



[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

**Noise Exposure Map Notice for Newark Liberty International Airport, Newark,
New Jersey**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: The FAA announces its determination that the noise exposure maps submitted by the Port Authority of New York and New Jersey for Newark Liberty International Airport are in compliance with applicable requirements.

DATES: The effective date of the FAA's determination on the noise exposure maps is January 15, 2019.

FOR FURTHER INFORMATION CONTACT: Eastern Region Airports Division (AEA-600), Andrew Brooks, Environmental Program Manager, Federal Aviation Administration, AEA-600, 1 Aviation Plaza, Jamaica, New York, 11434, Telephone: (718) 553-3330.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for Newark Liberty International Airport under the provisions of 49 U.S.C. 47501 et. seq (Aviation Safety and Noise Abatement Act) and 14 CFR Part 150 are in compliance with applicable requirements of 14 CFR Part 150, effective January 13, 2004.

Under 49 U.S.C. Section 47503 of the Aviation Safety and Noise Abatement Act (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise

exposure maps which meet applicable regulations and which depict non-compatible land uses as of the date of submission of such maps, a description of projected aircraft operations during a forecast period that is at least five (5) years in the future, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport. An airport operator who has submitted noise exposure maps that are found by the FAA to be in compliance with the requirements of 14 CFR Part 150, promulgated pursuant to the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes to take to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses.

The FAA has completed its review of the noise exposure maps and accompanying documentation submitted by the Port Authority of New York and New Jersey. The documentation that constitutes the "Noise Exposure Maps" (NEM) as defined in Section 150.7 includes a 2019 Base Year NEM, Figure 5-1, and a 2024 Future Year NEM, Figure 5-2, located in Chapter 5 of the NEM Report. Details of the NEM contours are provided by Runway end in Figures 5-3 through 5-6 of Chapter 5. The figures contained within Chapter 5 are scaled to fit within the report context; however, the official, to scale, 2019 Base Year NEM and 2024 Future Year NEM are identified as Figures 5-9 and 5-10 and are both located in an attachment to the official NEM Report submittal.

The Noise Exposure Maps contain current and forecast information including the depiction of the airport and its boundaries, the runway configurations, land uses such as single and two-family residential; multi-family residential; mixed residential and

commercial; commercial and office; industrial and manufacturing; transportation, parking and utilities; public facilities and institutions; unclassified; open space, cemeteries, and outdoor recreation; vacant land; places of worship; schools; historic structures; hospitals; and day care/assisted living facilities and those areas within the Day Night Average Sound Level (DNL) 65, 70 and 75 noise contours. Estimates for the area within these contours for the 2019 Base Year and 2024 Future Year are shown in Table 5-4 of Chapter 5 of the NEM Report. Estimates of the residential population within the 2019 Base Year and 2024 Future Year noise contours are also shown in Table 5-1 of Chapter 5 of the NEM Report. Figure 2-4 in Chapter 2 displays the location of noise monitoring sites. Flight tracks are found in Figures 4-7 and 4-8 of Chapter 4 and detailed in Appendix D. The type and frequency of aircraft operations (including nighttime) are found in Appendix D.2, Tables 5, 6, 7 and 8.

As discussed in Chapter 6 of the NEM Report, the Port Authority of New York and New Jersey provided the general public the opportunity to review and comment on the NEMs. This public comment period opened on September 13, 2018 and closed on October 15, 2018. Public workshops for the Draft NEMs were held on September 25 and September 26, 2018. All comments received during the public comment period and throughout the development of the NEMs, as well as responses to these comments, are contained in Appendix H of the NEM Report.

The FAA has determined that these noise exposure maps and accompanying documentation are in compliance with applicable requirements. This determination is effective on January 15, 2019.

FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of 14 CFR Part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program. If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under Section 47503 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of Section 47506 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or with those public agencies and planning authorities with which consultation is required under Section 47503 of the Act. The FAA has relied on the certification by the airport operator, under Section 150.21, that the statutorily required consultation has been accomplished.

Copies of the full noise exposure map documentation and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration

Eastern Region, Airports Division, AEA-600

1 Aviation Plaza

Jamaica, New York 11434

Federal Aviation Administration

New York Airports District Office

1 Aviation Plaza

Jamaica, New York 11434

The Port Authority of New York and New Jersey

Aviation Department

4 World Trade Center

150 Greenwich Street, 18th Floor

New York, New York 10007

FOR FURTHER INFORMATION CONTACT : Eastern Region Airports Division

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Administration, AEA-600, 1 Aviation Plaza, Jamaica, New York, 11434, Telephone:

(718) 553-3330.

Issued in Jamaica, NY on June 3, 2019.

Steven M. Urlass,

Director, Airports Division,

Eastern Region.

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