

Part 150: Records of Approval

Austin-Bergstrom International Airport, Austin, Texas

Approved on 2/11/04

On November 7, 2000, the FAA approved the Noise Compatibility Program (NCP) for the Austin-Bergstrom International Airport (AUS). The NCP included five (5) measures, all of which the FAA approved. Program measure 10.2.2, Items 1 and 2, Land Acquisition Program and Sound Insulation Program, respectively, are described below. After completing feasibility studies of the properties, three properties formerly recommended for sound attenuation are now recommended for acquisition because it would be most cost-effective. The revised recommendations are described below, and the sponsor's justification is included in the attached letters dated July 11, 2003, and March 27, 2003 (Attachment 1). As indicated in the airport sponsor's November 6, 2003, (Attachment 2) transmittal letter of the revision to the FAA, prior to submitting the revised NCP measure, a public comment period was held. No comments were received. The FAA has evaluated the Noise Exposure Maps determined in compliance by the FAA on May 8, 2000. The FAA has determined that the NEMs continue to represent the present noise environment at AUS.

Statements within the program measures below summarize as closely as possible the airport operator's recommendations contained in the NCP. The statements within the summaries, which precede the indicated FAA approval, disapproval, or other determination, do not represent the opinions or decisions of the FAA. The page numbers in parentheses cross-reference the submitted document/addenda and the pages in the original NCP.

The approvals listed herein include approvals of actions that the **City of Austin, Texas** recommends be taken by the FAA. 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. Later decisions concerning possible implementation of these actions may be subject to applicable environmental or other procedures or requirements.

ORIGINAL RECOMMENDATION:

Recommendation 10.2.2: Land Use Mitigation Measure #1.

Land Acquisition Program: Offer land acquisition to change land use for the following areas: Linda Vista Road Neighborhood, Moores Bridge Road/FM 973 Residential Area, FM 973/Elroy Road Residential Area, US Highway South 183 Residential Area, Del Valle Residential Area single family and mobile homes, Colton Road/FM 812/US Highway 183 South Residential Area, Bain Road Residential Area, and McAngus Road/Towery Lane Residential Area.

[Pages 8-3 through 8-6 and 10-3, Figures 8.1, 8.2, 8.3 and 8.4, and Tables 8.1 and 8.2]

All of these neighborhoods fall within or substantially within the DNL 65+ noise contour of the 2004 Noise Exposure Map, With Program Implementation. The Linda Vista Road Neighborhood contains approximately 17 mobile homes, 12 single-family homes, 1 multi-family home and approximately 19 vacant lots designated for residential development. In order to change the land use of this area, the city of Austin will need to acquire the entire tract, including the vacant land.

The properties recommended for land acquisition with the Moores Bridge Road/FM 973 Residential Area include approximately two mobile homes and two single-family homes potentially eligible for listing on the National Register of Historic Places. The FM 973/Elroy Road Residential Area contains approximately three single-family homes. The U.S. Highway South 183 Residential Area contains approximately three single-family homes. The properties recommended for land acquisition within the Del Valle Residential Area include two single-family homes, three mobile homes and one mobile home park. The Colton Road/FM 812/US Highway 183 South Residential Area contains three single-family homes. The Bain Road Residential Area contains two mobile homes.

The McAngus Road/Towery Lane Residential Area contains approximately eight mobile homes and eight single-family homes. In order to achieve equality within the neighborhood, the project area includes the contiguous parcels at the intersection of Towery Lane and McAngus.

ORIGINAL FAA DETERMINATION:

FAA Action: Approved. At the time this measure is implemented, it is subject to an evaluation that the property is within the DNL 65 dB noise contour and either has been, or is highly likely to be, developed noncompatibly and local controls are insufficient to prevent the development to the extent that it includes acquisition that is not already residentially developed.

When combined with Recommendation 10.2.2, #2, this measure would ensure no incompatible land use within the DNL 65 dB and higher noise contour. The acquisition of these homes is subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act and property owners are eligible for relocation assistance. FAA approval of proposed actions to change the land use of properties that may be eligible for the National Register of Historic Places is subject to applicable requirements of the National Historic Preservation Act and implementing regulations 36 Code of Federal Regulations, part 800, Protection of Historic Properties, as implemented in accordance with FAA Order 5050.4A, *Airport Environmental Handbook*.

REVISED RECOMMENDATION

Recommendation 10.2.2: Land Use Mitigation Measure #1.

Land Acquisition Program: Offer land acquisition to change land use for the following areas: Linda Vista Road Neighborhood, Moores Bridge Road/FM 973 Residential Area, FM 973/Elroy Road Residential Area, US Highway South 183 Residential Area, Del Valle Residential Area single family and mobile homes, Colton Road/FM 812/US Highway 183 South Residential Area, Bain Road Residential Area, and McAngus Road/Towery Lane Residential Area.

[Pages 8-3 through 8-6 and 10-3, Figures 8.1, 8.2, 8.3 and 8.4, and Tables 8.1 and 8.2]

Based on the results of feasibility studies, offer land acquisition for the following properties: Bergstrom Arms Apartment, Sunscape Apartments, and Silverstone Inn. [Original NCP, Pages 8-12 through 8-14 and 10-3, Figures 8.2 (Figure 2), 8.6, Tables 8.3 and Appendix H. Subsequent Feasibility studies for each of the properties, attached as reference, and letters dated March 27, 2003, July 11, 2003, and November 6, 2003, from the Austin Bergstrom International Airport to various parties, attached for reference].

All of these neighborhoods fall within or substantially within the DNL 65+ noise contour of the 2004 Noise Exposure Map, With Program Implementation. The Linda Vista Road Neighborhood contains approximately 17 mobile homes, 12 single-family homes, 1 multi-family home and approximately 19 vacant lots designated for residential development. In order to change the land

use of this area, the city of Austin will need to acquire the entire tract, including the vacant land. The properties recommended for land acquisition with the Moores Bridge Road/FM 973 Residential Area include approximately two mobile homes and two single-family homes potentially eligible for listing on the National Register of Historic Places. The FM 973/Elroy Road Residential Area contains approximately three single-family homes. The U.S. Highway South 183 Residential Area contains approximately three single-family homes. The properties recommended for land acquisition within the Del Valle Residential Area include two single-family homes, three mobile homes and one mobile home park. The Colton Road/FM 812/US Highway 183 South Residential Area contains three single-family homes. The Bain Road Residential Area contains two mobile homes.

The McAngus Road/Towery Lane Residential Area contains approximately eight mobile homes and eight single-family homes. In order to achieve equality within the neighborhood, the project area includes the contiguous parcels at the intersection of Towery Lane and McAngus.

REVISED FAA DETERMINATION:

FAA Action: Approved. At the time this measure is implemented, it is subject to an evaluation that the property is within the DNL 65 dB noise contour and either has been, or is highly likely to be, developed noncompatibly and local controls are insufficient to prevent the development to the extent that it includes acquisition that is not already residentially developed.

The 2001/2002 feasibility studies for Bergstrom Arms, Sunscape Apartments and Silverstone Inn demonstrate that it would be cost-effective to purchase these properties. Requirements of the Uniform Relocation and Real Property Acquisition Policies Act must be satisfied to be eligible for Federal financial assistance.

When combined with Recommendation 10.2.2, #2, this measure would ensure no incompatible land use within the DNL 65 dB and higher noise contour. The acquisition of these homes is subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act and property owners are eligible for relocation assistance. FAA approval of proposed actions to change the land use of properties that may be eligible for the National Register of Historic Places is subject to applicable requirements of the National Historic Preservation Act and implementing regulations 36 Code of Federal Regulations, part 800, Protection of Historic Properties, as implemented in accordance with FAA Order 5050.4A, *Airport Environmental Handbook*.

ORIGINAL RECOMMENDATION:

Recommendation 10.2.2: Land Use Mitigation Measure #2. Sound Insulation Program. Install noise attenuating materials for the following properties: United Pentecostal Church, Bergstrom Arms Apartment, Sunscape Apartments, Silverstone Inn and Richard Moya Park Ranger's residence in exchange for an avigation easement. [Pages 8-11 through 8-14 and 10-3, Figures 8.2, 8.6, Tables 8.3 and Appendix H].

ORIGINAL FAA DETERMINATION:

FAA Action: Approved. The measure would enhance existing land use compatibility near the airport.

REVISED RECOMMENDATION:

Recommendation 10.2.2: Land Use Mitigation Measures #2. Sound Insulation Program. Install noise-attenuating materials for the following properties: United Pentecostal Church, and

Richard Moya Park Ranger's residence in exchange for an avigation easement. [Original NCP, Pages 8-13 through 8-14 and 10-3, Figures 8.2(Figure 1), 8.6, Tables 8.2 and Appendix H].

REVISED FAA DETERMINATION:

FAA Action: Approved.