FAA AIRSPACE REDESIGN - ENVIRONMENTAL JUSTICE IMPLICATIONS

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Chairman: Union County Freeholders Air Traffic Noise Advisory Board
NY/NJ/Phl Airspace Redesign

• Major redesign initiated in 1998
  – Affects 5 states (NJ, NY, Penn, CT, Del)
• Goal to increase efficiency and reduce noise
• Change in management in 2001
• New direction: promote aviation efficiency at any cost
  – Long-standing airport noise abatements eliminated
Impacts (FAA Data)

• EJ communities near Newark International Airport (EWR) bear brunt of redesign impacts
  – 96.5% of 5 state total in DNL 60 – 65 noise band
  – 40% of 5 state total in DNL 55 – 60 band
• Highest noise band data deliberately tuned by FAA to try to avoid EJ scrutiny
• Union and Essex County especially impacted
  – 85,126 additional people in higher noise bands
EWR GENERALIZED LAND USE
[DEIS Fig. 3.10]
Runway Heading Options for Departures off Runway 22R/L
EWR NOISE MITIGATION?
[From 3/23/07 FAA Congressional Presentation]
WHAT IS DNL?

• DNL stands for Day-Night level and measures amount of noise in decibels
• Noise averaged over 24 hours with 10 decibel (10X) penalty for noise between 10PM and 7AM
• Logarithmic measure
  – 5 decibels is 3.2X noise increase
  – 3 decibels is a 2X noise increase
  – 1.5 decibels is a 1.4X noise increase
# Union County Noise Exposed Populations for FAA Alternatives

<table>
<thead>
<tr>
<th>Noise Level (DNL)</th>
<th>2011 “No Action” Population</th>
<th>2011 “IA+ICC” + Mitigation Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>&gt;= 65 DNL</td>
<td>13,890</td>
<td>12,796</td>
</tr>
<tr>
<td>60 – 65 DNL</td>
<td>6,569</td>
<td>27,919</td>
</tr>
<tr>
<td>55 - 60 DNL</td>
<td>32,817</td>
<td>60,178</td>
</tr>
<tr>
<td>Total</td>
<td>53,276</td>
<td>100,893</td>
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</tbody>
</table>
## Essex County Noise Exposed Populations for FAA Alternatives

<table>
<thead>
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<tbody>
<tr>
<td>&gt;= 65 DNL</td>
<td>13,625</td>
<td>13,987</td>
</tr>
<tr>
<td>60 – 65 DNL</td>
<td>18,108</td>
<td>23,557</td>
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<tr>
<td>55 – 60 DNL</td>
<td>62,674</td>
<td>94,372</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>94,407</strong></td>
<td><strong>131,916</strong></td>
</tr>
</tbody>
</table>
Union County Noise Impacted Population
Changes in EWR South and North Flow Departure Procedures

“No Action” 2011 “IA+ICC”
AIRSPACE REDESIGN EVENTS

• Studied four alternatives + “no action”

• DEIS issued December, 2005
  – Public comments thru July 2006

• Issued Mitigation Report in April 2007
  – Public comments still open

• Expect Final EIS during summer of 2007
ENVIRONMENTAL JUSTICE IMPACTS

• DEIS found EJ impacts near EWR and LaG
• For EWR, most of 26,799 added people in 60 – 65 DNL are EJ protected.
  – DEIS looked only at Union County and found ~80% of affected people were minority.
• Likely majority of 85,126 affected people above DNL 55 are also EJ protected
ENVIRONMENTAL JUSTICE LEGAL REQUIREMENTS

• FAA must audit to assess if population is EJ protected
• Special efforts required to assure population is adequately informed
• FAA required to take “hard look” seeking alternatives without EJ impacts
ENVIRONMENTAL JUSTICE NOISE ISSUES

• When is a population impacted?
  – FAA would like to consider only above 65 DNL
  – However, proposed changes cause 3.2X noise increases for 11,443 people immediately below 65 DNL

• What is a viable alternative?
  – FAA ignoring alternatives with more easterly flight paths that impact nobody. Pressure from Staten Island?

• How much impact is acceptable for small gain in aviation efficiency?
  – 11,443 people get >3.2X noise increase
  – 16,222 people get > 2X noise increase
  – 85,126 additional people above DNL 55
ELECTED OFFICIAL OPPOSITION

- Governor Corzine, Senators Lautenberg and Menendez, and Congressmen Andrews, Payne, Rothman, Garret, Frelinghuysen and Ferguson statements of opposition
- NJ Assembly Resolution AJR 88 passed overwhelmingly [69 to 2 with 5 abstained].
  - SJR 34 under consideration in NJ Senate
- Several NJ counties and numerous municipalities
LEGAL STEPS

• Need comments during EIS as basis for later legal action
• New Jersey Coalition Against Aircraft Noise (NJCAAN) filed extensive DEIS comments with Rutgers Environmental Law Clinic
  – Also filed comments on proposed mitigation
• Numerous governmental bodies have entered comments
• Formal legal action must await Final EIS
PROPOSED ACTION

• FAA airspace plan, and particularly “fanning” are bad for NJ.

• Urge Governor Corzine to oppose vigorously – particularly “fanning”
  – Contact FAA Administrator
  – Influence Port Authority of NY and NJ
  – State of NJ join in later legal action if necessary
SUMMARY

• Airspace Redesign heavily impacts large environmental justice communities living near EWR

• Strong immediate action by New Jersey Governor Corzine and NJ Congressional Delegation needed to prevent this

• Use political pressure now and prepare for legal action later.