FAR Part 150, Section 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. Where Federal funding is sought, requests for project grants must be submitted to the FAA Airports District Office in Orlando, Florida.

The Lee County Port Authority submitted to the FAA on November 7, 1994, the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from January 1994 through April 1995. The Southwest Florida International Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on November 21, 1994. The revised future noise map was determined by FAA to be in compliance with applicable requirements on May 17, 1995. Notice of these determinations was published in the Federal Register.

The Southwest Florida International Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from the date of study completion to the year 2000. It was requested that FAA evaluate and approve this material as a noise compatibility program as described in Section 104(b) of the Act. The FAA began its review of the program on May 17, 1995, and was required by a provision of the Act to approve or disapprove the program within 180-days (other than the use of new flight procedures for noise control). Failure to approve or disapprove such program within the 180-day period shall be

deemed to be an approval of such program.

The submitted program contained fifteen (15) proposed actions for noise mitigation on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of the Act and FAR Part 150 have been satisfied. The overall program, therefore, was approved by the Administrator effective November 13, 1995.

The noise compatibility program, pages VII–1 through VII–4, incorporate by reference all of the noise compatibility program measures previously approved by the FAA in 1990. A copy of the FAA's 1990 Record of Approval is included as Appendix H to this noise compatibility program. The airport operator proposes to maintain as effective all previously approved measures except a modification to reduce thrust on departures (page VII–2)

Out right approval was granted for all of the specific program controls. The approval action was for the following program controls:

OPERATIONAL MEASURES

Operational control No.	Description	NCP pages
1	The Alico One SID is recommended to continue. Adjustments to account for drift should be made by ATC to avoid drift into residential communities. FAA Action: Approved.	pgs. VII–2 to VII–6; Exhibit 17; Tables 11 & 12; and Appendix G.
2	It is recommended that once a full Stage 3 fleet occurs at the Airport, destination turns related to the Alico One SID should not begin until the aircraft reach an altitude of 4,000 feet to increase use of the Alico Corridor and increase altitude over residential areas. FAA Action: Approved.	pgs. VII–2 to VII–6; Exhibit 17; Tables 11 & 12; and Appendix G.
3	In ATC's upcoming airspace evaluation, include in the evaluation the directing of commuter aircraft departing on Runway 24 to northern destinations to turn over I–75 to reduce noise over residential areas north of the Alico Corridor. In the interim, use the Alico Corridor as much as possible for commuter departures. FAA Action: Approved.	pgs. VII–6 to VII–7; Exhibit 17; Tables 11 & 12; and Appendix G.
4	Establish a 1,600 foot minimum altitude to be maintained over the outer marker for IFR arrivals to Runway 6. This will maintain altitude over residential areas. FAA Action: Approved.	pgs. VII–7 to VII–8 and Table 12.
5	It is recommended that the Airport maintain the current ILS approach until the GPS is available. At that time, the GPS should be analyzed for possible implementation of GPS arrival procedures. This will provide for future flexibility in reducing arrival noise by avoiding densely developed residential areas. FAA Action: Approved.	pgs. VII–7 to VII–9 and Table 12.
6	Eliminate the close-in turn for departures off Runway 6 to reduce impacts on Gateway Elementary School by having ATC tower personnel delay switching to departure control until aircraft have cleared the northeast end of the Runway. FAA Action: Approved.	pgs. VII–8 to VII–9; Exhibit 17; and Tables 11 & 12.
7	It is recommended that the "distant" procedures for departures from RSW be implemented consistent with FAA Advisory Circular No. 91–53A, Noise Abatement Departure Profiles. FAA Action: Approved.	pg. VII–10 and Table 12.
8	When operating simultaneous departures, divergence should occur on Runways 6L and 24L to maximize the use of noise abatement procedures. With the proposed divergence, departures on Runway 6 would continue to follow noise abatement turns north of Gateway. FAA Action: Approved.	pgs. VII–10 and VII–11.