

March 14, 2014

Memorandum to: Councilwoman Kathee Burke-Gonzalez
From: Airport Planning Committee, Noise Sub-committee
Re: Second Preliminary Findings and Recommendations – Noise Study

At its third meeting, held on March 7, 2014, the Airport Planning Committee, Noise Sub-committee, considered the proposed RFP for an airport noise study, prepared by DY Consulting and provided to us at the previous meeting. The discussion was informed by exchanges of e-mail during the proceeding two weeks.

Many members of the committee have considerable experience, over a period that now spans decades, with noise and environmental studies of the airport. It is our strongly held view that the study, as outlined in the proposed RFP, is extremely ill-suited to the current planning needs of the airport and particularly to the needs of the bi-cameral planning effort initiated by the Board. The proposed study is vastly over-ambitious, much too expensive for this stage of the process, and, most important, the outcome would be completely untimely, not merely by weeks or months, but by years.

The study is over-ambitious and excessively costly because it attempts to study all of the matters that would be relevant to a final decision and rule-making before even the most preliminary findings and decisions have been made about possible alternative courses of action and their plausible outcomes. This is enormously wasteful under the best of circumstances. It means that enormous time and effort would be devoted to the study of alternatives, or to the gathering of the evidentiary basis for them, that would

never be considered for any one of a variety of reasons. A specific and detailed critique of the DY Consulting proposed RFP is attached.

Outside of government, things simply are not done this way because it is not cost-effective, it is inefficient, and the results do not permit an orderly process of decision-making. Any effort such as this must be preceded by a short, quick pilot study, designed to frame the issues for deeper and more thorough consideration, and to eliminate all of those that will not be worthy of further investigation. It is understood that any such study is preliminary and would have to be refined in order to support a final decision, and that it is even possible that the further refinement of analysis might lead to a different outcome. None-the-less, one does not simply launch into the void of everything without a map. A pilot study provides the map.

Specifically, a pilot study should be narrowly focused on technical noise analysis of the sort that can be done with a computer model on the basis of existing electronic databases of airport operations, without expensive and time-consuming fieldwork or analysis of ancillary matters such as law, calibration with fieldwork, cost/benefit, or reactions of either the community or aviation interests. The narrow purpose should be to measure in an useful and scientifically sound, if as yet unrefined, manner the airport noise as it affects the community in fact and the relief in terms of noise reduction that could plausibly be achieved with a variety of measures singly or in combination. Elaborate descriptive material beyond findings and the technical description of methodology should be unnecessary. We are reliably informed that such a study can be completed in not more than three months from start and at a modest cost.

A draft alternative RFP that we believe is properly adapted to the public need and to the work of the Airport Planning Committee is attached.

The next steps, following the receipt of results of the pilot study, should be a period of public comment and an examination of the legal issues raised by the various alternatives modeled. Based on the results of public comment and legal analysis, this committee, and would we expect our Aviation Sub-committee counterpart, would make recommendations to the Board of the alternatives to be studied in the depth and breadth necessary so that any outcome will be soundly based upon reliable evidence and analysis and will be functionally immune to legal challenge – in a word, “bullet-proof” -- either administratively or judicially.

We would then expect the Board to make preliminary decisions. At that point, and only at that point, would it be appropriate, efficient, and cost-effective to design the sort of refined and in-depth analysis that would provide the basis for a final *and timely* decision by the Board of measures to be adopted.

We ask that you circulate this memorandum and its attachments to the Town Board, the Planning Department, our counterparts on the Aviation Sub-Committee, and anyone else who you believe can usefully contribute to this discussion.

Respectfully submitted,

Airport Planning Committee, Noise Sub-
committee