

A Public Records Access request has been submitted.

Request By: Drewry Wofford

Request date: 08/24/2016

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Personal
Information Request: NO

Records
seeking:

I am hoping to look at the PONYA records for 1976 and 1977 relating to the Concorde Supersonic and its request to land at JFK International Airport. I would be interested in records of Board Meetings as well any correspondence, internal or external, relating to Concorde. I am a Doctoral Student at the University of Miami. My dissertation looks at the tripartite relationship between France, Great Britain and the United States over the Concorde Supersonic transport. It demonstrates how national histories intersect with transnational histories and how non-state agents often mediate State initiatives. I would be happy to travel to New York to view any available material, ideally during the first three weeks of October. Many thanks for your assistance.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY PRA # 17290
PUBLIC RECORD ACCESS FORM

Action by (print / type name):

William Shalewitz

, Freedom of Information Administrator

Signature:



Date:

10/27/2016

On behalf of the Secretary of the Port Authority, as Records Access Officer and Custodian of Government Records of the Port Authority.

- The requested records are being made available.
- Any responsive records that may exist are currently in storage or archived, and a diligent search is being conducted. The Port Authority will respond by:
- A diligent search has been conducted, and no records responsive to your request have been located.
- The requested records that have been located are not being made available, as they are exempt from disclosure for the following specific reasons:
- Some requested records that have been located are being made available. The remainder are exempt from disclosure for the following specific reasons:
- The request does not reasonably describe or identify specific records; therefore, the Port Authority is unable to search for and locate responsive records. Please consider submitting a new request that describes or identifies the specific records requested with particularity and detail.

Other:

Material responsive to your request can be found on the Port Authority's website at <http://corpinfo.panynj.gov/documents/17290-O/>. Paper copies of the available records are available upon request.

This form is promulgated by the Port Authority pursuant to the Port Authority Public Records Access Policy and is intended to be construed consistent with the New York Freedom of Information Law and the New Jersey Open Public Records Act. It is intended to facilitate requests for Port Authority public records and does not constitute legal advice.

Kennedy International Airport - Concorde Operations

The Executive Director recalled to the Board that on July 12, 1951 the Committee on Operations had adopted a Port Authority air terminal regulation providing that no jet aircraft may land or take off at a Port Authority air terminal without permission. This rule reflected the Authority's concern that noise from jet-powered aircraft would prove far more annoying to airport neighbors than that produced by piston aircraft.

Subsequently, Port Authority acoustics consultants developed a method for measuring a listener's reaction to this new aircraft noise, the perceived noise decibel, and from 1958 to the present time, the Committee on Operations has used the PNdB to establish the Terms and Conditions governing jet operations at Port Authority airports.

The Port Authority's present jet Terms and Conditions at Kennedy International Airport require that takeoffs by jet aircraft be so planned and conducted that the noise level of 112 PNdB as measured on the ground in the neighboring communities will not be exceeded. Jet aircraft must also make over-water takeoffs during nighttime hours. The aviation industry, responding to the aircraft noise problem, has in recent years introduced jet aircraft that are quieter than their predecessors with one exception, the supersonic transport.

Airport operators and airport neighbors have therefore been apprehensive about the addition of noisier air transports to the civil aviation fleet - the airport neighbors because of the possible adverse effect such transports will have on their environment and the airport operators for the additional reason that the courts have imposed on them, and not on the Federal Government or the air carriers, financial liability for damages (takings) to neighboring property caused by the noise of low flying aircraft operating at public airports.

The Executive Director reviewed with the Board both the Federal Aviation Administration's final environmental impact statement relating to the request by British Airways and Air France for an amendment to their operations specifications to permit these carriers to fly the supersonic Concorde aircraft in limited commercial service at Kennedy International and Dulles International Airports and the February 4, 1976 decision of the Secretary of Transportation of the United States, William T. Coleman, Jr., directing the FAA to issue provisional amendments to such operations specifications. The restrictive amendments, which the Secretary justified on the basis of the Concorde's significantly different environmental characteristics, will permit each airline to

conduct during daylight hours up to two Concorde flights per day into Kennedy and one Concorde flight per day into Dulles, for a period of no longer than 16 months from the commencement of commercial service, subject to revocation at any time upon four months' notice or immediately in the event of an emergency being harmful to the health, welfare or safety of the American people.

At the direction of the Governor of New York, New York State's Commissioners of Transportation and Environmental Protection, Raymond Schuler and Ogden Reid, appeared before the February 25, 1976 meeting of the Operations Committee to express in detail the State's reasons for recommending that the Concorde be denied permission to use Kennedy International Airport. Excessive noise was identified by them as the principal objection to the Concorde. In addition, the Legislature of the State of New York has passed and the Governor has signed, proposed legislation that would mandate the Port Authority to deny permission to such aircraft to use Kennedy International Airport. Concurrent proposed legislation is pending in New Jersey.

Although it is claimed that the Concorde would meet the Port Authority's 112 PNdB standard by executing a low altitude turn shortly after take-off, the environmental impact statement and the Secretary's decision raise a number of significant questions concerning the effect of low frequency noise and vibrations generated by the Concorde and the airplane's overall impact on the noise environment in the area surrounding Kennedy. As Secretary Coleman points out, the Concorde's individual noise events will disturb more airport neighbors than the comparable range subsonic aircraft. The area exposed by the Concorde's take-off noise levels will be 47.6 square miles, approximately 6 times that exposed by the Boeing 707 and 15 times that by the Boeing-747. On landing, the area exposed by the Concorde, 11.1 square miles, will be approximately 5 times that exposed by the Boeing-707 and 20 times that by the Boeing-747. In addition, the Concorde engines generate low frequency energy and, consequently, induce higher levels of noise and structural vibrations in homes and other structures than do subsonic aircraft. The unique noise characteristics of the Concorde and the expected aggravated community response to this noise add new and serious dimensions to the present aircraft noise problem, one not necessarily reflected in the Port Authority's current noise standard.

Secretary Coleman has therefore concluded that the subjective characteristics of noise response to the Concorde may best be evaluated through a controlled demonstration period of sufficient length to enable an assessment, after the initial publicity has subsided, of community

reaction to Concorde noise." He has therefore directed the FAA, the proprietor of Dulles International Airport, to permit the Concorde to operate at that airport. At Dulles, a facility double the size of Kennedy, less than 1,000 residents will be included within the noise exposure forecast 30 noise impact contour and none within the NEF 40 severe noise impact area. However, according to the environmental impact statement there are 485,000 persons within the NEF 30 contour at Kennedy and 112,000 within the NEF 40 contour. It does not appear to be in the public interest to test the subjective characteristics of noise response to the Concorde in the densely populated areas around Kennedy International Airport. In this regard it was noted that the Secretary had expressed the opinion that the elimination of Kennedy International Airport "would greatly diminish, but would not destroy, the validity of the demonstration." It is clear from the foregoing that a test at Dulles is clearly preferable as the actual performance and environmental results could be monitored without impacting so large a residential population. It is accordingly recommended that the Port Authority defer any action to permit supersonic aircraft, including the Concorde, from operating at Port Authority air terminals for a period not to exceed 6 months following the commencement of regular commercial operation of the Concorde at Dulles Airport.

It is further recommended that the Director of Aviation analyze the Concorde flights at Dulles, Heathrow and DeGaulle Airports and the communities' reaction thereto, and study the results of the Department of Transportation's mandated monitoring program for such 6 month period, and, if necessary, request the FAA to modify its program in order to provide the Port Authority with required data, or otherwise secure data, which would enable the Port Authority to apply this information to communities surrounding Kennedy International Airport.

In addition, the liability of the Port Authority for any claims for damages arising out of the Federally mandated operation of such aircraft requires a most thorough going review and it is directed that General Counsel proceed to research and study the question, to contact the appropriate Federal agencies for possible liability coverage and to assess the airline operator's responsibility as well.

Whereupon, the following resolution was unanimously adopted:

RESOLVED, that the Port Authority deny permission to operate any supersonic aircraft, including the Concorde, at Kennedy International Airport, until after at least six months of operating experience has been evaluated after a report on such experience has been made to the Board and pending further action thereon by the Board; and it is further

RESOLVED; that the Director of Aviation is directed to analyze Concorde flights for a period of six months at Dulles International Airport and also at Heathrow and DeGaulle Airports, the community reaction thereto, the results of the Department of Transportation mandated monitoring program at Dulles; and, if necessary, request the Federal Aviation Administration to modify such program, or otherwise to secure additional information concerning the Concorde's noise and other environmental characteristics; and it is further

RESOLVED; that the Executive Director be and he hereby is authorized to retain such number of consultants in connection with the foregoing study as he may deem advisable; and it is further

RESOLVED, that the Executive Director and the Director of Aviation be and they hereby are directed, at the end of the foregoing six month program, based upon analysis of noise data and community reaction thereto, to make a recommendation to the Commissioners as to the acceptability of supersonic operations at Kennedy International Airport.

Whereupon, the meeting was adjourned.

Secretary

Kennedy International Airport - Concorde Operations

The Director of Aviation reviewed with the Board the preliminary reports thus far received by the General Counsel from the Port Authority's consultants who were retained pursuant to the Board authorization of March 11, 1976, to aid it in determining the acceptability of Concorde's operations at Kennedy International Airport. Based on these reports, it appears that the Concorde has unique characteristics including that on landing the Concorde has a high level of low frequency energy. Our reports indicate that the Concorde operations proposed in the British Airways and Air France report of March, 1977 can be expected to result in significant annoyance and complaint activity regarding the noisiness and house vibration effects of Concorde's noise in particular, and an increase in such activity about aircraft noise in general in some communities near JFK. A vibration rattle index is being further studied to quantify this noise factor. However more research and analysis is needed before such an index can be established.

The Director of Aviation further reported that a final Federal decision on the acceptability of Concorde operations at Dulles Airport should be available by the end of September, 1977.

General Counsel recalled to the Board that under existing law if, as a result of commercial operations at public airports, aviation easements or other property rights are "taken" from nearby land owners, it is the airport proprietor and not the commercial airlines or the United States who is financially the responsible party.

On the basis of the foregoing, the Executive Director and the Director of Aviation jointly recommended that the Port Authority, as a prudent airport operator, should continue in force the temporary ban on Concorde operations contained in the Board's action of March 11, 1976. This will give the Board adequate opportunity to fairly evaluate and set noise standards applicable to the Concorde and other supersonic aircraft.

Whereupon the Board resolved to continue in force the ban on SST operations, including the Concorde, at JFK.

Whereupon, the meeting was adjourned.

Secretary

Kennedy International Airport Community Advisory Panel - Supersonic Aircraft

General Counsel reported that the recent decision of the U.S. Court of Appeals for the Second Circuit reversed the lower court decision and upheld the Port Authority's temporary ban on Concorde operations at Kennedy International Airport. In so doing, the Appellate Court reaffirmed the Port Authority's power to adopt reasonable, non-discriminatory regulations establishing acceptable noise levels for aircraft using Port Authority airports. In view of such reaffirmation, the staff should proceed with dispatch to conclude all studies and investigations of the Concorde's noise characteristics and public reaction thereto including the views of the Kennedy Airport neighbors.

It was recommended, therefore, that the Kennedy International Airport Community Advisory Panel promptly proceed to conduct meetings with the elected representatives and other community leaders from the areas surrounding Kennedy International Airport in accordance with the Board Resolution of April 14, 1977 and that, as soon as possible after the completion of such meetings, the Executive Director and the Director of Aviation present to the Board the staff report on the acceptability or non-acceptability of supersonic aircraft at Kennedy International Airport, the staff report to include the comments and suggestions received from the elected representatives and community leaders as well as the findings of the Port Authority consultants and staff on the noise characteristics and public acceptability of the Concorde Supersonic Aircraft.

The Board unanimously approved the recommended course of action.

Establishment of Panel for Liaison with Representatives of Communities Surrounding Kennedy International Airport.

It was recalled to the Board that on March 11, 1976, it denied permission for the operation of any supersonic aircraft, including the Concorde, at Kennedy International Airport, until at least 6 months of operating experience of the aircraft had been evaluated by the Executive Director and the Director of Aviation. Prior to taking this action on March 11, 1976, the Board heard the views of Queens Borough President Manes, Nassau County Executive Ralph Caso and Mayor William D. Denson of Lawrence. Since that time, Port Authority consultants and staff have been analyzing the Concorde noise characteristics and community reaction thereto. Members of the communities surrounding Kennedy International Airport have also been studying data pertaining to the Concorde noise characteristics and community reaction, and have communicated their views to the Port Authority. It would appear that before the Board takes further action on proposed supersonic aircraft operations at Kennedy International Airport, it would be desirable to receive additional comments and information on this issue from the leaders and representatives of the people living in the vicinity of Kennedy International Airport.

Whereupon, the following resolution was unanimously adopted:

RESOLVED, that the Executive Director be and he hereby is directed to create a panel of representatives of the Aviation, Law and Public Affairs Departments to meet with elected representatives and other community leaders from the area surrounding Kennedy International Airport to receive their comments and information and to include their comments and suggestions in the staff report to the Board on the acceptability or non-acceptability of supersonic aircraft operations at Kennedy International Airport.

Whereupon, the meeting was adjourned.

Secretary