



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

Facsimile Transmission

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DATE: July 1, 2002

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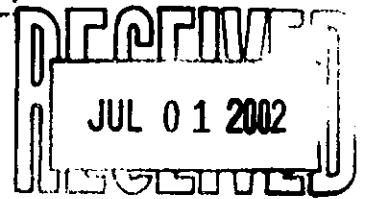
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SUBJECT: ROD

REMARKS: Attached is the Record of Approval (ROD), FAR Part 150 Noise Compatibility Program, Boca Raton Airport, Boca Raton, Florida.

FROM ARP/APP 202 267 8821

(MON) 7. 1' 02 10:46/ST 10:45/NO. 4860398682 P 7

RECORD OF APPROVAL**Boca Raton Airport****Boca Raton, Florida**

The approvals listed herein include approvals of actions that the airport recommends be taken by the Federal Aviation Administration (FAA). It should be noted that these approvals indicate only that the actions would, if implemented, be consistent with the purposes of Part 150. The FAA has provided technical advice and assistance to the airport to ensure that the operational elements are feasible (see 14 CFR 150.23(c)). These approvals do not constitute decisions to implement the actions. Later decisions concerning possible implementation of measures in this ROA will be subject to applicable environmental or other procedures or requirements, including the National Environmental Policy Act (NEPA).

The operational and land use control measures below summarize as closely as possible the airport operator's recommendations in the Noise Compatibility Program (NCP) and are cross-referenced to the program. The statements contained within the summarized NCP measures and before the indicated FAA approval, disapproval, or other determination does not represent the opinions or decisions of the FAA.

The Boca Raton Airport Authority (BCAA) has adopted a local deviation from the Federal compatible land use guidelines of Part 150, table 1. This is described in chapter 2 of the NCP, at pages 27-28, and chapter 7, pages 113+, and Table 7.9. This NCP update, and FAA actions described herein, replace the Boca Raton Airport's 1991 NCP (ROA dated August 19, 1991, attached for information).

OPERATIONAL ELEMENTS

1. Runway 5 noise abatement turn to 360°, to climb west of Interstate 95, to 1,500' (NCP, pages 75, 93, 131, 210, Table 12.1) (This measure replaces Measure 1 from the 1991 Noise Compatibility Program, page 3-11, "Voluntary Runway 5 noise abatement turn to 360 degrees to climb west of I-95. Maintain heading until reaching 1,500 feet.")

FAA Action: **Approved as voluntary, when air traffic and airspace safety and efficiency conditions permit.** This procedure places traffic over the noise-compatible interstate corridor, and was approved as a voluntary measure in the Noise Compatibility Program ROA that was signed by FAA on August 19, 1991. However, since approval of this measure, the number of aircraft instrument operations at this airport and in the Palm Beach region has increased steadily. Because of the growing complexities of safely and efficiently controlling air traffic in this area, it has become more difficult to allow extensive use of this voluntary procedure. This departure procedure not only affects the

FROM ARP/APP 202 267 8821

(MON) 7. 1' 02 10:47/ST. 10:45/NO. 486)698682 P 8

flow of traffic at this airport, but also requires additional coordination with several different facilities that are controlling aircraft traversing in many different directions comprised of inbound and outbound traffic from Palm Beach International Airport, Pompano Airpark, and Boca Raton Airport. This procedure directs VFR aircraft into an IFR final approach course (VOR/DME and GPS-A); when these conflicting procedures are in effect, capacity is reduced as arrivals would have to be sequenced with departures.

2. Runway 23 noise abatement turn to 255°, to climb over Town Center, to 1500' (NCP, pages 75, 93, 131, 210, Table 12.1) (This measure replaces Measure 2 from the 1991 Noise Compatibility Program, page 3-12 "Establish a voluntary Runway 23 noise abatement turn to 255 degrees to climb over commercial area southwest of airport. Maintain heading until reaching 1,500 feet.")

FAA Action: Approved as voluntary, when air traffic and airspace safety and efficiency conditions permit. Aircraft would fly over a compatible commercial corridor. This element was approved as a voluntary measure in the Noise Compatibility Program signed on August 19, 1991. However, since approval of this measure, the number of aircraft instrument operations at this airport and in the Palm Beach region has increased steadily. Because of the growing complexities of safely and efficiently controlling air traffic in this area, it has become more difficult to allow use of this voluntary procedure. This procedure not only affects the flow of traffic at this airport, but also requires additional coordination with several different facilities that are controlling aircraft traversing in many different directions comprised of traffic from Palm Beach International Airport, Pompano Airpark, and Boca Raton Airport. This procedure directs aircraft towards the Pompano Airpark localizer and GPS final approach course to Runway 16, and mandatory use of this procedure would limit capacity at all three airports because of sequencing requirements for arrivals with departures.

3. Recommend jets use NBAA noise abatement procedures, including "close-in" NADP (NCP, pages 75, 131, 157, 210, and Tables 12.1) (This measure replaces Measure 5 from the 1991 Noise Compatibility Program, page 3-24 "Recommend corporate jet pilots use of NBAA noise abatement procedures, including "close-in" departure procedures.")

FAA Action: Approved as a voluntary measure. The NCP supplemental analysis shows that use of the noise abatement procedure instead of the standard departure procedure would reduce noise on a single event basis.

4. Right-hand traffic pattern on Runway 23 (NCP, pages 192, 210, and Table 12.1) (This measure replaces Measure 4 from the 1991 Noise Compatibility Program, page 3-12: "Continue right hand traffic pattern on Runway 23.")

Current procedures at the airport call for right-handed traffic for Runway 23 operations to avoid overflight of the relatively more densely developed areas east of the airport, including Florida Atlantic University.

FROM ARP/APP 202 267 8821

(MON) 7. 1'02 10:47/ST. 10:45/NO. 4860698682 P 9

FAA Action: Approved as voluntary, when air traffic and airspace safety and efficiency conditions permit. This measure was included in the 1991 Noise Compatibility Program for Boca Raton Airport.

5. Left-hand traffic pattern on Runway 5, with right-hand arrivals from the east. (NCP, pages 133, 139, Table 9.8, 192, 210, and Table 12.1) (This measure replaces Measure 3 from the 1991 Noise Compatibility Program, page 2-11 "Continue left hand traffic pattern on Runway 5")

FAA Action: Approved in part, disapproved in part. A left-hand traffic pattern is a standard VFR operational procedure and was included in the 1991 Noise Compatibility Program for Boca Raton Airport. The standard left-hand traffic pattern operation on Runway 5 is approved. The simultaneous right-hand traffic pattern for arrivals from the east is disapproved. This activity puts aircraft in direct conflict with other arriving aircraft using the left-hand traffic pattern.

6. North-flow preferential runway use (NCP, pages 132, 139, and 210, and Tables 9.8 and 12.1)

FAA Action: Approved as voluntary, when air traffic and airspace safety and efficiency conditions permit. North-flow operation on Runway 5 is currently being used approximately 80% of the time because of the winds and air traffic control procedures. Table 9.8 indicates that mandatory implementation of this measure would increase noise to approximately 86 people in the DNL 65 dB noise contour, and reduce noise to approximately 264 people in the DNL 60 dB noise contour. The FAA considers impacts at noise levels of DNL 65 dB and greater to be significant when compared to lesser noise levels of "moderate" impact (less than DNL 65 dB, and greater than DNL 55 dB), as described in the Federal compatible land use guidelines at Table 1 of Part 150. In this case, the airport operator has adopted a deviation from the Federal compatibility guidelines published in Part 150 at Table 1 (see NCP, chapter 7) Based on air traffic concerns expressed above at FAA's action on measures 1 and 2, the FAA does not expect continued use of this measure to change from the present values.

7. Further analysis of restrictive options, including: 24-hour restriction on stage 1 jet operations, night restrictions on non-stage 3 operations, and night restriction on all aircraft operations (NCP, pages 192, 210, and Tables 12.1)

This recommendation is to continue evaluation of other options to reduce noise impacts outside of the FAR Part 150 process. Study of these recommendations will require additional analysis under FAR Part 161 and evaluation of the Grant Assurances for which the airport is obligated under past Grant Agreements with the FAA.

FAA Action: Approved for study. The Boca Raton Airport's NCP in Table 9.8 indicates that approximately 2,180 people will be exposed to significant levels of aircraft noise within the DNL 65 dB 2006 Forecast NEM contour, absent mandatory implementation of air traffic procedures. The Boca Raton Airport Authority, the airport

FROM ARP/APP 202 267 8821

(MON) 7. 1' 02 10:47/ST. 10:45/NO. 4860598682 P 10

sponsor, proposes to study several noise restriction options that could further reduce noise impacts. The study should reflect the noise contours and land use compatibility achieved under this approved Part 150 program and evaluates additional noise benefits that could be realized with any particular restriction. FAA's Part 150 approval for the additional study in no way prejudices the study's outcome or implies agreement with any restriction that may result from the study. In order to be eligible for Federal funding, the study results must be incorporated into a Part 150 update.

All proposed restrictions under consideration by the Boca Raton Airport Authority must be evaluated for consistency with Federal law, including assurances in airport grant agreements. Federal law requires that restrictions be reasonable, have no adverse effect on safety or efficient use of the airspace, not pose an undue burden to interstate commerce, not be unjustly discriminatory, and not intrude into areas that are Federally preempted. In addition, proposed restrictions that would affect the operations of Stage 2 and Stage 3 aircraft are subject to Part 161, including public notice and analysis requirements. FAA approval, pursuant to specified statutory criteria, is required under Part 161 for a restriction affecting Stage 3 operations. The restriction that would affect only Stage 1 aircraft is not subject to Part 161, but is subject to all other requirements of Federal law.

8. Obtain "formal" FAA implementation status for Elements 1, 2, 4, 5, and 6. (NCP, pages 191, 192, 211, and Table 12.1)

This new recommendation is to obtain formal agreement with the FAA to incorporate Elements 1, 2, 4, 5, and 6 into a Tower Order which will require the air traffic controllers to follow these procedures at all times.

FAA Action: Disapproved. Under this formal agreement, there would be no allowance for weather conditions or for the growing complexities of controlling traffic in the Palm Beach area resulting from the steady increase in air traffic through the area. As indicated in FAA's determinations on these individual measures, above, mandatory use of these flight patterns could impact aircraft safety and efficiency. To the extent the FAA can implement the measures, it will direct pilots to these headings and traffic patterns.

LAND USE ELEMENTS

As a result of the FAA actions on the air traffic procedural recommendations, above, the FAA considers the existing conditions NEM to be "2001 NEM with Existing Noise Compatibility Program" and the forecast 2006 NEM to be "2006 with Existing Noise Compatibility Program". At the time the FAA announces its actions on the NCP Update in the Federal Register, it will issue a revised determination that this forecast NEM will replace the "2006 Noise Exposure Map with Recommended Noise Compatibility

FROM ARP/APP 202 267 8821

(MON) 7. 1' 02 10:47/ST. 10:45/NO. 486(698682 P 11

Program" that was determined in compliance with Part 150 by FAA on December 31, 2001.

Measures 1 through 4, and 9 through 11, replace measures that were approved by the FAA in 1991 for that NCP at Boca Raton Airport. The other Land Use measures are new recommendations in this Part 150 Update.

1. Zoning (NCP, pages 195, 196, 211, and Table 12.1)

The City and County will continue to update and adopt a revised Airport Zoning and Land Use Ordinance consistent with the updated NEM's.

FAA Action: Approved as a continuing measure. The recommendation, included in the 1991 Noise Compatibility Program, has been partially implemented by the affected land use jurisdictions.

2. Building code revision (NCP, pages 196, 211, and Tables 12.1)

The Boca Raton Airport Authority will continue to work with local jurisdictions to include specifications for the use of noise insulating materials in construction within/adjacent to approved NEM's.

FAA Action: Approved as a continuing measure.

3. Local environmental review (NCP, pages 197, 211 and Tables 12.1)

The City and County implemented an environmental review through their respective airport zoning and land use regulations that they adopted in accordance with Chapter 333 of the Florida Statutes (Article 16 of the County Land Development Code and City Ordinance 3274). Both the County and City Planning Departments notify The Boca Raton Airport Authority of potential developments and request comment. It is necessary to carry the measure forward to this recommended NCP to ensure its continued implementation.

FAA Action: Approved as a continuing measure.

4. Comprehensive Planning (NCP, pages 196 and 211, and Tables 12.1)

The comprehensive plans for the City of Boca Raton and Palm Beach County would be revised to fully address the issues of aircraft noise on existing and proposed land use. The State Statutes require that the plans be evaluated and updated every five years.

FAA Action: Approved as a continuing measure.

5. Real Estate Disclosure (NCP, pages 200, and 211, and Tables 12.1)

FROM ARP/APP 202 267 8821

(MON) 7. 1'02 10:47/ST. 10:45/NO. 4860698682 F 12

This measure will require disclosure of aircraft noise levels and their meaning to purchasers or renters prior to the time of the contract or title transfer for residential property. Disclosure will involve a form to be signed by the prospective buyer or renter similar to what is required by truth-in-sales laws. This will ensure that new residents are aware of the noise environment prior to purchase or rental of properties within the noise zones.

FAA Action: Approved.

6. Easement Acquisition (NCP, pages 201 and 211, Exhibits 8.1, and Tables 12.1)

This measure is to purchase aviation easements from noise-sensitive property owners within the 60 DNL noise contour for "2006 with the recommended NCP". This measure would allow the acquisition of easements over developed property as well as undeveloped property. Only existing private homes and public use (schools) within the DNL 60 dB contour are assumed to be included. Property owners refusing participation in the sound insulation program may be eligible for easements.

FAA Action: Approved to the extent the properties are located within the official NEMs, specifically "2001 NEM with Existing Noise Compatibility Program". The specific identification of the structures recommended for inclusion in the program will be required prior to approval for federal funding.

7. Sound Insulation (NCP, pages 201, and 211, Exhibits 8.1, and Tables 12.1)

This measure is to provide the opportunity for sound insulation of noise-sensitive structures within the 65 DNL contour, for "2006 with the recommended NCP." Aviation easements are typically obtained in return for property owner participation. Only existing private homes and public uses within the 2006 65 dB DNL contour are assumed to be included. Property owners refusing sound insulation may be eligible for easements and vice-versa.

FAA Action: Approved to the extent the properties are located within the DNL 65 dB noise contour of the official NEMs, specifically "2001 NEM with Existing Noise Compatibility Program". The specific identification of the structures recommended for inclusion in the program will be required prior to approval for federal funding.

8. Noise and Operations Monitoring System (NCP, pages 205, and 211, and Tables 12.1)

This measure is to include provisions for the Boca Raton Airport Authority to acquire capabilities to monitor operations, noise, and complaints, in an integrated system. This system will include purchase of equipment to monitor, record, analyze, and report on actual flight track geometry and runway utilization. This measure also includes six to eight permanent noise monitors and one portable noise monitor that will allow improved

communication with the community when addressing aircraft operations. This system will also include the capabilities to identify complainants' addresses, correlate complaints with operations and noise data and develop a database.

FAA Action: Approved to the extent that the requested equipment is allowed to interface with FAA equipment and operations. Eligibility for Federal funding will be determined at the time of application. For purposes of aviation safety, this approval does not extend to the use of monitoring equipment for enforcement purposes by in-situ measurement of any pre-set noise thresholds.

9. Noise Abatement Advisory Committee (NCP, pages 207, and 212, and Tables 12.1)

This measure is to continue the ongoing Noise Abatement Committee to discuss noise abatement issues with the public and interested parties.

FAA Action: Approved.

10. Noise Office Staff (NCP, pages 207, and 212, and Tables 12.1)

This measure is to continue to employ a full-time noise and community affairs staff person.

FAA Action: Approved.

11. Program Publicity (NCP, pages 207 and 212, and Tables 12.1; FAA letter dated March 29, 2002.) This measure is to continue to publicize the approved program. (The measure replaces Measure 7 "Install on-airfield noise abatement signage", page 5-21, of the 1991 Noise Compatibility Program.)

Once the FAA has approved the revised NCP, the BRAA should take steps to publicize the program, including: revisions to on-airfield signs, posters for pilot lounges or flight planning areas, pilot handouts, such as flight manual inserts and web site upgrades, that summarize the preferred procedures.

FAA Action: Approved in part, disapproved in part. The methods to publicize this revised noise compatibility program are approved. Specific language to be included is disapproved herein. Prior to release, each publicity measure must be approved for wording and content by the appropriate FAA office, and should clearly state that the noise abatement measures are voluntary, and that pilots, while encouraged to request the noise abatement departure heading, are always required to follow the directions provided by air traffic control.

RECORD OF APPROVAL
FAR PART 150 NOISE COMPATIBILITY
PROGRAM

Boca Raton Airport
Boca Raton, Florida

CONCUR

NONCONCUR

Karl S. Mattels
Assistant Administrator for Policy, Planning, and
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X

Date 6/19/02

CONCUR

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Chief Counsel, AGC-1

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Date 6/28/02

APPROVED

DISAPPROVED

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✓

Date 6/28/02