STATE OF NEW YORK

10919

IN ASSEMBLY

April 8, 2026

Introduced by M. of A. RA -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT in relation to requiring the port authority of New York and New Jersey to regularly update airport noise exposure maps for airports under its jurisdiction

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as the "airport community noise accountability act".

§ 2. Legislative findings and intent. The legislature finds and declares that:

1. Excessive and sustained aircraft noise has a direct impact on the quality of life, health, and economic vitality of residents, businesses, schools, and nonprofit institutions located in the communities surrounding airports operated by the port authority of New York and New Jersey.

2. The port authority's major commercial and general aviation airports, including John F. Kennedy International Airport (JFK), LaGuardia Airport (LGA), Newark Liberty International Airport (EWR), Stewart International Airport and Teterboro Airport (TEB), are located in some of the most densely populated and economically vital regions of the state, where aircraft operations have substantial and ongoing effects on surrounding communities.

3. Accurate and up-to-date noise exposure maps, developed pursuant to 49 United States Code section 47503 and 14 Code of Federal Regulations Part 150, are essential tools for identifying where aircraft noise is imposing adverse impacts, determining eligibility for federal noise mitigation resources, and guiding operational adjustments that can reduce community exposure.

4. Many of the port authority's noise exposure maps are outdated and no longer accurately reflect actual aircraft operations or the current distribution of flight activity, particularly since changes in runway usage and approach patterns have occurred following the COVID-19 pandemic.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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5. In 2022, the port authority, within its noise compatibility program reports for JFK, LGA, EWR, and TEB, stated that it "anticipates updating the noise exposure maps when operations at JFK, LGA, EWR, TEB stabilize as the aviation sector continues to recover from the COVID-19 pandemic". Aviation operations have stabilized but the port authority has not updated the applicable noise exposure maps as promised.

6. Communities located beneath flight paths at low altitudes, including residential neighborhoods, commercial corridors, schools, houses of worship, and public parks, experience persistent aircraft noise levels exceeding acceptable thresholds.

7. In 2022, with its noise compatibility program report for JFK, LGA and EWR, the port authority proposed the implementation of "optimized profile descent procedures" (OPD) at night. The port authority found "an OPD is an arrival procedure that optimizes noise and air emissions reduction by minimizing changes in thrust by using a favorable initial flight path angle and strategic management of flaps and landing gear. Aircraft on an OPD are generally configured with flaps and landing gear, airspeed, and approach angle prior to five miles from the runway, mostly benefitting areas beyond the limit of the DNL 65 contour. Because of the busy and complex nature of the region's airspace as a whole, aircraft are typically directed by air traffic controllers to hold at a constant altitude for extended periods. OPDs are being recommended only during nighttime hours, given that the airspace is much less busy during the nighttime. The port authority is recommending JFK, LGA, EWR noise abatement measures because it may be an effective way to reduce noise exposure in residential areas under the arrival flight path upon approach".

8. The port authority proposed OPD procedures as a noise mitigation measure expressly state that the measure would benefit properties located outside of the 65 db DNL contour on the noise exposure map. In 2023, the Federal Aviation Administration, due to that statement and submitted documentation, rejected the port authority's proposal on procedural grounds because "documentation provided in support of this measure by the port authority states that this measure would not benefit non-compatible land use within the 65 db DNL contour" and invited port authority to further pursue "implementation of this measure outside of the Part 150 context".

9. It is therefore the intent of the legislature to ensure that the port authority regularly updates its noise exposure maps to reflect current flight operations and to provide transparency, accountability, and relief to affected communities.

§ 3. Noise exposure map updates by the port authority of New York and New Jersey. 1. Definitions. For the purposes of this section, the following terms shall have the following meanings:

(a) "Covered airport" shall mean any airport owned, operated, or controlled in whole or in part by the port authority, including but not limited to John F. Kennedy International Airport, LaGuardia Airport, Newark Liberty International Airport, Stewart International Airport and Teterboro Airport.

(b) "Noise exposure map" shall mean a map depicting day-night average sound level (DNL) (or such other applicable noise metric as subsequently adopted or relied upon by the Federal Aviation Administration (FAA)) noise contours prepared in accordance with 49 U.S.C. § 47503 and 14 C.F.R. Part 150 and/or other applicable law using FAA-approved modeling tools and incorporating community noise measurements where available.

(c) "Port authority" shall mean the port authority of New York and New Jersey.

2. Periodic updates required. The port authority shall prepare and submit to the FAA updated noise exposure maps for each covered airport at least once every three years.

3. Interim updates. The port authority shall prepare and submit an updated noise exposure map within twelve months of any of the following occurrences:

(a) a sustained change of ten percent or more in the use of any runway or flight path for a period of twelve consecutive months; or

(b) a cumulative increase of twenty percent or more in community aircraft noise complaints for any airport in a calendar year; or

(c) a change in airport operations resulting in a substantial new noncompatible use as defined by 49 U.S.C. § 47503(b).

4. Public participation and transparency. (a) The port authority shall hold at least two public hearings within the census tracts most affected by revised contours prior to the submission of any updated noise exposure map to the FAA.

(b) Not less than sixty days prior to such hearings, the port authority shall make all draft noise exposure maps publicly available on its website and shall provide notice to affected municipalities, school districts, and community boards, including notice in the languages most commonly spoken within such census tracts.

(c) The port authority shall prepare and publish a written summary of public comments received and its responses thereto on its website.

(d) The port authority shall publish on its website all raw data obtained from all noise monitoring stations associated with covered airports so that such data is publicly accessible on the website from publication for a period of three years. The port authority shall ensure that such raw noise data is uploaded to its website and publicly accessible on a monthly basis and within forty-five days of the conclusion of each month.

5. Reporting to the legislature. (a) Upon completion of each noise exposure map update, the port authority shall submit a report to the governor, the temporary president of the senate, the minority leader of the senate, the speaker of the assembly, the minority leader of the assembly, and the chairs and ranking minority members of the senate and assembly committees on corporations, authorities and commissions, and shall simultaneously publish such report on its website.

(b) Such report shall include:

(i) a summary of all changes in flight operations and corresponding noise contours;

(ii) a list of census tracts and community facilities newly qualifying for federal or state noise mitigation assistance;

(iii) a certification by the executive director of the port authority attesting to compliance with the requirements of this section; and

(iv) a comparison to previous noise exposure maps indicating increases or decreases in noncompatible land uses.

6. Optimized profile descent documents. Within 180 days of the effective date of this act, the port authority shall formally propose with all supporting documents required under law to the FAA the implementation of optimized profile descent (OPD) as the primary arrival procedure to covered airports during the hours of 10:00 pm to 7:00 am: (i) pursuant to 14 C.F.R. Part 150 (Part 150), expressly stating that such procedure will benefit the properties within the existing contour showing 65 db DNL or the other applicable noise metric adopted by FAA, shown on the existing noise exposure map for each airport, and (ii) outside of the context of Part 150, to benefit the properties outside of the existing

contour showing 65 db DNL. To the extent the contour showing the 65 db DNL, or the other applicable noise metric adopted by FAA, expands on any noise exposure map as a result of an update thereof, the port authority shall make the same formal proposal to FAA within one hundred eighty days of such update.

7. Optimized profile descent manual requirements. Within one hundred eighty days of the effective date of this act, the port authority shall add to its Fly Quiet Program Technical Manual applicable to covered airports, a new section titled "Nighttime Request to Implement Optimized Profile Descent" and such section shall state that "for arrivals between the hours of 11:00 pm to 7:00 am, a pilot should request that air traffic control directs such arrival be via an OPD or glideslope landing procedure approved by FAA".

8. Noncompliance. If the port authority fails to complete an update required by this section within the prescribed timeframe, the executive director shall submit written notification to the legislature explaining the reasons for delay and providing a corrective action schedule.

9. Non-preemption. Nothing in this section shall be construed to regulate aircraft routing, operations, or safety, nor to conflict with federal law or the terms of the bi-state compact.

§ 4. This act shall take effect immediately, provided, however, that this act shall take effect only upon the enactment by the state of New Jersey of legislation having an identical effect, and upon certification by the governor that such legislation has been enacted, and the first updated noise exposure maps required by this act shall be completed and submitted no later than December 31, 2026, using flight operations data from calendar year 2024.