

August 21, 2018

The Honorable John Thune, Chairman,  
Committee on Commerce, Science and  
Transportation

The Honorable Roy Blunt, Chairman  
Commerce Subcommittee on Aviation  
Operations, Safety and Security

The Honorable Bill Nelson, Ranking  
Member, Committee on Commerce,  
Science and Transportation

The Honorable Maria Cantwell, Ranking  
Member, Commerce Subcommittee on  
Aviation Operations, Safety and Security

The Honorable Thom Tillis,  
United States Senator for North Carolina

The Honorable Richard Burr,  
United States Senator for North Carolina

Senators:

We are writing to provide our perspective of the July 26, 2018, letter authored by the airline industry and to urge your support of legislative amendments to the FAA's reauthorization bill to improve the currently untenable impact of aviation noise generated from route changes associated with the "NextGen" program. As our legislators, we are counting on your support and help.

The airline industry brazenly claims "tremendous noise reductions" and are "committed to further advancements" adding noise exposure decreased between 2000 and 2016. Statistics from the post NexGen era, 2017 to present, are conveniently omitted.

Beginning in 2017, previously unaffected residential neighborhoods in Charlotte and metro areas across the country became severely impacted daily by hundreds of newly concentrated, low altitude flights caused by FAA's NextGen procedures. The FAA, at the urging of the airlines industry, created these new flight paths with no consideration of decades of land use planning or the potential for damage by noise and emissions.

The FAA cites public outreach programs, but mismanagement of the NextGen program's implementation led to widespread public outcry and the demand for action. The "public outreach" in Charlotte consisted of a few poorly advertised public meetings for which the FAA concedes in an August 17, 2018, letter that it "did not create agendas, minutes, or attendance records."

After a similar public engagement failure in Phoenix, a Federal Court ruled the Nextgen implementation to be "arbitrary and capricious." The FAA subsequently rolled back flight paths and procedures to pre Nextgen patterns and agreed to work with the Phoenix as partners for implementation in a manner that protects residents. (We believe this to be a reasonable model to follow in other cities without the unnecessary cost of a lawsuit.)

In what appears to be an effort to avoid a similar outcome in Charlotte, the FAA asked

Charlotte's airport to form a "community roundtable." The Charlotte roundtable has been meeting for over a year spending most of its time navigating denials and convincing the FAA that conditions have indeed changed. Instead of the FAA coming to our meetings prepared to address the ramifications of the NextGen program, we were initially told nothing has really changed. Thanks to the analysis of data by private citizens, the FAA finally conceded the flights are lower, more concentrated, and routed over dense residential areas. In fact, we learned just last week that a change in the ascent profile, one that is commonly practiced in other locations, could resolve many issues. This potential solution, and many others, could be suggested by the FAA, but it took a retired pilot to raise the issue during the community roundtable meeting public appearance section of its agenda. This is the norm of our experience to date.

We understand the desire to increase the efficiency of the national airspace system, but not at the expense of citizens and residents who are victimized without protection, compensation or legal recourse. It is ridiculous for the FAA and the airlines to tout their interest and concern while urging you not to consider any amendment whatsoever addressing the issue. The upcoming FAA reauthorization bill provides an opportunity to provide the FAA with a clear mandate and necessary funding to modernize the National Airspace without harming citizens on the ground in the process. Dozens of amendments to improve conditions for aviation impacted communities were proposed for the FAA reauthorization in the House. Only a handful of relatively benign amendments were adopted, and at a bare minimum those should also be adopted by the Senate.

The Senate should adopt truly effective protections for communities affected by airplane noise, such as requiring the FAA to fly at higher altitudes wherever feasible, using meaningful noise metrics for measuring impacts, and providing funds and mandates for research on the harm from aviation activities. Amendments to address these goals are being proposed by Senators Cardin and Van Hollen from Maryland and Senator Markey from Massachusetts.

Thank you for your attention. Please don't hesitate to ask any questions or request supporting documentation. We have plenty. In fact, if you really want to see the FAA and aviation industry panic, just suggest a hearing on the topic of Nextgen and noise.

Respectfully,

Members of Charlotte Airport Community Roundtable

Sara Nomellini	Thelma Wright	Calvin McGuirt	Benjamin Pecora
Kurt Wiesenberger	Kim Hardee	Sam Blair	Doreen Anding
Bob Petruska, Chair		Brian Cox, Vice Chair	