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Approved as to Form and Legality

  
City Attorney's Office

## OAKLAND CITY COUNCIL

### RESOLUTION NO. 86063 C.M.S.

INTRODUCED BY VICE MAYOR ANNIE CAMPBELL WASHINGTON AND  
PRESIDENT PRO TEM LARRY REID

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#### **RESOLUTION DECLARING THE CITY OF OAKLAND'S SUPPORT FOR HR 3965 – THE FAA COMMUNITY ACCOUNTABILITY ACT OF 2015 AND HR 3384 – THE QUIET COMMUNITIES ACT OF 2015.**

**WHEREAS**, HR 3965, the FAA Community Accountability Act of 2015, would require the Administrator of the Federal Aviation Administration (FAA) to take actions to limit community impacts resulting from the implementation of the Next Generation Air Transportation System (NextGen); and

**WHEREAS**, the NextGen system is a nationwide plan to convert air traffic control from a radar-based system to a satellite-based beginning in 2012; and

**WHEREAS**, this legislation would allow the FAA's Administrator to give preference to existing flight paths or procedures to ensure compatibility with land use near affected airports and establishes a Community Ombudsman for each FAA region in order to serve as a liaison between affected communities and the Administrator; and

**WHEREAS**, HR 3965 would prohibit the Administrator from treating a new or revised flight path or procedure as a categorical exclusion if the Ombudsman or affected airport operator provides notice that such a change would have a significant adverse impact on the community or that extraordinary circumstances exist; and

**WHEREAS**, this legislation would require the FAA Administrator to provide public notice and an opportunity for affected persons and airport operators to comment; and

**WHEREAS**, HR 3965 would require the FAA Administrator to reconsider a NextGen flight path or procedure when an Ombudsman or the operator of an airport affected submits written notification that such a change will result in a significant adverse impact on the human environment in the vicinity of the airport; and

**WHEREAS**, HR 3384, the Quiet Communities Act of 2015, would require the Environmental Protection Agency (EPA) to reestablish the Office of Noise Abatement Control; and

**WHEREAS**, the Office of Noise Abatement Control would promote the development of effective State and local noise control programs through technical assistance and grants, would conduct research assessing the impacts of noise from varied noise sources on mental and physical health, would carry a national noise environmental assessment program to identify trends in noise exposure and response, ambient levels, and compliance data and to determine the effectiveness of noise abatement actions; and

**WHEREAS**, the Office of Noise Abatement Control would also develop and disseminate information and educational materials on the mental and physical effects of noise and the most effective means for noise control, including through establishing regional technical assistance centers; and

**WHEREAS**, HR 3384 would fulfill the Office of Noise Abatement Control's mandate in which it is required to emphasize noise abatement strategies that build upon local and State activities, market incentives, and in coordination with other public and private agencies; and

**WHEREAS**, this legislation would require the EPA to complete an airport noise study examining airport noise measurement methodologies selected by the FAA, the threshold of noise at which health impacts are felt, and the effectiveness of noise abatement programs at airports around the country. The EPA Administrator would also be required to make specific recommendations on new measures that can be implemented to mitigate the impact of aircraft noise on surrounding communities. The study and recommendations must be submitted to Congress within 24 months from the date of enactment; and

**WHEREAS**, this legislation would also amend the Noise Control Act of 1972 to authorize a grant program to establish and implement training programs on noise abatement equipment and to implement noise abatement plans and authorizes \$21 million in annual funding for FY 2016 – FY 2020; now, therefore, be it

**RESOLVED:** That the City of Oakland supports its residents' interests and will advocate on their behalf when federal legislation comes forward which seeks to address problems our community members face; and be it

**FURTHER RESOLVED:** That the City of Oakland asserts its support for both the FAA Community Accountability Act of 2015 and the Quiet Communities Act of 2015.

IN COUNCIL, OAKLAND, CALIFORNIA,

APR 05 2016

PASSED BY THE FOLLOWING VOTE:

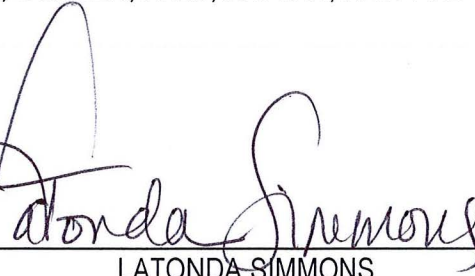
AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND  
PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California