RECORD OF APPROVAL
Buffalo Niagara International Airport
Erie County, New York

Noise Compatibility Program

The Buffalo Niagara International Airport Noise Compatibility Program (NCP) describes the noncompatible land uses for the base year (2003) and five years following (2008) based on upon the parameters established in the Federal Aviation Regulation (FAR) Part 150, Airport Noise Compatibility Planning. The NCP recommends a total of 16 measures to prevent the introduction of additional noncompatible land uses and to reduce the effect of the noise generated at the airport. The recommendations include six operational measures, five remedial measures, and five land use management measures. The recommended program measures are summarized in Volume II on pages 5-2 – 5-4 of the NCP and described in detail in Chapters 2,3, and 4.

The recommended measures identified below are organized by program element and are referenced to the NCP by page number. Each description summarizes the airport operator, Niagara Frontier Transportation Authority's (NFTA), recommendations as found in the NCP. The statements contained within the summarized recommendations and before the indicated FAA approval, disapproval or other determinations do not represent the opinions or decisions of the FAA.

The approvals listed below include approvals of actions that the NFTA 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 14 CFR Part 150. These approvals do not constitute decisions to implement the actions. These approvals do not constitute a commitment by the FAA to provide federal financial assistance for these projects. Later decisions concerning possible implementation of the actions may be subject to applicable environmental or other procedures or requirements.

Operational Measures

1. Quiet Time Designated as 10PM to 6:00 AM (NEM pages 4-2, 4-25, 5-7 and 6-3. NCP Tables 2.3-1 and 5.1-1 and pages 1-1, 2-2, 2-20, 2-5/6, 2-26, 2-33 and 5-5)

Description: Quiet Time designation is used by the NFTA to inform operators of nighttime noise sensitivity. It is used in conjunction with airport regulations to restrict aircraft maintenance run-ups (Measure 5) during that time period and will be used in conjunction with the preferential runway use of Runway 5/23 during nighttime periods (Measure 2). Currently, Quiet time is designated as 11:00PM o 6:00AM. This measure will add one hour. The DNL 65 dBA contour for the Future Alternative is reduced to the southeast of the airport due to the change in Quiet Time, which shifts some multi-engine and small jet aircraft operations, principally arrivals, from Runway 14/32 to Runway5/23.

FAA Action: **DISAPPROVED FOR PURPOSES OF PART 150.** This measure does not provide noise benefits to noncompatible land uses exposed to noise levels of DNL 65 dBA.

The FAA recognizes that the measure is being used on a voluntary basis; a disapproval due to lack of noise benefit information would not prohibit a continuation of this practice.

2. Preferential Runway Use (NEM page 4-2 and Exhibit 3.3-1. NCP pages 1-1, 2-6, 2-26, 5-5, and Tables 2.3-1 and 5.1-1)

Description: During Quiet Time, all jets and multi-engine aircraft, regardless of weight should use Runway 5-23 for arrivals and departures. Preferential runway use is already in use at the airport. To enhance awareness of the procedure, a "tower order" that outlines policies and procedures specific to air traffic control should be prepared. This strategy is consistent with established local community planning and zoning efforts, which concentrate more noise, compatible industrial and commercial uses in the approaches of Runway 5-23 than from Runway 14-32 (NEM Exhibit 3.3-1)

FAA Action: **DISAPPROVED FOR PURPOSES OF PART 150.** The NFTA has not adopted standards more stringent than Table 1 of 14 CFR Part 150 (see page NEM 3.1). While these corridors are being used informally, the NCP does not provide information on the noise benefits. This information is required in order for the FAA to approve the measure under 14 CFR Part 150.35.

The FAA recognizes that the procedures are being used on a voluntary basis; a disapproval due to lack of noise benefit information would not prohibit a continuation of this practice.

3. Preferential Departure Corridors (NCP pages 2-5, 2-7/10, 2-27/31,5-6/8 and Tables 2.3-1 and 5.1-1)

Description: New procedures are recommended for each runway end to help mitigate noise in areas where noise levels were not significant enough to warrant remedial strategies. These are:

Runway 23: Jet aircraft on Runway 23 should maintain runway heading until reaching an altitude of 3,000 feet MSL. Upon reaching 3,000 feet MSL, north and west bound jet aircraft shall be assigned a heading of 270 degrees. South and eastbound jets shall continue to maintain runway heading. Immediately upon passing over the end of the runway, south and eastbound propeller aircraft shall be assigned a heading of 180 degrees until reaching an altitude of 3000 MSL. North and westbound propeller aircraft shall be assigned a heading of 270 degrees until reaching an altitude of 3000 feet MSL.

Runway 5: Jet aircraft departing on Runway 5 shall maintain runway heading until reaching an altitude of 3000 feet MSL. Upon reaching 3000 feet MSL, east and southbound jet aircraft shall be assigned a heading of 90 degrees. North and westbound aircraft shall be assigned a heading of 330 degrees. Immediately upon passing over the end of the runway, east and southbound propeller aircraft shall be assigned a heading of 90 degrees and shall maintain that heading until reaching 3000 MSL. North and westbound propeller aircraft shall be assigned a heading of 330 degrees until reaching 3,000 feet MSL.

Runway 14: Immediately upon passing over the end of the runway, all jet aircraft shall be assigned a heading of 170 degrees and shall maintain that heading until reaching 3000 MSL. All propeller aircraft departing on Runway 14 shall maintain runway heading until reaching an altitude of 3000 feet MSL.

Runway 32: All aircraft departing on Runway 32 shall maintain runway heading until reaching an altitude of 2000 feet MSL. Aircraft shall then be assigned a heading of 330 degrees until reaching an elevation of 3000 feet MSL.

FAA Action: DISAPPROVED FOR PURPOSES OF PART 150. This measure provides noise benefits to land uses exposed to noise levels less than DNL 65 dBA. The NFTA has not adopted standards more stringent than Table 1 of 14 CFR Part 150 (see page NEM 3.1), which considers land uses exposed to noise levels less than DNL 65 dBA to be compatible.

4. Preferential Arrival Corridors (NEM page 4-2 and NCP pages 2-10/11, 2-32,5-8-9 and Tables 2.3-1 and 5.1-1)

Description: This measure recommends arrival procedures that are currently in use on an informal basis at the airport and should be continued. Implementation would be though pilot notification of standard instrument arrival (STAR) charts. They could also be incorporated into the Tower Order. The arrival procedures are:

Runway 5: Visual Flight Rules (VFR) and Instrument Flight Rules (IFR) aircraft cleared for visual approaches on Runway 5 shall be requested to proceed to a point five miles southwest of the Airport before turning inbound on final approach. Runway 23: VFR arrivals and IFR aircraft cleared for visual approaches in Runway 23 are requested to proceed to a point five miles northeast of the airport before turning inbound on final approach.

Runways 14 and 32: VFR arrivals and IFR aircraft cleared for visual approaches on Runways 14 and 32 and requested to maintain 2,300 ft MSL as long as practicable before descending to land.

FAA Action: DISAPPROVED FOR PURPOSES OF PART 150. The NFTA has not adopted standards more stringent than Table 1 of 14 CFR Part 150 (see page NEM 3.1). While these corridors are being used informally, the NCP does not provide

information on the noise benefits. This information is required in order for the FAA to approve the measure under 14 CFR Part 150.35.

The FAA recognizes that the procedures are being used on a voluntary basis; a disapproval due to lack of noise benefit information would not prohibit a continuation of this practice.

5. Restrict Engine Maintenance runups during Quiet Time (NEM pages 4-2, 4-9, 4-25, 5-7 and 6-3. NCP pages 1-1, 2-16/17, 5-9 and Tables 2.3-1 and 5.1-1)

Description: This measure would restrict engine maintenance run-ups during Quiet Time (10:00PM to 6:00AM) to reduce noise impacts on nearby residential areas. This restriction is already in place. NFTA will provide formal notification to tenants on the change in Quiet Time and include run-up information on the general aviation guidance procedures sheets. Airfield signage will also be installed to reinforce awareness that the restriction is in place. Two run up pads are used at the airport, one is at the end of the approach end of Runway 32 and the other is in the holding area for Runway 23. (See Exhibit 2.2-5) These areas were selected because the nearby land uses are more compatible than other locations.

FAA Action: APPROVED as a voluntary measure only.

6. Restrict high speed and high power taxiing on ramps and taxiways in the cargo (Taxiway M) and general aviation areas (Taxiway P and Q). (NEM pages 4-2and 5-7. NCP pages 2-23, 2-33/34, 5-10 and Table 5.1-1))

Description: Under this measure aircraft would be notified to reduce speed and or power when taxiing in the vicinity of cargo and general aviation taxiways and aprons. This practice is already in use for aircraft using the cargo ramp. This procedure is beneficial during the nighttime and primarily benefits residents directly west of the airport. Pilots would be notified through airfield informational signage. Residents living across the street from the airport to the west would benefit from this measure.

FAA Action: APPROVED as a voluntary measure only.

Remedial Measures

7. Acquire residential uses in the DNL 75 dBA or greater contour. (NEM page 4.2. NCP Pages 3-2, 3-12, 5-10, Exhibits 3.1-1 and 3.2-1, and Table 5.1-1)

Description: Two residential properties are located within the DNL 75 dBA contour in the Recommended Future (2008) NEM. The recommendation is to offer voluntary acquisition and relocation assistance. This will eliminate incompatible land uses within the DNL 75 dBA contour.

FAA Action: APPROVED. This measure would eliminate noncompatible land uses within the DNL 75 dBA contour. Acquisition of these homes is subject to the Uniform

Relocation Assistance and Real Property Acquisition Policies Act and property owners are eligible for relocation assistance.

8. Develop Sound Insulation Guidelines and set up a sound insulation management program (NCP pages 3-14, 5-11, Table 3.2-1 and Table 5.1-1)

Description: Under this measure a detailed sound insulation management program would be developed. This measure would include guidelines for meeting local codes and federal regulations and prioritize eligibility for the program.

FAA Action: **APPROVED**.

9. Provide Sound Insulation treatment for noise-sensitive facilities in DNL 65 to 75 dBA contours. (NEM page 5-24 and NCP pages 3-3/5, 5-11, Exhibits 3.1-1, 3.1-4 and Table 5.1-1) (Note: the chapel at Our Lady of Help Christians Church is listed on the National Register of Historic Places and improvements will need to be carefully considered in order that the historic quality of the structure is not compromised.)

Description: This measure would sound insulate two schools and one church within the DNL 65 dBA 2008 NEM.

FAA Action: APPROVED. This measure would improve land use compatibility in the vicinity of the airport. Noise level reductions (NLR) must meet guidelines included in the land use compatibility table in Part 150, Appendix A. In order to be eligible for federal funding, the project is subject to compliance with FAA Order 5100.38C, paragraph 812. FAA approval of proposed actions to properties that may be eligible for listing under the National Register of Historic Places is subject to applicable requirements under the National Historic Preservation Act, and FAA Order 1050.1E.

10. Provide Sound Insulation treatment for residential uses in DNL 65 to 75 dBA contour. (NCP pages 3-5, 3-14, 5-12, Table 3.2-1, Exhibit 3.1-1, and Table 5.1-1)

Description: The sound insulation program will reduce interior noise levels to 45 dBA for residences that are located in the DNL 65 dBA to DNL 75 dBA portion of the noise contours on the 2008 NEM. Acoustical treatment will be performed only when there is a reasonable expectation that an interior noise level of 45 dB can be achieved. The sound insulation program would benefit approximately 1,340 single family homes, and 400 multiple-family dwellings.

FAA Action: APPROVED. This measure would enhance existing land use compatibility near the airport. Noise level reductions (NLR) must meet guidelines included in the land use compatibility table in Part 150, Appendix A. In order to be eligible for federal funding, the project is subject to compliance with FAA Order 5100.38C, paragraph 812. The FAA's policy published in the Federal Register April 3, 1998, states that the FAA will not approve Federal Funding to mitigate new noncompatible development constructed after October 1, 1998.

11. Offer to Purchase avigation easements for residents in DNL 65 to 75 dBA contour who have already treated their homes and will not benefit from the program. (NCP page 3-11, 3-15, 5-12 and Table 5.1-1)

Description: Under this measure the NFTA would offer a voluntary avigation easement purchase program to homeowners within the DNL 65 dBA noise contour of the 2008 NEM. This measure would be limited to residents who will not benefit from acoustical treatment of their homes because improvements have already been made at the homeowners expense. . The FAA's policy published in the Federal Register April 3, 1998, states that the FAA will not approve Federal Funding to mitigate new noncompatible development constructed after October 1, 1998.

FAA Action: APPROVED

Program Management Elements:

12. Rezoning for compatible land (NCP pages 4-3-5, 4-19,5-13,Exhibit 4.1-1 and Table 5.1-1)

Description: The towns of Cheektowaga and Amherst should pursue compatible use zoning to prevent the development of additional noise-sensitive uses within the noise contours. There are three locations where rezoning for compatible land uses should be considered. They involve portions of existing residential zoning districts. (See Exhibit 4.1-1).

FAA Action: APPROVED. The federal government has no authority to control land use. Local governments have the authority to implement this measure.

FAA's policy is that new noise sensitive land uses should be prevented from developing around airports or, in cases where prevention is not feasible, they should be rendered compatible with noise exposure levels through measures such as sound insulation during construction. While the FAA prefers no new noise-sensitive development, in cases where the airport sponsor does not control land uses, sound attenuation for new construction would provide compatibility with the airport. Part 150 provides that, where the community determines that residential or school uses must be allowed in the 65 DNL dB contour, measures to achieve outdoor to indoor noise level reductions (NLR) of at least 25 dB and 30 dB should be incorporated into building codes. 14 C.F.R. Part 150, Table 1.

13. Establish noise overlay zoning (NCP pages 4-5-9, 4-19, Exhibit 4.1-2, Table 4.1-1 and Table 5.1-1)

Description: The Towns of Cheektowaga, Amherst and Clarence should consider the adoption of noise overlay zoning ordinances for land areas within the DNL 65dBA or greater contours. (Exhibit 4.1-2) These regulations may be a combination of prohibitions on non-compatible land uses and performance standards for sound insulation for noise-sensitive uses.

FAA Action: **APPROVED.** The federal government has no authority to control land use. Enactment of these measures is within the authority of the responsible local land use planning jurisdictions

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14. Comprehensive Planning (NCP pages 4-12, 4-19, 5-14 and Table 5.1-1)

Description: Municipalities (this includes the Towns of Amherst and Cheektowaga. NCP page 4-12) within the noise impact area should consider aircraft noise as guide of land use development and redevelopment decisions. As their local comprehensive plans are updated, communities should incorporate the NCP's land use management recommendations.

FAA Action: **APPROVED.** The federal government has no authority to control land use. Enactment of these measures is within the authority of the responsible local land use planning jurisdictions.

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15. Discretionary project review (NCP pages 4-12/13, 4-19, 5-14 and Table 5.1-1)

Description: This measure recommends that applicable municipalities (this includes the Towns of Amherst, Clarence and Cheektowaga) adopt policies requiring them to consider the impacts of airport noise when reviewing development proposals, applications for variances and special use permits. Special consideration should be given to the layout of buildings on the site.

FAA Action: APPROVED. The federal government has no authority to control land use. Local governments have the authority to implement this measure.

16. Public Information/dissemination of airport noise impacts. (NCP pages 4-13/14, 4-19, 5-14, and Table 5.1-1)

Description: The NFTA should establish a public information program in conjunction with surrounding municipalities (this includes the Towns of Amherst, Cheektowaga and Clarence) to disseminate information on the NCP and noise compatibility issues to facilitate awareness to potential purchasers and/or developers of real estate in the vicinity of the airport..

FAA Action: APPROVED. The federal government has no authority to control land use. Local governments have the authority to implement this measure.

FEDERAL AVATION ADMINISTRATION

RECORD OF APPROVAL

PART 150 NOISE COMPATIBLITY PROGRAM

BUFFALO NIAGARA INTERNATIONAL AIRPORT

ERIE COUNTY, NEW YORK

Assistant Administrator for Aviation Policy, Planning, and Environment, AEP-1 — 2/24/06 Date — ✓ CONCUR — NONCONCUR

for Chief Counsel, AGC-1 — 3/2/06 Date — ✓ CONCUR — NONCONCUR

Acting Associate Administrator for Airports, ARP-1 — 3/3/06 Date — ✓ APPROVE — DISAPPROVE