

September 24, 2003

**RE: New Provision on Conference Report on H.R. 2115 -- Relating to Noise Mitigation**

Dear Senator Allen:

As you may be aware, a provision was added in the closing hours of the House-Senate Conference Committee on H.R. 2115, FAA Reauthorization Bill. This new provision, Section 189, would prohibit the use of federal Airport Improvement Program (AIP) funds to pay for noise mitigation procedures below the 65 db DNL. Purportedly, Section 189 was added at the insistence of Senate Conferees and was not debated by either House of Congress.

This new provision could negatively impact noise mitigation measures below 65 db DNL, which are currently implemented by the Fairfax and Loudoun County governments through their land use policies. Like many other communities across the nation located near commercial airports, communities in and around Washington Dulles International Airport and Ronald Reagan Washington National Airport are severely impacted by airport noise. Indeed, airport noise from Reagan National Airport continues to be a major concern of my constituents in Arlington County, Virginia. As an elected official representing an airport noise impacted community and as Chair of the Metropolitan Washington Council of Governments' Committee on Noise Abatement and Aviation at National and Dulles Airports (CONAANDA), I strongly believe that it is a serious mistake to artificially restrain airport communities and their leaders seeking to responsibly mitigate the impact of airport noise.

To provide a real life example, the Part 150 Process that began over two years ago at Ronald Reagan National Airport is entering a significant phase whereby various noise mitigation measures will be analyzed and recommended for further analysis. Early in the process it was understood that we would not be limited to the 65 db DNL or above when making noise mitigation recommendations. Although the FAA traditionally formulates AIP grants to mitigate noise effects greater than the 65 db DNL noise level, there is currently no edict precluding FAA from issuing grants to mitigate lower noise levels. As a result, participants in the current Part 150 process for Ronald Reagan National Airport are evaluating a variety of alternatives to mitigate noise below the 65 db DNL. The provision adopted by the conferees would have the practical effect of ensuring these noise mitigation measures are never implemented.

The Metropolitan Washington Council of Governments' CONAANDA has a strong and steadfast commitment to reducing the effects of airport noise on the region's communities.

I ask you to support a motion to recommit HR 2115 to conference with restrictions to strike this provision. Should you need to contact me for further information on this important issue, I can be reached at (703) 228-3130.

Sincerely,

Page 2 –  
New Provision on Conference Report on H.R. 2115 -- Relating to Noise Mitigation

Barbara A. Favola  
Chair, CONAANDA  
Vice Chairman, Arlington County Board

Page 2 –

New Provision on Conference Report on H.R. 2115 -- Relating to Noise Mitigation