

FAA response to comments we received on “Clearance of New Approval of Information Collection: FAA Aircraft Noise Complaint and Inquiry System (FAA Noise Portal),” 83 Fed. Reg. 18,620-21 (April 27, 2018).

FAA Responses to comments we received on “Clearance of New Approval of Information Collection: FAA Aircraft Noise Complaint and Inquiry System (FAA Noise Portal),” 83 Fed. Reg. 18,620-21 (April 27, 2018). See attached.

1. Noise Complaint email from Anne D’Zmura, Laguna Niguel, CA dated May 29, 2018

The FAA did not address Anne D’Zmura’s noise complaint, as it was not applicable (N/A) to the public notice. This is consistent with our responses to other noise complaints we received during the 60-day federal notice comment period as we stated in 83 Fed. Reg. 18,620-21 (April 27, 2018).

2. Airlines for America (A4A) comment letter, dated May 29, 2018

Note: In summary, we believe the FAA has already addressed A4A’s comments and concerns in at least one of the following documents: (1) 83 Fed. Reg. 18,620-21 (April 27, 2018), (2) FAA’s Supporting Statement A, and (3) FAA Response to Public Comments Matrix (82 FR 50932). However; we have included responses to A4A’s letter by paragraph that we numbered for ease of review. See attached.

Overarching comment - The FAA currently receives noise concerns from many citizens. These arrive by different avenues and different people through email, letters, and phone calls. The FAA believes we should address these concerns even if they all do not come through the noise ombudsman. The current process used to respond to concerns has led to inconsistency in response to similar questions, the opportunity for multiple people working on the same complaint due to a member of the public emailing the same complaint to multiple FAA personnel, resulting in an inefficient use of resources. The purpose of the Noise Portal is to ensure a more efficient and effective way to address the complaints, many of which the agency would receive anyway, through other avenues. The goal is to be responsive to the public, while applying the best use of agency resources.

Paragraph 1 – Per the Comment Matrix, the FAA already acknowledged the airlines role in reducing noise exposure by deploying new quieter technology and implementing noise abatement operational procedures. We acknowledge the roles that the FAA, airports, and community organizations have that contribute to reductions in aircraft noise over the years through various means based on their responsibilities in the process. We also noted, regardless of the headway that has been made, there is still public concern about aircraft noise impacts that has escalated in recent years, resulting in an increase of complaints to the agency.

Paragraph 2 – FAA disagrees that we ignored A4A’s comments to 82 Fed. Reg. 50,932 (Nov. 2, 2017) (a) – (c). Although our responses were more general, we provided the Office of Information and Regulatory Affairs (OIRA) and Office of Management and Budget (OMB) with detailed responses to A4A’s comments in a Supporting Statement and accompanying Comment Matrix. We will further elaborate on this information below. In addition, as stated in the overall comment, FAA is implementing a way to more efficiently address noise complaints the agency already receives, not looking to alter policy using noise complaints as the driving reason or to move away from science-based decision making.

FAA response to comments we received on “Clearance of New Approval of Information Collection: FAA Aircraft Noise Complaint and Inquiry System (FAA Noise Portal),” 83 Fed. Reg. 18,620-21 (April 27, 2018).

Paragraph 3 – See response to Paragraph 1.

Paragraph 4 – As we described in the FAA’s Supporting Statement A, and FAA’s Response to Public Comments Matrix (82 FR 50932), the FAA Noise Portal has required web based fields, email validation requirements, and mechanisms to prevent automated robot entries. We also attached a screen shot of the web-based fields to the FAA’s Supporting Statement and FAA’s Response to Public Comments Matrix (82 FR 50932). These are the mechanisms in place for the FAA to ensure data quality is achieved. In addition, the FAA agrees that well-planned, concerted engagement with the community is a valuable means of gathering information regarding aircraft noise. Even with this engagement, it is important for the agency to respond to individual comments from the public regarding aircraft noise. The Portal is designed to do that in the most efficient and effective way. The FAA Regional Noise websites as described in the FAA’s Supporting Statement and FAA’s Response to Public Comments Matrix (82 FR 50932) will further enhance community engagement efforts by providing information on aircraft noise issues such as: (1) roles and responsibilities, (2) contacts, (3) FAA policies, (4) frequently asked questions and answers, (5) documents of ongoing regional projects, and (6) public meeting related documents.

Paragraph 5 – To address the question of why FAA is collecting the data, it seems prudent to again state that the goal of this collection is to be more efficient and effective in addressing inquiries that FAA already receives, not to begin to collect new information from the public. As for the comments related to data quality, please see the response to Paragraph 4. In addition, both the FAA’s Supporting Statement and/or the FAA’s Response to Public Comments Matrix (82 FR 50932) provide detailed information on the optional and required Noise Portal fields including a screen shot of these fields, and why the voluntary collection of data is necessary. The required fields include the: full name, email address, event location, city, state, zip code and description and start date of the event. The optional fields include: aircraft type, aircraft description, airport source, repeat occurrence (E.g. if it is a recurring or one-time event) and names and titles of government officials contacted. The language in italics below is from the FAA’s response in the FAA’s Supporting Statement. In addition, the FAA met with the Airport Council International of North American (ACI-NA) representatives in July, and again in August with additional representatives from the ACI-NA Noise Working Group and will meet with members of the ACI-NA Noise Working Group in October to further our efforts to avoid duplication between the airport sponsors and FAA on responding to aircraft noise complaints or inquiries.

In 2016 the FAA received over 35,000 aircraft noise complaints and inquiries from the public. Currently, there is no clear FAA process or regional point of entry for the public to submit noise complaints or inquiries. As a result, public noise complaints and inquiries get forwarded within the FAA until the appropriate person or organization receives and responds to it. This results in delayed and inconsistent FAA responses to the public and is a distraction and time consuming for FAA employees who mistakenly receives these. The FAA Noise Portal provides: (1) a clear point of entry for the public to submit FAA related noise complaints and inquiries (2) instructions and specific web-based fields to ensure the public provides the necessary information for FAA to address their complaint or inquiry, and (3) an agency-wide tracking system that automates the process to improve efficiency and consistency.

There is no specific citation, statute or executive order that requires the “collection of information”; however, 49 U.S.C. § 106(q), establishes an Aircraft Noise Ombudsman in the FAA, with general duties and responsibilities that include serving as a liaison with the public on issues regarding aircraft noise. In addition, the U.S. Department of Transportation’s (DOT) 1976 Aviation Noise Abatement Policy states the following:

FAA response to comments we received on “Clearance of New Approval of Information Collection: FAA Aircraft Noise Complaint and Inquiry System (FAA Noise Portal),” 83 Fed. Reg. 18,620-21 (April 27, 2018).

The federal government has the authority and responsibility to control aircraft noise by the regulation of source emissions, by flight operational procedures, and by management of the air traffic control system and navigable airspace in ways that minimize noise impact on residential areas, consistent with the highest standards of safety. The federal government also provides financial and technical assistance to airport proprietors for noise reduction planning and abatement activities and working with the private sector, conducts continuous research into noise abatement technology.

Some airports have noise abatement program offices and complaint systems in place for the public to submit noise complaints or inquiries associated with operations at that airport. The FAA does not want to duplicate these efforts and will provide links to the airport noise complaint systems on the FAA regional noise websites. The FAA regional aircraft noise websites will also contain information on roles and responsibilities on aircraft noise, who the public should contact on noise issues, links to FAA aircraft noise policies, frequently asked questions and answers, information on FAA related projects with noise impacts and a link to the FAA Noise Portal. In addition, the FAA will work through the Airport Council International – North America (ACI) per their invitation, to minimize duplication efforts with their airport sponsor members who currently receive and respond to airport related noise complaints or inquiries.

Paragraph 6 - The FAA will confirm the validity of the email address and residency of the individual as stated in the FAA’s Supporting Statement and FAA’s Response to Public Comments Matrix (82 FR 50932). The current Noise Portal is designed to require validation of the email address and prevents automated robot entries that would flood the system. Note: Each individual has to open an account using an email address that the FAA validates by emailing back for validation before entering it into the Noise Portal. In addition, as shown in the web based Noise Portal fields attached to the Supporting Statement, the public must enter either an address or cross-street to submit a complaint or inquiry as this is a required field. While we understand this may not prevent an individual from creating multiple email addresses, the FAA’s main goal of the portal is to more effectively and efficiently address complaints, not to data mine the information gathered.

Paragraph 7 - In summary, as we explained in 83 Fed. Reg. 18,620-21 (April 27, 2018), the FAA’s Supporting Statement and FAA’s Response to Public Comments Matrix (82 FR 50932), the Noise Portal is a voluntary collection of aircraft related noise complaints or inquiries that the public already sends to the FAA in various forms and to various people. There is no need to correlate complaints or inquiries to actual aircraft noise exposure, because that does not dictate what causes people to complain or ask questions. While the FAA has the means of correlating the individual’s address or cross street with sound exposure level through the use of internal modeling, the FAA feels that in most responses to the complaint it is not necessary. When appropriate, the FAA may direct the individual to the airport sponsor for updated information on airport sound mitigation programs or other airport appropriate questions.

Paragraph 8 & 9 – See response to Paragraph 5 about coordination with the ACI-NA to avoid duplication of efforts between the airport sponsors and FAA in responding to the public on aircraft noise complaints or inquiries. Overall, we may not be able to guarantee that a person will not complain to both entities, but we are working to identify ways to minimize both the airport and FAA continually pushing the same person to each other and to ensure the public gets the best response from the most appropriate entity. In addition, as described in the FAA’s Supporting Statement the FAA will not respond to the same complaint from the same individual more than once. The Noise Portal identifies duplicate complaints by email address. The FAA will notify the public in advance through the Noise Portal and regional noise

FAA response to comments we received on “Clearance of New Approval of Information Collection: FAA Aircraft Noise Complaint and Inquiry System (FAA Noise Portal),” 83 Fed. Reg. 18,620-21 (April 27, 2018).

websites that the FAA will not respond to the same complaint from the same individual more than once. That said, if an individual wants to provide many complaints, they will be able to, but the complaints will be categorized in a way to recognize it as a complaint from someone who has already been provided a response.

Paragraph 10 – See our response to Paragraph 5 on why the FAA believes gathering additional noise complaint information through the FAA Noise Portal is necessary for the performance of the functions of the FAA as required by the PRA.

The FAA’s current noise website is national and does not address regional specific aircraft noise issues. Regional specific aircraft noise information will be included in Regional Aircraft Noise Websites as described in the 83 Fed. Reg. 18,620-21 (April 27, 2018), FAA’s Supporting Statement and FAA’s Response to Public Comments Matrix (82 FR 50932). Having direct links to the airport sponsors’ noise complaint systems on the regional websites will make it much easier for the public to access these websites in lieu of contacting the FAA for airport related complaints/inquiries. In addition, not all complaints/inquiries are of a local nature that can be addressed by the airport sponsor or the citizen does not feel the airport has appropriately responded to the complaint and elevates it to the FAA.

Paragraph 11 – FAA analysis of the current process affirmed that the Regional FAA offices have the regional knowledge necessary to best ensure proper coordination of FAA noise complaints or inquiries. The Noise Portal is designed to primarily function at the regional level and automatically notifies the appropriate organization and people who can prepare a response to a complaint or inquiry for the Regional Administrator’s office. As FAA did not have a process in place to coordinate complaints prior to the development of the Portal, coordinating was only occurring on an ad hoc basis. In many instances, it may be unclear who was best suited to address a complaint and it would be circulated around the agency, sometimes for weeks, to find an appropriate person to address the concern. With the Portal and the process, there are clear roles and responsibilities identified and the Portal allows the complaints to seamlessly be transferred to the correct person to address each one.

Paragraph 12 – As stated in the 83 Fed. Reg. 18,620-21 (April 27, 2018), FAA’s Supporting Statement and FAA’s Response to Public Comments Matrix (82 FR 50932), FAA has a responsibility to be responsive to the public by taking action on the thousands of aircraft noise complaints we already receive, which in many cases means directing them to the appropriate airport sponsor. In addition, some complaints/inquiries can only be answered by the FAA. See excerpt from the Supporting Statement contained in our response to Paragraph 5. In addition, see also our references to coordination with the ACI-NA in 83 Fed. Reg. 18,620-21 (April 27, 2018), FAA’s Supporting Statement and FAA’s Response to Public Comments Matrix (82 FR 50932). The FAA has already met with ACI-NA and proposed the idea of the airports being the primary point of contact for aircraft noise complaints and possibly funneling FAA related complaints/inquiries to the FAA through the Noise Portal.

Paragraph 13 - Although the FAA currently does not and will not place limits on the number of times an individual can submit a complaint to the FAA, the FAA generally does not now and will not respond to the same complaint from the same individual more than once as noted in the FAA’s Supporting Statement. In addition, the Noise Portal is designed to require validation of a complainant’s email address and prevents automated robot entries that would flood the system as also stated in the FAA’s

FAA response to comments we received on “Clearance of New Approval of Information Collection: FAA Aircraft Noise Complaint and Inquiry System (FAA Noise Portal),” 83 Fed. Reg. 18,620-21 (April 27, 2018).

Supporting Statement. As implied in earlier statements, not all FAA responses require a comparison of flight track data.

Paragraph 14 – As stated in the 83 Fed. Reg. 18,620-21 (April 27, 2018), FAA’s Supporting Statement and FAA’s Response to Public Comments Matrix (82 FR 50932), the Noise Portal does not change the FAA’s current policies regarding noise nor is there any intent to use complaint data from the Noise Portal to change future FAA noise policy.

Paragraph 15 – The FAA has already addressed A4A’s closing comments in our responses to the preceding Paragraphs 1-14.