



FAA
Airports Division

Eastern Region

New York Airports District Office
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February 24, 2006

Mr. Thomas Rafter
Airport Director
South Jersey Transportation Authority
Atlantic City International Airport
Civil Terminal Suite 106
Pleasantville, NJ 08232

RE: Determination on Noise Compatibility Program (NCP)
Atlantic City International Airport, NJ

Dear Mr. Rafter:

The Federal Aviation Administration (FAA) has evaluated the noise compatibility program, and related documentation for the Atlantic City International Airport as provided to this office under the provisions of Title 49 USC, Chapter 475. I am pleased to inform you that the FAA has approved in whole or in part all three of proposed action elements in the noise compatibility program. The specific FAA action for each noise compatibility program element is set forth in the enclosed Record of Approval. The effective date of this approval is January 11, 2006.

Program element 3 (use of Runway 13-31 as the preferential runway for night departures) was disapproved in part due to ATCT concerns. All of the approval (and disapproval) actions are more fully explained in the enclosed Record of Approval.

Each airport noise compatibility program developed in accordance with Part 150 is a local program, not a Federal program. The FAA does not substitute its judgment for that of the airport proprietor with respect to which measures should be recommended for action. The FAA approval or disapproval of Part 150 program recommendations is measured according to the standards expressed in Part 150 and Title 49, and is limited to the following determinations:

The noise compatibility program was developed in accordance with the provisions and procedures of Part 150;

Program measures are reasonably consistent with achieving the goals of reducing existing noncompatible land uses around the airport and preventing the introduction of additional noncompatible uses;

Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical users, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal government;

Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations with respect to FAA's approval of an airport noise compatibility program are delineated in Part 150, Section 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA under Title 49, USC, Chapter 471. Where Federal funding is sought, requests for project grants must be submitted to the FAA New York Airports District Office.

When submitting your preapplication for Federal funding assistance for the recommended land acquisition, your attention is directed to the sponsor's responsibilities in the Federal Register Notice of July 27, 2005 announcing that the noise exposure maps are in compliance with Part 150. An exhibit of sufficient readable scale containing the following information must accompany each application for acquisition of noise-impacted land submitted to this office:

- a. The noise contours depicted on the surface relative to the proposed acquisition property as determined by the local government agency having land use control authority;
- b. The existing and/or future anticipated use(s) for that property;
- c. The specific legal description of each parcel of land proposed for acquisition.

The FAA will publish a notice in the Federal Register announcing approval of this noise compatibility program update. You are not required to give local official notice, although you may do so if you wish.

Thank you for your continued interest in noise compatibility planning.

Sincerely,



Otto N. Suriani, Acting Manager
New York Airports District Office

**RECORD of APPROVAL
Atlantic City International Airport
NOISE COMPATIBILITY PROGRAM**

Introduction

The Atlantic City International Airport, (ACY) Atlantic City, New Jersey, Noise Compatibility Program (NCP) describes the current and future noncompatible land uses based upon the parameters established in Federal Aviation Regulation (FAR) Part 150, Airport Noise Compatibility Planning. Development of the NCP follows the completion of a Master Plan Update and Environmental Impact Statement (EIS). The operating conditions and levels that were used in the Part 150 Study are consistent with the data used in the EIS.

The NCP recommends a total of three (3) measures, which are summarized on pages 82 and 83. The measures are referenced to the NCP by page number. The statements contained within the summarized recommendations and before the indicated FAA approval, disapproval, or other determinations do not represent the opinions or decisions of the FAA.

The approvals listed herein include approvals of actions that the South Jersey Transportation Authority recommends be taken by the Federal Aviation Administration (FAA). It should be noted that these 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. These approvals do not constitute a commitment by the FAA to provide federal financial assistance for these projects. Later decisions concerning possible implementation of the actions may be subject to applicable environmental or other procedures or requirements.

1. Purchase Avigation Easements for the six (6) homes on Mannheim Road that are located within the 2009 DNL 65 noise contour. (pages 69 and 74)

Description: SJTA proposes to purchase avigation easements on six homes on Mannheim Road. These homes are the only noncompatible land uses within the 65 DNL. Homeowners would be compensated for aviation noise impacts on their property. SJTA determined that given the small number of homes affected, a sound insulation program was not a practical program for noise mitigation. Meetings with the effected homeowners indicated that none of the residents indicated a desire to relocate. Avigation easements would be subordinated and attached to the deed in perpetuity to assure transference to future owners and their recognition of the rights ceded.

FAA Action: APPROVED. To be eligible for federal funding, acquisition of easements must follow the requirements of the Uniform Relocation Assistance and Real Property Acquisition Act.

2. Creation of an Airport Overlay District Ordinance (pages 72 and 82)

Description: This measure would create an airport overlay district for the airport and the surrounding municipalities that fall within the 2009 65 DNL contour to minimize the amount of future noncompatible land use surrounding the airport. The District would allow additional land use restrictions to be placed within and adjacent to the 65 and greater DNL contour. Required provisions include Full Disclosure Statements, acoustical treatment and avigation easements. The boundaries to the Noise Zones would be incorporated and shown on each community's official zoning maps. This measure requires Noise Level Reduction (NLR) be achieved through incorporation of noise attenuation into the design and construction of new structures (including modifications to the six existing noncompatible structures) consistent with Table 1 of the Part 150 Regulations.

FAA Action: APPROVED. This measure is within the authority of the responsible local land use planning jurisdiction. The Federal Government has no authority to control land uses. (pages 74 and 83)

3. Use of Runway 13-31 as the preferential runway for night departures.

Description: This measure would require the use of Runway 13-31 for departures after 11 PM and before 7AM as the preferred runway, unless crosswinds exceeded 15 knots and/or the pilot requests an alternative runway for safety reasons. Runway 13-31 is the primary runway for ACY. This measure would provide relief from single event noise impacts for those residences off the ends of Runway 4-22.

FAA Action: Approved in part; Disapproved in part. Approved as an informal voluntary measure. From the hours of 11 pm through 7 am, the ATCT (subject to air traffic, weather, airspace safety and efficiency) would recommend Runway 13-31 for departures as the preferred noise abatement runway. Being a voluntary measure, the pilot may request an alternative runway. The sponsor's request that use of Runway 13-31 for departures after 11 pm and before 7 am as the preferred runway, unless crosswinds exceeded 15 knots is disapproved. Based on consultation by the Atlantic City Air Traffic Control Tower (ATC) staff with airport management and considering the fleet mix, the ATC has determined that the crosswind component cannot exceed 10 knots.

FEDERAL AVATION ADMINISTRATION
RECORD OF APPROVAL
PART 150 NOISE COMPATIBILITY PROGRAM
ATLANTIC CITY INTERNATIONAL AIRPORT
ATLANTIC CITY, NEW JERSEY

Nancy D. Libon 12/28/05 ✓
for Assistant Administrator for Aviation Policy, Date CONCUR NONCONCUR
Planning, and Environment, AEP-1

Debra A. Fuller 1/11/05 ✓
for Chief Counsel, AGC-1 Date CONCUR NONCONCUR

[Signature] 1/11/06 ✓
for Associate Administrator for Airports, Date APPROVE DISAPPROVE
ARP-1