

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:

- 1 Section 1. Short title. This act shall be known and may be cited as
2 the "airport community noise accountability act".
- 3 § 2. Legislative findings and intent. The legislature finds and
4 declares that:
- 5 1. Excessive and sustained aircraft noise has a direct impact on the
6 quality of life, health, and economic vitality of residents, businesses,
7 schools, and nonprofit institutions located in the communities surround-
8 ing airports operated by the port authority of New York and New Jersey.
- 9 2. The port authority's major commercial and general aviation
10 airports, including John F. Kennedy International Airport (JFK), LaGuar-
11 dia Airport (LGA), Newark Liberty International Airport (EWR), Stewart
12 International Airport and Teterboro Airport (TEB), are located in some
13 of the most densely populated and economically vital regions of the
14 state, where aircraft operations have substantial and ongoing effects on
15 surrounding communities.
- 16 3. Accurate and up-to-date noise exposure maps, developed pursuant to
17 49 United States Code section 47503 and 14 Code of Federal Regulations
18 Part 150, are essential tools for identifying where aircraft noise is
19 imposing adverse impacts, determining eligibility for federal noise
20 mitigation resources, and guiding operational adjustments that can
21 reduce community exposure.
- 22 4. Many of the port authority's noise exposure maps are outdated and
23 no longer accurately reflect actual aircraft operations or the current
24 distribution of flight activity, particularly since changes in runway
25 usage and approach patterns have occurred following the COVID-19 pandem-
26 ic.

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

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

7 6. Communities located beneath flight paths at low altitudes, includ-
8 ing residential neighborhoods, commercial corridors, schools, houses of
9 worship, and public parks, experience persistent aircraft noise levels
10 exceeding acceptable thresholds.

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

27 8. The port authority proposed OPD procedures as a noise mitigation
28 measure expressly state that the measure would benefit properties
29 located outside of the 65 db DNL contour on the noise exposure map. In
30 2023, the Federal Aviation Administration, due to that statement and
31 submitted documentation, rejected the port authority's proposal on
32 procedural grounds because "documentation provided in support of this
33 measure by the port authority states that this measure would not benefit
34 non-compatible land use within the 65 db DNL contour" and invited port
35 authority to further pursue "implementation of this measure outside of
36 the Part 150 context".

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

38 (b) Such report shall include:

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

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

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

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

47 6. Optimized profile descent documents. Within 180 days of the effec-
48 tive date of this act, the port authority shall formally propose with
49 all supporting documents required under law to the FAA the implementa-
50 tion of optimized profile descent (OPD) as the primary arrival procedure
51 to covered airports during the hours of 10:00 pm to 7:00 am: (i) pursu-
52 ant to 14 C.F.R. Part 150 (Part 150), expressly stating that such proce-
53 dure will benefit the properties within the existing contour showing 65
54 db DNL or the other applicable noise metric adopted by FAA, shown on the
55 existing noise exposure map for each airport, and (ii) outside of the
56 context of Part 150, to benefit the properties outside of the existing

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

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

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

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

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