



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
Southwest Region

ORDER
SW 1050.3B

July 30, 2007

SUBJ: Coordination of Noise Compatibility Plans and Programs and Environmental Documents

1. Purpose of This Order. This order describes regional procedures for receiving and coordinating noise abatement programs, proposed airport use restrictions under 14 CFR Part 161, Airport Noise and Access Restrictions, submittals of Noise Exposure Maps (NEM) and Noise Compatibility Programs (NCP) under 14 CFR Part 150, Airport Noise Compatibility Planning, and interdivisional environmental documents prepared in accordance with the National Environmental Policy Act (NEPA). The order merges two Regional groups, the Noise and Environment Policy Panel and the Regional Environmental Network (REN) into one body. The new body will retain the organizational identity of the REN. In addition to the functions of the REN described in FAA Order 1054.1, Environmental Network, the REN will function as the review panel for all subject programs, plans, and documents. This Order also outlines the responsibilities of members in the review of said programs, plans, and documents. Finally, this Order outlines regional policy to guide formulation of an official position for an airport use restriction, noise program, or environmental determination.

2. Audience. This order is for all employees and managers involved in the review and/or preparation of environmental document or noise studies for actions located within the Southwest Region. This order is specifically for those located at the branch level in the Central Service Area Air Traffic Organization; Flight Standards, Airports, Logistics, Human Resources, Medical, and Security and Hazardous Materials Divisions; Regional Counsel; Civil Rights and Fort Worth Flight Procedures Offices; Executive Operations Manager; Rotorcraft Directorate; and all field facilities and offices in the Southwest Region.

3. Where Can I Find This Order. You can find this order on the Directives Management System (DMS) website: https://employees.faa.gov/tools_resources/orders_notices/.

4. Effective date. July 30, 2007.

5. Cancellation. Order SW 1050.3A, Coordination of Noise Abatement Plans and Programs and Environmental Documents, dated April 8, 1999, is cancelled.

6. Background.

a. Environmental Issues. Environmental awareness and commensurate expectations among the public has increased in recent decades, resulting in the passage of various laws by Congress to protect our nation's natural resources as well as the public's health and quality of life. The Federal Aviation Administration (FAA) has met those expectations through full compliance with the various laws implementing regulations. Tools used to ensure agency compliance include internal directives such as FAA Order 1050.1, Environmental Impacts: Policies and Procedures, and Order 5050.4, National

Environmental Policy Act (NEPA) Implementing Instructions For Airport Actions. Many actions taken by the individual lines of business are interdependent and therefore interdivisional in nature. Without a process for coordinating the various offices' environmental reviews, inefficiencies such as miscommunication, and duplication of funding and effort occur. A procedure for coordinating the various interdivisional actions into a single environmental review process has been determined advantageous to the Region in terms of communication, time, and funding.

b. Noise Issues. Similar to environmental issues in general, pressure to reduce aviation-related noise has also increased. Title 49, U.S.C., Chapters 471 and 475 respectively provide for funding and a formal process to assist airport sponsors and impacted communities to address the issue of aviation generated noise. The Airport Improvement Program is the funding vehicle used while 14 CFR Part 150 provides the procedures for establishing NEMs and NCPs to meet the requirements of Title 49. Title 49 also recognizes that airport sponsors may also consider airport use restrictions. Under 14 CFR Part 161, procedures are established by which an airport sponsor may consider noise and access restrictions. Because these two procedures may recommend noise abatement actions which may impact FAA programs, including flight operations, navigational aids, and the overall development of the airport in question, coordination among the various divisions is essential to the success of the program.

7. Explanation of Changes. This change serves to update SW Order 1050.3 within the present FAA organizational structure and formalize coordination of environmental documents that are interdivisional in scope.

8. Regional Environmental Network (REN). FAA Order 1054.1 provides direction concerning a general purpose of the REN as being one of providing a forum to share environmental information and raise environmental awareness within the Agency. This Regional order directs the REN to also ensure a coordinated, timely, and cost effective review of noise and environmental issues that are of concern to the Agency. As such, the REN may assess noise abatement programs, proposed airport use restrictions pursuant to 14 CFR Part 161, submittals of NEMs and NCPs pursuant to 14 CFR Part 150, and environmental documents that have interdivisional impacts in scope. The REN membership includes representatives from ASW-7, ASW-9, ASW-30, ASW-50, ASW-100, ASW-200, ASW-600, ASW-700, FTWFPO and ATO Central Service Area. The name of each staff or divisional representative shall be on file with ASW-600. Each office shall notify ASW-600 if a replacement becomes necessary, keeping in mind that participation by the same individual is desirable to expedite review and provide consistency in policy. A designated alternate representative shall also be named.

9. REN Chair. A representative of Airports Division shall serve as Chairperson for the REN.

10. REN Meetings. To ensure timely sharing of information among the various divisions, the REN shall conduct, at a minimum, annual meetings, but other meetings may be called as needed. These meetings may also serve to determine which division should act as the Lead Office when such is unclear. The REN Chairperson shall prepare a synopsis report after each meeting for submittal to all pertinent division/office managers, including the Regional Administrator.

11. Responsibilities.

a. All regional headquarters division, staff and field office managers shall be familiar with general aspects of national and regional policies on noise and environmental issues and the regional coordination process.

b. Regional Counsel (ASW-7). A Regional Counsel representative shall serve in an advisory capacity to the REN and shall, as resources allow, review proposed actions subject to this order for comments on consistency with applicable laws, regulations, and court decisions.

c. Civil Rights Office (ASW-9). The Civil Rights Office may be called upon to provide guidance and review comments for actions subject to this order when civil rights, disadvantage business enterprises, or environmental justice issues may be involved. The Lead Office shall invite their comments, including requesting their participation on the REN when such guidance is needed to provide an appropriate coordinated regional response.

d. Executive Operations Manager (ASW-30). This person shall serve on the REN as the Regional Administrator's representative and shall provide technical or policy guidance relevant to current or anticipated Regional programs that would be impacted by actions subject to this order.

e. Logistics Division (ASW-50). A representative of the Logistics Division shall serve on the REN and review all proposed actions subject to this order that require the transfer, sale or lease of Federal properties. A representative shall also assist in reviewing and advising on reimbursable agreement contractual matters when the subject of the agreement deals with environmental issues.

f. Rotorcraft Directorate (ASW-100). The Rotorcraft Directorate may be called upon to provide guidance and review comments for actions subject to this order when rotorcraft certification, engine retrofit and rotorcraft performance impacts may be involved. The Lead Office shall invite their comments, including requesting their participation on the REN when such technical guidance is needed to provide an appropriate coordinated regional response.

g. Flight Standards Division (ASW-200). A representative of the Flight Standards Division shall serve on the REN and review all proposed actions subject to this order for impacts on flight safety. This review will include feasibility and safety of proposed new or revised operating procedures and other impacts related to their divisional responsibilities.

h. Aviation Medical Division (ASW-300). A representative of the Aviation Medical Division may be called upon to provide guidance and review comments for actions subject to this order when public or employee health issues are raised. The Lead Office shall invite their comments, including requesting their participation on the REN when such guidance is needed to provide an appropriate coordinated regional response.

i. Airports Division (ASW-600). A representative of the Airports Division shall serve on the REN as Chairperson. The Chairperson shall conduct all REN meetings and prepare subsequent reports. The representative shall also review all proposed actions subject to this order for impacts on the existing and planned development of airports. The Airports Division shall be responsible for

establishing and maintaining regional files concerning REN membership and meeting synopsis reports.

j. Security and Hazardous Materials Division (ASW-700). The Security and Hazardous Materials Division may be called upon to provide guidance and review comments for actions subject to this order when civil aviation security or handling of hazardous material issues may be involved. The Lead Office shall invite their comments, including requesting their participation on the REN when such guidance is needed to provide an appropriate coordinated regional response.

k. Air Traffic Organization, Central Service Area (ATO). There will be at least two representatives from ATO, one from the System Support Group, AJO-2C2, and the other from Technical Operations, AJW-C. Each office may assign additional representatives if it is deemed necessary. The AJO-2C2 representative(s) shall serve on the REN and review all proposed actions subject to this order for impacts on safety and efficiency of the air traffic system. This review will include not only impacts to individual airports, but also system impacts that would occur as a result of the proposal. The AJW-C representative(s) shall serve on the REN and review all proposed actions subject to this order for impacts on navigational aid placement, the feasibility of obtaining/accomplishing recommendations of the actions when new or revised instrumentation is required, the implementation of the National Airspace System that would occur as a result of the proposal, and other impacts related to their office's responsibilities.

l. Fort Worth Flight Procedures Office (FTWFPO). A representative of the Flight Procedures Office shall serve on the REN and review all proposed actions subject to this order for impacts on flight safety. This review will include feasibility and safety of proposed new or revised operating procedures and other impacts related to their office's responsibilities.

m. Field offices within Flight Standards Division and the Air Traffic Organization will keep their respective divisional/service area offices informed of existing environmental or noise issues and potential access restrictions at an airport. When requested, they will provide factual and well-documented information on impacts of proposed actions subject to this order.

n. Airports Development Offices (ADO) have direct day-to-day contact with many airport sponsors, and cooperate with them in the development of 14 CFR Part 150 programs, airport use restrictions pursuant to 14 CFR Part 161 and NEPA documents. These offices are often aware at an early date of potential actions subject to this order. The ADOs shall keep sponsors informed of pertinent Federal legislation and regulations, cooperate with sponsors in providing guidance on development of subject action proposals, and keep Airports Division informed of such actions.

12. Lead Office Coordination Responsibilities. The Lead Office is responsible for initiating coordination of regional programs in the areas of noise abatement, noise compatibility planning, including submittals under 14 CFR Part 150, airport use restrictions pursuant to 14 CFR Part 161, and environmental issues which are interdivisional in scope. For proposed actions subject to this order, the division that has primary responsibility for those actions, or is responsible for a majority of those actions, shall act as the Lead Office. If it is unclear which division should act as the lead office, the proposed actions should be presented to the Chairperson for consideration by the REN at the next meeting. At that time, the REN shall identify the lead office. The Lead Office shall coordinate all

interdivisional issues with the appropriate offices, establish deadlines for comments, consolidate the regional response, and coordinate with Washington headquarters as necessary. The Lead Office shall assure that all applicable regulatory deadlines are complied with and that all notices are placed in the Federal Register.

13. Line Of Business (LOB) Coordination and Response. The members of the REN have the responsibility for coordinating pending actions subject to this order within their respective LOB, including coordination with field offices. Additionally, they will formulate LOB comments and recommendations. LOB comments and recommendations should be submitted to the Lead Office within 30 days of receipt of the request for review of the pending action. Before submittal of these comments or recommendations to the Lead Office for inclusion in the consolidated response, the comments or recommendations must have the concurrence of each LOB's management, unless the authority to make divisional comments or recommendations has been delegated to the LOB's REN representative.

14. Official Regional Response. Upon receipt of input through the process stated herein, the Lead Office shall take appropriate action. Interoffice projects requiring an environmental Finding of No Significant Impact and/or Record of Decision will be formally coordinated by the Lead Office with each line of business for appropriate action as described in Orders 1050.1 and 5050.4.

15. Major Policy Guidance. The following provides information on legislation and source documents and presents general regional philosophy to guide review of proposed actions subject to this order. The following list is not comprehensive in nature.

a. 14 CFR Part 36 establishes noise standards for type certification of new aircraft and production of new aircraft.

b. 14 CFR Part 91 establishes a phased program of compliance with 14 CFR Part 36 standards for the existing and future fleet of aircraft.

c. 14 CFR Part 150 establishes single systems for measuring noise at airports; determining exposure of individuals to airport noise; identifies land uses which are normally compatible with various levels of exposure to airport noise; and provides technical assistance to airport operators to prepare and execute appropriate noise compatibility planning and implementation programs.

d. 14 CFR Part 161 prescribes notice requirements and procedures for the approval and/or implementation of noise and access restrictions by airport operators.

e. National Environmental Policy Act of 1969. The NEPA is the basic national charter for the protection of the environment. It establishes policy, sets goals, and provides means for carrying out the policy.

f. Noise Control Act of 1972 established the primary responsibility for control of noise at the state and local level; however, Federal action was necessary to deal with noise at its source.

g. Title 49 United States Code, Chapter 475, Noise, provides the basis on which the 14 CFRs cited above are established.

h. DOT/FAA Aviation Noise Abatement Policy Statement expanded the philosophy of the Noise Control Act and established the Federal role as (1) reducing aircraft noise at the source, (2) promoting safer operational procedures that abate noise, and (3) promoting efforts to attain compatible land use.

i. The following orders, advisory circulars, and related publications, while not a complete list of published guidance available, will be helpful in the review of actions subject to this order.

- (1) Order 1050.1, Environmental Impacts: Policies and Procedures
- (2) Order 1050.19, Environmental Due Diligence Audits in the Conduct of FAA Real Property Transactions
- (3) Order 5050.4, National Environmental Policy Act (NEPA) Implementing Instructions For Airport Actions
- (4) Order 7400.2, Procedures For Handling Airspace Matters (see Chapter 32 – Environmental Matters)
- (5) AC 36-3G, Estimated Airplane Noise Levels in A-weighted Decibels
- (6) AC 150/5020-1, Noise Control and Compatibility Planning for Airports
- (7) AC 150/5050-4, Citizen Participation in Airport Planning

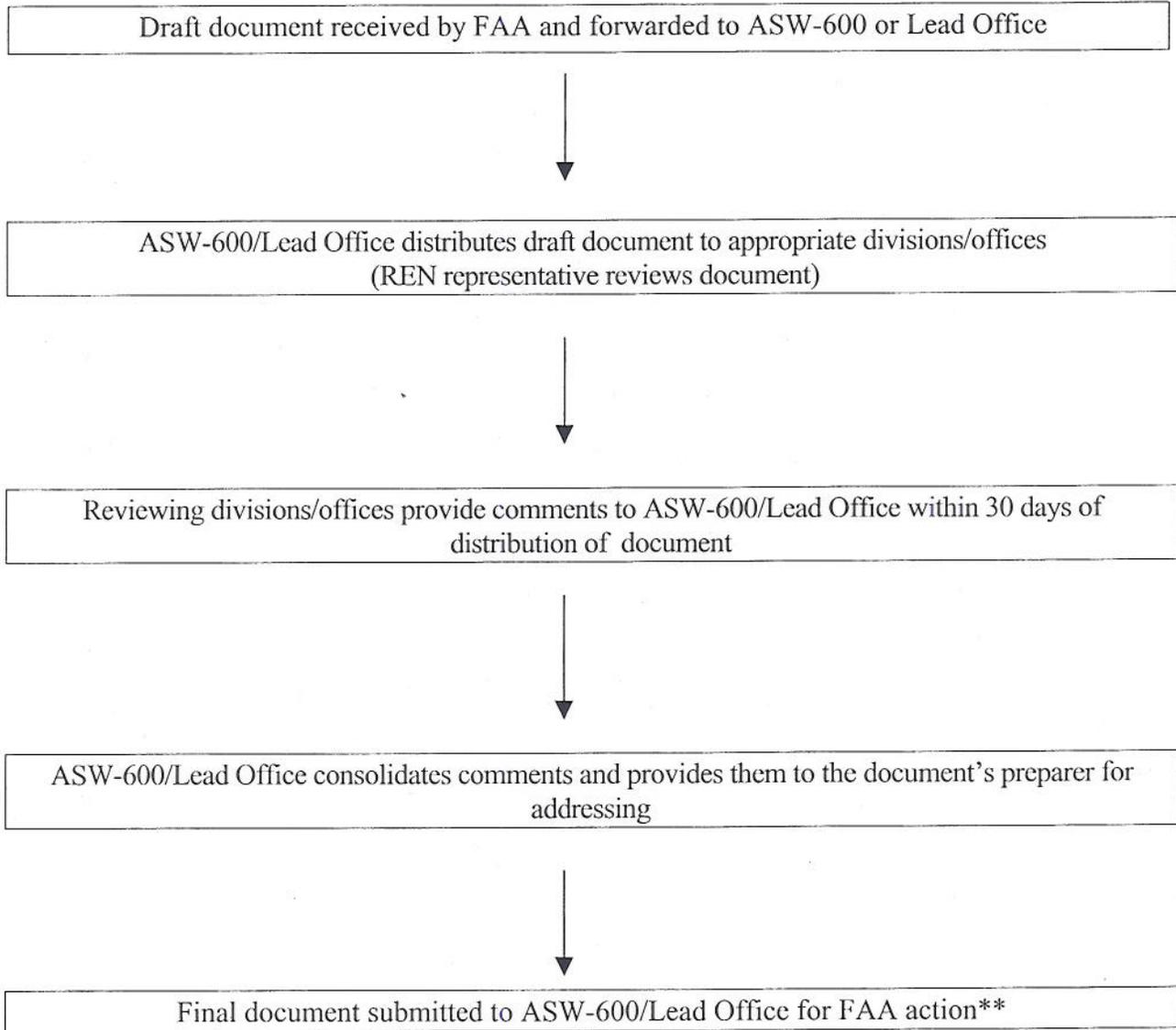
j. Assisting sponsors in the development and operation of their airports in a manner compatible with their neighbors and the surrounding environment is a regional goal. However, a balanced approach to address noise and environmental issues, which seeks to complement rather than unduly penalize aviation, should guide regional review of proposed actions subject to this order. Similarly, aviation enhancement actions are to be taken in an environmentally responsible manner.

16. Consulting With Airport Sponsors. While FAA representatives are expected and encouraged to consult with airport sponsors and local governments in the development of actions subject to this order, it is essential that an FAA commitment to a specific position or course of action not be implied until the regional position, and where required, the Washington headquarters position, have been established.


Teresa A. Bruner
Acting Regional Administrator

Appendix A

GENERAL FLOW CHART
FOR REVIEW OF ACTIONS
SUBJECT TO ORDER SW 1050.3B



**If 14 CFR Part 150 or Part 161 action, or NEPA ROD not delegated to the Region, ASW-600/Lead Office will forward document to HQ for Agency decision

OR

**If 14 CFR Part 150 or Part 161 action, or NEPA ROD has been delegated to the Region, ASW-600/Lead Office will coordinate a draft decision with appropriate offices and submit a final version to ASW-1 for signature.