

## **Part 150: Records of Approval**

### **Jackson Hole Airport, Jackson, Wyoming**

**Approved on 5/17/04**

#### **INTRODUCTION**

The Noise Compatibility Program (NCP) for Jackson Hole Airport (JAC) 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. Federal Aviation Regulation (FAR) Part 150 requires that the plan apply to a period of no less than five years into the future, although it may apply to a longer period if the sponsor so desires. The NCP has been developed based on a long-range perspective involving full capacity use of the ultimate airport layout.

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 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 environment requirements or other requirements, including aeronautical study requirements.

The program elements below summarize as closely as possible the airport operator's recommendations in the noise compatibility program and cross-referenced to the program. The statements contained within the summarized program elements and before the indicated FAA approval, disapproval, or other determination does not represent the opinions or decisions of the FAA. Page numbers referenced in the Program Elements section refer to the Jackson Hole Airport FAR Part 150 Study Update Supplemental Report of May 2003.

Airport noise or access restrictions, like those proposed in this NCP, are subject to the requirements of the Airport Noise and Capacity Act (ANCA), codified at 49 U.S.C. §§ 47521 - 47533 (Chapter 475). However, on December 12, 2003, the President signed Vision 100, Century of Aviation Reauthorization Act, Public Law 108-176 (Vision 100). Section 825 of Vision 100 authorizes a sponsor of a commercial service airport that does not own the airport land and is a party to a long term lease agreement with a Federal agency (other than the Department of Defense or the Department of Transportation) may impose restrictions on, or prohibit, the operation of Stage 2 aircraft weighing less than 75,000 pounds notwithstanding the requirements contained in chapter 475 of title 49 or any other provision of law or regulation. Since Vision 100 exempts the airport sponsor from the requirements of ANCA, the Aviation Safety and Noise Abatement Act (ASNA), and federal grant assurance obligations relating to proposed restrictions on Stage 2 aircraft, the FAA has determined that there is no need to take action concerning the NCP's proposed restrictions on operations by Stage 2 aircraft.

#### **PROGRAM ELEMENTS**

## Noise Abatement Measures

### Airport Noise or Access Restrictions

1. Restriction of Aircraft Generating Highest Noise Levels, Stage 3 Exempt. Amend the existing Noise Abatement Plan so that the single event limit on approach for non-Stage 3 certified aircraft as defined by the approach noise certification measurement point, is reduced from 92 dBA to 88.0 dBA. For determining compliance with this restriction, the dBA associated with the highest flap will be used. The Airport's existing restriction contained in its Noise Abatement Plan/Access Plan would remain in place, as a "safety net" restriction, and a new, lower restriction would be adopted to establish allowable noise limits on both departure and arrivals, as certificated in FAA Advisory Circular 36-G, Estimated Airplane Noise Levels in A-Weighted Decibels. (Page E.11)

2. Restriction of Aircraft Generating Highest Noise Levels. In the Alternative to Recommendation One, amend the existing Noise Abatement Plan so that the single event limit on approach as defined by the approach noise certification measurement point, is 88.0 dBA. For determining compliance with this restriction, the dBA associated with the highest flap will be used. A 1983 Use Agreement between the Jackson Hole Airport Board and the United States Department of Interior requires the Board to amend its Noise Abatement Plan to incorporate new, prudent and feasible technological advances which would allow further reduction in noise impacts on the Grand Teton National Park. The development and operational use of quieter aircraft since 1983 represents such a technological advance. The reduced single event limit is representative of and is designed to implement that advance. An additional ceiling of 88 dBA on both departure and arrivals, as certificated in FAA, Advisory Circular 36-3G, Estimated Airplane Noise Levels in A-Weighted Decibels, would be adopted. (Page E.14)

3. Restriction of Aircraft Generating Highest Noise Levels, a Stage 3 Requirement. In the Alternative to Recommendations 1 and 2, amend the existing Noise Abatement Plan so that the existing single event limitation remains in place as a "safety net" and a Stage 3 requirement, for all certifiable aircraft, is added. This Action would result in a ban on Stage 2 aircraft operating at the airport. The 1983 Agreement between the Jackson Hole Airport Board and the United States Department of Interior requires the Board to amend its Noise Abatement Plan to incorporate new, prudent and feasible technological advances which would allow further reduction in noise impacts on the Grand Teton National Park. The Board views the development and operational use of Stage 3 aircraft as a "technological advance." The analysis of noise reduction indicates that the Grand Teton National Park and other areas surrounding the Airport would show a reduction in noise impacts as a result of the implementation of this action. (Page E.16)

**FAA Determination: No FAA determination necessary for restrictions or prohibitions on Stage 2 aircraft. Disapproved for restrictions or prohibitions on operations by Stage 3 aircraft for purposes of Part 150 pending submission of additional information and compliance with Part 161.** A proposal to restrict stage 2 aircraft normally requires completion of a Part 161 analysis prior to an FAA action under Part 150 to approve or disapprove the restriction. On December 12, 2003, the President signed Vision 100, Century of Aviation Reauthorization Act, Public Law 108-176. Section 825 of the law authorizes the airport sponsor to impose restrictions or prohibitions on Stage 2 aircraft weighing less than 75,000 pounds despite the requirements contained in chapter 475 of title 49. This includes the Aviation Safety and Noise Abatement Act (recodified at 49 U.S.C. 47501 et seq.) as implemented by 14 CFR Part 150 and the Airport Noise and Capacity Act of 1990 (recodified at 49 U.S.C. 47521, et seq.) as implemented by 14 C.F.R. Part 161.. Thus, to the extent that the airport sponsor proposes restrictions or prohibitions on Stage 2 aircraft as recommendations in this NCP, the FAA makes no determination and the airport sponsor may impose such restrictions or prohibitions pursuant to section 825 of Vision 100. However, Vision 100 does not authorize the airport sponsor to impose restrictions or prohibitions on operations by Stage 3 aircraft. Thus, to the extent that any proposed restriction or prohibition may affect any Stage 3 aircraft, these measures are

disapproved pending submission of additional information and compliance with Part 161. The NCP, on page D.4, states that restricting or prohibiting aircraft based on a certificated noise level of 88 dBA on approach could also prohibit some Stage 3 aircraft (that are either hush kitted or modified with new engines).

4. Restriction of Aircraft Generating Highest Noise Levels or a Stage 2 Ban, FAR Part 161 Analysis Funding. Based on a determination by the FAA that a Part 161 analysis is required to amend and implement either (1) the proposed single event limit on approach for non-Stage 3 certified aircraft, from greater than 92.0 dBA as defined by the approach noise certification measurement point to greater than 88.0 dBA on approach or (2) to implement a requirement for Stage 3 aircraft (for all certifiable aircraft), the Airport Board is requesting federal funding to conduct the necessary analysis. The cost of preparing a FAR Part 161 analysis is estimated at \$300,000 to \$400,000 with a two-year timeframe. *(Page E.18)*

**FAA Determination: Disapproved for purposes of Part 150 as to Stage 2; Disapproved as to Stage 3 pending submission of additional information.** The airport sponsor has been authorized to impose restrictions or prohibitions on Stage 2 aircraft notwithstanding the requirements found in chapter 475 of title 49 and other federal law. Thus, to the extent that this measure seeks to study Stage 2 restrictions or prohibitions, the measure is disapproved. The NCP recognizes that while there are types of Stage 3 aircraft that could be impacted by the proposed restriction, such aircraft do not currently, nor or they anticipated, to operate at the airport. FAA currently lacks sufficient information to determine whether this proposed study would meet the requirements of Part 150.

5. Noise Complaint Response and Investigation. The Airport will continue its Noise Complaint System, approved by the FAA in 1985 as part of the original NCP, to record all noise complaints received from citizens and to monitor the Noise Abatement Plan. Records of all complaints are kept that indicate non-compliance with the airport's Noise Abatement Plan. This will assist in the annual review of the FAR Part 150 study to determine the effectiveness of noise abatement procedures. *(Page E.20)*

**FAA Determination: Approved.**

6. Update and Review of the FAR Part 150 Study. The FAR Part 150 Study is a five-year study, which will be reevaluated at the end of the five-year period. The Airport will review available data as to the aircraft types and numbers that operate at the airport to determine changes in the forecasts contained in the FAR Part 150 Study, and reevaluate the program when there is a significant change or at the end of the five-year timeframe. All airport users and those interested in the airport are responsible for providing input into the update process. *(Page E.22)*

**FAA Determination: Approved.**

7. Reduction of Noise Intrusion to Sensitive Land Uses in the Airport Environs. The County of Teton, Wyoming currently has adopted the Jackson Hole Airport Resolution as part of the County Development Regulations. The Resolution contains the Height Hazard zoning ordinance and the Airport Noise Exposure regulations. The noise exposure regulations state that if any part of a subdivision is to be located within two miles of the centerline of the runway, subdivision plats shall be annotated to indicate the immediate proximity to the Airport. The County is responsible for administering and enforcing these provisions. The Airport Board is responsible for monitoring these regulations and communicating with the County on development matters. *(Page E.25)*

**FAA Determination: Disapproved in part for purposes of Part 150.** This measure is within the jurisdiction of the County of Teton. FAA's disapproval for purposes of Part 150 is not intended to interfere with local land use decisions. While this measure would provide residents of

newly constructed homes with notice about where the airport is located, new construction within the DNL 65 dB noise contour is considered incompatible with normal airport operations and is inconsistent with the purposes of Part 150 to reduce or prevent incompatible land uses. (The airport operator has adopted a local deviation from the Federal land use compatibility guidelines published in FAR Part 150, Table 1, and has identified the DNL 60 dB noise contour as locally significant.) The FAA will not approve mitigation of noise-sensitive structures built after October 1, 1998.