

Congress of the United States
Washington, DC 20515

July 27, 2020

Emily Gabel-Luddy
Chair, Southern San Fernando Valley Airplane Noise Task Force
275 East Olive Avenue,
Burbank, CA 91502

Dear Councilmember Gabel-Luddy:

Thank you for your efforts over the past year to make the Southern San Fernando Valley Airplane Noise Task Force a productive forum for developing solutions to the noise and environmental impacts of aviation noise in our communities. As you are aware, residents near flight paths from Hollywood Burbank and Van Nuys Airports continue to face highly disruptive noise from flights—especially at night—and we have heard from many of our constituents regarding their frustration with the FAA’s implementation of new routes at these airports.

Last year, several of us called on the FAA to participate in a community roundtable to address aviation noise issues in the San Fernando Valley, and we are pleased that the Task Force has now finalized its recommendations after nearly a year of meetings and community input. Although as federal legislators we participated in the Task Force in a nonvoting capacity, we concur with its recommendations, evaluations of which are enclosed, and we appreciate the opportunity to share our thoughts. As you mention in your letter, implementing each of these proposals would require action by Congress, and we look forward to working with our colleagues to advance these recommendations.

Thank you again for your contributions to the task force’s discussions, and please be assured that we will continue to work with our Congressional colleagues, state and local elected officials, the FAA, airports in our region, and the affected communities to help achieve meaningful relief for residents of the San Fernando Valley who have experienced excessive airplane noise for too long.

Sincerely,



Adam B. Schiff
MEMBER OF CONGRESS
28TH DISTRICT, CALIFORNIA



Brad Sherman
MEMBER OF CONGRESS
30TH DISTRICT, CALIFORNIA



Ted W. Lieu
MEMBER OF CONGRESS
33RD DISTRICT, CALIFORNIA

CC: Patrick Lammerding, Hollywood Burbank Airport
Flora Margheritis, Los Angeles World Airports
Gene Reindel, HMMH

Recommendations to Federal Legislative Representatives *from the South San Fernando Valley Airplane Noise Task Force*

Recommendation 9: *Restrict aircraft from operating during the night at both Hollywood Burbank Airport (BUR) and Van Nuys Airport (VNY) and penalize and identify publicly aircraft operators that violate the mandatory curfew.*

Many of us are longtime advocates of mandatory nighttime curfews. Rep. Schiff, whose district includes the Hollywood Burbank Airport, supported the airport in its application to the FAA in 2009 to implement a mandatory curfew and stated on the House Floor that he strongly believed that the Airport had already met the curfew criteria set by law. After the FAA issued its finding—incorrect in our view—that the Airport’s study did not merit approval of a new curfew, Reps. Schiff and Sherman introduced standalone legislation (the *Valley-Wide Noise Relief Act*) as well as amendments to FAA funding legislation to allow nighttime curfews at Burbank and Van Nuys airports. We will continue to seek legislative avenues to empower these airports to adopt new, enforceable nighttime curfew measures.

Recommendation 12: *Increase the eligibility area for noise mitigation programs in communities near airports, which requires federal funding to implement.*

FAA regulations currently allow airports to use federal funding from the Airport Improvement Program to carry out noise mitigation programs in surrounding communities in areas that experience greater than 65 decibels day-night average sound level (DNL). Rep. Grace Meng has introduced legislation in the House to lower the FAA’s threshold for significant noise exposure from 65 dB DNL to as low as 55 dB DNL, which would allow more residents to qualify for federal sound insulation programs. Reps. Schiff, Sherman, and Lieu are proud to cosponsor this bill, the *Decrease Noise Levels Act* (H.R. 5874), which has been referred to the House Committee on Transportation and Infrastructure for further consideration.

Recommendation 13: *Require the use of the Environmental Analysis (EA) as the minimum standard to meet the requirements of the National Environmental Policy Act (NEPA) for implementing any FAA proposed change to aircraft flight procedures.*

Under current FAA regulations, new or modified air traffic control procedures that do not significantly increase noise over sensitive areas are categorically excluded from full environmental review under the National Environmental Protection Act (NEPA).

Last year, Reps. Schiff, Sherman, and Lieu wrote to the Government Accountability Office (GAO) along with House Transportation and Infrastructure Committee Chairman Peter DeFazio and many colleagues asking that it independently review how the FAA measures aircraft noise and how it evaluates and mitigates noise impacts. This request highlighted that the FAA’s finding that new routes in the Southern California Metroplex project “would not significantly affect the quality of human environment in the impacted metropolitan areas and would not result in significant noise impacts” seems to contradict the actual experience of our constituents in surrounding communities. Accordingly, the request specifically asked the GAO to consider whether FAA’s criteria for determining “significant” changes in noise levels sufficiently capture potential negative impacts, and whether the historical comparison data the FAA uses to conduct environmental reviews for new routes accurately captures the nature of the changes.

The GAO has initiated this study and plans to include community outreach at Hollywood Burbank and Van Nuys airports as part of its investigation. We look forward to sharing the results of this effort with the airports and affected communities, and will consider legislative responses based on GAO's findings, including requiring the use of Environmental Analysis as the minimum standard for procedure changes.

Recommendation 16: *Require the Federal Aviation Administration (FAA) to immediately respond to community and Airport requests and provide post implementation results from NextGen aircraft procedures including the implementation of the Southern California Metroplex and future implementations and all supporting documents, the Noise Screen that was provided to Benedict Hills in about January 2018, and all documents requested under the Freedom of Information Act (FOIA).*

Reps. Schiff and Sherman have written to the FAA supporting local requests for information related to noise issues, as well as requests by both the Hollywood Burbank and Van Nuys airports that the FAA consider dispersing departure routes as required under Section 175 of the most recent FAA Reauthorization Act. In addition, Reps. Schiff, Sherman, and Lieu cosponsor Rep. Jackie Speier's APPRISE Act in the House, which would require the FAA to ensure that an aviation roundtable technical representative can participate in the NextGen implementation process. This bill has been referred to the House Committee on Transportation and Infrastructure where it awaits further consideration. While no single piece of legislation can ensure ongoing cooperation from a federal agency, we are committed to continuing to pressure the FAA whenever necessary to be sufficiently responsive to community concerns.