To: Honorable Mayor and Members of the City Council  
From: Councilmember Susan Wengraf  
Subject: Letter of Support for HR-3001 (Meng)

RECOMMENDATION
Send a letter of support for HR-3001, “The Quiet Communities Act of 2019,” to Representative Grace Meng, with copies to Representative Barbara Lee, and Senators Dianne Feinstein and Kamala Harris.

HR-3001 will reinstate the Federal Office of Noise Abatement and Control, tasked with developing State and Local noise control programs and carrying out research on airport, airplane and vehicular noise.

FISCAL IMPACTS OF RECOMMENDATION
None

CURRENT SITUATION AND ITS EFFECTS
Approximately ten million Americans are afflicted with hearing loss at least partially due to noise exposure damage. Noise from aircraft, vehicular traffic, and a variety of other sources is a constant source of torment for millions of Americans. Chronic exposure to noise has been linked to increased risk of cardiovascular disorders, learning deficits in children, stress, and diminished quality of life.

Berkeley is directly impacted by the FAA’s new NexGen program which eliminates dispersed flight patterns from our airports and replaces them with concentrated paths flying over just a few neighborhoods. Since the passage of NextGen, aircraft have been directed to fly over homes in Berkeley as they take off or land at both Oakland and San Francisco airports.

As population growth and air and vehicular traffic continue to increase, noise pollution is likely to become an even greater problem in the future. The health and welfare of our residents demands that the Environmental Protection Agency, the lead Federal agency for the protection of public health and welfare, once again assume a role in combating noise pollution.
BACKGROUND
The Federal Government terminated all funding for the Office of Noise Abatement in 1982. This bill would reestablish that Office, to the tune of $21M annually through 2024, giving the Noise Control Act of 1972 teeth again.

The Office of Noise Abatement would promote effective noise control program development; carry out national noise control research; carry out an environmental assessment program to identify trends in noise and effective noise abatement actions; and develop educational and training material and programs to support incentives for compliance rather than penalties. The Office of Noise Abatement would also examine the FAA's noise threshold, and the effectiveness of noise abatement programs at airports around the Nation.

ENVIRONMENTAL SUSTAINABILITY
HR-3001 will reduce noise pollution.

CONTACT PERSON
Councilmember Susan Wengraf District 6 510-981-7160

Attachments:
1: Letter of Support
2: HR-3001
September 10, 2019

The Honorable Grace Meng
House of Representatives
2209 Rayburn HOB
Washington, DC 20515

RE: HR-3001 (Meng) “Quiet Communities Act of 2019”
Support from the Berkeley City Council

Dear Representative Meng,

The City Council of the City of Berkeley officially expresses our support on HR-3001 (Meng), the Quiet Communities Act of 2019.

Since the Federal Government terminated all funding for the Office of Noise Abatement in 1982, noise control programs, research and enforcement have not been as strong as needed.

In the City of Berkeley, and neighboring Albany, Oakland, Emeryville and Alameda, residents are suffering from NextGen flight paths condensing air traffic over their homes, often at elevations below requirements. They live with sleep disturbances, increased stress and a reduction in quality of life. Chronic exposure to noise has also been linked to increased risk of cardiovascular disorders and learning deficits in children.

As population growth and air and vehicular traffic continue to increase, noise pollution is likely to become an even greater problem in the future. The health and welfare of our residents demands that the Environmental Protection Agency, the lead Federal agency for the protection of public health and welfare, once again assume a role in combating noise pollution.

The Council thanks you for your leadership on this important policy topic.

Sincerely,

Berkeley City Council

CC: Representative Barbara Lee
Senator Dianne Feinstein
Senator Kamala Harris
116TH
CONGRESS
1ST SESSION

H.R.3001

To reestablish the Office of Noise Abatement and Control in the Environmental Protection Agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2019

Ms. Meng (for herself, Mrs. Napolitano, Ms. Schakowsky, Ms. Norton, Ms. Moore, Mr. Rouda, Ms. Lee of California, Mr. Lynch, Ms. Speier, Mr. Suozzi, Mr. Gallego, Mr. Lipinski, Ms. Brownley of California, Miss Rice of New York, Mr. Ruppersberger, Mr. Case, Mr. Fitzpatrick, Mr. Raskin, Mrs. Lowey, Ms. Jayapal, Mr. Sar-banes, Mr. Beyer, Mr. Sherman, Mr. Peters, Mr. Ted Lieu of California, Ms. Judy Chu of California, Ms. Clarke of New York, Mr. Brown of Maryland, Ms. Clark of Massachusetts, and Mr. Espaillat) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To reestablish the Office of Noise Abatement and Control in the Environmental Protection Agency, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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1 SECTION 1. SHORT TITLE.
This Act may be cited as the "Quiet Communities Act of 2019".

SEC. 2. FINDINGS.

Congress finds that:

(1) Approximately 28,000,000 Americans are afflicted with some hearing loss and it has been estimated that 10,000,000 of these impairments are at least partially attributable to damage from exposure to noise.

(2) For millions of Americans, noise from aircraft, vehicular traffic, and a variety of other sources is a constant source of torment. Millions of Americans are exposed to noise levels that can lead to sleep loss, psychological and physiological damage, and work disruption.

(3) Chronic exposure to noise has been linked to increased risk of cardiovascular disorders, learning deficits in children, stress, and diminished quality of life.

(4) Excessive noise leading to sleep deprivation and task interruptions can result in untold costs on society in diminished worker productivity.

(5) Pursuant to authorities granted under the Clean Air Act of 1970, the Noise Control Act of 1972, and the Quiet Communities Act of 1978, the
Environmental Protection Agency established an Office of Noise Abatement and Control. Its responsibilities included promulgating noise emission standards, requiring product labeling, facilitating the development of low emission products, coordinating Federal noise reduction programs, assisting State and local abatement efforts, and promoting noise education and research. However, funding for the Office of Noise Abatement and Control was terminated in 1982 and no funds have been provided since.

(6) Because the Environmental Protection Agency remains legally responsible for enforcing regulations issued under the Noise Control Act of 1972 even though funding for these activities were terminated, and because the Noise Control Act of 1972 prohibits State and local governments from regulating noise sources in many situations, noise abatement programs across the country lie dormant.

(7) As population growth and air and vehicular traffic continue to increase, noise pollution is likely to become an even greater problem in the future.

The health and welfare of our citizens demands that
the Environmental Protection Agency, the lead Federal agency for the protection of public health and

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welfare, once again assume a role in combating noise pollution.

SEC. 3. REESTABLISHMENT OF OFFICE OF NOISE ABATEMENT AND CONTROL.

(a) REESTABLISHMENT.—The Administrator of the Environmental Protection Agency shall reestablish within the Environmental Protection Agency an Office of Noise Abatement and Control.

(b) DUTIES.—The responsibilities of the Office include the following:

(1) To promote the development of effective State and local noise control programs by providing States with technical assistance and grants to develop the programs, including the purchase of equipment for local communities.

(2) To carry out a national noise control research program to assess the impacts of noise from varied noise sources on mental and physical health.

(3) To carry out 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, including actions for areas around major transportation facilities (such as highways, railroad facilities, and airports).

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(4) To develop and disseminate information and educational materials to the public on the mental and physical effects of noise and the most effective means for noise control through the use of materials for school curricula, volunteer organizations, radio and television programs, publications, and other means.

(5) To develop educational and training materials and programs, including national and regional workshops, to support State and local noise abatement and control programs.

(6) To establish regional technical assistance centers which use the capabilities of university and private organizations to assist State and local noise control programs.

(7) To undertake an assessment of the effectiveness of the Noise Control Act of 1972.

(c) PREFERRED APPROACHES.—In carrying out its duties under this section, the Office shall emphasize noise
abatement approaches that rely on local and State activities, market incentives, and coordination with other public and private agencies.

(d) \textbf{STUDY}.—

(1) \textit{IN GENERAL}.—Using funds made available to the Office, the Administrator shall carry out a study of airport noise. The Administrator shall carry out the study by entering into contracts or other agreements with independent scientists with expertise in noise measurements, noise effects, and noise abatement techniques to conduct the study.

(2) \textit{CONTENTS}.—The study shall examine the selection of noise measurement methodologies by the Federal Aviation Administration, the threshold of noise at which health impacts are felt, and the effectiveness of noise abatement programs at airports around the Nation.

(3) \textit{REPORT}.—Not later than 24 months after the date of enactment of this Act, the Administrator shall transmit to Congress a report on the results of the study, together with specific recommendations on new measures that can be implemented to mitigate the impact of aircraft noise on surrounding
communities.

SEC. 4. GRANTS UNDER QUIET COMMUNITIES PROGRAM.

Section 14(c)(1) of the Noise Control Act of 1972 (42 U.S.C. 4913(c)(1)) is amended—

(1) by striking “and” at the end of subparagraph (C); and

(2) by adding at the end the following:

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(E) establishing and implementing training programs on use of noise abatement equipment; and

(F) implementing noise abatement plans;”.
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SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for each of fiscal years 2020 through 2024 $21,000,000 for activities of the Office of Noise Abatement and Control reestablished under section 3.