

# **FAA AIRSPACE REDESIGN - ENVIRONMENTAL JUSTICE IMPLICATIONS**

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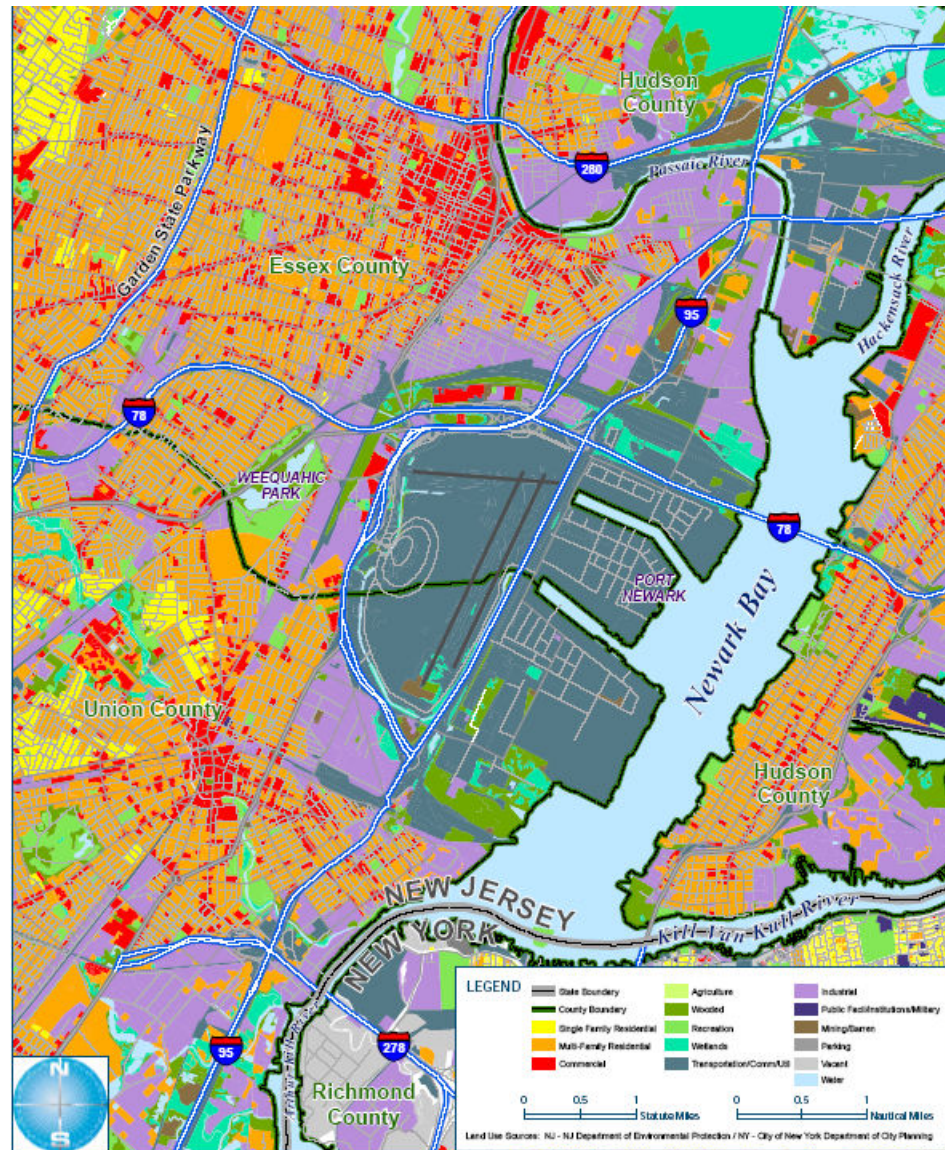
Chairman: Union County Freeholders Air Traffic Noise Advisory  
Board

# NY/NJ/Phl Airspace Redesign

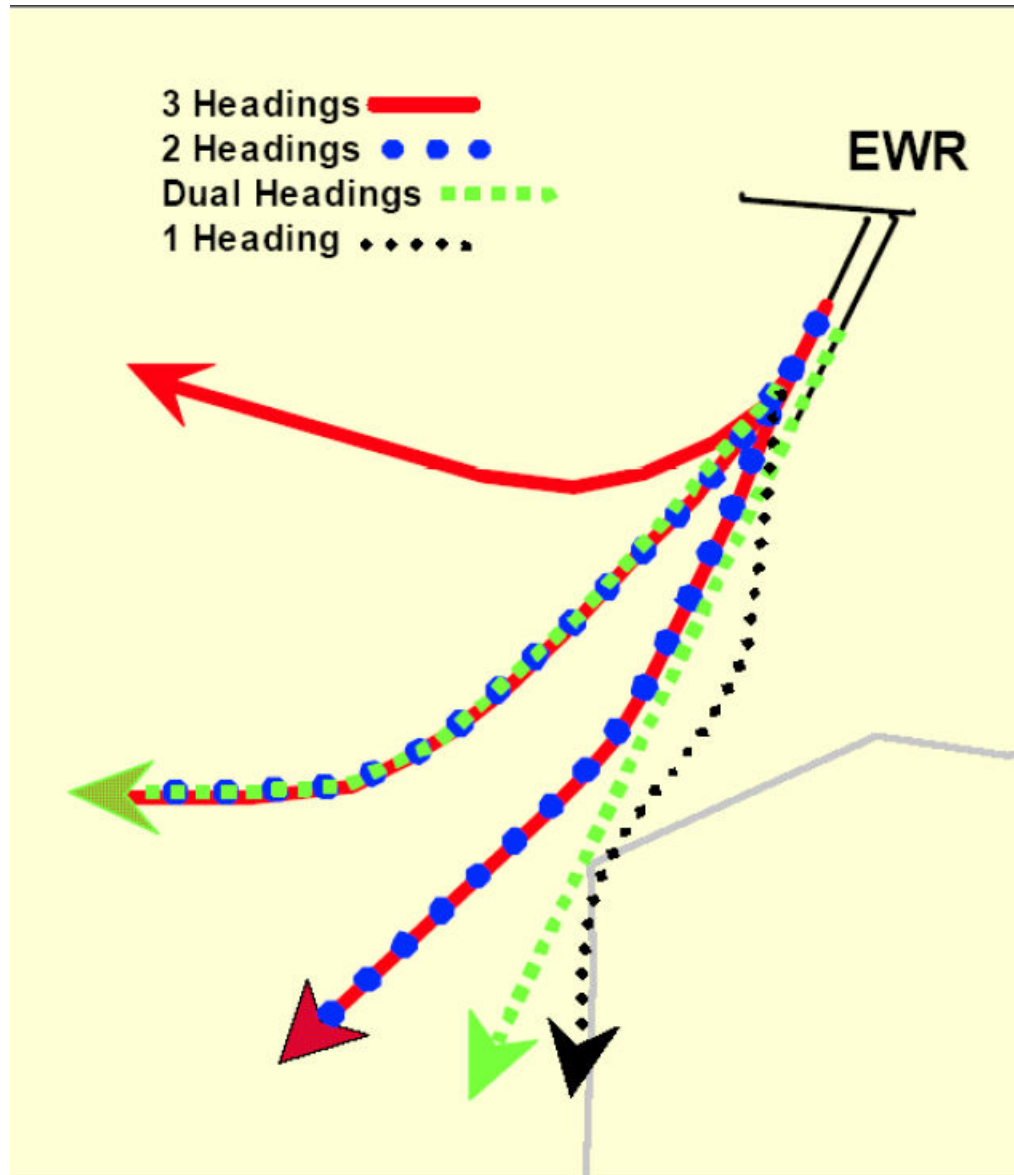
- Major redesign initiated in 1998
  - Affects 5 states (NJ, NY, Penn, CT, Del)
- Goal to increase efficiency and reduce noise
- Change in management in 2001
- New direction: promote aviation efficiency at any cost
  - Long-standing airport noise abatements eliminated

# 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

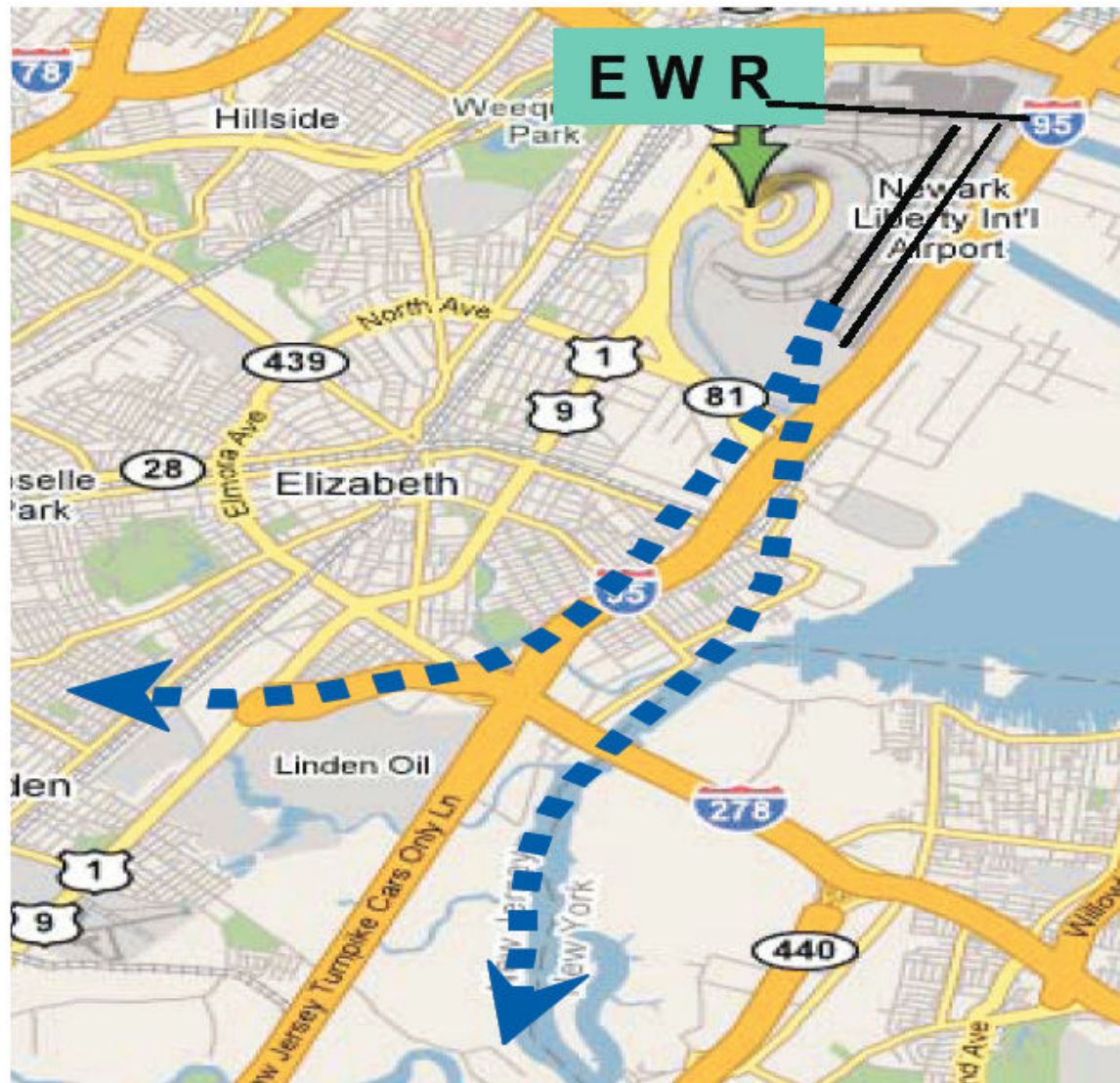


**EWR GENERALIZED LAND USE**  
 [DEIS Fig. 3.10]



**Runway Heading Options for Departures off Runway 22R/L**  
 [From April 2007 FAA Report “Operational Analysis of Mitigation of the NY/NJ/PHL Airspace Redesign”]





## **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

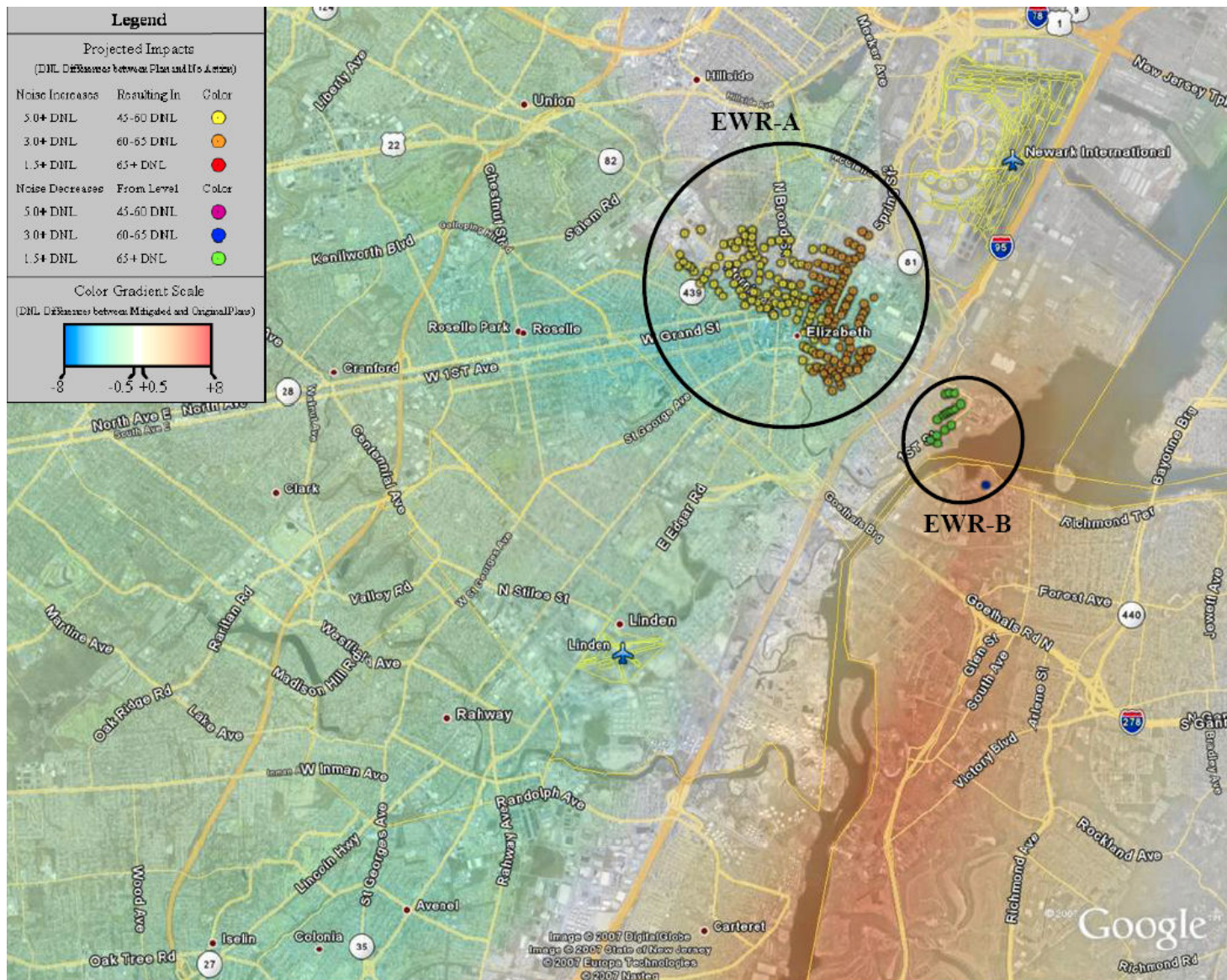
## **Union County Noise Exposed Populations for FAA Alternatives**

	<b>2011 “No Action” Population</b>	<b>2011 “IA+ICC” + Mitigation Population</b>
<b>&gt;= 65 DNL</b>	13,890	12,796
<b>60 – 65 DNL</b>	6,569	27,919
<b>55 - 60 DNL</b>	32,817	60,178
<b>Total</b>	53,276	100,893



## **Essex County Noise Exposed Populations for FAA Alternatives**

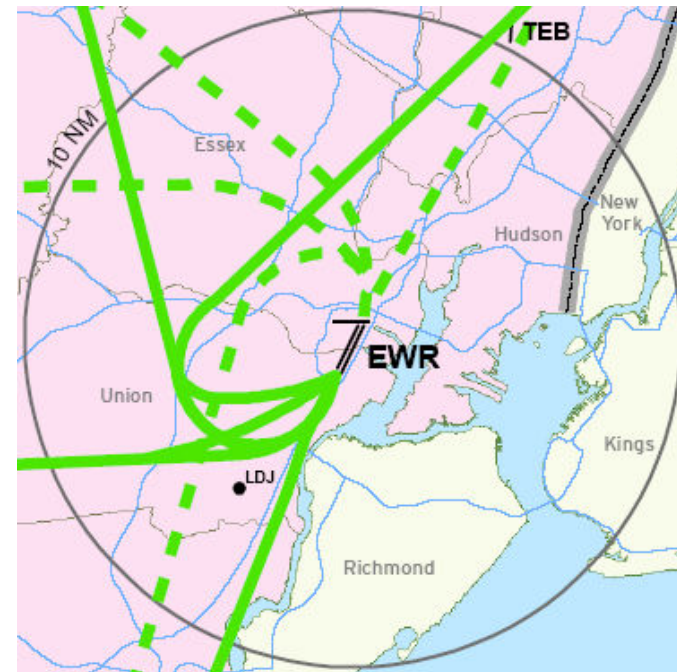
	<b>2011 “No Action” Population</b>	<b>2011 “IA+ICC” + Mitigation Population</b>
<b>&gt;= 65 DNL</b>	13,625	13,987
<b>60 – 65 DNL</b>	18,108	23,557
<b>55 – 60 DNL</b>	62,674	94,372
<b>Total</b>	94,407	131,916



Union County Noise Impacted Population



**“No Action”**



**2011 “IA+ICC”**

**Changes in EWR South and North Flow Departure Procedures**

# AIRSPACE REDESIGN EVENTS

- Studied four alternatives + “no action”
  - “Preferred Alternative” - Integrated Airspace + Integrated Control Complex (IA + ICC) already in FAA long term plans in 2003
- 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 is 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.