

FEDERAL AVIATION ADMINISTRATION

RECORD OF APPROVAL

14 C.F.R. PART 150 NOISE COMPATIBILITY PROGRAM

Laredo International Airport

Laredo, Texas

E. D. Elsham (acting) 6/19/07 ✓ _____
Regional Counsel, ASW-7 Date Concur Nonconcur

K. L. Hulse 6/22/07 ✓ _____
Airports Division Manager, Date Approved Disapproved
ASW-600

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Laredo International Airport Laredo, Texas

14 C.F.R. PART 150 NOISE COMPATIBILITY PROGRAM

Statements within the program measures below summarize as closely as possible the airport operator's recommendations contained in the Noise Compatibility Plan (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.

The approvals listed here include approvals of actions that the City of Laredo 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.

I. REMEDIAL LAND USE MEASURES

A. In Area 1A (10.2.1, page 10-2, Exhibit 10.2), for existing noncompatible land uses, offer property owners their choice of one of the following three voluntary programs:

1. Fee Simple Acquisition Program. Offer to purchase fee simple title from owners of residential dwellings located in Area 1A.
2. Acoustical Treatment Program. Offer to install noise insulation materials in residential dwellings located in Area 1 A, in exchange for an Avigation Easement. Dwellings purchased by the City of Laredo in the Fee Simple Acquisition Program will be included in the Acoustical Treatment Program.
3. Avigation Easement Acquisition Program. Offer to purchase an Avigation Easement from owners of residential dwellings located in Area 1A.

Description: Area 1A is the squared-off 70 DNL. Whenever possible, lines were drawn at street boundaries. However, in Eastwoods Subdivision, it was necessary to draw several of the lines between adjacent houses. Homes in the North Heights and Paul Young Ranch subdivisions are not eligible because of existing avigation easements. Since the homes in Area 1A are in the highest noise exposure contour, they will be given first priority in the mitigation program. All homes in Area 1A must be given an opportunity to participate, before any homes in Area 1B will be offered an opportunity to participate.

FAA Action: APPROVED. Exhibit 10.2 depicts areas located within the 65 DNL contour and eligible for fee simple acquisition or sound insulation under 14 CFR

Part 150. Federal funding eligibility criteria provides for expansion of the eligible area to maintain neighborhood equity. The FAA reminds the City of its policy that no structures built after October 1, 1998, are eligible for Federal funding for remedial mitigation (see FAA policy at 63 FR 16409). Sound insulation and Federal funding is subject to compliance with the Airport Improvement Handbook, FAA Order 5100.38C, Chapter 8. Mobile homes included in this measure will not be eligible for sound insulation, but will be limited to fee simple acquisition or avigation easement acquisition in accordance with FAA Order 5100.38C, Chapter 8. Also in accordance with FAA Order 5100.38C, Chapter 8, the airport is encouraged to acquire an avigation easement at the time the structures receives noise insulation.

B. In Area 1B (Pages 10-2 and 10-7, Exhibit 10.2), for existing noncompatible land uses, offer property owners their choice of one of the following three voluntary programs:

1. Fee Simple Acquisition Program. Offer to purchase fee simple title from owners of residential dwellings located in Area 1B.
2. Acoustical Treatment Program. Offer to install noise insulation materials in residential dwellings located in Area 1B, in exchange for an Avigation Easement. Dwellings purchased by the City of Laredo in the Fee Simple Acquisition Program will be included in the Acoustical Treatment Program.
3. Avigation Easement Acquisition Program. Offer to purchase an Avigation Easement from owners of residential dwellings located in Area 1B.

Description: This measure seeks to acquire, acoustically treat or purchase an avigation easement in Area 1B. Area 1B is the squared-off 65 DNL, north of Clark Boulevard. The western edge of Area 1B is Arkansas Avenue. The southern edge of Area 1B is Clark Boulevard. These streets were selected because they are commercial corridors that provide a natural boundary between neighborhoods.

FAA Action: APPROVED. Exhibit 10.2 depicts areas located within the squared-off 65 DNL contour that are eligible for fee simple acquisition or sound insulation under 14 CFR Part 150. Federal funding eligibility criteria provides for expansion of the eligible area to maintain neighborhood equity. The FAA reminds the City of its policy that no structures built after October 1, 1998, are eligible for Federal funding for remedial mitigation (see FAA policy at 63 FR 16409). Sound insulation and Federal funding is subject to compliance with the Airport Improvement Handbook, FAA Order 5100.38C, Chapter 8. Mobile homes included in this measure will not be eligible for sound insulation, but will be limited to fee simple acquisition or avigation easement acquisition in accordance with FAA Order 5100.38C, Chapter 8. Also in accordance with FAA Order 5100.38C, Chapter 8, the airport is encouraged to acquire an avigation easement at the time the structures receives noise insulation.

C. In Area 2 (10.2.3, page 10-7, Exhibits 10.3 and 10.4), for existing noncompatible land uses, offer property owners their choice of one of the following three voluntary programs:

1. Fee Simple Acquisition Program. Offer to purchase fee simple title from owners of residential dwellings located in Area 2.
2. Acoustical Treatment Program. Offer to install noise insulation materials in residential dwellings located in Area 2, in exchange for an Avigation Easement. Dwellings purchased by the City of Laredo in the Fee Simple Acquisition Program will be included in the Acoustical Treatment Program.
3. Avigation Easement Acquisition Program. Offer to purchase an Avigation Easement from owners of residential dwellings located in Area 2.

Description: This measure seeks to acquire, acoustically treat or purchase an avigation easement in Area 2. Area 2 is the squared-off 65 DNL south of Clark Blvd. and the squared-off 65 DNL north of Jacaman Road. South of Clark Blvd., lines were drawn at street boundaries to include the entire block where the 65 DNL contour crossed through each block. If the 65 DNL contour did not cross over any houses in a block, that block was not included. Area 2 also includes the Clark's Crossing apartment complex. Because of the cost to mitigate Areas 1A and 1B, it appears unlikely that Area 2 will be offered an opportunity to participate prior to revision of the Part 150 Study, on or about 2013 to 2015, as described in Section 10.3.2.

In the event that all homes in Areas 1A and 1B have been offered an opportunity to participate, prior to the program revision on or about 2013 to 2015, homes in Area 2 will be offered an opportunity to participate.

FAA Action: APPROVED. Exhibits 10.3 and 10.4 depict areas located within the 65 and greater DNL contour that are eligible for fee simple acquisition or sound insulation under 14 CFR Part 150. Federal funding eligibility criteria provides for expansion of the eligible area to maintain neighborhood equity. The FAA reminds the City of its policy that no structures built after October 1, 1998, are eligible for Federal funding for remedial mitigation (see FAA policy at 63 FR 16409). Sound insulation and Federal funding is subject to compliance with the Airport Improvement Handbook, FAA Order 5100.38C, Chapter 8. Mobile homes included in this measure will not be eligible for sound insulation, but will be limited to fee simple acquisition or avigation easement acquisition in accordance with FAA Order 5100.38C, Chapter 8.

II. PREVENTIVE LAND USE MITIGATION MEASURES

A. In Areas 1A, 1B, and 2, (Page 10-8, Exhibit 10.1, Page 10-19) for existing vacant parcels, offer property owners their choice of one of the following two voluntary programs:

1. Fee Simple Acquisition Program. Offer to purchase fee simple title from owners of vacant, residentially zoned parcels located in Areas 1A and 1B.
2. Avigation Easement Acquisition Program. Offer to purchase an Avigation Easement from owners of vacant, residentially zoned parcels located in Areas 1A and 1B.

Description: This measure proposes to purchase an avigation easement or acquire via fee simple vacant, residentially zoned parcels located in Areas 1A and 1B.

FAA Action: DISAPPROVED. Vacant land is considered a compatible land use under 14 CFR, Part 150. Local controls by the City of Laredo exist to prevent incompatible development within the 65 and greater DNL contours. City Ordinance No. 94-0-012 provides noise attenuation standards within the 65 and greater DNL. City Ordinance No. 94-0-013 additionally provides building standards within the 65 and greater DNL contours.

B. Replace the noise contours in Ordinance No. 94-0-012 with those shown in Exhibit 9.11 to modify the Airport Noise Specific Overlay District subdistricts.

Description: This element proposes to revise the existing Airport Noise Specific Zoning Overlay District contours, identified in Section 9.5.1, to reflect noise contours presented in Exhibit 10.5. Contours presented in Exhibit 10.5 are “worst case” contours generated by combining the winter season and summer season contours.

FAA Action: APPROVED IN PART. Controls to restrict development to non-noise sensitive land uses within the 65 and greater DNL contours of the 2010 Future Condition Noise Exposure Map With Program Implementation (Exhibit 10.1) is **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 of Laredo.

Controls implemented to regulate future development within contours presented in Exhibit 10.5, *Proposed Airport Noise Specific Zoning Overlay District* that are not common to contours presented in Exhibit 10.1 are **DISAPPROVED FOR THE PURPOSES OF PART 150**. This disapproval should not be interpreted as minimizing or negating the efforts of local jurisdictions to provide prudent planning for areas contained within the “worst case” scenario presented in Exhibit 10.5.

C. Coordinate with the Texas Real Estate Commission to gain approval of an addendum to or modification of the Seller’s Disclosure of Property Condition to include location within the boundaries of the FAR Part 150 Noise Exposure Map.

FAA Action: APPROVED.

III. PROGRAM MANAGEMENT MEASURES

A. Revise Noise Exposure Maps and Noise Compatibility Program if noise levels significantly increase or decrease.

FAA Action: APPROVED.