



[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Exposure Map Notice; Receipt of Noise Compatibility Program and Request for Review, Orlando Melbourne International Airport (MLB), Melbourne, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Noise Exposure Map Notice and Receipt of Noise Compatibility Program and Request for Review

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the Noise Exposure Maps (NEM's) submitted by the Melbourne Airport Authority (Authority, Melbourne, FL) for the Orlando Melbourne International Airport (MLB), Melbourne, FL under the provisions of 40 U.S.C 47501 et. Seq. (Aviation Safety and Noise Abatement Act) and 14 CFR 150 are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed Noise Compatibility Program (NCP) that was submitted for the Orlando Melbourne International Airport under Part 150 in conjunction with the Noise Exposure Maps, and that this program will be approved or disapproved on or before May 30, 2017.

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 December 1, 2016. The public comment period ends on January 30, 2017.

FOR FURTHER INFORMATION CONTACT: Mr. Allan Nagy at the Federal Aviation Administration, Orlando Airports District Office, 5950 Hazeltine National Drive, Orlando, FL, 32882, Telephone 407-813-6331.

SUPPLEMENTARY INFORMATION: This Notice announces that the FAA finds that the Noise Exposure Maps submitted for Orlando Melbourne International Airport are in compliance with applicable requirements of Title 14 Code of Federal Regulations (CFR) Part 150, effective December 1, 2016. Furthermore, FAA is reviewing a proposed Noise Compatibility Program for MLB which will be approved or disapproved on or before May 30, 2017. This notice also announces the availability of this Noise Compatibility Program for public review and comment.

Under 49 U.S.C., Section 47503, Aviation Safety and Noise Abatement Act (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 parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted Noise Exposure Maps that are found by FAA to be in compliance with the requirements of Part 150, promulgated pursuant to the Act, may submit a Noise Compatibility Program for FAA approval which sets forth the measures the operator has taken or proposes to take to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses.

The Melbourne Airport Authority submitted to the FAA on September 9, 2016 Noise Exposure Maps, descriptions and other documentation that were produced during the Orlando Melbourne International Airport Part 150 Study conducted between March 1, 2013 and September 9, 2016. 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 accompanying documentation submitted by the Melbourne Airport Authority. The documentation that constitutes the "Noise Exposure Maps" as defined in CFR Part 150 Section 150.7 includes: Chapter 2.0 Airport Facilities and Local Airspace, Chapter 5.0 Noise Modeling, Chapter 6.0 Airport Operational Data, Chapter 7.0 Noise Exposure, Chapter 8.0 Noise Exposure Maps Certification, Figure 6-1 Modeled Flight Tracks – East Flow, Figure 6-2 Modeled Flight Tracks – West Flow,

Figure 6-3 Modeled Flight Tracks – Touch and Go and Helicopter, Figure 7-1 2016 Noise Exposure Map, Figure 7-2 Future Land Use, Figure 7-3 2021 Noise Exposure Map, Table 6-1 2016 Annual Operations, Table 6-2 2016 Annual-Average Day Fleet Mix (Itinerant Operations), Table 6-3 2016 Annual-Average Day Fleet Mix (Local Operations), Table 6-4 2021 Annual Operations, Table 6-5 2021 Annual-Average Day Fleet Mix (Itinerant Operations), Table 6-6 2021 Annual-Average Day Fleet Mix (Local Operations), Table 6-7 2016 and 2021 Stage Length Percentages, Table 6-8 2016 and 2021 Runway Use Percentages, Table 6-9 2016 and 2021 Departure Flight Track Use Percentages, Table 6-10 2016 and 2021 Arrival Flight Track Use Percentages, Table 6-11 2016 and 2021 Local and Helicopter Flight Track Use Percentages, Table 7-1 Land Use Acreage within Existing (2016) DNL Contours, Table 7-3 2021 DNL Contour Land Use Impacts. The FAA has determined that these noise exposure maps and accompanying documentation are in compliance with applicable requirements. This determination is effective on December 1, 2016.

The 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 CFR Part 150. Such determination does not constitute approval of the airport operator's data, information or plans, or a commitment to approve a Noise Compatibility Program or to fund 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 exposure 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 maps depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or 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 Orlando Melbourne International Airport, also effective on December 1, 2016. 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 May 30, 2017.

The FAA's detailed evaluation will be conducted under the provisions of Part 150, Section 150.33. 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 comments, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable.

Copies of the full Noise Exposure Map documentation and the proposed Noise Compatibility Program are available for examination at the following locations:

Federal Aviation Administration	Orlando Melbourne International Airport
5950 Hazeltine National Drive	One Air Terminal Parkway
Suite 400	Suite 220
Orlando, FL 32882	Melbourne, FL 32901

Questions may be directed to the individual named above under the heading,

FOR FURTHER INFORMATION CONTACT.

Issued in Orlando, Florida on December 1, 2016.

Bart Vernace,
Manager, Orlando Airports District Office, Orlando, FL

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