

**Testimony of Congresswoman Carolyn McCarthy  
Fourth Congressional District of New York**

**Committee on Transportation and Infrastructure  
Subcommittee on Aviation  
Hearing**

**Aviation and the Environment: "Noise"  
October 24, 2007**

I would like to thank Chairman Oberstar, Chairman Costello, Ranking Member Petri, and Ranking Member Mica for holding this hearing today and allowing me the opportunity to testify before the Transportation and Infrastructure Subcommittee on Aviation. I hope this hearing will allow us to explore the affect that airplane noise has on communities near busy airports; and I hope that we can continue to work together in order to find solutions that will reduce airplane noise.

I represent the Fourth Congressional District of New York. My district is located in Nassau County, a densely populated area adjacent to John F. Kennedy International Airport. Due to the close proximity to JFK, many communities in my district are severely affected by noise from airplanes landing and taking off from JFK, including the Village of Floral Park, New York.

I receive hundreds of calls, letters, and e-mails regarding airplane noise each year. This issue affects thousands of my constituents on a daily basis. The Village of Floral Park and the Town-Village Aircraft Safety and Noise Abatement Committee, which represents several communities in my district, have led the effort to reduce airplane noise. This is who I represent in my testimony today.

In my testimony I will address (1) the recent increase in air traffic at JFK and the resulting increase in airplane noise which is destroying residents' quality of life, (2) the burden that a small number of communities bear in order to benefit the larger region and how federal assistance should be used to ease this burden, and (3) the Federal Aviation Administration's (FAA) failure to include a noise mitigation study for JFK, one of the busiest airports in the country, under the New York/New Jersey/Philadelphia Airspace Redesign.

First, the communities surrounding JFK have always experienced airplane noise from planes flying in and out of JFK. The residents were fully aware of this when they purchased homes in the area. However, due to several factors, there has been a gradual increase in the volume of air traffic and airplane noise since 2000. The result is that it is significantly more difficult to maintain a decent quality of life in these communities.

Congress passed legislation in 2000 to phase out slot restrictions at JFK. The full impact of this legislation occurred on January 1, 2007 when the restrictions on the hourly

departures and arrivals were completely eliminated. In the first four months of this year, the volume of air traffic has increased by 26.4 percent. As a result, the FAA authorized JFK to utilize three of its four runways for longer periods than was historically permitted, thus limiting the number and length of the breaks between airplane noise over affected communities.

Furthermore, New York TRACON and JFK were forced to deviate from a Letter of Agreement due to the increase in air traffic, which resulted in an increase in airplane noise. This Letter of Agreement was between New York TRACON and JFK and was meant to abate noise in the communities surrounding JFK by more equitably distributing the noise generated by aircraft activity. The Letter of Agreement states,

“[I]n the interest of noise abatement, every attempt will be made to rotate assignments at intervals of eight hours. Consideration will be given to the previous runway selection in order that a distribution of noise will be accomplished in a reasonable manner.”

Due to the increase in volume of air traffic brought on by the elimination of the limits on hourly departures and arrivals, JFK officials determined it is no longer possible to enforce this section of the Letter of Agreement.

The Letter of Agreement also states,

“Runways 22L/R shall not be used for arrival traffic between 2300 and 0700 unless traffic, delays, weather, or construction prevent the use of any other arrival runway.”

Runways 22L/R, when used, directly impact communities in my district. Bad weather conditions, winds from the south and southwest, and delays serve as a constant justification for using Runway 22L during daytime and nighttime hours. According to the Federal Bureau of Transportation Statistics, four in ten flights are delayed by a minimum of 15 minutes at JFK. This is further supported by the recent request by President Bush to Secretary Peters to confer with members of the aviation industry and regulators to find a solution to reduce air traffic congestion and delays.

The elimination of the limits on departures and arrivals from JFK has forced JFK and New York TRACON to deviate from the Letter of Agreement, which has a significant impact on the areas surrounding JFK. Airplane noise can be heard at all hours of the day and into the night. Flights over these communities can continue for more than 16 hours a day with airplanes departing and landing as often as every 30 to 60 seconds. Residents of these communities have reported up to 115 planes per hour during peak periods.

At one point in time, the residents of the affected areas were able to enjoy a calmer and quieter way of life. This way of life was possible because of the limits on the hourly departures and arrivals from JFK with the enforcement of the Letter of Agreement

between New York TRACON and JFK. The elimination of these limits is the primary cause of the delays at JFK and the increase in airplane noise over the communities surrounding the airport. As a result, the suburban lifestyle of hundreds of families, children, and seniors who make up the communities surrounding JFK is being destroyed.

One solution to the increase in traffic and an increase in airplane noise is to reinstate the limits on departures and arrivals from JFK. Short of this, we should at least begin discussing how JFK and airline carriers can come to an agreement to reduce air traffic. A reduction of air traffic to and from JFK will reduce airplane noise as well as delays and congestion.

Second, a small number of communities bear the enormous burden of airplane noise from increased air traffic in order to benefit the larger region, and as a result, the federal government should offer assistance. The air traffic going in and out of JFK brings significant benefits to Long Island and New York. The accessibility that JFK and LaGuardia airports provide to the New York area allows individuals to conveniently conduct business, visit family, or simply take a vacation. This is good for New York; and this is good for Long Island. However, the cost to the increase in traffic at JFK includes flight delays, congestion, and almost constant airplane noise that plague certain communities.

The affected communities consist of hard-working, tax-paying citizens who have chosen to live in the suburbs in order to enjoy a quieter way a life. As I stated previously, many of the families currently living in the affected communities were aware of the airplane noise when purchasing their homes. However, they could not have foreseen such a large increase in air traffic due to the elimination of the limits on departures and arrivals from JFK. Although some may argue that this was necessary to allow for more access to New York and the surrounding areas, it is unfair to expect a small number of communities to bear the burden without assistance from the federal government.

The federal government should increase and expand the assistance available under the Airport Improvement Program for soundproofing. The Airport Improvement Program has done a wonderful job of ensuring that our students living in these affected communities have a quieter learning environment through the soundproofing of schools with noise above 65 DNL. This funding should be increased and made available to soundproof additional facilities.

Last, JFK was excluded from the FAA's noise mitigation study under the New York/New Jersey/Philadelphia Airspace Redesign. Although the main goal of the Airspace Redesign is to reduce delays and increase efficiency, reducing airplane noise should also be a priority. Airplane noise over the affected areas is directly related to the amount of air traffic to and from JFK. A reduction in delays and an increase in efficiency will only make more slots available for departures and arrivals at JFK, resulting in an increase in air traffic and airplane noise. If a noise mitigation study had been conducted by the FAA for JFK, it may have been possible to identify mitigation measures to decrease airplane noise. I urge the FAA to conduct a noise mitigation study on the areas around JFK under the Airspace Redesign.

Thank you again for the opportunity to testify today. I look forward to working with the Committee on Transportation and Infrastructure to reduce airplane noise over the communities surrounding JFK.