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DEPARTMENT OF TRANSPORTATION

Noise Exposure Maps; Cleveland Hopkins International Airport, Cleveland, Ohio

AGENCY: Federal Aviation Administration, DOT

ACTION: Notice

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by the City of Cleveland for Cleveland Hopkins International Airport under the provisions of 49 U.S.C. 47501 et. seq (Aviation Safety and Noise Abatement Act, herein after referred to as “the Act”) and 14 Code of Federal Regulations (CFR) Part 150 (hereinafter referred to as “Part 150”) are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for Cleveland-Hopkins International Airport under Part 150 in conjunction with the noise exposure map, and that this program will be approved or disapproved on or before December 2, 2012.

EFFECTIVE DATE: The effective date of the FAA’s determination on the noise exposure maps and of the start of its review of the associated noise compatibility program is June 6, 2012. The public comment period ends August 4, 2012.

FOR FURTHER INFORMATION CONTACT: Katherine S. Delaney, Detroit Airports District Office, 11677 S. Wayne Road, Romulus, MI 48174, Katherine.S.Delaney@faa.gov, and (734) 229-2900. Comments on the proposed noise compatibility program should also be submitted to the above office.

SUPPLEMENTARY INFORMATION: This notice announces the FAA finds that the noise exposure maps submitted for Cleveland Hopkins International Airport are in compliance with applicable requirements of Part 150, effective June 6, 2012. Further, FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or

before December 2, 2012. This notice also announces the availability of this program for public review and comment.

Under 49 U.S.C., section 47503 of the Act, an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict non-compatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport.

An airport operator who submits noise exposure maps (NEMs) in compliance with the requirements of Part 150, may also submit a noise compatibility program (NCP) for FAA review and approval. The NCP sets forth the measures the operator has taken or proposes to take to reduce existing non-compatible uses, prevent the introduction of additional non-compatible uses, and/or mitigate to reduce impacts on non-compatible uses.

The City of Cleveland submitted to the FAA on April 19, 2011 noise exposure maps, descriptions and other documentation that were produced during Cleveland Hopkins International Airport 14 CFR Part 150 Noise Exposure Map Update, April 2011 and the Cleveland Hopkins International Airport 14 CFR Part 150 Noise Compatibility Program Update, May 2011. It was requested that the FAA review this material as the noise exposure maps, as described in section 47503 of the Act, and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under section 47504 of the Act.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by the City of Cleveland. The specific documentation determined to constitute the noise exposure maps includes: Figure ES-1, 2011 Noise Exposure Map; Figure ES-2, 2017 Noise Exposure Map. Additional NEM graphics for flight tracks are presented in Figure 2, Jet Aircraft Radar and Model Tracks for Arrivals and Departures (North Flow); Figure 3, Propeller

Aircraft Radar and Model Tracks for Arrivals and Departures (North Flow); Figure 4, Jet Aircraft Radar and Model Tracks for Arrivals and Departures (South Flow); Figure 5, Propeller Aircraft Radar and Model Tracks for Arrivals and Departures (South Flow). Narrative discussion of the flight tracks is in Chapter 2, Development of Noise Contours, inclusive of airport operations, existing and forecasted fleet mix, and nighttime operations. Appendix B, Master Plan Update: Chapter 2, Aviation Activity Forecasts, provides additional detail on aircraft operations and fleet mix. Noise measurements are detailed in Section 3.3, Noise Measurement Site Selection, Table 9, Summary of Portable Noise Measurement Sites, and Figure 6, Locations of Permanent and Portable Noise Monitoring Sites and Recommendations for New Sites. Existing Land Use in the vicinity of the Cleveland Hopkins International Airport is detailed in Chapter 4, Land Use supported by Figure 7, Preliminary Land Use Area Map of Surrounding Areas and Figure 8 Zoning Map of Surrounding Areas. The FAA has determined that these maps for Cleveland Hopkins International Airport are in compliance with applicable requirements. This determination is effective on June 6, 2012. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in appendix A of FAR Part 150. Such determination does not constitute approval of the applicant's data, information or plans, or constitute a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 47503 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 47506 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or

with those public agencies and planning agencies with which consultation is required under section 47503 of the Act. The FAA has relied on the certification by the airport operator, under section 150.21 of Part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the noise compatibility program for Cleveland Hopkins International Airport, also effective on June 6, 2012. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before December 2, 2012.

The FAA's detailed evaluation will be conducted under the provisions of section 150.33 of Part 150. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing non-compatible land uses and preventing the introduction of additional non-compatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All relevant comments, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps, the FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations:

Federal Aviation Administration

Detroit Airports District Office

11677 South Wayne Road, Suite 107

Romulus, MI 48174

8:00 a.m. – 4:30 p.m.

Traci Clark, Deputy Chief Planning and Engineering

Department of Port Control

Cleveland Hopkins International Airport

19501 Five Points Drive, Building #206

Cleveland, OH 44135

8:00 a.m. – 5:00 p.m.

Questions may be directed to the individual named above under the heading, FOR FURTHER INFORMATION CONTACT.

Issued in **Romulus, MI June 6, 2012**

John L. Mayfield, Jr.

Manager, Detroit Airports District Office

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