

OAKLAND AIRPORT-COMMUNITY NOISE MANAGEMENT FORUM

An Advisory Body to the Executive Director of the Port of Oakland

271221

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Walt Jacobs, Citizen
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Federal Aviation Administration

Federal Express

KaiserAir, Inc.

Sierra academy

Southwest Airlines

February 16, 2004

Docket No. FAA-2003-16526- 51
Docket Management Facility
U.S. Department of Transportation
400 Seventh Street, SW
Nassif Building, Room PL-401
Washington, D.C. 20590-001

DEPT. OF TRANSPORTATION
04 FEB 27 AM 11:10

RE: PROPOSED STAGE 4 AIRCRAFT NOISE STANDARDS

Dear Sir or Madam:

At its January 21, 2004 meeting the Oakland Airport-Community Noise Management Forum (hereinafter "the Forum"), by unanimous vote, directed its co-chairs to write this letter on its behalf to comment on 14 CFR Parts 36 and 91, "Stage 4 Aircraft Noise Standards; Proposed Rule," Docket No. FAA-2003-16526; Notice No. 03-12. The Forum is an organization of municipalities that are located in the environs of Oakland International Airport, Oakland, California. The members of the Forum are elected officials and citizen representatives from the local communities. The Forum advises the Executive Director of the Port of Oakland on airport noise issues at Oakland International Airport.

The Forum has four comments on the proposed Stage 4 noise limits. These are as follow:

1. **The proposed noise level reduction between the Stage 3 and the Stage 4 noise levels is inadequate.** On this issue the Forum agrees with comments by the Airports Council International - North America (ACI -NA) that the noise relief accomplished by this rule is inconsequential. The Stage 4 noise levels, as proposed, represents existing technology and provides no incentive for manufacturers to develop new innovative technology that will result in lower noise levels. This is demonstrated in the proposal by the fact that few aircraft currently being manufactured meet the proposed new noise limits. In fact, most currently manufactured aircraft meet the new noise limit by a wide margin.

Historically, the incentives to build quieter aircraft have come from those few airports with stringent noise limits or the Stage 3 noise limit rules. Because of the restrictions of the Airport Noise and Capacity Act (ANCA), airports in the U.S. cannot set stricter noise limits to limit access to quieter aircraft. Communities are dependent on the Stage 4 noise limits to provide the incentive to build quieter aircraft. These proposed noise limits provide no such incentive and only memorialize existing technology (and in fact permits regression to noisier technology than is available today). The Forum acknowledges that today's new technology aircraft are significantly quieter than older aircraft, and this reduction has been beneficial. Stage 4 noise limits should be set in such a way that the limits provide incentive to continue the noise reduction trend that has been accomplished with each new generation of aircraft. The present proposal does not accomplish that goal.

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2. **The proposed rule does not address the operation of aircraft under 75,000 pounds.** At the present time, there are no noise limits on aircraft operating under 75,000 pounds, and the current proposal does not change the reality that both Stage 1 and Stage 2 subsonic jet aircraft under 75,000 can be operated in the U.S. Oakland International Airport consists of a South Field where large transport category operate and a North Field where general aviation aircraft operate. The current Federal Aviation Regulations (FARs) provide no noise relief to communities adjacent to the North Field. The current proposal should require that all new type certificates for aircraft under 75,000 pounds shall meet Stage 4 noise limits. Further, the FAA should develop a new rule requiring that all subsonic jet aircraft under 75,000 pounds operated in the U.S. meet Stage 3 or Stage 4 noise levels. Further, such rule should prohibit the retrofitting of Stage 1 or Stage 2 aircraft unless such retrofit provides at least a 5 dB noise reduction at each of the three certification measurement locations (no tradeoffs) and is compliant with Stage 3 or Stage 4 noise levels.

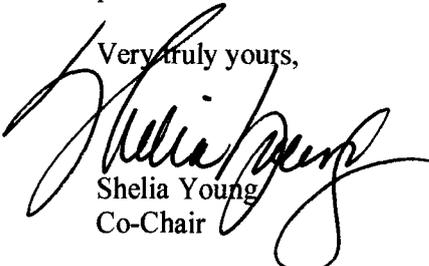
3. **The proposed rule does not address the phase-out of hush-kitted Stage 2 aircraft that marginally, if at all, meet Stage 3 noise levels.** The FAA should develop a requirement in Part 91 that requires that all large transport aircraft operated in the U.S. meet Stage 3 noise levels at the time of manufacture. Any and all hush-kitting of aircraft that were originally certificated as Stage 2 aircraft shall not be permitted to operate in the U.S. unless such hush-kit provides sufficient noise reduction to meet Stage 4 noise levels.

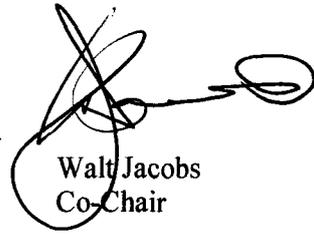
4. **Part 91 rules should be modified to require that all newly manufactured aircraft with existing type certificates meet Stage 4 noise limits.** Most aircraft easily meet this requirement. Those few aircraft currently manufactured that do not meet the requirement should be required to get new type certification with such modifications as needed to meet Stage 4 noise limits. The Stage 4 noise limits have been set within easy range of the Stage 3 limits, and this requirement does not place a burden on the industry when compared to the burden placed on airport neighbors.

As can be seen in the above comments, the Forum believes (1) that the noise limits proposed for Stage 4 operations are not adequate for significant noise reduction, (2) that the changes to Part 91 need to be expanded to include the phase-out of large transport category aircraft that were originally certificated to meet Stage 2 noise limits, (3) that the changes in Part 91 need to require that all newly manufactured aircraft meet Stage 4 noise limits regardless of their existing type certification, and (4) that the FAA develop a rule that requires that all aircraft under 75,000 pounds meet Stage 3 or Stage 4 noise limits.

The provisions of the Airport Noise and Capacity Act have effectively delegated all authority to limit aircraft noise levels to the Federal Government. This places a large burden on the Federal Government to set noise limits for new aircraft that protects the communities around airports and to mandate the retirement of older noisier aircraft from the fleet. The Forum implores the Federal Government to recognize this burden and act accordingly by modifying the proposed rule to better balance the needs of the community with the desires of the aviation industry.

Very truly yours,


Shelia Young
Co-Chair


Walt Jacobs
Co-Chair

CC: Tay Yoshitani, Port of Oakland
Steve Grossman, Port of Oakland