



CENTENNIAL AIRPORT COMMUNITY NOISE ROUNDTABLE

October 6, 2021

6:30 p.m. – 8:30 p.m.

*****NOTE – BUSINESS DISCUSSIONS WILL BE LIMITED IN ORDER TO ACCOMMODATE A PRESENTATION ABOUT THE NOISE MONITORS WHICH MEASURE NOISE IN THE AREAS SURROUNDING CENTENNIAL AIRPORT (Agenda Item 9.A.)**

Member Representatives and Alternate Representatives:

For In-Person Attendance (preferred): Centennial Airport, 7565 S. Peoria Street, Unit D9, Englewood, CO 80112

Others Wishing to Join This Meeting from a telephone, tablet or desktop::

Please register: **Registration URL**

<https://attendee.gotowebinar.com/register/2388879644844855056>

Webinar ID: 797-211-315

After registering, you will receive a confirmation email containing information about joining the webinar. Here is a [link](#) to a helpful, quick guide for anyone who is new to the technology.

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CACNR OCTOBER 6, 2021 AGENDA

Chair: Brad Pierce **Vice Chair:** Melissa Coudeyras **Treasurer:** Tom Dougherty **Secretary:** Alison Biggs

CACNR Mission: Utilizing Partnerships to Reduce Airport Noise for the Benefit of Neighboring Communities

1. CALL TO ORDER AND DETERMINATION OF QUORUM:

<i>Arapahoe County:</i>	Carrie Warren-Gully/Bill Skinner Paul Krier/Vacant	<i>Highlands Ranch Metro Dist.</i>	Andy Jones/Renee Anderson
<i>Douglas County:</i>	Abe Laydon/Dan Avery Alison Biggs/Mark Adams	<i>Lone Tree:</i>	Mike Anderson/Alex Hufft
<i>Aurora:</i>	Brad Pierce/Karen Hancock	<i>Parker:</i>	Amy Holland/Todd Hendreks
<i>Castle Pines:</i>	Melissa Coudeyras/Kevin Rants	<i>ACPAA:</i>	Robert Oislagers/Michael Fronapfel
<i>Castle Rock:</i>	Laura Cavey/Vacant	<i>AOPA:</i>	Robert Doubek/John Hirshman
<i>Centennial:</i>	Candace Moon/Don Sheehan	<i>CABA:</i>	Don Kuskie/Mike Straka
<i>Cherry Hills Village:</i>	Al Blum/Afshin Safavi	<i>CDOT Aeronautics Div:</i>	Todd Green/Vacant
<i>Foxfield:</i>	Pam Thompson/Frank Lawrence	<i>FAA APA Control Tower:</i>	Kurt Carpenter/Ron Curry
<i>Greenwood Village:</i>	Tom Dougherty/Donna Johnston	<i>FAA District Office:</i>	John Bauer/John Sweeney
		<i>FAA TRACON:</i>	Steve Martin/Bill Dunn
		<i>Wings Over the Rockies:</i>	Bill Wasmund/Keith Palmer

2. PUBLIC COMMENT: (non-Agenda items – 3 minutes per person time limit; correspondence from the public)

- A. MEETING ATTENDEES
- B. FROM CACNR EMAIL ADDRESS

3. CONSENT AGENDA: (items here may be moved to Agenda Item #4, on the request of any CACNR Representative)

- A. DRAFT MINUTES, September 1, 2021 – Alison Biggs, Secretary
- B. TREASURER’S REPORT, September 2021 – Tom Dougherty, Treasurer
- C. NOISE REPORT, August 2021 – Rachel Keller
- D. ACPAA, September 9, 2021 – Bill Wasmund, CACNR Representative to September meeting; Bob Doubek, ACPAA Treasurer

4. ITEMS REMOVED FROM CONSENT AGENDA

5. COMMITTEE REPORTS:

- A. EXECUTIVE/WORK PLAN COMMITTEE – Brad Pierce, Chair
 - 1. Meeting of Executive Committee, 9/9/21
 - 2. Draft 2022 CACNR Budget
 - 3. CACNR Phase II Progress
- B. COMMUNITY OUTREACH – Melissa Coudeyras, Chair
- C. FLY QUIET – Bill Wasmund, Chair
- D. NOISE MONITORS – Candace Moon, Chair
- E. WORK PROGRAM – Alison Biggs, Chair

6. FAA REPORTS:

A. CENTENNIAL AIRPORT AIR TRAFFIC CONTROL TOWER – Kurt Carpenter/Ron Curry

7. OTHER REGULAR REPORTS:

A. AIRPORT DIRECTOR'S REPORT – Robert Olislagers

1. Airport Activity
2. Legislative
3. Litigation/Metroplex
4. Other

B. 3rd QUARTER LAND USE REVIEW – Rachel Keller

8. OLD BUSINESS:

A. 2021 MEETING SCHEDULE FOR CACNR AND ACPAA with CACNR REPRESENTATIVES TO ACPAA

1. Need CACNR Representative for ACPAA October 14 and November 12

B. CONGRESSIONAL QUIET SKIES CAUCUS

C. FOLLOW-UP ITEMS FROM PRIOR CACNR MEETINGS

9. NEW BUSINESS:

A. PRESENTATION ON NOISE MONITORS – Rachel Keller

B. INFORMATION SHARING

1. FAA Part 150
2. FAA Part 161

10. PUBLIC COMMENT: (3 minutes per person time limit):

11. NEXT MEETINGS:

A. **CACNR** – November 3, 2021 6:30 p.m. 7565 S Peoria Street, Unit 9D
December. 1, 2021 6:30 p.m. 7565 S Peoria Street, Unit 9D

B. **ACPAA** – September 9, 2021 3:00 p.m. hybrid in-person/virtual meeting
October 14, 2021 3:00 p.m. hybrid in-person/virtual meeting
November 12, 2021 3:00 p.m. hybrid in-person/virtual meeting
December 9, 2021 3:00 p.m. hybrid in-person/virtual meeting

12. ADJOURN



CENTENNIAL AIRPORT COMMUNITY NOISE ROUNDTABLE
MINUTES

September 1, 2021

DRAFT

VISION – QUIETER SKIES FOR OUR COMMUNITIES

MISSION – UTILIZING PARTNERSHIPS TO REDUCE AIRPORT NOISE FOR THE BENEFIT OF NEIGHBORING COMMUNITIES

Chair: Brad Pierce Vice Chair: Melissa Coudeyras Treasurer: Tom Dougherty Secretary: Alison Biggs

1. **CALL TO ORDER, ROLL CALL, and QUORUM:** The meeting was called to order at 6:46 p.m. by Chair Brad Pierce. The following were in attendance and a quorum was present:

Arapahoe County	Carrie Warren-Gully	Highlands Ranch Metro District	Andy Jones
Arapahoe County:	Paul Krier	Lone Tree:	Mike Anderson
Douglas County:	Alison Biggs	Parker:	Amy Holland
Aurora:	Brad Pierce	ACPAA:	Mike Fronapfel
Castle Pines:	Melissa Coudeyras	AOPA:	Bob Doubek
Centennial:	Candace Moon	CABA:	Don Kuskie
Greenwood Village:	Tom Dougherty	Wings Over the Rockies:	Bill Wasmund

Others in attendance were Highlands Ranch Metropolitan District Alternate Representative Renee Anderson; Parker Alternate Representative Todd Hendreks; AOPA Alternate Representative John Hirshman; and ACPAA staff Gina Conley and Rachel Keller.

Those absent were:

Douglas County:	Abe Laydon/Dan Avery	CDOT Aeronautics Div:	Todd Green/Vacant
Castle Rock:	Laura Cavay/Vacant	FAA APA Control Tower:	Kurt Carpenter/Ron Curry
Cherry Hills Village:	Al Blum/Afshin Safavi	FAA District Office:	John Bauer/John Sweeney
Foxfield:	Pam Thompson/Frank Lawrence	FAA TRACON:	Steve Martin/Bill Dunn

2. **PUBLIC COMMENT:**

Robert Doubek introduced Sheila Geddes, who was assisting him following his recent fall. She was warmly welcomed.

1. **VIRTUAL MEETING ATTENDEES** – Andrea Suhaka noted she frequently walks in the area of Ridge Road and Prince Street (larger intersection was C-470 and Santa Fe), and small planes seem to be constantly circling there. This area is northeast of the Chatfield training area.

2. **FROM CACNR EMAIL ADDRESS** – email received which stated “I work in Parker at Vela Meridian Apartments, and have received complaints about there being unusually high traffic lately in the skies. This has caused some concern as it has been very noisy and loud. I tried filing a complaint but was unable to do so as the website was not responding. Please tell me how we can go about potentially limiting the noise and traffic.” Brad Pierce had responded, and had also referred the correspondent to Rachel Keller.

3. **CONSENT AGENDA:** The Consent Agenda included the August 4, 2021 draft minutes; a Treasurer’s Reports dated August 26, 2021 which showed a balance of \$5,134.08; the July Noise Report; the CACNR report to the August 12, 2021 ACPAA meeting from Andy Jones, and listed a report from ACPAA from Robert Doubek. Alison Biggs moved to remove the listed report from Bob Doubek from the consent agenda, so he could provide that report verbally under agenda item 4. Motion was seconded and carried. On the motion of Alison Biggs, duly seconded, the remainder of the Consent Agenda was approved.

A summary of the July Noise Report follows:

Total Local Operations:	July – 12,151	June – 12,974	May – 9,243	April – 13,579
Total Operations:	July – 29,468	June – 30,148	May – 22,855	April – 27,444

Year To Date Total Operations: July – 176,967 June – 147,499 May – 117,351 April – 94,496

Noise Events: July Total – 30,495 June Total – 34,335 May Total – 28,869

Noise Events Recorded at Each Noise Monitor -

<u>July Totals:</u>	<u>July 60 – 69 db:</u>	<u>July 70-79 db:</u>	<u>July 80-89 db:</u>
9,582 Golf Course	5,795 Golf Course	3,373 Golf Course	702 Airport East
7,394 Meridian	5,194 Meridian	2,135 Meridian	340 Golf Course
2,940 State Park	1,985 State Park	951 Airport East	57 Meridian
2,885 Airport East	1,616 Parker	942 State Park	21 Hunters Hill
1,846 Parker	1,373 Grandview Estates	228 Parker	12 State Park
1,598 Grandview Estates	1,186 Airport East	214 Grandview Estates	9 Grandview Estates
1,196 Greenwood Village	1,083 Greenwood Village	110 Greenwood Village	6 Lone Tree
1,115 Castle Rock	1,067 Castle Rock	73 Hunters Hill	3 Greenwood Village
742 Lone Tree	678 Lone Tree	57 Lone Tree	2 Parker
702 Hunters Hill	608 Hunters Hill	46 Castle Rock	1 Castle Rockl
303 Castle Pines	292 Castle Pines	19 Sagebrush Park	1 Sagebrush Park
192 Sagebrush Park	172 Sagebrush Park	11 Castle Pines	- Castle Pines

July noise events in the 90+ decibel range were:

Golf Course – 74 Airport East – 46 Meridian – 8 Grandview Estates – 2 Castle Rock, Lone Tree, and State Park – 1 each

Noise Complaints and Numbers of Households: July – 1,562 & 112 June – 1,476 & 145 May – 1,106 & 76
April – 1,118 & 55 March – 863 & 38

July Complaints:

691 Unincorporated Douglas County
279 Uninc. Arapahoe County
193 Greenwood Village
110 Castle Rock
100 Other
99 Centennial
51 Aurora
18 Highlands Ranch
8 Lone Tree
6 Denver
5 Parker
2 Castle Pines
- Cherry Hills Village

July Households:

29 Unincorporated Arapahoe County
28 Greenwood Village
15 Unincorporated Douglas County
7 Other
6 Centennial
6 Denver
5 Aurora
4 Castle Rock
4 Lone Tree
4 Parker
3 Highlands Ranch
1 Castle Pines
- Cherry Hills Village

Comparatively, in July, 2021, there had been 1,562 complaints from 29,468 operations; in June 2021, there had been 1,476 complaints from 30,148 operations.

Year to Date, at the end of July 2021, there had been 7,815 complaints from 298 households:

Complaints:

2,787 Unincorporated Arapahoe County (36%)
1,703 Unincorporated Douglas County (22%)
959 Greenwood Village (12%)
860 Centennial (11%)
635 Castle Rock (8%)
283 Aurora (4%)
280 Other (3.6%)
125 Highlands Ranch (1.6%)
85 Parker (1.3%)
34 Denver (0.4%)
33 Castle Pines (0.4%)
30 Lone Tree (0.38%)
1 Cherry Hills Village (0.13%)

Households:

93 Unincorporated Arapahoe County (31%)
70 Greenwood Village (23%)
28 Unincorporated Douglas County (9%)
24 Other (8%)
22 Centennial (7%)
16 Denver (5%)
11 Lone tree (3.6%)
9 Aurora (3%)
8 Highlands Ranch (2.7%)
6 Castle Pines (2%)
6 Parker (2%)
4 Castle Rock (1.3%)
1 Cherry Hills Village (0.3%)

July had **139 noise complaint responses requested**, with 64 of those made by email and 75 made by phone. Year to date at the end of July 2021, there had been **847 responses requested**, with 480 requests made by email and 367 made by telephone.

1,392 of the 1,562 complaints in July were about flights during **day hours** (86%); 170 were about **night flights** (14%)

Year to date at the end of July, the **top five complaining households** were in:

1,178 Unincorporated Arapahoe County (15%) 688 Greenwood Village (9%)
1,099 Unincorporated Arapahoe County (14%) 623 Unincorporated Douglas County (8%)

Props accounted for 70% of the complaints by aircraft type in July, while **jets accounted for 29% of the complaints**, and **1% were about helicopters**.

Departures were responsible for 41% of the complaints in July. **Training** complaints were 35%, and **Arrivals** were responsible for 23% of the complaints in July..

The graph showing the 13-month relationships between airport operations and the numbers of complaints with and without the top complaining household removed was again provided. Peak numbers in all categories continued to be those which had occurred in September 2020.

The July and Year to Date complaint maps continued to show the **largest cluster of complaints** located north and slightly west of the airport's north-south runway. In July, there had been 6 complaining households from outside the map boundaries: Boulder, Denver, Elizabeth, Franktown, Golden and Littleton. Year to date by the end of July, there had been 26 complaining household from outside the map boundaries: Blackhawk – 1; Boulder - 1; Broomfield – 1; Colorado Springs – 2; 6 Denver – 3; Elizabeth – 1; Franktown – 2; Golden – 1; Littleton – 7; Morrison – 2; Parker – 1; Sedalia – 1; and Thornton – 1. A July 2021 Radar Track Density Map was included.

4. **ITEMS REMOVED FROM CONSENT AGENDA:** Robert Doubek presented the following report from the August 12, 2021 ACPAA meeting:

- “Jurisdiction to proceed with a Public Hearing was established.
- “Sky Harbor Development plan was approved to develop a Hangar Complex consisting of two phases. Phase one consists of 5 large and 7 small hangars. Phase 2 amounts to 5 large and 4 small hangars. Sky Harbor is not an FBO and hangars are for local owners and not transients.
- “Grandview Aviation LLC made an application for approval to conduct air charter and has a Part 135 certificate. The application was approved.
- The Public Hearing was closed.
- “Metroplex Appeal: Staff recommended not to appeal the Court’s decision based on the record of success when standing is at issue.
- “Rjd/8-26-2021”

Question was asked how many charter aircraft were involved with the Grandview Aviation LLC application. Response was one.

In relation to the decision not to appeal the court’s ruling that the airport and others had no legal standing to challenge the FAA in relation to the Denver Metroplex project, he noted there had probably been an expenditure of \$300K - \$500K overall (with approximately \$125,000 in legal fees), and there was little hope a challenge would produce a more or favorable result.

5. **COMMITTEE REPORTS:**

A. **EXECUTIVE /WORK PLAN COMMITTEES** – Efforts continue to be made to find an acceptable date for the meeting with the flight schools and the CACNR Executive Committee, the CACNR Fly Quiet Committee members, airport staff and County Commissioners from both Arapahoe and Douglas Counties.

B. **COMMUNITY OUTREACH** – The committee had not met but planned to do so before the October CACNR meeting.

C. **FLY QUIET** – Bill Wasmund presented the following report for the committee:

- “Re-visiting several projects.
 - Discuss, develop and implement incentives for voluntary use of fly quiet procedures using noise sensors and ANOMS.
 - Examine how noise hotlines are handled at other airports. What information is being collected and how it is used.
- “Continue to work with the CACNR executive committee and Jason Schwartz of ABCx2 to identify top issues/concerns/requests that will be addressed in an upcoming meeting with the flight schools, KAPA Operations, ATC, CACNR, and county officials. The main goal shall be to initiate the engagement and collaboration with the flight schools. Main discussion points identified include routes to/from the practice areas, and touch and go pattern boundaries.
- “Fly Quiet continues to work with KAPA airport operations to establish a location for a second noise abatement sign.
- Additional information and progress updates will follow as more information becomes available.”

Wasmund noted the incentives being considered might include license plate covers. Future development at the airport is being considered in relation to the second noise abatement sign.

There was mention that in Van Nuys, those aircraft operators who are high on the complaint list get invited to see how what they are doing is shown and recorded, and the effects there are on the communities. Mike Fronapfel indicated this has been done at Centennial Airport, but it could be pursued further.

D. **NOISE MONITORS** – The committee would be meeting to further plan for the October educational session about the noise monitors. As had been discussed during the last CACNR meeting, an education session about the capabilities of the noise monitoring system had been felt to be useful, including such items as the ambient thresholds which are adjusted annually, if there are other types of available data which CACNR would find valuable, and if additional monitors could be added to the system. Information about how the current locations were selected had also been requested. Representative were asked to share any other information or topics desired before the October meeting.

E. **WORK PLAN** – The committee had not met, but would focus on placing the orientation information on the website.

6. **FAA REPORTS:**

A. **CENTENNIAL (APA) AIR TRAFFIC CONTROL TOWER** – None

7. **OTHER REGULAR MONTHLY REPORTS:**

A. **AIRPORT DIRECTOR'S REPORT** – Mike Fronapfel reported:

1. **Airport Activity:** On September 3, 2021, Centennial Airport would host the Commemorative Air Force, led by a B-17 Flying Fortress Texas Raiders. Accompanying the bomber would be the world's only flying SB2C Helldiver (T6), along with two other vintage WWII aircraft, the SNJ Texan and JRB Expeditor. The public was invited for ground tours, or to take a flight experience.

2. **Legislative:** Nothing reported.

3. **Denver Metroplex Project:** Information about ACPAA's decision to not challenge the court's decision against the airport and its allies had previously been shared under Agenda Item 4. Fronapfel noted there may be consideration of entering into another FAA 14 CFR, Part 150 Noise Compatibility Program study, which could eventually lead to a Part 161 study related to Notice and Approval of Airport Noise and Access Restrictions. Information about these two processes would be provided to CACNR.

B. **2nd QUARTER LAND USE REVIEW** – Rachel Keller provided a report on the 33 land use referrals reviewed between April 1 and June 30. Of these, 11 had been approved, 20 were subject to comments by airport staff, and 2 had not been recommended. The two not recommended were in the City of Centennial, at the northwest corner of E. Briarwood Avenue and South Atchinson Street, and in Douglas County, near the southeast corner of E-470 and I-25 in the Meridian Office Park. A map was provided which helped demonstrate the concerns about those projects.

It was explained that when the Meridian Office Park was in the beginning stages many years ago, Douglas County had given it freedom to develop as it chose. This allows residential areas to be located problematically in terms of both aircraft safety and noise.

Question was asked about the development occurring in Lone Tree in the area of Ridgegate Parkway. Mike Anderson indicated the City was working closely with the developer about areas of mutual concern.

8. **OLD BUSINESS:**

A. **2021 MEETING SCHEDULE FOR CACNR & ACPAA, INCLUDING CACNR REPRESENTATIVES TO ACPAA** – The 2021 meeting schedule was provided. Bill Wasmund agreed to represent CACNR at the September 9, 2021 ACPAA meeting.

B. **CONGRESSIONAL QUIET SKIES CAUCUS** – no report

C. **ACTION ITEMS FROM PRIOR CACNR MEETINGS** – A list of Items for Follow-Up from previous meetings had been provided. Items which were considered accomplished included: From 06/02/21 - #2; From 01/06/21 – #1.

9. **NEW BUSINESS:**

A. **INFORMATION SHARING** – Amy Holland indicated former Parker Mayor Gary W. Lasater, known to many on CACNR, had passed away. A memorial service would be held later.

Question was asked about the budget cycle for CACNR. Response was the calendar year. A draft 2022 budget would be presented at the next CACNR meeting.

B. **UC DAVIS NOISE AND EMISSION SYMPOSIUM, MAY 1-3, 2022** – Preliminary information about this symposium was shared, with notation of the date change from that originally announced. Representatives were encouraged to consider attending this valuable meeting. CACNR does finance the attendance of two Representatives.

10. **PUBLIC COMMENT:** Tracy Reed of Daniels Park in Douglas County noted having lived in the area for about 16 years, and noticing increased noise, possibly from the Metroplex project. This was causing pressure on wildlife in the area, and agitation among the prized buffalo herd located there. It was also a disturbance in the Tall Bull Memorial Grounds. The FAA had been called about the disturbances, but it could not locate Daniels Park, so had been of no help. Melissa Coudeyras indicated she would connect with Reed for follow-up.

11. **NEXT MEETINGS:**

A. CACNR –	October 6, 2021	6:30 p.m. 7565 S Peoria Street, Unit 9D, Englewood, CO
	November 3, 2021	6:30 p.m. 7565 S Peoria Street, Unit 9D, Englewood, CO
	December 1, 2021	6:30 p.m. 7565 S Peoria Street, Unit 9D, Englewood, CO

B. ACPAA –	Sept 9, 2021	3:00 p.m. 7565 S Peoria Street, Unit 9D, Englewood, CO
	Oct 14, 2021	3:00 p.m. 7565 S Peoria Street, Unit 9D, Englewood, CO
	Nov 11, 2021	3:00 p.m. 7565 S Peoria Street, Unit 9D, Englewood, CO
	Dec 9, 2021	3:00 p.m. 7565 S Peoria Street, Unit 9D, Englewood, CO

12. **ADJOURNMENT:** The meeting was adjourned at 7:55 p.m.

Alison Biggs, Secretary

CENTENNIAL AIRPORT COMMUNITY NOISE ROUNDTABLE		2021 BUDGET AS OF SEPTEMBER 30, 2021		
(Considered a place holder year until the pandemic circumstances have evolved)				
		CACNR 2021 BUDGET	ACTUAL TO DATE	NOTES
INCOME:				
CARRY OVER FROM 2020		\$ 10,277.48	\$ 10,277.48	carry over from 2020
ACPAA		\$ -		
CACNR REGULAR MEMBERS		\$ -		
TOTAL INCOME:		\$ 10,277.48	\$ 10,277.48	
EXPENDITURES:				
WORK PROGRAM:				
COMMUNITY OUTREACH				
Website		\$ 700.00		Website updating and maintenance
		\$ 500.00		Place holder for projects tbd
FLY QUIET		\$ 500.00		Place holder for projects tbd
NOISE MONITOR		\$ 500.00		Place holder for projects tbd
WORK PLAN		\$ 500.00		Place holder for projects tbd
EDUCATION				
2 Reps to UC Davis Symposium**		\$ 500.00	\$ 175.00	Conference registration fees for seven CACNR members to attend Virtual February 23rd-26th UC Davis Symposium at \$25 per person
2 Reps to 2 N.O.I.S.E. Conferences**		\$ -		**2021 conferences will be virtual; no registration fee
CONSULTATION/ TASK SUPPORT		\$ 3,000.00	\$ 2,250.00	Pilot project with Jason Schwartz-invoice received 2/3/21 and submitted for payment 2/4/21, due 3/5/21
			\$ 1,200.00	Consulting Services from Jason Schwartz received 7/13/21 and submitted for payment 7/21/21, due 8/11/21
			\$ 337.50	Consulting Services from Jason Schwartz received 8/16/21 for work done 7/10/21
MEMBERSHIP DUES		\$ 1,000.00	\$ 1,000.00	N.O.I.S.E. 2021 Membership Dues received 8/6/21 and submitted for payment 8/9/21
ADMINISTRATIVE		\$ 200.00	\$ 48.54	Zoom Pro Account expenses for December 2020 and January and February 2021
			\$ 32.36	Zoom Pro Account expenses for March and April 2021
			\$ 100.00	Donation to Lone Tree Arts Center in Memory of Harold Anderson
TOTAL EXPENDITURES AS OF 09-30-21:		\$ 7,400.00	\$ 5,143.40	Actual to be determined at the end of 2021
CARRY OVER TO 2022 AS OF 09-30-21		\$ 2,877.48	\$ 5,134.08	Actual to be determined at the end of 2021
** Usually includes registration, travel, ground transportation, lodging, meals. 2021 meetings will be held virtually				
FRAME OF REFERENCE: MOU Funding Structure adopted 12/13/2018 calls for initial funding to generate \$22,250, with \$10,000 from ACPAA and \$12,250 to come from CANR's Regular Members. "This funding would be in place for the next two years, subject to annual appropriations. Thereafter, CACNR will provide ACPAA and each Regular Member with a report on the previous year's expenditures, and an annual invoice accompanied by a proposed budget indicating how the requested funds would be utilized, so that funds could be appropriated for the coming year."				
PLEASE NOTE FUNDING FROM ACPAA AND REGULAR MEMBERS WAS NOT REQUESTED FOR 2020 and 2021 DUE TO THE ECONOMIC IMPACTS OF THE CORONAVIRUS PANDEMIC. IT IS ANTICIPATED THE SECOND YEAR OF THE FUNDING STRUCTURE OUTLINED ABOVE WILL BE RESUMED FOR 2022				



Centennial Airport Community Noise Roundtable Update Represented by Bill Wasmund, Wings Over the Rockies

- CACNR met on September 1, 2021.
- Two complaints were received from the public by CACNR in the past month, one by email to the CACNR email address and one by phone at our 9/1/21 meeting. A problem had been reported about access to the airport's noise complaint system which was reported to staff.
- The 4 flight schools and one training aircraft rental service will be invited to attend the September meeting with CACNR, Arapahoe and Douglas County officials, airport staff, and CACNR's consultant.
- Notices will go out to CACNR Regular Members about the anticipated resumption of the MOU funding agreement which was suspended due to COVID. A 2022 CACNR budget is being developed.
- Exploration is being done about how noise hotlines are handled at other airports, what information is collected and how that is used.
- The October CACNR meeting will focus on the history of the airport's noise monitor system, the full capability of the system, and what kinds of data might be of most use to CACNR at this time and for the future.

BOARD MEETING NOTES – SEPTEMBER 9, 2021

Bob Doubek, ACPAA Treasurer

A motion was made and approved to select a Real Estate LLC.

In 1981, the Authority and JBC Investment Corporation signed a reversionary ground lease agreement for a term of 40 years for parcel 50-5 on which the lessee constructed improvements. The ground lease with the current tenant will expire 1/1/22 and the improvements will revert to the Authority.

The Authority has determined it is not in its best interest to become a landlord on this property. The Authority's intention is to sell the improvements and to enter into a new long-term ground lease with the new buyer. A selection committee recommended Stijgend Real Estate LLC led by Will Schippers.

The Hotel Status: Following the selection of Pinnacle Hospitality LLC, and Mr. John Reed, the Board conditionally approved a lease for the former Ramada Hotel to reconstruct and establish a Four Points Sheraton Hotel. However, Mr. Reed and Pinnacle failed to extend the contract or deposit earnest money by the August 31, 2021 deadline. If no qualified proposals are received, it will be up to the creditor to foreclose or start the sale process all over again.

Rjd/9/30/21

CENTENNIAL AIRPORT COMMUNITY NOISE ROUNDTABLE		2022 DRAFT BUDGET - presented October 6, 2021		
		CACNR 2022 BUDGET	ACTUAL TO DATE	NOTES
INCOME:				
CARRY OVER FROM 2021	\$	3,000		carry over from 2021 - exact amount to be determined at the end of 2021
ACPAA	\$	10,000		
CACNR REGULAR MEMBERS	\$	13,250		
TOTAL INCOME:	\$	26,250		
EXPENDITURES:				
WORK PROGRAM:				
COMMUNITY OUTREACH	\$	2,000		Website maintenance and various projects tbd
FLY QUIET	\$	1,000		Various Projects tbd
NOISE MONITOR	\$	1,000		Various Projects tbd
WORK PLAN	\$	500		Orientation manual, annual report, other projects tbd
EDUCATION				
2 Reps to UC Davis Symposium	\$	5,000		Symposium to be at UC Davis; estimate based on prior on-site symposiums
2 Reps to 2 N.O.I.S.E. Conferences	\$	4,000		based on prior years on-site conferences
CONSULTATION/ TASK SUPPORT	\$	2,000		Projects with Jason Schwartz
MEMBERSHIP DUES	\$	1,000		N.O.I.S.E.
ADMINISTRATIVE	\$	1,000		Part time secretarial assistance
	\$	1,000		Legal
RESERVE	\$	7,750		for presently unidentified and unanticipated expenses and/or additional CACNR activities consistent with the approved Work Plan.
TOTAL EXPENDITURES:	\$	26,250		
CARRY OVER TO 2023	\$	-		Actual to be determined at the end of 2022
** Usually includes registration, travel, ground transportation, lodging, meals.				
FRAME OF REFERENCE: MOU Funding Structure adopted 12/13/2018 calls for initial funding to generate \$22,250, with \$10,000 from ACPAA and \$12,250 to come from CANR's Regular Members. "This funding would be in place for the next two years, subject to annual appropriations. Thereafter, CACNR will provide ACPAA and each Regular Member with a report on the previous year's expenditures, and an annual invoice accompanied by a proposed budget indicating how the requested funds would be utilized, so that funds could be appropriated for the coming year."				
PLEASE NOTE FUNDING FROM ACPAA AND REGULAR MEMBERS WAS NOT REQUESTED FOR 2020 and 2021 DUE TO THE ECONOMIC IMPACTS OF THE CORONAVIRUS PANDEMIC. IT IS ANTICIPATED THE SECOND YEAR OF THE FUNDING STRUCTURE OUTLINED ABOVE WILL BE RESUMED FOR 2022				



Fly Quiet Committee - September 2021 Monthly Report

- Re-visiting several projects.
 - Discuss, develop and implement incentives for voluntary use of fly quiet procedures using noise sensors and ANOMS. Donna to attend ANOMS review and training scheduled for October.
 - Examine how noise hotlines are handled at other airports. What information is being collected and how it is used. Bill S., Bob, and Don are looking at six airports that are similar to KAPA as far as service level and number of enplanements.

- Continue to work with the CACNR executive committee and Jason Schwartz of ABCx2 to identify top issues/concerns/requests that will be addressed in an upcoming meeting with the flight schools, KAPA Operations, ATC, CACNR, and county officials. The main goal shall be to initiate the engagement and collaboration with the flight schools. Main discussion points identified include routes to/from the practice areas, and touch and go pattern boundaries.

- Fly Quiet continues to work with KAPA airport operations to establish a location for a second noise abatement sign. KAPA master plan data has been released, and a potential location has been identified. Additional information and progress updates will follow as more information becomes available.

- Reviewing material from Hartzell Propeller regarding carbon fiber composite materials and how a propeller upgrade can take advantage of reduced power settings and thus less noise, weight reduction, longer service life, and possibly an increase in cruise speed.

CACNR/ACPAA 2021 MEETING SCHEDULES

CACNR REPRESENTATIVES TO 2021 MEETINGS OF THE ARAPAHOE COUNTY PUBLIC AIRPORT AUTHORITY

ACPAA meets at 3:00 p.m., 7565 South Peoria Street, Englewood, CO 80112

Or virtually, depending on circumstances prior to each meeting

<u>CACNR MEETING</u>	<u>ACPAA MEETING</u>	<u>CACNR REPRESENTATIVE</u>	<u>REPORT DUE DATE</u> (To rkeller@centennialairport.com)
January 06	Not Meeting	---	combine with February report.
February 03	February 11	Candace Moon	February 05 (see above)
March 03	March 11	Brad Pierce	March 5
April 07	April 08	Melissa Coudeyras	limited time to write.
May 05	May 13	Don Kuskie	May 07
June 02	June 17	Melissa Coudeyras	June 10
July 07 (cancelled)	Not Meeting	---	---
August 04	August 12	Andy Jones	August 06
September 01	September 09	Bill Wasmund	September 03
October 06	October 14		October 08
November 03	November 12 (2 nd Friday)		November 05
December 01	December 09	Melissa Coudeyras	December 03



ITEMS FOR FOLLOW-UP

For Review on October 6, 2021

- Request was made for a completion date to be added for each item, so CACNR needs to identify its expectations in that regard. Dates need to be established at the time needed action is identified. **ALL**
- Consider what amount of detail is needed; can it be assumed some things will be done without being listed here. **ALL**
- At all meetings, various ideas seem to be discussed/suggested regarding work of the committees, and on other topics as well. Do such discussions need to be listed, or will each committee make note of the ideas, determine follow-up and report back to the larger group?) **ALL**

09/01/21

1. Continue working to find date for meeting with flight schools, CACNR, ACPAA, Counties
2. Provide information about FAA Part 150 and Part 161
3. Continue exploring incentives for voluntary use of fly quiet procedures; exploring how hotline information is collected and used at other airports; possibly pursue inviting those high on the complaint list to learn more about how their actions affect the communities.
4. Plan for October educational session on capabilities of noise monitors, determination of current monitors, etc.

08/04/21

1. Clarify the number of flight schools operating at Centennial – one report indicates there are 7, but another indicates only 4.
2. Hold education session about capabilities of the noise monitoring system, to include ambient thresholds which are adjusted annually, additional types of data available which CACNR would find useful, information of how locations of current monitors were selected, etc.
3. Continue work to identify location of 2nd noise abatement sign.

06/02/21

1. Staff updates awaited for adding Noise Abatement Guidelines to Whispertrack's electronic tablet application. **Rachel Keller**
2. Continue work on CACNR Orientation materials for placement on CACNR website. Work Plan and Community Outreach Committees

05/05/21

1. David Adams inquired if anything had been learned about his concerns expressed in April. **Rachel Keller with Robert Olislagers**
2. Continue working with Jason Schwartz re Phase II of Work Program Project. **EC**
3. Develop spreadsheet with nighttime data – 10:00 p.m. -6:00 a.m. **Airport Staff**
4. Follow-up possibly making the Good Neighbor Procedure an official procedure. **Liam Clark**

5. More meetings to be held with flight schools (one held). Information being gathered from flight schools to see if there is any consistency. **EC with JS/Fly Quiet/Airport Staff**
6. Still need representative to represent CACNR at June and August-December ACPAA meetings. **All**
7. Communicate with Colorado members of Congressional Quiet Skies Caucus, including link to report from the U.S. Department of Transportation, Office of Inspector General. **Brad Pierce**

04/07/2021

1. Robert Olislagers to work with Dave Adams from Inspiration area about the turning route of southbound flights. **RO**
2. Had John Kocon from northwest of Castle Pines provided more information to airport staff for further exploration of dramatic change in flight paths affecting his area? **Rachel Keller**
3. Jason Schwartz to be asked to provide a cost estimate for two portions of Phase Two. **EC**
4. Reiteration of #2 & #3 from 02/03/21 **Fly Quiet Committee and Brad Pierce**
5. Forward agenda for meeting noted in #7 to Mike Fronapfel and Rachel Keller. **Bill Wasmund.**
6. Send CACNR information about numbers and types of complaints or requests for information received from the public, and the information provided accordingly. **Airport Staff**
7. CACNR to determine what, if any, additional information about noise and its effect on the public it and the public would like to regularly receive, and how that would be used; explore capabilities of current noise monitor system to generate that information; explore capabilities and costs of other systems if appropriate. **No champion identified – could become a major project for a future Work Program?**
8. More attention to be given to the training boxes in the practice areas southeast and southwest of the airport. **Robert Olislagers & airport staff**
9. Ask control tower to attend the meeting under development and referenced in #7 above. Also include the impacts of flight noise in immediate proximity to the airport. **Brad Pierce and Fly Quiet Committee.**
10. Provide information to the public about the anticipated demand for more flight training as the need for new pilots is increasing./**No champion identified – do we pursue at this time or in the future?**

03/03/2021

1. Follow up to be done with Jason Crow re Congressional Quiet Skies Caucus. **EC or ?**

02/03/21

1. Information about the Flight Standards District Office to be placed on CACNR's website. **Community Outreach Committee**
2. Explore holding some type of meeting between CACNR and flight school operators; see if Noise Abatement Guidelines (NAG) should be updated; could NAG be formally incorporated into flight school best practices **Brad Pierce and Fly Quiet Committee**

3. Consider rolling #2 into the Work Program; possibly link with good neighbor incentives; Brad Pierce would coordinate such efforts, perhaps starting with consideration of updating the NAG. **Brad Pierce**

01/06/21

1. Request was made for CACNR to receive a summary or informational report about results from portable noise monitors when they were utilized. **Rachel Keller or airport staff**

14 CFR, PART 150 NOISE COMPATIBILITY PROGRAM (NCP)
APPROVED/DISAPPROVED 08/12/08

“Objective of the noise compatibility planning process is to improve the compatibility between airport 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.”

Revised version of NCP submitted in October, 2003; FAA funded update to Noise Exposure Maps (NEM) in June, 2006

Noise Exposure Maps (NEM) must apply no less than five years into the future - 2012 NEM, updated in October, 2007 and submitted in November, 2007

Approvals indicate only that the actions would, if implemented, be consistent with the purposes of Part 150. The approvals do not constitute decisions to implement the actions.

NOISE ABATEMENT ELEMENTS

1. Ban Stage 1 Jets – Disapproved pending submission of additional information
2. Ban Stage 2 Jet Aircraft Under 75,000 lbs. At Night – Disapproved pending submission of additional information
3. **Implement 010 Degree Departure Heading for Jet Aircraft at Night** – This measure recommends aircraft operations implement a 010 degree departure procedure off of Runways 35R and 35L between 10 pm and 6 am when flying routes to north and west destinations. The intent of this measure is to reduce nighttime noise over neighborhoods just north of Centennial Airport. The departure heading would be flown for a designated distance (2 nautical miles as measured by the DME that is co-located with the localizer north of Runway 17/34) before the aircraft operator would resume a destination heading. This procedure would put north and west departures over the Cherry Creek State Park, allowing aircraft to gain additional altitude before overflying residences.

The Arapahoe County Public Airport Authority modeled the noise benefit of this departure procedure for both day and night, resulting in a reduction from 1,591 persons to 167 persons within NEM noise contours greater than 65 DNL. Based on preliminary FAA testing of this departure procedure, the airport authority also determined that the 65 DNL noise contour did not encompass Cherry Creek State Park.

Approved as voluntary subject to weather operational safety and efficiency. Testing by FAA indicates this measure can be implemented only between the hours of 10:00 pm and 6:00 am and after completion of environmental studies associated with the air traffic procedural change. Implementation of this procedure at any other time poses and adverse impact to the safety and efficiency of FAA traffic control operations.

4. Test 24-Hour Flight Tracks Between 350 and 010 Degree Headings - Disapproved
5. **Eliminate Preferential Runway Use Procedure** – This measure proposes to eliminate the voluntary use of nighttime preferential runway procedure that sequenced all arriving and departing aircraft to the southern portion of the airport. This procedure was originally implemented in the 1990's to concentrate aircraft operations over the then sparsely populated areas south of the airport. However, areas south of the airport, including Douglas County, are being developed and the procedure now is rarely used. The airport authority believes eliminating this procedure will help reduce the number of resident south of the airport exposed to aircraft noise. The noise benefit of this recommendation is the reduction from 1,591 persons to 1,190 persons within the 65 DNL NEM noise contour and 143 persons to 103 persons in the 70 DNL NEM noise contour.
Approved for purposes of Part 150. Any changes to preferential runway procedures shall be coordinated with FAA Air Traffic Control. Airfield signs, airport publications and other pilot guidance must be updated accordingly.

6. Implement 170 Degree Departure to 4 DME or 8,000 MSL (+/- 20 degrees) – Disapproved

7. **Development/Implementation of Fly Quiet Program** – The measure proposes the development and implementation of a comprehensive program that combines a number of measures to encourage pilots to operate aircraft as quietly and as possible when operating at Centennial Airport. This would be a voluntary program that encourages pilots to use certain flight procedures (some of which are included in the NCP) to minimize the noise impact on local communities. Other potential elements of the Fly Quiet Program could include noise abatement flight tracks and late night departure procedures.

To ensure the effectiveness of the Fly Quiet Program, the airport authority proposes to implement a Noise Monitoring Program to determine compliance and effectiveness of the Fly Quiet Program. Based on noise data collected, the airport authority proposes to refine program measures and believes the program has the potential of reducing single event noise levels and encouraging greater compliance with preferential flight corridors and procedures.

Approved as voluntary only – For Part 150 purposes, the only measure approved for inclusion in the Fly Quiet Program is the approved 010 degree, nighttime departure procedure (#3 above). However, this does not preclude the airport sponsor from analyzing and including in a revised NCP additional Fly Quiet Program measures for FAA review and approval. The airport sponsor must show that such measures meet the requirements of Part 150, including a noise benefit. Also, the appropriate FAA office must review, prior to publication, any airport publication and other pilot guidance encouraging the use of Fly Quiet Program measures.

LAND USE PLANNING ELEMENT

Amend Community Plans and Zoning Ordinances – Under this recommendation, the airport authority proposes to work with the local municipalities to amend zoning requirements, comprehensive plans and development regulations to minimize new, noncompatible land uses near the airport and to minimize the impact on airspace surrounding the airport, including 14 CFR Part 787 imaginary surfaces. By proposing this measure, the airport authority hopes to discourage noncompatible land uses near the airport, such as the construction of schools, hospitals and residential development, and to require sound attenuation of new construction in existing development that is impacted by aircraft noise.

Municipalities surrounding Centennial Airport have existing zoning requirements and comprehensive plans but they vary and the airport authority intends through this measure to promote consistent land use planning among these jurisdictions. In particular, the airport authority proposes to encourage neighboring municipalities to adopt in land use plans noise contours and other noise criteria specified in 14 CFR Part 150 and require sound attenuation for any infill development occurring within the 60 day-night sound level (DNL) noise contour.

Approved in part. Portions of this recommendation related to noise compatibility planning are approved.

Portions related to airspace clearances (14 CFR Part 77) are disapproved for purposes of Part 150.

Disapproval for purposes of Part 150 does not prevent the airport sponsor from working with local jurisdictions to implement measures that are not noise-related, in the interest of unified local planning documents.

The Federal government has no authority to control local land use; the local governments have the authority to implement this measure. While the Centennial Airport NCP proposes the DNL 60 dB noise contour as the criterion for preventive land use planning measures, the NCP states the sponsor has adopted the Federal guidelines. As a result, any funding assistance would apply to noise compatibility projects located in areas where aircraft noise exposure is DNL 65 dB or greater. In addition, there is no evidence in the NCP that the local land use jurisdictions have adopted a standard different than the 65 DNL for determining compatible land uses.

PROGRAM MANAGEMENT ELEMENTS

1. **Update and Establish Environmental/Noise Abatement Liaison/Office** – This measure recommends the airport authority update its existing noise complaint system, establish new procedures for addressing such complaints and establish a new office within the authority to address all environmental concerns, including aircraft noise.

While the airport authority already has taken steps to establish an environmental/noise abatement office, the intent of this measure is to dedicate more resources to this office to better address noise issues, as well as other environmental issues that are of concern to the local public and airport users. In addition, the airport authority intends to direct this office to be responsible for the implementation, administration and maintenance of the recommended noise monitoring system (see recommendation #2 below) and be responsible for addressing specific aircraft related noise issues.

Approved.

2. **Install Noise Monitoring System and Develop Program** – This recommendation would result in the installation of a permanent noise monitoring system to monitor noise levels and compliance with noise abatement measures. This system also would be used to determine changes to aircraft noise and overall noise levels due to seasonal conditions. This system is intended to be used to determine the success of recommended noise abatement procedures and build an electronic database to be used for future updates of the NCP. The airport authority also intends to use such a noise monitoring system to identify aircraft operating in a manner inconsistent with other aircraft to gauge compliance with the airport's Fly Quiet Program (see #7 above).

Approved. For purposes of aviation safety, this approval does not extend to the use of monitoring equipment for enforcement purposes by in-situ measurement of any pre-set noise thresholds or voluntary noise abatement measures.

The NCP proposes to analyze the effectiveness of a Fly Quiet Program using the supplemental metrics to compare benefits of alternative corridors, altitudes, etc. It should be understood that compliance with this program only can occur to the extent that safe, efficient aircraft operation and airspace management is not jeopardized and the pilot-in-command has final authority regarding safe operation of an aircraft.

3. **Operations Review and Part 150 Updates** – This measure recommends that the airport authority annually review aircraft operations to determine if actual operations are consistent with projections contained in the NCP. This annual evaluation also would include a review of NCP recommendations to determine their overall effectiveness.

Further, this measure recommends that the airport authority reevaluate the NCP five years after its adoption to determine the extent to which airport operations has changed from that projected in the NCP and as necessary, new mitigation measures will be evaluated.

Approved. This recommendation is consistent with 14 CFR Part 150.23(e)(9).

4. **Establish Follow-up Roundtable/Committee** – This measure recommends the establishment of an advisory committee to monitor programs implemented as a result of the adoption of this NCP, including the Fly Quiet Program guidelines and the Noise Monitoring Program. The committee membership will be similar to the members that participated on the advisory committee that assisted in the development on the NCP. At the discretion of the airport authority, the advisory committee would be comprised of airport staff, airport user, representatives of the local communities and interested members of the public.

Approved.

FAA

PART 161—NOTICE AND APPROVAL OF AIRPORT NOISE AND ACCESS RESTRICTIONS

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§161.501 Scope.

§161.503 Informal resolution; notice of apparent violation.

§161.505 Notice of proposed termination of airport grant funds and passenger facility charges.

AUTHORITY: 49 U.S.C. 106(g), 47523-47527, 47533.

SOURCE: Docket No. 26432, 56 FR 48698, Sept. 25, 1991, unless otherwise noted.

Title 14: Aeronautics and Space

PART 161—NOTICE AND APPROVAL OF AIRPORT NOISE AND ACCESS RESTRICTIONS

Subpart A—General Provisions

§161.1 Purpose.

This part implements the Airport Noise and Capacity Act of 1990 (49 U.S.C. App. 2153, 2154, 2155, and 2156). It prescribes:

- (a) Notice requirements and procedures for airport operators implementing Stage 3 aircraft noise and access restrictions pursuant to agreements between airport operators and aircraft operators;
 - (b) Analysis and notice requirements for airport operators proposing Stage 2 aircraft noise and access restrictions;
 - (c) Notice, review, and approval requirements for airport operators proposing Stage 3 aircraft noise and access restrictions; and
 - (d) Procedures for Federal Aviation Administration reevaluation of agreements containing restrictions on Stage 3 aircraft operations and of aircraft noise and access restrictions affecting Stage 3 aircraft operations imposed by airport operators.
-

161.3 Applicability.

- (a) This part applies to airports imposing restrictions on Stage 2 aircraft operations proposed after October 1, 1990, and to airports imposing restrictions on Stage 3 aircraft operations that became effective after October 1, 1990.
- (b) This part also applies to airports enacting amendments to airport noise and access restrictions in effect on October 1, 1990, but amended after that date, where the amendment reduces or limits aircraft operations or affects aircraft safety.
- (c) The notice, review, and approval requirements set forth in this part apply to all airports imposing noise or access restrictions as defined in §161.5 of this part.

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§161.5 Definitions.

For the purposes of this part, the following definitions apply:

Agreement means a document in writing signed by the airport operator; those aircraft operators currently operating at the airport that would be affected by the noise or access restriction; and all affected new entrants planning to provide new air service within 180 days of the effective date of the restriction that have submitted to the airport operator a plan of operations and notice of agreement to the restriction.

Aircraft operator, for purposes of this part, means any owner of an aircraft that operates the aircraft, i.e., uses, causes to use, or authorizes the use of the aircraft; or in the case of a leased aircraft, any lessee that operates the aircraft pursuant to a lease. As used in this part, aircraft operator also means any representative of the aircraft owner, or in the case of a leased aircraft, any representative of the lessee empowered to enter into agreements with the airport operator regarding use of the airport by an aircraft.

Airport means any area of land or water, including any heliport, that is used or intended to be used for the landing and takeoff of aircraft, and any appurtenant areas that are used or intended to be used for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

Airport noise study area means that area surrounding the airport within the noise contour selected by the applicant for study and must include the noise contours required to be developed for noise exposure maps specified in 14 CFR part 150.

Airport operator means the airport proprietor.

Aviation user class means the following categories of aircraft operators: air carriers operating under parts 121 or 129 of this chapter; commuters and other carriers operating under part 135 of this chapter; general aviation, military, or government operations.

Day-night average sound level (DNL) means the 24-hour average sound level, in decibels, for the period from midnight to midnight, obtained after the addition of ten decibels to sound levels for the periods between midnight and 7 a.m., and between 10 p.m. and midnight, local time, as defined in 14 CFR part 150. (The scientific notation for DNL is L_{dn}).

Noise or access restrictions means restrictions (including but not limited to provisions of ordinances and leases) affecting access or noise that affect the operations of Stage 2 or Stage 3 aircraft, such as limits on the noise generated on either a single-event or cumulative basis; a limit, direct or indirect, on the total number of Stage 2 or Stage 3 aircraft operations; a noise budget or noise allocation program that includes Stage 2 or Stage 3 aircraft; a restriction imposing limits on hours of operations; a program of airport-use charges that has the direct or indirect effect of controlling airport noise; and any other limit on Stage 2 or Stage 3 aircraft that has the effect of controlling airport noise. This definition does not include peak-period pricing programs where the objective is to align the number of aircraft operations with airport capacity.

Stage 2 aircraft means an aircraft that has been shown to comply with the Stage 2 requirements under 14 CFR part 36.

Stage 3 aircraft means an aircraft that has been shown to comply with the Stage 3 requirements under 14 CFR part 36.

[Doc. No. 26432, 56 FR 48698, Sept. 25, 1991, as amended by Amdt. 161-2, 66 FR 21067, Apr. 27, 2001]

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§161.7 Limitations.

(a) Aircraft operational procedures that must be submitted for adoption by the FAA, such as preferential runway use, noise abatement approach and departure procedures and profiles, and flight tracks, are not subject to this part. Other noise abatement procedures, such as taxiing and engine runups, are not subject to this part unless the procedures imposed limit the total number of Stage 2 or Stage 3 aircraft operations, or limit the hours of Stage 2 or Stage 3 aircraft operations, at the airport.

(b) The notice, review, and approval requirements set forth in this part do not apply to airports with restrictions as specified in 49 U.S.C. App. 2153(a)(2)(C):

(1) A local action to enforce a negotiated or executed airport aircraft noise or access agreement between the airport operator and the aircraft operator in effect on November 5, 1990.

(2) A local action to enforce a negotiated or executed airport aircraft noise or access restriction the airport operator and the aircraft operators agreed to before November 5, 1990.

(3) An intergovernmental agreement including airport aircraft noise or access restriction in effect on November 5, 1990.

(4) A subsequent amendment to an airport aircraft noise or access agreement or restriction in effect on November 5, 1990, where the amendment does not reduce or limit aircraft operations or affect aircraft safety.

(5) A restriction that was adopted by an airport operator on or before October 1, 1990, and that was stayed as of October 1, 1990, by a court order or as a result of litigation, if such restriction, or a part thereof, is subsequently allowed by a court to take effect.

(6) In any case in which a restriction described in paragraph (b)(5) of this section is either partially or totally disallowed by a court, any new restriction imposed by an airport operator to replace such disallowed restriction, if such new restriction would not prohibit aircraft operations in effect on November 5, 1990.

(7) A local action that represents the adoption of the final portion of a program of a staged airport aircraft noise or access restriction, where the initial portion of such program was adopted during calendar year 1988 and was in effect on November 5, 1990.

(c) The notice, review, and approval requirements of subpart D of this part with regard to Stage 3 aircraft restrictions do not apply if the FAA has, prior to November 5, 1990, formed a working group (outside of the process established by 14 CFR part 150) with a local airport operator to examine the noise impact of air traffic control procedure changes. In any case in which an agreement relating to noise reductions at such airport is then entered into between the airport proprietor and an air carrier or air carrier constituting a majority of the air carrier users of such airport, the requirements of subparts B and D of this part with respect to restrictions on Stage 3 aircraft operations do apply to local actions to enforce such agreements.

(d) Except to the extent required by the application of the provisions of the Act, nothing in this part eliminates, invalidates, or supersedes the following:

(1) Existing law with respect to airport noise or access restrictions by local authorities;

(2) Any proposed airport noise or access regulation at a general aviation airport where the airport proprietor has formally initiated a regulatory or legislative process on or before October 1, 1990; and

(3) The authority of the Secretary of Transportation to seek and obtain such legal remedies as the Secretary considers appropriate, including injunctive relief.

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§161.9 Designation of noise description methods.

For purposes of this part, the following requirements apply:

(a) The sound level at an airport and surrounding areas, and the exposure of individuals to noise resulting from operations at an airport, must be established in accordance with the specifications and methods prescribed under appendix A of 14 CFR part 150; and

(b) Use of computer models to create noise contours must be in accordance with the criteria prescribed under appendix A of 14 CFR part 150.

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§161.11 Identification of land uses in airport noise study area.

For the purposes of this part, uses of land that are normally compatible or noncompatible with various noise-exposure levels to individuals around airports must be identified in accordance with the criteria prescribed under appendix A of 14 CFR part 150. Determination of land use must be based on professional planning, zoning, and building and site design information and expertise.