government has no authority to control local land use; implementation of this measure is considered to be within the authority of the City and County.

**Recommendation 6. Avigation Easements within the Airport Influence Area (Not approved by the Airport Authority) (Pages, G.4, G.19).**

**FAA Determination: No Action**

**Recommendation 7. Sound Attenuation and Undeveloped Land Purchase:** ***[New Measure]*** This measure would include sound attenuation of existing homes within the 65 DNL, along with other noise sensitive uses. As a consideration for such sound attenuation, the Airport would receive a noise easement from the homeowner. In addition, undeveloped property within the 65 and 70 DNL noise contour that is experiencing pressure to develop as a non-compatible use should be considered for voluntary purchase (Pages G.4, G.20-25).

**FAA Determination: Approved.** This measure would prevent the development of land available for non-compatible use, if land use preventive controls adopted elsewhere in this NCP are not effective. Acquisition of vacant land is justified as necessary to prevent new noncompatible development when new noncompatible development is highly likely and local land use controls will not prevent such development. 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. Beginning October 1, 1998, the FAA will approve under part 150 only remedial noise mitigation measures for existing non-compatible development and only preventive noise mitigation measures in areas of potential new non-compatible 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.

The Federal government has no authority to control local land use; the local government has the authority to implement this measure. Approval of this measure does not commit the FAA to future Federal funding assistance.

**Recommendation 8. Prohibit Manufactured Homes within the Airport Influence Area (Not approved by the Airport Authority) (Pages G.5, G.26) .**

**FAA Determination: No Action**

**Recommendation 9. Periodic Review of Aeronautical Operations and Part 150 Updates:**

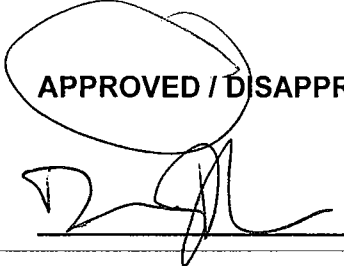
***[New Measure]*** This measure would conduct periodic operations Review and Part 150 Updates. Reviews will be conducted if there is a significant change in either aircraft types or numbers of operations, or significant new facilities or at the end of five years from the date of approval of this document (Pages G.5, G.27-29).

FAA Determination: Approved.

**Recommendation 10. Establish Local Committee to Monitor 150 Program: [New Measure]** This measure would establish a follow-up roundtable committee regarding the preliminary study to monitor programs implemented as a result of the Part 150 study (Pages G.5, G.30-31).

FAA Determination: Approved.

**APPROVED / DISAPPROVED:**



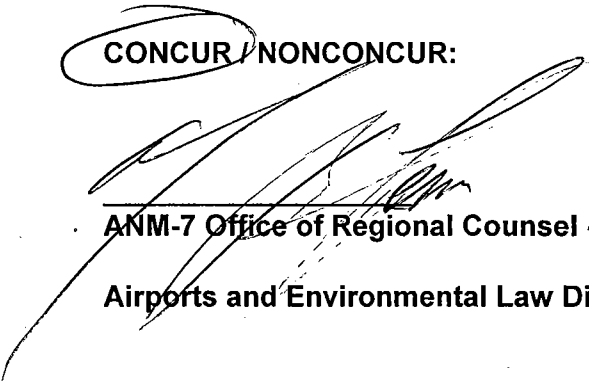
DATE 8/8/07

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**CONCUR / NONCONCUR:**



DATE 8/9/07

ANM-7 Office of Regional Counsel - NW Mountain

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