



August 11, 2020

Congressman Peter A. DeFazio, Chairman
Committee on Transportation and Infrastructure
2165 Rayburn House Office Building
Washington, DC 20515-6256

Subject: Support of Proposed Legislation Addressing Aircraft Noise

Dear Congressman DeFazio:

The LAX/Community Noise Roundtable (Roundtable) is focused on addressing noise issues associated with aircraft operations and recommending courses of action to reduce noise over affected communities. As such, the Roundtable is delighted to see the attention aircraft noise has received from the U.S. House of Representatives over recent months with the introduction of a number of bills aimed at addressing community concerns in regards to aircraft noise, aircraft operations and public notification. The purpose of this letter is to show our support for the following bills and to request your committee moves forward with these bills in the legislative process to ensure they pass into laws. In so doing, the Roundtable will have additional means to recommend changes for the Federal Aviation Administration (FAA) and Los Angeles World Airports (LAWA) that can result in real and noticeable improvements to our represented communities.

The list of bills is provided below along with the Roundtable's reasons for supporting each of them:

- **H.R.5105: Responsive Employees Support Productive Educated Congressional Talk (RESPECT)**
Summary: The bill requires FAA staff to answer questions submitted in writing by Members of Congress relating to flight procedures, or other data affecting their district within 90 days including any data that are appropriate to provide to people from airports, airlines, procedure proponents, aviation roundtables, and non-FAA staff, and appropriate requests via Freedom of Information Act (FOIA). Also, the bill requires FAA staff to appear at meetings or town halls with a Member of Congress with 30 days' notice and under same conditions as aviation roundtable appearances.
Reason for Support: Roundtable supports any requirement for the FAA to respond to information requests and to attend meetings with Members of Congress.

- **H.R.5106: Restore Everyone's Sleep Tonight (REST)**
Summary: Allows airports to impose access restrictions during nighttime hours, to assess certain penalties against air carriers or aircraft operators, and for other purposes.

Reason for Support: While the Airport Noise and Capacity Act of 1990 (ANCA) provides the means for airports to impose access restrictions, the FAA shows no interest in allowing such restrictions as the bar appears too high for most airports to achieve. The Roundtable supports such a bill that circumvents ANCA and provides a more cost effective and realistic means for airports to impose curfews or other similar restrictions.

▪ **H.R.5109: Fairness in Airspace Includes Residents (F-AIR)**

Summary: Amends Title 49, United States Code, to expand the priorities of the Administrator of the FAA in developing plans and policy for the use of the navigable airspace to include noise and health impacts (and other environmental concerns) on an equal footing as efficiency, which is second in priority to safety.

Reason for Support: Roundtable supports noise, health and environmental concerns to have equal footing as efficiency when designing NextGen airspace procedures. This would allow the Roundtable to have more input on the design of the navigable airspace to better help our represented communities not endure the negative effects of Metroplex, such as the highly concentrated flight paths over populated areas.

▪ **H.R.5110: All Participating in Process Reaching Informed Solutions for Everyone (APPRISE)**

Summary: Directs the Administrator of the FAA to ensure representatives of aviation roundtables participate in the NextGen performance-based navigation implementation process of the FAA, and for other purposes.

Reason for Support: Roundtable supports involving community forums, such as the LAX/Community Noise Roundtable, in the design and implementation of NextGen procedures to ensure community knowledge and input is represented.

▪ **H.R.5111: Notify Officials to Inform fully & Impel Educated Decisions (NOTIFIED)**

Summary: Requires the Administrator of the FAA to notify the public of proposed new Performance Based Navigation Implementation Process flight procedures, and for other purposes. The FAA would have to notify all relevant Local/State/Federal representatives and Aviation Roundtables within 5 miles of the flight path for changes to airspace under 18,000 ft. Notification would be made within 30 days of entry of the procedure on the FAA Performance Based Navigation IFP Gateway.

Reason for Support: Roundtable supports improvement of public notification for the design and implementation of NextGen flight procedures for which this bill is intended.

• **H.R.5112: Low-frequency Energetic Acoustics and Vibrations Exasperate (LEAVE)**

Summary: Establishes that no Federal statute is intended to preempt a cause of action against an airport maintained in any State small claims or superior court by any individual or city within 5 miles of an airport when an action is brought for noise or nuisance caused by ground-based noise in violation of a State statute as specified, and for other purposes. The bill would lead to the establishment of standards and remedies related to Ground-Based Noise (GBN), and would also allow states to study GBN and subsequently take action against airports shown to have exceeded standards and have caused substantial negative community impact and devaluation of property values.

Reason for Support: Roundtable supports this bill as ground-based noise is relatively ignored in regulation and produces negative effects in communities adjacent to airports. In addition, a number of Roundtable members who reside near LAX are very interested in

seeking remedies to reduce unwanted ground noise or low-frequency noise from the airport.

- **H.R.976 / S.2506: Air Traffic Noise and Pollution Expert Consensus Act of 2019 (ATNPEC)**

Summary: This bill would commission the Administrator of the FAA to work with the National Academies of Sciences, Engineering, and Medicine to draft a report summarizing the current consensus/state of science surrounding the health impacts of air traffic noise and pollution. The FAA would convene a panel of experts no later than 30 days of enactment.

Reason for Support: Roundtable supports research on the health impacts of air traffic and believes such research is long overdue. We also support the immediacy of action as included in the bill.

- **H.R.2351: Protecting Airport Communities and Particle Emissions Act (PACPE)**

Summary: The bill would commission the Administrator of the FAA to work with the National Academy of Sciences to summarize literature and studies on ultrafine particles (UFPs), focused specifically on large hub commercial airports.

Reason for Support: While the Roundtable is focused on noise, and not air quality, we understand the two are linked to some extent and the Roundtable supports such research for the overall health issues (noise, emissions, etc.) related to aircraft operations in our represented communities.

- **H.R.5874: Decrease Noise Levels Act (DNLA)**

Summary: The bill would require the Administrator of the FAA to amend the Airport Noise Compatibility Planning, under Title 14 of the Code of Federal Regulations Part 150, to decrease the threshold for the Day-Night Average Sound Level (DNL) to constitute significant noise from 65 to 60, and adjust relative ranges of DNL accordingly. A report from the FAA would be due 365 days after enactment outlining a strategy to reduce the maximum DNL in all residential areas to 55 over the 10 years following date of enactment of the act.

Reason for Support: Roundtable membership believes that the 65 CNEL (CNEL replaces DNL as allowed by the FAA in California) is too limiting and does not extend into areas of highest concern from our represented communities. Roundtable fully supports decreasing to lower levels of significance as evidenced by our Work Program Item B2, which is to evaluate the 60 dB CNEL noise contour for eligibility of sound insulation. The Roundtable also awaits the findings of the FAA's "annoyance survey", which will provide a basis for determining whether changing the 65 CNEL is warranted.

In addition to these aircraft noise specific bills proposed, the Roundtable was made aware of some good news out of Washington D.C. in early July that H.R. 2, the surface infrastructure bill, was approved by the House with Congressman Rouda's Cleaner and Quieter Skies amendment included. Specifically, Representative Rouda's amendment provided to the Rules Committee requested SEC. 1632 Aviation Industry Assistance for Cleaner and Quieter Skies Voucher Program be inserted after line 22 on page 499. We understand this amendment incentivizes aircraft fleet transition to cleaner, quieter aircraft, and the

Roundtable is supportive of any actions that can help transition the aircraft fleet to an all Stage 5 fleet sooner rather than later.

The Roundtable asks that you support these bills, but more importantly the ideas behind them as they provide improved and much needed means to address aircraft noise issues. We are happy to see that our congressional representatives have listened to the concerns of their constituents, including those from the Roundtable, and incorporated them into these bills. Clearly these bills address current concerns from the communities represented by the Roundtable. Please let the Roundtable know of any further progress in terms of aviation noise and let us know how we can be of further assistance to get these bills passed into laws in the near future.

Thank you for your attention to aircraft noise. We trust our support will be of value to you as you consider passing much needed legislation that addresses communities' concerns regarding aircraft operations.

Sincerely,



Dennis J. Schneider, Chair
LAX/Community Noise Roundtable

cc: Bill Sponsors

Senator Dianne Feinstein
Senator Kamala Harris
Congressman Ted Lieu
Congressman Alan Lowenthal
Congressman Ed Royce
Congresswoman Maxime Waters
Congresswoman Linda Sanchez
Congresswoman Judy Chu
Congresswoman Karen Bass