



U.S. Department
of Transportation
**Federal Aviation
Administration**

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March 14, 2023

Mr. Charles R. Everett, Jr.
Director, Aviation
Port Authority of New York and New Jersey
Aviation Department
4 World Trade Center
150 Greenwich Street, 18th Floor
New York, New York 10007

RE: John F. Kennedy International Airport 14 CFR Part 150 Study- Noise Compatibility
Program Record of Approval

Dear Mr. Everett:

The Federal Aviation Administration (FAA) has evaluated the Noise Compatibility Program (NCP), for John F. Kennedy International Airport, contained in Title 14, Code of Federal Regulations (CFR), Part 150 Study and related documents submitted to this office under the provisions of Section 104(a) of the Aviation Safety and Noise Abatement Act of 1979, as amended. The recommended NCP proposed by the Port Authority of New York and New Jersey is described in Chapters 2 through 4 of the Study. I am pleased to inform you that the Director of the Airports Division, Eastern Region has signed the Record of Approval (ROA) for the NCP.

The ROA includes approval of four of the seven recommended Noise Abatement measures, all three Land Use measures, and all 12 Program Management measures. Two of the Noise Abatement Measures disapproved and one was found to have no FAA action as a continuation of existing practice at JFK. The specific rationale of the FAA action for each NCP measure is set forth in the enclosed ROA. The effective date of this approval is March 14, 2023.

Each Airport NCP developed in accordance with 14 CFR Part 150 is a local program and not a federal program. The FAA does not substitute its judgment for that of the airport sponsor with respect to which measures should be recommended for action. The FAA's approval, disapproval or no action taken on 14 CFR Part 150 program recommendations is measured according to the standards expressed in Part 150 and the Aviation Safety and Noise Abatement Act of 1979, and is limited to the following determinations:

- a. The Noise Compatibility Program was developed in accordance with the provisions and procedures of 14 CFR Part 150;

- b. Program measures are reasonably consistent with achieving the goals of reducing existing non-compatible land uses around the airport and preventing the introduction of new incompatible land uses;
- c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of airport grant agreements, or intrude into areas preempted by the Federal government;
- d. 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 responsibilities of the Administrator prescribed by law.

Specific limitations with respect to FAA's approval of an Airport Noise Compatibility Program are delineated in 14 CFR Part 150, Section 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, State or local law. Approval by itself does not constitute a FAA implementation action. A request for Federal action or approval to implement specific Noise Compatibility Measures may be required. 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 applicable federal funding programs. Where federal funding is sought, requests for project grants must be submitted to our office for consideration.

The FAA will publish a notice in the Federal Register announcing the approval of this Noise Compatibility Program. You are not required to give local official notice, however, you may do so if you wish.

Thank you for your continued interest in noise compatibility planning. If you have questions concerning this matter, please contact me at 718-553-2511.

Sincerely,

**ANDREW N
BROOKS**

Andrew Brooks
Acting Manager

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Date: 2023.03.14 18:40:11
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FEDERAL AVIATION ADMINISTRATION

RECORD OF APPROVAL

14 CFR PART 150 NOISE COMPATIBILITY PROGRAM

JOHN F KENNEDY INTERNATIONAL AIRPORT

NEW YORK, NEW YORK

Mary M McCarthy
Manager, Environmental Branch, AGC-630
Office of the Chief Counsel

03/13/2023
Date

✓
CONCUR

✓

NONCONCUR

DAVID A FISH Digitally signed by DAVID A FISH
Date: 2023.03.14 17:20:55 -04'00'
Director, Eastern Region, AEA-600
Airports Division

03/14/23
Date

X
APPROVED

DISAPPROVED

RECORD OF APPROVAL

JOHN F KENNEDY INTERNATIONAL AIRPORT NOISE COMPATIBILITY PROGRAM

INTRODUCTION

The John F Kennedy International Airport (JFK), New York, New York, Noise Compatibility Program (NCP) describes the current and future non-compatible land uses based upon the parameters established in Title 14 of the Code of Federal Regulations, Part 150, *Airport Noise Compatibility Planning*. Preparation of this Part 150 Study was initiated by the Port Authority of New York and New Jersey (Port Authority), the airport sponsor, in 2014. JFK submitted their Noise Exposure Maps (NEM) for the period 2016 through 2021. The FAA determined that the NEMs were prepared in accordance with procedures contained in Title 14, Code of Federal Regulations (CFR), Part 150 and accepted the maps on May 19, 2017. The JFK NCP measures were developed subsequent to the initial submission of NEMs for review and approval by FAA. The program evaluated a total of 97 measures and recommends a total of 22 measures to prevent the introduction of additional non-compatible land uses and to reduce the effect of the noise generated at the airport. The recommendations include seven noise abatement measures, three land use management measures, and 12 program management measures. The recommended measures are summarized in Section 2 (Noise Abatement Measures), Section 3 (Land Use Management Measures), and Section 4 (Program Management Measures) and Appendices C, G, and H of the NCP. More detailed descriptions and additional information on each measure can be found in Section 2.2 (Noise Abatement Measures); Sections 3.2 and 3.3 (Land Use Management Measures); and Section 4.2 (Program Management Measures) of the NCP.

FAA approval discussed herein is for the approval of measures the Port Authority recommends taking and this approval only indicates the recommended measures would, if implemented, be consistent with the purposes of 14 CFR Part 150. FAA approval does not constitute decisions to implement the measures nor does it constitute a commitment by the FAA to provide financial assistance to the Port Authority for the recommended measures. In addition, later decisions concerning possible implementation of the recommended measures may be subject to environmental protection laws and regulations or other procedures or requirements, as applicable.

The measures are identified below by program element and referenced to the NCP by page number. Each program element summarizes as closely as possible the airport operator's recommendations as found in the NCP. 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.

NOISE ABATEMENT MEASURES (NCP Section 2)

1. Implement “Tighten SKORR” Departure Procedure (Page 2-7)

Description: “SKORR” is the name of a navigational waypoint located near the Brooklyn neighborhood of Bergen Beach, which in 2017 was used in the SKORR THREE and DEEZZ FOUR Area Navigation (RNAV) departure procedures at JFK. The FAA diagrams for these procedures can be found on pages C-3 and C-5 of Appendix C on the NCP. In the SKORR THREE and DEEZZ FOUR procedures, aircraft departing Runways 31L and 31R make a left turn to fly by the SKORR waypoint before continuing to other locations as directed by FAA Air Traffic Control (ATC). The intention of the “Tighten SKORR” RNAV departure procedure concept is to reduce aircraft overflights of Howard Beach, Old Howard Beach, and Hamilton Beach (in Queens) by moving the SKORR waypoint from its current location to Jamaica Bay. Relocating the SKORR waypoint could reduce noncompatible land uses in those neighborhoods by shifting the noise contours in the neighborhoods southward.

Note: Since the development of this proposed measure by the Port Authority in 2017, the FAA has updated both the SKORR and DEEZZ departure procedures. The current versions of these procedures as of the issuance of this Record of Approval are SKORR FIVE, published December 29, 2022, and DEEZZ FIVE, published July 19, 2018.

FAA Action: APPROVED AS VOLUNTARY. Analysis contained within the NCP (Text, page 2-8 and Tables 2-2 and 2-3 on page 2-15) demonstrates that this measure could reduce the number of residential units within the day-night average sound level (DNL) 65 decibel (dB) contour by 351. The analysis assumed full utilization of the proposal by all aircraft currently flying procedures that include the SKORR waypoint departing both Runways 31L and 31R .

The measure as proposed would require relocating the current SKORR waypoint to the northeast, further over Jamaica Bay, as demonstrated in Figure 2-2 on page 2-9. Relocation of the waypoint has proposed has caused challenges in developing new departure procedures to achieve the turns necessary to hit the proposed relocated waypoint given current operating and procedure design criteria. With the approval of this measure as voluntary, the FAA will continue to work with the Port Authority on development of departure procedures to achieve the desired intent of this measure, including further consideration of relocation of the SKORR waypoint, recognizing that the extent of potential relocation may be limited by aircraft flight capabilities. In recognition of the challenge associated with procedure design under this measure, the FAA amended the SKORR Departure Procedure with the publication of SKORR FIVE on December 29, 2022. The amendment added a note to pilots that states “Departing Rwy 31L requires expeditious intercept of outbound course 238° to SKORR.” This amendment to the procedure is intended as an interim step towards revised departure procedures using the SKORR waypoint and is not to be considered as FAA’s full implementation of this proposed measure.

Inclusion of the analytical results from the NCP is presented as the basis upon which the decision was made, as it demonstrates that implementation of the measure could lead to noise reduction. Further, approval of this measure as voluntary does not commit the FAA or Port Authority to achieving the assumptions used for modeling as a target of implementation of the measure. Use of any revised or

published procedures in accordance with the intended goal of this measure is subject to Air Traffic Controller discretion based on conditions in place at the time of the operation.

2. Turn Runway 22L and 22R Departures to Heading 240 at Night (Page 2-17)

Description: This measure proposes the development of a nighttime (defined as 10:00:00pm – 6:59:59am) RNAV departure procedure for Runways 22L and 22R that would direct aircraft to make a right turn to magnetic heading 240 shortly after takeoff, then a left turn to overfly the Rockaways. This could reduce non-compatible land uses in the Rockaways, as an analysis of 2014 radar data indicated that the majority of Runway 22L and 22R departures maintain runway headings while overflying the Rockaways, causing overflight of densely populated areas.

FAA Action: APPROVED AS VOLUNTARY. Analysis contained within the NCP (Text, page 2-17 and Tables 2-5 and 2-6 on page 2-18) demonstrates that this measure could reduce the number of residential units within the DNL 65 dB contour by 1,272 assuming 50 percent of nighttime departures on Runways 22L and 22R use the procedure. Further, two places of worship could also be removed from the DNL 65 dB contour under these usage assumptions. Inclusion of these analytical results is presented as the basis upon which the decision was made, as it demonstrates that implementation of the measure leads to noise reduction. Further, approval of this measure as voluntary does not commit the FAA or Port Authority to achieving the assumptions used for modeling as a target of implementation of the measure. Currently, the Gateway Climb exists on the Kennedy Five departure. This climb has aircraft intercept the JFK Radial-232 from Runway 22R, and was designed as a midnight noise abatement procedure. Expanding the use of the Gateway Climb during periods of light traffic may be considered in lieu of the proposed 240 heading as either the Gateway Climb or proposed 240 heading would require conditional airspace from LGA. Additional work with stakeholders and facilities may be needed to design a flyable procedure that can meet safety and operational criteria. Use of any revised or published procedures is subject to Air Traffic Controller discretion based on conditions in place at the time of operation.

3. Reduce Runway 31L Intersection Departures at Night (Page 2-26)

Description: This NCP measure is seeking to reduce the number of nighttime intersection departures on Runway 31L and increase the number of nighttime departures that use the full length of the runway. Currently, aircraft departing Runway 31L may be directed by FAA to begin their takeoff roll at the intersection of Runway 31L and Taxiway KD, which is northwest of Runway 4L-22R. Aircraft that begin their takeoff roll at this intersection do not have to cross Runway 4L-22R, which reduces taxi times for some operations. If aircraft currently using Runway 31L intersection departures were instead directed to use the full length of Runway 31L, they may be at higher altitudes when they fly over Howard Beach, Old Howard Beach, and Hamilton Beach, potentially reducing noise exposure in those neighborhoods.

FAA Action: APPROVED AS VOLUNTARY. Analysis contained within the NCP (Text, page 2-27, and Tables 2-8 and 2-9 on page 2-37) demonstrates that this measure could reduce the total number of residential units within the DNL 65 dB contour by 259 assuming all nighttime Runway 31L departures use the full runway length. Table 2-10 on page 2-38 demonstrates that 266 residential units within Queens County could be outside of the DNL 65 dB contour and 7 residential units within Nassau County would be newly

included within the DNL 65 dB contour using the same assumptions. Inclusion of these analytical results is presented as the basis upon which the decision was made, as it demonstrates that implementation of the measure leads to noise reduction. Further, approval of this measure does not commit the FAA or Port Authority to achieving the assumptions used for modeling as a target of implementation of the measure and pilot requests for use of intersection departures during night hours will be considered. Use of the full length of Runway 31L for nighttime departures is subject to Air Traffic Controller discretion based on conditions in place at the time of operation.

4. Combine “Tighten SKORR” Departure Procedure with Reduce Runway 31L Intersection Departures at Night (Page 2-40)

Description: This NCP measure is a combination of JFK Noise Abatement Measures 1 and 3. These suggested measures are described in their respective sections above.

FAA Action: APPROVED AS VOLUNTARY. Analysis contained within the NCP (Text, page 2-40, and Tables 2-12 and 2-13 on page 2-45) demonstrates that this measure could reduce the number of residential units within the DNL 65 dB by 559. The analysis assumed full utilization of the proposal by all aircraft currently flying procedures that include the SKORR waypoint departing both Runways 31L and 31R and all nighttime Runway 31L departures use the full runway length. Table 2-14 on page 2-49 demonstrates that 564 residential units within Queens County could be outside of the DNL 65 dB contour and 5 residential units within Nassau County would be newly included within the DNL 65 dB contour using the same assumptions.

The approval language of Noise Abatement Measures 1 and 3 within this Record of Approval applies to the approval of this measure as voluntary as well.

Inclusion of the analytical results from the NCP is presented as the basis upon which the decision was made, as it demonstrates that implementation of the measure could lead to noise reduction. Further, approval of this measure as voluntary does not commit the FAA or Port Authority to achieving the assumptions used for modeling as a target of implementation of the measure. Use of any revised or published procedures in accordance with the intended goal of this measure is subject to Air Traffic Controller discretion based on conditions in place at the time of the operation.

5. Implement Noise Abatement Departure Profiles on a Voluntary Basis for Each Runway End (Page 2-51)

Description: This NCP measure involves the voluntary implementation of noise abatement departure profiles (NADPs), which are aircraft climb-out profiles that can provide noise reduction benefits. In 1993, the FAA published acceptable criteria for two safe NADPs for commercial jet aircraft: the close-in NADP, also known as NADP1, and the distant NADP, also known as NADP2 (FAA Advisory Circular [AC] 91-53A). The close-in NADP provides noise reduction benefits to areas adjacent to an airport, whereas the distant NADP provides noise reduction benefits farther from an airport.

Figure 2-15 (Page 2-51) gives a general, comparative overview of both types of NADP. The NADPs outline criteria for speed, thrust settings, and airplane configurations used in connection with each NADP. The

designs of NADPs and their frequencies of use are specific to individual aircraft operators and aircraft types. Airport operators cannot mandate the use of NADPs at an airport because airport operators do not have the authority to require specific operating profiles for aircraft in flight. Implementation of NADPs is voluntary and at the choice of aircraft operators; however, FAA AC 91-53A encourages aircraft operators “to use the appropriate NADP when an airport operator requests its use to abate noise for either a close-in or distant community.”

FAA Action: DISAPPROVED FOR PURPOSES OF PART 150. Documentation provided in support of this measure by the Port Authority did not include analysis comparing implementation of the measure to the accepted NEM for JFK, rather it included a comparative analysis of implementation of potential NADP 1 and NADP 2 procedures at JFK. FAA does not concur with the Port Authority’s statements in the NCP that an analysis comparing implementation of the measure to the accepted NEM cannot be done. Accordingly, the NCP does not show that implementation of this measure would reduce non-compatible land use within the 65 dB DNL contour, in accordance with 14 CFR Part 150.23(e)(5) and 150.35(a). A future update to the NCP addressing the analytical deficiency identified may result in the FAA reconsidering the decision for this measure. Disapproval of this measure for purposes of Part 150 does not prevent the Port Authority from pursuing further implementation of this measure outside of the Part 150 context.

6. Implement Nighttime Optimized Profile Descent Procedures (Page 2-64)

Description: This NCP measure involves the implementation of Optimized Profile Descent (OPD) arrival profiles at JFK. An OPD is an arrival procedure that optimizes reduction of noise and air pollutant emissions by minimizing changes in thrust using a favorable initial flight path angle, and through strategic management of flaps and landing gear. Aircraft on an OPD are generally configured with flaps and landing gear, airspeed, and approach angle before they are five miles from the runway, mostly benefitting areas outside of the DNL 65 contour.

Because of the busy and complex nature of the region’s airspace as a whole, aircraft are typically directed by air traffic controllers to hold at a constant altitude for extended periods. OPDs are being recommended only during nighttime hours, given that the airspace is much less busy. Figure 2-20 (Page 2-64) illustrates the OPD concept by comparing a conceptual OPD to a descent with hold-downs, where aircraft increase power and fly at constant altitude when instructed by ATC.

FAA Action: DISAPPROVED FOR PURPOSES OF PART 150. Documentation provided in support of this measure by the Port Authority states that this measure would not benefit non-compatible land use within the 65 dB DNL contour. As such, the measure does not meet the standard for approval by the FAA, in accordance with 14 CFR Part 150.23(e)(5) and 150.35(a). A future update to the NCP demonstrating reductions of non-compatible land use within the 65 dB DNL contour may result in the FAA reconsidering the decision for this measure. Disapproval of this measure for purposes of Part 150 does not prevent the Port Authority from pursuing further implementation of this measure outside of the Part 150 context.

7. Continue Existing Mandatory Departure Noise Limit and \$250 Penalty (Page 2-66)

Description: The Port Authority has pursued aircraft noise abatement measures for several decades. In 1959, the Port Authority established a mandatory aircraft departure noise limit of 112 PNdB for aircraft departures at JFK. In 1986, the Port Authority implemented a \$250 penalty for each aircraft operation that exceeds the noise limit at JFK. Operators of aircraft that violate the departure noise limit at JFK are contacted by the Port Authority and notified of the violation and penalty. The existing monitoring system at JFK, which currently consists of 19 monitors, supports the Port Authority's enforcement of this departure noise limit. The departure noise limit is a measure that was established before such measures were restricted by the Airport Noise and Capacity Act (ANCA) in 1990. The Port Authority is recommending continuation of the existing departure noise limit and penalty, with no changes, to continue restricting operational activity that violates the limit. This provides benefits to communities in the vicinity of JFK.

FAA Action: NO ACTION. This measure was in place prior to ANCA and is not subject to review under 14 CFR Part 161. It is the continuance of a pre-existing practice at JFK.

LAND USE MEASURES (NCP Section 3)

1. Sound-Insulate Eligible Dwelling Units (Page 3-6)

Description: The Port Authority is proposing to provide sound insulation for eligible residential dwelling units within the DNL 65 dB contour. Types of dwelling units include, but are not limited to, single-family units, multi-family units (up to and including high-rise apartment buildings), and mixed-use structures with retail on the ground floor and residential units above. Sound insulation programs provide compatible noise environments inside structures as a means to mitigate aircraft noise exposure. Sound insulation treatments may include window and door replacement, caulking, weather stripping, and positive air ventilation. Positive ventilation systems use a fan to draw outside air into an indoor space, pressurizing the space. Indoor air is exhausted out of the building through sound-insulated exterior openings. Ventilation-only treatments are limited to structures where positive ventilation does not already exist.

The goal of sound insulation under 14 CFR Part 150 is to provide an average interior DNL of 45 dB or below and to provide at least a 5 dB improvement to the noise level reduction of the structure. Based on the experience of other airports' residential sound insulation programs, sound insulation is effective in reducing interior noise exposure and has a high level of satisfaction among dwelling unit occupants.

In residential sound insulation programs funded, in part, by FAA Airport Improvement Program (AIP) grants, a dwelling unit is eligible for sound insulation only if it meets all of the criteria set forth in FAA Order 5100.38D, Airport Improvement Program Handbook (AIP Handbook), Appendix R. To be eligible, the dwelling unit must meet the following criteria:

1. It must be located within the DNL 65 dB contour of an FAA-accepted NEM.
2. It must have been constructed before publication of FAA-accepted DNL contours. Dwelling units constructed in the vicinity of JFK after August 4, 2008, are not eligible for federally funded sound insulation.

3. It must be in compliance with the local building code.
4. It must have an average noise level in habitable rooms above DNL 45 dB (with windows closed).

The FAA also has discretion to fund sound insulation for dwelling units located in structures that contain a mix of residential and commercial uses (e.g., buildings with retail on the first floor and apartments in upper floors). In addition, a modular structure that has a noise-sensitive use may be eligible for federally funded sound insulation if the structure is permanent and meets the building requirements for non-modular structures, as given in Appendix R of the AIP Handbook.

The following dwelling units may be eligible for federally funded positive ventilation systems in addition to or in lieu of residential sound insulation:

- Dwelling units that qualify for sound insulation and do not have existing positive ventilation systems
- Dwelling units that do not qualify for sound insulation and do not have existing positive ventilation yet require it so that exterior doors and windows can be kept closed to obtain the noise-level reduction required for compatibility

Dwelling units that do not have positive ventilation systems and are determined to be eligible for federally funded positive ventilation systems would be divided into two groups:

- Existing interior noise exposure of at least DNL 45 dB
- Existing interior noise exposure below DNL 45 dB, but only with having all exterior doors and windows closed

In exchange for accepting sound insulation under JFK Land Use Measure 1, the Port Authority is requiring the property owner to provide to the Port Authority an avigation easement. An avigation easement is a conveyance of airspace over property for use by an airport. The property owner has restricted use of their property subject to the airport sponsor's easement for overflight and other applicable restrictions on the use and development of the parcel. Avigation easements run with the land (i.e., are attached to the property for as long as the easement is in effect). Therefore, an avigation easement binds future property owners and informs them of the property's exposure to aircraft noise while also restricting use of the parcel as described in the avigation easement.

FAA Action: APPROVED. This measure could potentially benefit 13,825 dwelling units and 39,074 people located in the DNL 65 dB contour, excluding block rounding and neighborhood equity, based on the accepted JFK NEM. This number is only a representation of structures located within the currently accepted NEM and may change either due to structures not meeting all requirements for program eligibility as discussed in the NCP (Pages 3-6 through 3-9) or due to a change to the DNL 65 dB contour itself on a future updated NEM submission. Prior to the start of the Sound Insulation Program (SIP), the Port Authority shall develop a policy and procedure manual (PPM) to guide SIP implementation and an acoustical testing protocol (ATP). The PPM should outline SIP objectives and priorities, community

outreach process, identify and define boundaries for eligible structures, including proposals for treatment of neighborhood equity and block rounding (in accordance with Appendix R of the AIP Handbook) and the suggested avigation easement language. The ATP outlines the acoustical testing process to ensure the acoustical testing of residential structures is conducted accurately and efficiently. The ATP shall be provided to FAA for review and concurrence.

Approval of this measure is not a commitment of future federal funding under any grant-in-aid program administered by the FAA. Final determinations regarding eligibility and funding will be made at such time the Port Authority submits requests for federal financial assistance and will be dependent upon the accepted NEM at the time the request is submitted, provided the NEM can be validated for currency.

2. Sound-Insulate Eligible Non-Residential Noise-Sensitive Structures (Page 3-12)

Description: The Port Authority is proposing to provide sound insulation for eligible non-residential noise-sensitive structures within the DNL 65 dB contour. Non-residential noise-sensitive structures include public use facilities such as schools, places of worship, hospitals and residential health care facilities, day care facilities, and libraries. Sound insulation programs provide compatible noise environments inside structures to mitigate aircraft noise exposure. Sound insulation treatments may include window and door replacement, caulking, weather stripping, and positive air ventilation.

The purpose of sound insulation is to provide an average interior DNL of 45 dB or below and to provide at least a 5 dB improvement to the noise level reduction of the structure with the installation of the treatments. All eligibility requirements in Appendix R of the AIP Handbook must be met.

In non-residential sound insulation programs funded in part by FAA AIP grants, a non-residential noise-sensitive structure is eligible for sound insulation only if it meets all of the criteria set forth in the AIP Handbook, Appendix R. To be eligible, the structure must meet the following criteria:

- 1) It must be located within the DNL 65 dB contour of an FAA-accepted NEM.
- 2) It must have been constructed before publication of FAA-accepted DNL contours. In the case of JFK, FAA-accepted DNL contours were first made available to the public on August 4, 2008. Therefore, structures constructed in the vicinity of JFK after August 4, 2008, are not eligible for federally funded sound insulation.
- 3) It must be in compliance with the local building code.
- 4) It must have an average noise level in habitable rooms above DNL 45 dB (with windows closed).

According to Table C-5 of the AIP Handbook, the FAA may not authorize the installation of sound insulation for structures with non-residential noise-sensitive land uses that are located in temporary commercial facilities (e.g., a house of worship or day care facility under lease in a retail/commercial facility).

The following structures may be eligible for federally funded positive ventilation systems in addition to or in lieu of structural sound insulation:

- Structures that qualify for sound insulation and do not have existing positive ventilation systems
- Structures that do not qualify for sound insulation and do not have existing positive ventilation yet but require it so that exterior doors and windows can be kept closed to obtain the noise-level reduction required for compatibility

Structures that do not have positive ventilation systems and are determined eligible for federally funded positive ventilation systems would be divided into two groups:

- Existing interior noise exposure of at least DNL 45 dB
- Existing interior noise exposure below DNL 45 dB, but only with having all exterior doors and windows closed

The 2021 Accepted NEM DNL 65 dB contour includes four schools that did not receive sound insulation treatments during previous Port Authority sound insulation programs, 19 places of worship, 17 day care facilities, one non-residential historic structure, and one library, for a total of 42 non-residential noise-sensitive structures within the DNL 65 dB contour. Table 3-3 on pages 3-14 and 3-15 of the NCP lists the names and locations of all 42 non-residential noise-sensitive structures proposed for inclusion in this measure. The 2021 Accepted NEM DNL 65 dB contour also includes 23 schools that previously received sound insulation treatments during previous Port Authority sound insulation programs; the Port Authority does not propose these schools for inclusion in this measure.

FAA Action: APPROVED. This measure could potentially benefit users and attendees of these 42 non-compatible noise-sensitive structures located in the DNL 65 dB contour based on the accepted JFK NEM. This approval is for structures located within the currently accepted NEM identified in Table 3-3 on Pages 3-14 and 3-15 of the NCP and may change either due to structures not meeting all requirements for program eligibility as discussed in the NCP (Pages 3-6 through 3-9 and 3-12 through 3-13) or due to a change to the DNL 65 dB contour itself on a future updated NEM submission. Additionally, eligibility of non-residential noise-sensitive structures located in commercial structures will be evaluated on a case-by-case basis. Prior to the start of the SIP, the Port Authority shall develop a PPM to guide SIP implementation and an ATP. This PPM and ATP for these 42 non-residential noise-sensitive structures can be combined with the PPM and ATP for residential structures identified in the approval of Land Use Measure 1 and shall be provided to FAA for review and concurrence.

Approval of this measure is not a commitment of future federal funding under any grant-in-aid program administered by the FAA. Final determinations regarding eligibility and funding will be made at such time the Port Authority submits requests for federal financial assistance and will be dependent upon the accepted NEM at the time the request is submitted, provided the NEM can be validated for currency.

3. Include Aircraft Noise in Real Estate Disclosures (Page 3-18)

Description: Real estate disclosure is a preventive land use strategy that is focused on raising property buyers' awareness of aircraft noise impacts. Real estate disclosures provide the opportunity for prospective buyers to learn about the property and the seller's experience in it. Such disclosures can

inform buyers while also protecting the sellers from future legal action by revealing issues that can negatively affect the value, usefulness or enjoyment of the property. Some communities near airports include aircraft noise in real estate disclosure forms to ensure that the buyer is aware that the property is in the vicinity of an airport.

FAA Action: APPROVED. The decision whether to pursue such a policy is an issue for government entities responsible for land use planning or real estate transactions to decide. The Port Authority should work directly with any state and/or local governments that wish to develop this preventive land use measure.

PROGRAM MANAGEMENT MEASURES (NCP Section 4)

1. Maintain Noise Office (Page 4-3)

Description: The Port Authority is proposing to continue to operate the Noise Office, which is a vital link between the Airport and communities on aircraft noise concerns. Following issuance of this Record of Approval, the Port Authority's Noise Office's responsibilities will expand to include implementation of the recommended NCP measures and monitoring adherence with the implemented noise abatement measures. It is possible that the Port Authority may need additional staff resources in the Noise Office to adequately address the increased responsibilities that come with the implementation and monitoring of NCPs at four airports simultaneously.

FAA ACTION: APPROVED. Implementation of this continued measure is considered to be within the authority of the Port Authority of New York and New Jersey.

2. Maintain Noise and Operations Management System (Page 4-5)

Description: The Port Authority is proposing to continue use of the Noise and Operations Management System (NOMS), which supports the investigation of noise complaints as well as communication with the public about the noise environment associated with JFK. The Airport NOMS (ANOMS) also retains historical data so that noise and operational trends can be determined. Maintenance of the NOMS will enable the Port Authority to investigate noise complaints and provide a means to monitor adherence to NCP noise abatement measures for JFK. Of the 19 noise monitors in the current JFK NOMS, 10 are located within the Accepted 2021 NEM DNL 65 contour.

FAA ACTION: APPROVED. The Port Authority may seek to maintain and/or replace existing noise monitors. Only noise monitors within the accepted NEM at the time of any potential funding requests would be eligible for federal funding for replacement if all other eligibility criteria are met. Approval of this measure is not a commitment of future federal funding under any grant-in-aid program administered by the FAA. Final determinations regarding eligibility and funding of future upgrades will be made at such time the Port Authority submits requests for federal financial assistance.

3. Maintain Public Flight Tracking Portal (Page 4-7)

Description: The existing public flight tracking portal is an internet-based system that allows the public to view aircraft movements in the New York area via a website. The flight tracking portal provides a public

interface for the Port Authority's NOMS and is therefore a key communication and educational tool used by the Noise Office. The Port Authority is proposing to continue use of this system.

FAA ACTION: APPROVED. Approval of this measure is not a commitment of future federal funding under any grant-in-aid program administered by the FAA. Final determinations regarding eligibility and funding will be made at such time the Port Authority submits requests for federal financial assistance and will be dependent upon the accepted NEM at the time the request is submitted, provided the NEM can be validated for currency.

4. Maintain Noise Complaint Management System (Page 4-8)

Description: The existing noise complaint management system is used by the Port Authority to collect and manage noise complaint information from each of the airports in its system. The Port Authority provides noise complaint reports to the FAA on a quarterly basis for informational purposes. The use of a noise complaint management system enables the Noise Office to efficiently respond to noise complaints and gain insights from noise complaint data. The Port Authority is proposing to continue use of this system.

FAA ACTION: APPROVED. Implementation of this continued measure is considered to be within the authority of the Port Authority of New York and New Jersey. Approval of this measure is not a commitment of future federal funding under any grant-in-aid program administered by the FAA. Final determinations regarding eligibility and funding will be made at such time the Port Authority submits requests for federal financial assistance and will be dependent upon the accepted NEM at the time the request is submitted, provided the NEM can be validated for currency.

5. Maintain Noise Office Website (Page 4-10)

Description: The Port Authority's Noise Office website provides links to submit a noise complaint, public flight tracking portal, noise monitoring, data reports, and airport community roundtables. The noise information website also contains a link to a central web page for each of the Port Authority's four 14 CFR Part 150 Studies. Thus, the Noise Office website serves as a single point of entry to all of the publicly available information and services provided by the Noise Office. The Port Authority is proposing to continue use of this website.

FAA ACTION: APPROVED. Implementation of this continued measure is considered to be within the authority of the Port Authority of New York and New Jersey.

6. Continue Community Outreach Activities (Page 4-11)

Description: The Port Authority facilitated the development of an airport community roundtable for JFK and LGA, named the New York Community Aviation Roundtable, in collaboration with the FAA and representatives of nearby communities. The NYCAR was launched in 2014. The Port Authority and the FAA have non-voting advisory status on the NYCAR, as indicated in the NYCAR by-laws. The Port Authority is proposing to continue to participate in the NYCAR and conduct additional community outreach activities.

The Roundtable has a sub-committee specifically focused on JFK operations. The Roundtable meets on a regularly scheduled basis to provide ongoing communication with the Port Authority and the FAA, seeking mutual and feasible ways to manage aircraft noise impacts. The Noise Office leverages these types of in person outreach activities to support and maintain meaningful dialogue with communities, the FAA, and other aviation stakeholders regarding aircraft noise.

FAA ACTION: APPROVED. Implementation of this continued measure is considered to be within the authority of the Port Authority of New York and New Jersey.

7. Establish and Manage a Fly Quiet Program (Page 4-12)

Description: The Port Authority recommends initiating a voluntary Fly Quiet Program for JFK to develop solutions for abating noise from aircraft operations. A Fly Quiet Program is a voluntary collaboration among the airport proprietor, airlines, and air traffic controllers that encourages pilots and air traffic controllers to use noise abatement flight procedures, NADPs, and preferential runways. It also typically includes an airline/pilot awareness campaign with promotional materials to ensure pilots know about the recommended noise abatement procedures at the Airport.

The Fly Quiet Program would be used to facilitate implementation of recommended noise abatement measures approved by the FAA. The Fly Quiet Program would also be used as a forum for developing and discussing noise abatement measures that may provide benefits outside of the 14 CFR Part 150 process. The Fly Quiet noise reports would be published on the Noise Office website and shared with various stakeholders including, but not limited to, the FAA, NYCAR members, land use planners, and airlines.

FAA Action: APPROVED AS VOLUNTARY. Use of any procedure, including those that would be the subject of a Fly Quiet Program, is subject to Air Traffic Controller discretion based on operating conditions in place at the time of aircraft operation. Further, approval of this measure is not a commitment of future federal funding under any grant-in-aid program administered by the FAA. Final determinations regarding eligibility and funding will be made at such time the Port Authority submits requests for federal financial assistance and will be dependent upon the accepted NEM at the time the request is submitted, provided the NEM can be validated for currency.

8. Make Aircraft Noise Contours Available in a Geographic Information System (GIS) (Page 4-14)

Description: An interactive NEM (presenting DNL 65 dB and higher contour lines) can provide the public, land use planning agencies, and other stakeholders with easy access to an airport's noise contours to enhance awareness and decision-making regarding aircraft noise. This measure would involve the Port Authority providing a Google Earth file (or other readily useable file) of the Accepted JFK 2021 DNL 65, 70, and 75 dB contours to the public for download. The Port Authority could also host a map on its Noise Office website that would include these GIS layers as a downloadable file containing noise contour shapes for easy viewing by interested parties.

Interactive noise contour maps for JFK were developed as part of this Study. Those maps allow users to determine whether their residence or any other noise-sensitive building is within or outside of the DNL

65 dB contours. They were favorably received when showcased at the JFK draft NEM workshops and subsequently posted for public access on the JFK 14 CFR Part 150 Study website. It is the Port Authority's intention to maintain public access to these maps. The Port Authority will also provide the Accepted 2021 NEM DNL 65 dB contour to the local planning agencies with land uses within the contour boundary.

FAA ACTION: APPROVED. Implementation of this continued measure is considered to be within the authority of the Port Authority of New York and New Jersey.

9. Update the Noise Exposure Map (Page 4-16)

Description: The FAA requires that an airport operator maintain NEMs that reflect current or reasonably projected conditions in order to obtain FAA funding for noise programs. Specifically, 14 CFR Part 150.21(d), states that an airport operator shall "promptly prepare and submit a revised noise exposure map" if any change in the operation of the airport creates a "substantial, new non-compatible use" or a "significant reduction in noise over existing non-compatible uses" that is not reflected on the FAA-accepted NEM on record. The former condition reflects an increase of DNL 1.5 dB in terms of the DNL over non-compatible uses or over uses that are made non-compatible by the noise increase, while the latter condition reflects a reduction of DNL 1.5 dB over uses that were formerly non-compatible but are made compatible by the noise reduction.

Consistent with Part 150 requirements, the Port Authority will evaluate any changes in the noise environment at JFK and notify the FAA whether they believe the NEM continues to be a reasonable representation of current and/or forecast conditions at JFK or submit an updated NEM to the FAA for acceptance. The Port Authority anticipates updating the NEMs when operations at JFK stabilize as the aviation sector continues to recover from the COVID-19 pandemic.

FAA ACTION: APPROVED. The FAA retains discretion to evaluate and determine currency of the NEMs based on information submitted by the Port Authority so long as the Port Authority continues to seek federal funding for implementation of measures approved under 14 CFR Part 150. Approval of this measure is not a commitment of future federal funding under any grant-in-aid program administered by the FAA. Final determinations regarding eligibility and funding will be made at such time the Port Authority submits requests for federal financial assistance to update the NEMs.

10. Update the Noise Compatibility Program (Page 4-18)

Description: 14 CFR Part 150.23(e)(9), states that NCPs must include a "[p]rovision for revising the program if made necessary by revision of the noise exposure map." This may occur if a significant change is identified that results in a revision to the NEMs. Examples of changes are a large addition of non-compatible land uses, or new elements required to achieve land use compatibility. The NCP does not require an update with each NEM update. The Port Authority proposes updating the NCP only when additional measures and/or modified measures are required to reduce non-compatible land use in accordance with an updated NEM.

FAA ACTION: APPROVED. The FAA retains discretion to recommend updates to the NCP as a whole or to individual measures at such time that revised NEMs are submitted by the Port Authority and so long as the Port Authority continues to seek federal funding for implementation of measures approved under 14 CFR Part 150. Approval of this measure is not a commitment of future federal funding under any grant-in-aid program administered by the FAA. Final determinations regarding eligibility and funding will be made at such time the Port Authority submits requests for federal financial assistance to update the NCP.

11. Post Monthly Color-Coded DNL Values on Port Authority Website (Page 4-19)

Description: Noise monitoring reports with color-coded values could help the public, land use planning agencies, and other stakeholders easily understand the noise environment in the vicinity of JFK to enhance awareness and decision-making regarding aircraft noise. This measure would involve the Port Authority providing noise monitoring reports with monthly DNL values for each noise monitor that are coded with different colors based on which ranges the values fall into, such as DNL 60.0 to 64.9 dB, DNL 65 to 69.9 dB, and so on. Noise monitoring reports with color-coded values are currently available on the Port Authority's aircraft noise website. It is the Port Authority's intention to continue providing these reports.

FAA ACTION: APPROVED. Implementation of this continued measure is considered to be within the authority of the Port Authority of New York and New Jersey.

12. The Port Authority to Coordinate with the FAA on Development and Implementation of NextGen Procedures (Page 4-20)

Description: The FAA's NextGen implementation involves managing flight procedures for numerous airports in the region and is not specific to JFK. The Port Authority is a member of the NextGen Advisory Committee (NAC), a federal advisory committee that makes recommendations to the FAA regarding the possible implementation of NextGen in the New York/New Jersey/Philadelphia airspace; this includes air traffic and airspace management recommendations. As a collaborating member of the NAC, the Port Authority can advance measures for further FAA evaluation by either directly engaging with the FAA's NY Terminal Radar Approach Control (TRACON) or submitting measures to the NAC for its consideration. This measure proposes the continuation of the Port Authority's role on the NAC and to consider dispersal headings or other lateral track variations pursuant to Section 175 of the FAA Reauthorization Act of 2018 when the FAA is evaluating new or amended area navigation departure procedures under NextGen.

FAA ACTION: APPROVED.