Federal Aviation Administration

Memorandum

Date: January 7, 2009

From: John Silva, Manager, Environmental Programs, ANE-610

To: LaVerne Reid, Manager, Airports Division, ANE-600

John Donnelly, Regional Counsel, ANE-7

Subject: Waterbury-Oxford Airport, Part 150 Record of Approval

Attached is the Record of Approval for the Noise Compatibility Program developed by the Connecticut Department of Transportation for the Waterbury-Oxford Airport. Twelve Noise Compatibility Program measures are proposed: 3 noise abatement measures, 5 land use measures, and 4 implementation measures. The most significant measure proposes the acquisition or sound insulation of up to 71 homes in Middlebury, just to the north of the runway.

No written comments were received during the FAA comment period.

In conformance with Regional and National procedures, AEE-1 has reviewed the draft Record of Approval and has no national policy concerns; APP-400 has concurred with the draft Record of Approval. Upon your concurrence/approval below, the *Federal Register* Notice of FAA's approval of the Noise Compatibility Program can be submitted.

John Donnelly Regional Counsel, ANE-7	1/12/2009 Date	✓ Concur	Nonconcur
LaVerne F. Reid Manager, Airports Division, ANE-600	1/14/2009 Date	✓ Approved	Disapproved

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

Federal Aviation Administration
New England Region

12 New England Executive Park
Burlington, MA 01803

RECORD OF APPROVAL

Waterbury-Oxford Airport
Oxford, Connecticut

FAR PART 150 NOISE COMPATIBILITY PROGRAM

The Connecticut Department of Transportation (ConnDOT) sponsored an Airport Noise Compatibility Planning Study under a Federal Aviation Administration (FAA) grant, in compliance with Federal Aviation Regulation, Part 150. ConnDOT produced a report entitled *Waterbury-Oxford Airport, FAA FAR Part 150 Noise Study: Final Report*. The Noise Compatibility Program (NCP) and its associated Noise Exposure Maps (NEM) were developed concurrently and submitted to FAA for review and approval on October 9, 2008. The NEM were determined to be in compliance on November 6, 2008. This determination was announced in the Federal Register on December 1, 2008, and included Figures 5-7, (2007 Baseline Noise Contours), 5-8 (2012 Baseline Noise Contours) and 5-9 (2012 NCP Noise Contours), along with the supporting documentation in *Waterbury-Oxford Airport FAA FAR Part 150 Noise Study, Final Report.*

The study focused on defining an optimum set of noise and land use mitigation measures to improve compatibility between airport operations and community land use, presently and in the future. ConnDOT's Noise Compatibility Program consists of 12 program measures, which are comprised of 3 noise abatement measures, 5 land use measures, and 4 implementation measures.

The approvals listed herein include approvals of actions that the airport recommends be taken by the FAA. It should be noted that these approvals indicate only that the actions would, if implemented, be consistent with the purposes of Part 150. These approvals do not constitute decisions to implement the actions. Later decisions concerning possible implementation of these actions may be subject to applicable environmental or other procedures or requirements. 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. Eligibility for federal funding of measures that are determined in this Record of Approval to meet the approval criteria of 150.33 will be determined at the time the FAA receives an application for funding, using the criteria in the most current version of FAA Order 5100.38, Airport Improvement Program Handbook.

The program measures below summarize as closely as possible the airport operator's recommendations in the noise compatibility program and are cross-referenced to the program with numbered sections that follow the title of each measure. The statements

contained within the summarized program measures and before the indicated FAA approval, disapproval, or other determination, do not represent the opinions or decisions of the FAA.

Noise Abatement (NA) Measures

NA-1 – Create RNAV Overlay Procedure on Runway 18 (Pages 3-24 and 3-25, 5-11, and 5-15 thru 5-17). These procedures would use on-board Global Positioning System (GPS) equipment to fly defined routes that would avoid noise sensitive areas.

Approved as voluntary. RNAV procedures should result in a narrower distribution of flight tracks and approximately a 2-3 dBA reduction in noise exposure within the 65 DNL contour when combined with NA-2 and NA-3. Approval of this measure as voluntary should not be construed as authorizing pilot response to air traffic control instructions as voluntary.

NA-2 – Implement the NBAA Close-in Noise Abatement Procedures (Pages 3-26 thru 3-30 and 5-12 and 5-13, and 5-15 thru 5-17). This measure would formalize the use of NBAA Close-in Noise Abatement Departure profile as the preferred climb-out profile for general aviation jet operations.

Approved as voluntary. While this measure by itself would not produce a significant reduction in cumulative noise exposure, noise from single-event departures would be reduced, thereby making the close-in noise abatement departure profile noise beneficial.

NA-3—Establish Runway 18 as the Preferential Nighttime (10:00 p.m. to 7:00 a.m.) Runway (Pages 3-35 thru 3-38, 5-14 thru 5-17). Residential land use incompatibility is greater to the north in Middlebury than to the south in Oxford. However, the airport operates in north flow (Runway 36) approximately 73 per cent of the time. Nighttime wind and weather analysis indicates that the airport is capable of operating in south flow (Runway 18) approximately 73 per cent of the time with a three-knot tailwind.

Approved as voluntary. This measure would have the effect of causing most of the 2-3 dBA reduction in noise within the 65 DNL contour, during a period of time when aircraft noise is considered more intrusive. Approval of this measure as voluntary should not be construed as authorizing pilot response to air traffic control instructions as voluntary.

Land Use (LU) Measures

LU-1—Encourage Middlebury, Oxford, and Southbury to Retain All Commercial and Industrial Districts within Two Miles of the OXC Property Line, with Zoning Changes Forwarded to ConnDOT for Comment (Pages 4-9 and 5-20). This measure would promote compatible land use within the vicinity of OXC by appointing an OXC representative to review proposed zoning changes within the towns of Middlebury, Oxford, and Southbury.

Approved. This measure would encourage the towns to make planning decisions that would prevent additional incompatible noise exposure.

LU-2—Establish Fair Disclosure Regulations for New Residential Development and for the Transfer of Existing Homes, Within the 60 DNL Noise Exposure Contour of the NCP (Pages 4-15 thru 4-16 and 5-21). Fair disclosure regulations would provide an ethical means for conducting real estate transactions, ensuring that prospective buyers are made aware of the potential for aircraft noise exposure.

Approved. Potential buyers would be informed of the noise environment in making a decision to purchase property.

LU-3—Establish Noise Related Subdivision Regulations for New Residential Development Within the 60 DNL Noise Exposure Contour of the NCP (Pages 4-17 thru 4-20 and 5-22). The subdivision regulations could include avigation easements and Noise Level Reduction requirements

Approved. This measure would ensure that new residential subdivisions are constructed so as to be compatible with aircraft noise exposure. It would also ensure that prospective buyers are aware of potential noise exposure by having an avigation easement as a permanent deed restriction.

LU-4—Voluntary Acquisition of All Homes Within the 65-70 DNL Contour and a Select Number of Homes Outside the 65 DNL Contour for Neighborhood Continuity and Equitable Planning Purposes (Pages 4-24 thru 4-28, 5-23, and 5-25). This could include up to 71 homes in Middlebury.

Approved. This measure would provide residents exposed to incompatible noise levels with the opportunity to relocate, thereby reducing the number of properties and population exposed to such noise.

LU-5—As an Alternative Option, Voluntary Sound Insulation for All Homes Eligible under Lu-4, Except Those Located in the Runway Protection Zone (RPZ) (Pages 4-33 thru 4-34 and 5-25). This may include up to 37 homes in Middlebury.

Approved. In conjunction with LU-4, this measure would also reduce the number of properties and population exposed to incompatible noise levels.

Implementation Measures (IM)

IM-1—Establish Noise Abatement Committee (Page 5-26). The Committee would assist in the implementation of the NCP recommendations, monitor progress, and provide suggestions on how the program could be more effectively implemented or changed.

Approved.

IM-2—Develop a Website for Public Outreach (Page 5-27). Interested parties could obtain up-to-date information and make noise complaints.

Approved.

IM-3---Publish Recommended Noise Abatement Procedures in Pilot Guides (Page 5-27). This would also include the installation of noise abatement signs at runway ends.

Approved.

IM-4—Provide for Updates to the NCP Measures and Noise Contours (Page 5-28). The airport would provide for updates to the NCP and noise contours.

Approved.