

**MEETING MINUTES  
OAKLAND AIRPORT-COMMUNITY NOISE MANAGEMENT FORUM**

July 15, 2020

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## 1. INTRODUCTIONS

The July 15, 2020 meeting of the Oakland Airport-Community Noise Management Forum was called to order at 6:35 p.m. by the Forum's facilitator, Mike McClintock. McClintock noted that this meeting was the Forum's first ever virtual meeting and welcomed all who were attending by computer or smartphone. He said he would like to start out by going through the Forum roster to take roll:

### **Forum Members/Alternatives Present**

Co-Chair Benny Lee, Councilmember, San Leandro  
Co-Chair Walt Jacobs, Citizen Representative, Alameda  
Councilmember Tony Daysog, Alameda  
Councilmember Cheryl Davila, Berkeley  
James Nelson, Citizen Representative, Berkeley  
Edward Bogue, Citizen Representative, Hayward  
Peter Marcuzzo, Citizen Representative, Oakland/Chair, NextGen Subcommittee  
Kathy Ornelas, City of San Leandro/NextGen Subcommittee  
Tom Wagner, Citizen Representative, San Leandro

### **Staff Members/Advisors Present**

Bryant Francis, Director of Aviation  
Craig Simon, Acting Assistant Director of Aviation  
Matt P. Davis, Airport Operations Manager  
Jesse Richardson, Noise and Environmental Affairs Supervisor  
Matthew Davis, Director, Port Governmental Affairs  
Diego Gonzalez, Port Governmental Affairs Representative  
Susan Fizzell, Sr. Aviation Project Manager  
Joan Zatopek, Manager of Aviation, Planning and Development  
Maryellen Egan, President HMMH  
Rhea Gundry, HMMH, Principal Consultant  
Adam Scholten, HMMH, Airspace Consultant  
Tim Middleton, HMMH, Consultant  
Christian Valdes, Technical Consultant, Landrum & Brown  
Valerie E. Jensen Harris, Court Reporter

### **FAA Representatives Present**

Raquel Girvin, Regional Administrator, FAA Western-Pacific Region  
Adam Vetter, FAA Western Service Area Operations Support Group,  
Analytics/Community Engagement Team Lead  
Sky Laron, FAA, Community Engagement Office  
Bonnie Malgarini, FAA Western Service Area Operations Support Group

### **CONTRA COSTA COUNTY AND CITY OF RICHMOND REPRESENTATIVES**

John M. Gioia, Supervisor, District 1, Contra Costa County  
Tom Butt, Mayor, City of Richmond  
Sasha Carl, Deputy City Manager, City of Richmond  
Christopher Whitmore, chief of staff for Mayor Butt of Richmond

## 2. ANNOUNCEMENTS

### A. Introducing Craig Simon, Acting Assistant Director of Aviation

The facilitator introduced Mr. Simon. Craig said that he has been with the Port for about eight years and was replacing Kristi McKinney, who was promoted to the position of Chief Operating Officer for the Port. McClintock said the Forum was looking forward to working with him.

### B. Acceptance of 4th Quarter 2019 Noise Abatement Report

The facilitator announced that item 2B is acceptance of the fourth quarter 2019 noise abatement report. Typically, he said, the Forum receives and files these documents. He asked if there were any questions or comments on the noise report. If there are none, he said, he would entertain a motion to receive and file. Tom Wagner so moved. Seconded by Co-Chair Walt Jacobs. Co-Chair Benny Lee said he had reviewed the report and that it was trending in the right direction, but he noticed there were a few minor glitches. He complimented the Noise office staff for their work in trying to keep the noise levels down. There being no other questions or comments, the facilitator asked for a vote on the motion to receive and file. Motion was approved without objection.

### C. Acceptance of 1<sup>st</sup> Quarter 2020 Noise Abatement Report

Item 2C is acceptance of the first quarter 2020 noise abatement report. Co-Chair Lee said he had reviewed the report and saw that the numbers had gone down. He surmised that this was because of the Covid-19 pandemic and the overall decrease in flight operations at the airport. He said, he hoped that this also meant lower noise impacts on impacted communities, but doubted that it represented much change from the impacts of NextGen implementation. He said he was looking forward to hearing the NextGen subcommittee's report later on. Peter Marcuzzo moved that the report be received and filed. The motion was seconded. The motion carried without objection.

### D. Rolling Three Year Report

This item was requested at the January 15, 2020 Forum meeting. Forum members have received a copy of the spreadsheet prepared by the Noise office. Jesse Richardson said that the rolling three-year chart was something that was created by the North Field/South Field Research Group many years ago, and has been reinstated. It allows the Forum and NF/SF Group to look at the trend of the Port's noise abatement procedures over a three-year period. He said, they found it to be very useful. Every year, he said, he runs the numbers and looks at the trends. The trends are moving in the right direction for a lot of the noise abatement procedures, but some of the procedures still need a little work. That's the benefit of having a three-year trend. Co-Chair Lee said there was a lot of data to look at, but we are off to a good start. He suggested that, for the next meeting, the quarterly data should be charted or graphed for better visualization. He said the information was very helpful.

### E. Proposed San Lorenzo 1 (SLZ1) Visual Approach

Facilitator McClintock explained that this item was brought to the Forum by Alameda County Citizen Representative Ernest DelliGatti. Mr. DelliGatti was supposed to meet with airport staff to discuss his proposal. However, due to a variety of factors, including Covid-19, that meeting was not held. As a consequence, there's not been anything of significance accomplished on this particular item since January. Matt Davis concurred, saying that he believes the good news here is that this is a good example of the FAA working with the airport and the communities. There are some concerns about the potential concentration of traffic created by this. Again, he said, the FAA has held this in abeyance awaiting our input. Davis said we are looking forward to holding this meeting in the future, and that staff will reach out to Mr. DelliGatti.

### 3. APPROVAL OF MINUTES

#### A. January 15, 2020 [NB: the April Forum meeting was previously cancelled]

The facilitator said that Forum members had received copies of the draft meeting minutes for the January 15, 2020 Forum meeting. He asked if anyone had any questions, comments, or suggestions? There being no questions or comments, the facilitator asked for a motion to approve. Tom Wagner moved approval. Seconded by Councilmember Cheryl Davila. The motion was approved.

### 4. ELECTION OF OFFICERS

The facilitator announced that the next item on the agenda was the election of officers. He noted that the Forum has only two officers; an elected Co-Chair and a citizen representative Co-Chair. Councilmember Benny Lee is the elected co-chair from the City of San Leandro. Walt Jacobs is the citizen co-chair from Alameda. Both Co-Chairs were asked whether or not they wished to stand for reelection; both said they did. The facilitator placed their names in nomination. The nomination was seconded by Edward Bogue. The facilitator asked for any additional nominations. There were none. The two Co-Chairs were each reelected by acclamation. It was noted by Benny Lee, the elected Co-Chair, that his term on the San Leandro City Council would end in December. The facilitator said in which case a new elected Co-Chair would need to be selected at the January Forum meeting.

### 5. NEXTGEN RELATED NOISE CONCERNS

Facilitator McClintock noted that this was a big item on the Forum's agenda; with a lot of things to cover. He called Peter Marcuzzo, the Forum's NextGen subcommittee chair, to give a brief report; and then Adam Scholten will provide us with some technical material that was first presented to the Forum in July 2019.

#### A. Subcommittee Report

Mr. Marcuzzo began by noting that the Forum's NextGen subcommittee had met twice with the FAA; on May 28 and July 7. He said the subcommittee has been working with the FAA to develop alternatives to certain NextGen procedures that are creating problems for some of the East Bay communities. Right now, he said, the subcommittee is working with the FAA to resolve two specific issues; one is the HUSSH departure that affects the City of Alameda and Bay Farm Island; and the second is the WNDSR approach procedure which primarily affects the East Bay hills. He said he would discuss the HUSSH departure first.

With respect to the HUSSH procedure, he said, it is in the process of moving through the FAA Instrument Flight Procedures (IFP) Gateway process; which all proposed new or revised instrument flight procedures must go through. The FAA review process is extensive, and there is a lot to it. As of tonight, he said, there has been no change in the status of the HUSSH procedure, and we are awaiting the FAA's determination as to whether or not the Forum's proposed heading change can be implemented.

As for the WNDSR arrival procedure, it too has been entered into the IFP Gateway for the FAA to review. The FAA is reviewing our suggested alternative to this procedure to determine if it is feasible to shift the flight track a couple of miles to the east to avoid the direct overflight of the residences in the Oakland Hills. Coming up in Adam's briefing, he noted, is another alternative being considered by the FAA to relocate the WNDSR flight path to the west of where it currently is. The FAA initially proposed this alternative back in July 2019. They gave this presentation to the NextGen Subcommittee again on May 28. Adam Scholten, from HMMH, is going to review it with us again tonight and answer any questions.

The FAA did not provide a lot of information in their proposal, and they will need to provide more information as things progress. So, he said, this is the status of the two issues that the NextGen Subcommittee is working on with the FAA.

Adam Scholten reviewed the presentation that was given to the Forum at its July 2019 meeting concerning two of the proposed changes to the WNDSR arrival procedure under consideration by the FAA. Adam noted that the FAA is still trying to determine what these changes will entail, including whether or not the existing WNDSR approach path can be moved farther to the east or to the west of existing. Adam called attention to the location of the published (existing) WNDSR approach path into OAK. He noted that one of the FAA's proposed changes was also shown, and that at the July 2019 presentation there were no changes to altitude indicated along the revised route. Since then, the proposed publication date for any potential changes has been moved back to October 2021. This date may change again, particularly in light of the Covid-19 pandemic. There is also the possibility that the proposed procedure itself may change again as the FAA continues to review it.

Adam described the steps that HMMH had taken in reviewing the FAA's proposed flight track change, starting with a high-level overview of the procedural changes, and a more-in-depth analysis beyond how the published procedure might change, i.e. but more on how the flight tracks and the concentration of the flight tracks might change. This was done in July 2019 when it was presented to the Forum. He said they identified within the aircraft that were using the WNDSR arrival procedure, then they simulated the same operations with the FAA's proposed changes of shifting the flight track farther to the south and west. They then compared the existing procedure with the proposed procedure. They also did a flight track density analysis and a noise analysis using the FAA's Aviation Environmental Design Tool (AEDT). They also undertook land use analyses of land use and zoning underlying the procedure for both the existing and proposed changes, along with a population analysis within the areas underlying the procedures. He showed graphical illustrations these analyses.

With respect to the flight track density analysis, he said, they determined that with the proposed changes to the WNDSR procedure, the flight tracks would shift more over the communities of Richmond, El Cerrito, Albany and Berkeley and also somewhat toward Piedmont. As for the noise analyses, he continued, they looked at potential changes in noise levels resulting from the potential change. He said they used the Community Noise Exposure Level (CNEL) metric, which is the standard used by the State of California for evaluating aircraft noise impacts. They modeled simulated operations on both the existing and WNDSR arrival tracks using 2018 operations and fleet mix data to see where there might be areas of potential noise increases or decreases if the procedure was to be implemented as proposed by the FAA when it was first presented to the Forum in 2019. With the proposed shift of the WNDSR procedure to the west, they were able to determine that, in some areas, there could be up to an 11-decibel CNEL increase with the proposed shifting of the WNDSR arrival path; but the noise level increases likely would not exceed the FAA criteria for being considered a significant impact because they would be outside of the CNEL 65dB noise contour and, in many cases, outside the area of 45dB CNEL noise contour. Adam showed a graphic of the areas where there would be noise increases and decreases. He said the areas where there would be increases are primarily over the areas where WNDSR would shift to the south and west, and the areas of decreases are under the area where WNDSR is today.

As for the land use implications of the proposed procedure, he said, they used available land use data plotted it under the area of the existing published WNDSR arrival procedure and the proposed changes to the WNDSR procedure. He showed a graphical illustration of the underlying land uses. He noted that HMMH did this analysis in July 2019, using land use data from Contra Costa County; which in some cases was incomplete and they were unable to get the supplemental data. He pointed out, that under the existing WNDSR procedure, Albany and Berkeley, have fewer noise sensitive land uses than they would have exposed with the proposed change to the procedure, e.g. particularly with respect to residential-type

land uses. Adam also noted that, based on 2010 U.S. census data, the population under the proposed WNDSR corridor could increase from approximately 76,385 to 163,306, which would basically double the population that would be overflown by the procedure. Because this is a satellite-derived navigation derived procedure, it is anticipated that the flight path would remain heavily concentrated.

In terms of any noise level increases, he said, they likely would not meet FAA criteria for impact and reportable changes defined under FAA Order 1051.F “Environmental Impacts: Policy and Procedures,” which is part of NEPA guidance. To be considered a significant impact the proposed action would have to increase noise by DNL 1.5dB or more for a noise sensitive area that is exposed to noise at or above the DNL 65dB noise exposure level, or that will be exposed at or above the DNL 65dB level due to a DNL 1.5dB or greater increase, when compared to the no action alternative for the same timeframe.

Matt Davis thanked Mr. Scholten for his recap and analysis of the FAA’s July 2019 proposal. He remarked that this proposal was brought forward by the FAA to resolve an issue raised by the community. The proposal deals with just one issue that is part of a number of airspace issues being reviewed by the FAA as a result of NextGen implementation and has to be considered in the context of other procedures using the same relative airspace and the complexities that creates.

### **B. FAA Noise Forum Meetings Update**

There was no report.

### **C. FAA Regional Administrator’s Update**

Mr. Davis introduced Raquel Girvin, Regional Administrator for the FAA’s Western-Pacific Region. Ms. Girvin noted that this was the second Forum meeting that she has attended. She said that at the first meeting, she was pleased to hear about the collaboration between the airport, the Forum and the FAA, noting that the FAA has committed to community engagement, and she sees this commitment working at the Forum tonight. Tonight, she said, you asked that I provide an update on two items. I want to note a key point about the airspace here in the Bay Area that Matt just mentioned. “When you have airplanes departing and arriving in the narrow airspace shared by the Oakland, San Francisco, Napa, and Hayward airports, to name a few, and all busy under normal circumstances; and you’re also bounded by terrain and an Air Force base, there is literally very little sky at our disposal. If you’re looking at a few procedures, it may seem there’s plenty of options for moving them, but when you look at the density and complexity of operations, together with the constraints of terrain and the special activity airspace for the military, and when we’re trying to address a safety issue, we are really starting with a pretty hard problem.” So, Ms. Girvin stated, that’s exactly the situation we face with WNDSR, and this is the problem we’re trying to resolve.

The current WNDSR arrival procedure does not provide enough separation from departures out of Oakland and San Francisco. Air traffic controllers work very hard to keep the busy and complex airspace in the Bay Area safe, and it’s the FAA’s job to make sure that safety issues are mitigated when we find them, Ms. Girvin said. So, this is why we’re doing the proposed amendment to the WNDSR procedure. She said she recognized that their proposal is different from what the Oakland Forum has requested, and that this has been shared with the subcommittee. She elaborated on the fact that they had analyzed the Forum’s proposal and found that moving WNDSR to the east was not feasible because of a number of factors: all are related to the density and complexity of air traffic in the area. She noted also that the terrain is higher to the east, and that there’s conflict with Hayward departures, along with the complexity in aircraft sequencing and spacing involving other Oakland arrivals, San Francisco departures, Napa County airport traffic, encroachment on Travis Air Force Base airspace. For these reasons, Ms. Girvin said, at this point, they have to address the airspace safety issue first because that is the primary reason for their proposed amendment. She added that the FAA will continue to engage with the Forum, as they have been, and

continue to do so as they move forward with the next step, which includes an environmental review process.

As for the HUSSH departure, she said, the Forum asked that aircraft be allowed to turn out sooner, at 520 feet, rather than at or above 520 feet; and making this change is feasible, but, she noted, this does not guarantee that all turns can be made at 520 feet. As Peter noted, this request is going through a USDOT Form 41 process. She said they were awaiting verification as to whether or not any additional work is needed beyond the notification. Once we verify that this is the case, it will go through the agency's validation and prioritization process, followed by the technical work that's needed. Again, she said, this work has to go through an environmental review and be compliant with NEPA; and the agency would also engage with the community. So, Ms. Girvin said, she realizes that the message she was delivering might not be what folks had hoped to hear -- but there really is no easy answer to addressing aircraft noise.

We have active public airports here in the Bay Area, she reiterated together with an Air Force base; all of which have byproducts which may be good and bad to communities. Right now, aviation is taking quite a hit, but aviation activity at these airports is an economic engine that brings benefits to your communities. Unfortunately, at the same time, such activity as the arrivals and departures of the airplanes can bother members of the community as well. This is why we're here, she said, to be part of the collective effort to resolve these kinds of problems. As she said in the beginning, they are committed to continue to work with the Forum, the airport, and the airlines; and as an agency, is continuing to work on other efforts to address community concerns. If any members of the Forum have any questions, she offered, that she was here with her team to respond to any questions. She noted also that Adam Vetter may not be attending future Forum meetings, as often as he's been because he's taken on new responsibilities. She concluded by saying that her team is open to conversation on these issues as we move forward.

The facilitator thanked Director Girvin for her remarks. He noted that he was seeing a lot of chat comments and questions coming through. He asked Jesse Richardson if there is a way to track and consolidate them after the meeting. Jesse responded that this can be done. Facilitator McClintock said that there are some very good questions that have come in, and that there will be some work required to respond to them. As long as we can get the information from the recording, then we will respond. However, he noted, he preferred that questions like these be forwarded to him by e-mail after the meeting; say by the close of business this week -- that is, Friday at 5 p.m. He said he would consolidate the questions and send them to the responsible parties for answers. McClintock noted that anyone wishing to make a noise complaint or comment can e-mail them directly to the FAA at [9-AWP-Noise@FAA.Gov](mailto:9-AWP-Noise@FAA.Gov) [NB: This site is no longer available]. They can also mail them to me, McClintock said, at [glomike65@aol.com](mailto:glomike65@aol.com). He also noted that he was seeing a lot of comments from the Richmond community, noting that he would prefer to have such comments and questions e-mailed to him. McClintock invited Richmond to rejoin the Forum, as it was a member once before. He asked the Forum members for a show of support for Richmond's membership. Support was indicated by the Forum members.

Councilmember Cheryl Davila asked about the term "waypoint." Adam Scholten replied that a waypoint is a published geographical position that is used by aircraft to navigate while in flight. Aircraft normally fly a series of waypoints on their way either to landing at an airport or when they depart to navigate to en route airspace. In regard to the flight track analysis, Ms. Davila asked why Piedmont was not overflown, when they were going over Berkeley, Albany, Richmond and El Cerrito. Adam replied that the proposed shift to the west would have less overflight impact on Piedmont. Ms. Davila asked about the flight altitudes over her district. Adam said that, based on the data that was provided by the FAA on the proposed changes in July of 2019, there were no changes in the altitudes based on what was published. HMMH used the altitudes as published by the FAA in its analyses. The Councilmember next asked about the level of community engagement the FAA was planning. Ms. Girvin replied that this is the kind of thing the FAA would work with the Forum on to determine what would work for the community. She asked FAA

staff to elaborate. Sky Laron said that the complexity of the proposed airspace changes would determine the level of community engagement. This can include various community workshops and public forums to help get the word out during the public comment period. Ms. Davila noted that with the proposed shift in the WNDSR approach, it looks like it's going right over Berkeley's Aquatic Park and Marina. So, she said, she can imagine the people who go there to exercise and relax, might find the noise factor to be excessive. She said she would like to be able to let the community know that's going to happen, because she can imagine it's going to be impactful.

James Nelson said he had several questions. In an earlier meeting with the FAA, he said, there seemed to be some confusion between the altitudes of the arrivals and departures. In the initial FAA presentation, it was indicated that the arrivals would pass over the departures. In other words, the departures from SFO and from OAK would pass underneath the arrivals coming from BOYSS intersection down to HOPTA. Now, that appeared to conflict with common sense; and now I understand that may not be correct. He said, he would like to know what are the actual changes in the altitudes of the WNDSR arrival path and, also, the changes in the San Francisco and Oakland departure paths. Are they, he asked, going to pass underneath the WNDSR arrivals or are they going to continue to pass over the WNDSR arrival path?

FAA representative Adam Vetter responded by addressing Councilmember Davila's question regarding community engagement. He began by stating that this is not the last conversation they are going to have with the Forum regarding WNDSR, and that this is not a proposal to shift a procedure just for noise relief or an arbitrary change to the procedure; this is a change that is needed to resolve several safety issues: specifically, the conflicts between OAK and SFO mentioned by James Nelson. He said this was clarified at the last meeting with the subcommittee. The departures will go above the arrivals as much as possible. Now, he said, that doesn't always happen. If there is any air traffic control vectoring that is necessary, e.g. an arrival at the same altitude as a departure, air traffic control has the ability and the authority to do what they need to do to keep the airplanes separated. To confirm what Adam Scholten said, there is no change in our proposal of the crossing restriction at the HOPTA waypoint or the BOYSS waypoint. On the WNDSR arrival, they will cross BOYSS at 7,000 feet, like they do today. And they know to descend to HOPTA to 5,000 feet, like they do today. There will be some normal variations, like there is with any change to a procedure in different profiles or carriers or companies, but in terms of the proposal, there is no change to the published restriction at those two waypoints where they would be located in their new position.

Mr. Nelson continued by noting that, therefore, the descent will be at the same glide angle or elevation. That means the separation between the WNDSR arrival and the ground level will actually increase because they'll now be flying over the lower areas of Berkeley. He added that, one of the stated reasons for the change in the flight path location is to increase the separation between departures and arrivals by shifting the WNDSR arrival path to the west. Does that not decrease the separation distance between departures and arrivals, queried Mr. Nelson. Mr. Vetter replied that, there is not just the distance. If we look at, specifically, the departures in conflict over the Richmond area, i.e. the point where they split at REBAS waypoint -- I believe, he said, that there are four or five transitions from there. It's a lot easier for air traffic control to separate aircraft traffic when you have a single arrival stream, as opposed to those on five different directions and headings. Moving the approach closer to where there is a single stream provides an increased level of predictability--the predictability of air traffic control to direct aircraft where to go. They can then vector the aircraft to the next of four waypoints--the vectoring to which is a lot easier and safer for ATC.

Nelson asked if the airspace conflict is in the Point Richmond area? Vetter replied, right now, it's more than that; when they turn from their north departure heading up the bay over Point Richmond and toward the east, they separate into four or five different transitions. Now air traffic control is trying to separate these four or five transitions from the single WNDSR arrival by shifting or removing the procedure to the

south and west. It forces it closer to where the departures are on a single stream or a common route before they get to the end route transition to go towards their destination. Mr. Nelson asked if this also means that departures from San Francisco and Oakland will have to climb at a higher rate to stay above WND SR? Vetter replied, this proposal is not intended to change any departure procedures from San Francisco or Oakland. The reason for the change is because of the current departure procedures from Oakland and San Francisco as they are today. If there was a change that was needed, that would be also considered as a published restriction on those, but that is not what is being proposed. The departures from Oakland and San Francisco are intended to remain the same. So, said Mr. Nelson, the separation distance will decrease between those daytime departures over Berkeley and the WND SR arrival? To Mr. Nelson, it looked like there's plenty of space between departures and arrivals at this point in time. He said he thought that the departures pass over Berkeley at 10,000 feet or higher, and the WND SR arrivals are at 7,000 feet, maybe lower. He assumed that there was a fair amount of distance between the arrival and departure streams. Adam concurred. Nelson continued, noting that by shifting the WND SR arrival to the west would tend to decrease that; but it is the FAA's position that there is adequate separation, and, hence, not force down the WND SR arrival altitude. Regional Director Girvin responded, saying when they design or amend a performance-based navigation or area navigation arrival route, their full intent is for it to be flown by a high majority in the 95th or 99th percentile as an optimized profile descent. As much as possible, they're not going to assign an altitude to maintain or have arrival aircraft level off. Given traffic conflicts like we're talking about now between the departures from Oakland and San Francisco, as well as weather conditions or special events or anything like that, that may change that procedure or our need to vector to give an altitude to maintain. When we do any work on an RNAV arrival, their intent is not to make optimized profile descent changes. Councilmember Davila asked if aircraft departing SFO or OAK go over the Bay Bridge. Vetter replied that the aircraft that go up the middle of the bay fly over the Bay Bridge.

Jesse Richardson asked that the facilitator give representatives from Contra Costa County and Richmond a chance to comment; also inviting them to officially join Forum. Contra Costa County Supervisor John M. Gioia, said he lived in Richmond and represents most of West Contra Costa County. He thanked the Forum for holding this meeting. He said that many years ago he served on an airport advisory committee in regional government, so he understands how complicated these issues can be, especially safety. He believes that it is really important that the FAA do an equity analysis of its actions, because of the comments he heard from Councilmember Davila and others that really gets to the issue of which communities may be impacted by this proposed shift in flight paths. In looking at a map, he said, the new flight path goes directly over communities that are impacted on environmental justice issues every day, especially air pollution. He said he was also a member of the air district and that these are the same communities that are highly impacted by air quality issues. So, he realizes that that would be a new approach, but wants to suggest that the FAA conduct an equity analysis of alternative flight paths. He said, he understands that the FAA will consider safety, but equity issues need also be considered. He said these were his comments and he hoped that the FAA would take no until that analysis is done. The facilitator asked Director Girvin if he was correct in assuming that the FAA would have to complete an environmental review of any proposed federal action; and that environmental justice is one of the elements of that process. Ms. Girvin replied that that was correct and that the FAA always follows the same process for reviewing federal actions under NEPA, and environmental justice is among the many factors that have to be considered. Supervisor Gioia responded that the proposed FAA action would run contrary to those policies, given the noise pollution that would occur in the impacted communities. In fact, he stated, under state law (AB 617), there are a number of communities called highly-impacted communities, which are in the process developing mitigation programs to reduce pollution. There are fourteen such communities in California, including West Oakland, Richmond, and San Pablo. So, under state policy, they're actually looking at some of those issues. The new flight path would be directly over these highly-impacted communities. Co-Chair Benny Lee thanked Ms. Girvin and Supervisor Gioia for their participation and

Councilmember Davila for her questions; saying these are the exact voices we need to hear. Obviously, it's important for the Forum to have a proper working relationship with the airport as well as the FAA. He said he grew up in a community that was impacted, and clearly understands these kinds of concerns.

Richmond Mayor Tom Butt said he concurs with everything Supervisor Gioia said, but wanted to some additional comments. Of all these communities that are under the existing and proposed flight paths, Richmond has the lowest median family income of any of them; that means poverty. It was pointed out that the flight path goes from the lowest scoring census tracts to the highest scoring census tracts. Those are the communities most burdened by pollution from multiple sources and the most vulnerable to its effects, taking into account the health and socioeconomic status of the people living there. He iterated details about how Richmond is already burdened. Richmond has the second largest [recording garbled] and we already have noise pollution impacts. The city has two railroads that run through it. They blow their 95 decibel horns for a long time, at night, time after time, after time. As for air pollution, Richmond has two freeways, the Port of Richmond, along with trucking routes and the pollution they cause. The FAA's proposal would add a whole lot of additional impact on people who are already over-impacted. He said he was talking to former Mayor Corbin about this a couple of days ago. She used to serve as Richmond's representative to the Forum. She said she tried to get the flight paths changed to go over the bay. You could move this proposed flight path half a mile west, he ventured, and it would go down the middle of San Francisco and San Pablo Bay instead of right over Richmond. So, he concluded, we have serious problems with this. He said he hopes the FAA will take this under consideration; and hopes that environmental justice and environmental equity would be part of the decision-making process.

Sasha Carl, Richmond Deputy City Manager thanked the Forum for organizing the evening's meeting. She said it has been extremely informative and wanted to reiterate what Supervisor Gioia and Mayor Butt said. They've been great leaders in their community in dealing with issues pertaining to environmental justice and health. In Richmond, she said, we are opposed to any plan that would place aircraft above our community; which is already suffering significant health equity burdens, and we are not in a position where we can ask our community to absorb more impact. She strongly urged the FAA to develop a more comprehensive engagement process that meets residents where they are, that is culturally competent and linguistically appropriate for communities in the Bay Area. She said they understand the NEPA process, but in California, as was pointed out by Supervisor Gioia and Mayor Butt, SB 535, AB 1515, AB 617 and other state laws also apply, and have to be factored into the FAA's review process. She continued, saying that the City is very disappointed that the flight paths being proposed would have a disproportionate impact on low-income communities and communities of color. The city is extremely disappointed that this information wasn't brought to the community earlier; and they look forward to collaborating with the FAA in the near future to develop a more thoughtful and culturally competent, linguistically appropriate and sensitive plan to address the concerns of a community that's already significantly burdened. Facilitator McClintock thanked Ms. Carl, but noted for the record that tonight's meeting was not a public hearing. It is the regular meeting of the Oakland Airport-Community Noise Management Forum. He noted that the Forum's last meeting was in January of this year, and a lot of things here have been pretty much overtaken by events. At this point, he said, we're trying to play catch-up; and the Forum certainly appreciate the FAA and others who have been working on this, and we'll get it sorted out eventually. So, at this point, we're ready to hear from members of the community.

Richard Jestin said he would like to hear from the Forum what plans there are to discuss and negotiate the recent Port of Oakland's choice to overfly Bay Farm Island with commercial jets all day on Monday from the North Field runways. [NB: this question was unrelated to the agenda item under discussion. The facilitator asked Mr. Jestin to e-mail him his contact information so he could get back to him]. Christopher Whitmore, chief of staff for Mayor Butt of Richmond, said we have thousands of community members who have worked so hard over decades to correct environmental health and social injustices and inequities

that have been wrongly imposed onto them. He said he assumed that the proposal to put this flight path directly over the heart of Richmond is a loud slap in the face to those residents, including myself and people I know personally, for the work they've done to create a better quality of life themselves and for other generations to come after them. And the fact that -- there's really no way to fly around the fact that this is inequity except to do what the mayor suggested and many others suggested and to literally move the flight path into a space that will not impact the Bay Area's most vulnerable residents. So, he said, he would strongly urge the FAA to reconsider its the proposal; noting that Richmond respects flight safety and air safety, but they also need to respect the lives of their many residents, who deserve peace and quiet, especially with all they've had to endure for many of their lifetimes.

Dr. Matt Pourfarzaneh, president of Alameda's CLASS organization, said he just wanted to add a comment to Ms. Girvin's presentation, saying he wants to emphasize that the sky and the volume of the sky over Bay Area hasn't changed since 2016; it's exactly the same. He said he did not believe the FAA was using the sky properly; not just in the Bay Area, but around the entire country. Prior to NextGen, he said, we did not know the issues. Now we do, and we can see that the airspace could be better used. The FAA should listen to the community, the proposal put forth by the Forum to the FAA wasn't put together blindly. There were a lot of specifics and expertise put into it, including by airport staff and HMMH. What the Forum presented to the FAA is not what the FAA has proposed. Mr. John Sargent, a 60-year Richmond resident, spoke in support of the comments made by Mayor Butt and Supervisor Gioia. He said he lives in East Richmond Heights and the El Cerrito Hills, where they are currently exposed to air and noise pollution at a much higher level than for those living at lower elevations. He said he thought that Mayor Butt was right in suggesting that the proposed flight track be located farther to the west, and he was sure that it would work. He said the flights from San Francisco go right over his house, and that he can see why adjustments are needed. He thanked all involved for what they were doing to work things out. Yvonne McHugh said she lives in Point Richmond and is very grateful for the remarks by Mayor Butt and Supervisor Gioia; and she wanted to stress that the quantity of overflights in her area have contributed to the pollution they mentioned. She said this is not mentioned enough and wanted to make the point that there already are very heavy overflight activity coming from SFO and OAK heading to the REBAS way-point. She said she also wanted to make the point that Adam [Vetter's?] presentation would be more accurate, as far as impacts, if he could show the change in the flights in the context of the already heavy flight pattern over our community. Shown in isolation, as they were, she said, you really can't see the context they would be occurring in. She concluded by saying that she appreciated the fact that this was brought up for discussion.

Howard Hintermeister, an executive member of CLASS, stated that Harbor Bay has been experiencing an extreme number of flyovers as a result of the Airport's unilateral decision to change their nighttime maintenance schedule for the main runway to Mondays midmorning-midafternoon. During these hours, residents are seeing flyovers of large commercial aircraft, to the tune of about 45 flights each Monday. This has been going on since about May 15. He said he understands that it's a cost savings situation for the airport; that the airport is under pressure from COVID-19 and the resultant loss of income and so forth. The problem being, obviously, that the noise from jets coming directly over their houses is two to four times the noise levels that they get when aircraft use Runway 30. They are being inundated by sound to the point, while being subjected to being in a sheltered-in-place situation with most people being at home and not able to escape the noise; and are houses are not equipped for amount of noise. Facilitator McClintock said that he understood that Mr. Hintermeister and others have been in e-mail contact with Jesse Richardson. He suggested that Mr. Hintermeister continue the discussion of this issue with Jesse. Martine Krause (Missy) said she agreed with Mr. Hintermeister about the increased noise over Bay Farm Island. This is not the first time that the airport has changed its maintenance schedule. In her view, as someone who has lived in Alameda and in Berkeley before that, the airport uses its maintenance schedule as an excuse to change flight patterns, and it becomes permanent. When she originally moved to Bay

Farm Island, she said, there were no flights over my house, or over Bay Farm School, and now it is a regular occurrence. She also wondered what channels were in place to make pilots comply with the fly quiet HUSSH and WNSDR. She said she has flights going over her house in the middle of the night, in the middle of the day, in clusters, at all hours of the day, etc.; and she does not see them complying with the very things the FAA is working on. Another thing that bothers her are the two FAA representatives on the phone who have fully admitted, through their comments, that they are not familiar with whether the planes fly over the bridges, whether they fly over certain regional features, mountains, valleys, homes, etc. It is disturbing to her that they do not understand the flight patterns or the physical features of the Bay Area in order to better understand how the flights should work.

Cecelia Trowse (sp?), a resident of Bay Farm and Harbor Bay in Alameda, said that although she was a resident of Alameda, she agrees with the comments that Mayor Butt and several of the other people made about the flight changes proposed to go over Richmond. That sounds like it needs to go back to the drawing board, she said. She also said that she wanted to echo some of the comments made about the Monday switch in maintenance routines and the commercial flights going out of the North Field over Bay Farm at about 1,000 to 1,500 feet all day long on Mondays, and it has been going on for a while. It's an incredible amount of noise pollution, and it was made without conversing with anyone. So, she said, we need to find a solution that will work for all of us. Kevin Faltron (sp?) said he was a newcomer to the Forum and a Berkeley resident for over 20 years. When he moved to Berkeley, he said, there were, basically, zero flights overhead. He said he had been using an application that tracks flights, and that, prior to Covid-19, he was seeing flights every 30-45 seconds over his house; and they are invading the interior of my house, never mind the livability outside the house. He said he was chagrined and amazed to attend tonight and find out that there is a proposal to increase the air traffic over the corridor. He said he found this to be unacceptable, and could not believe that with all of the airspace in the Bay Area, over the Pacific Ocean, and east and west of Berkeley, and with vast areas that are underpopulated, he couldn't believe the FAA is even considering increasing air traffic over the highly-populated areas. The facilitator asked if there was anyone else who wished to comment. There being none, he closed this agenda item.

## **6. PUBLIC COMMENT**

The facilitator noted that this agenda item is the opportunity for members of the public to speak on issues not on the agenda but relevant to airport noise and air quality at Oakland International Airport. There was one listener who wished to speak, but was unable to connect because of a technical issue. The facilitator asked that person (Martine Krause) to send her questions or comments to him via e-mail. There being no others who indicated a desire to speak, the facilitator closed the agenda item.

## **7. FORUM WORK PLAN 2020**

The facilitator noted that the Forum's annual Work Plan is updated in January, but due to a variety of circumstances it has been delayed to this point; in which case, he said, about the only changes he could recommend were some housecleaning changes. He said the proposed changes were in italics in the document, and Forum members have had the opportunity to review them. He asked if there were any questions or comments. Peter Marcuzzo moved to approve the updated work plan. Co-Chair Lee seconded the motion. Motion carried.

## **8. FORUM STRUCTURE UPDATE**

Facilitator McClintock explained that this item was primarily a housekeeping item also. The last time the Forum Structure was updated was 2017. So, he said, it's time for some housecleaning. On the first page, under "Background" it was noted that in January 2001, the Forum was expanded to include representatives for Richmond/West Contra Costa County and Marin County. Since then, both have opted out of the Forum. However, he said, this would be a good time for Richmond and or West Contra Costa County to

consider rejoining the Forum. He extended an offer for them to do so, and asked that he be e-mailed their decision. Another change that was made was to the operating procedures for meeting time and location. Regular meetings are held quarterly. He recommends adding “on the third Wednesday in January, April, July and October.” Under Membership, he recommended delisting those communities who have opted out of the Forum. At one time the Forum had 10 public agency members; now, he said, the Forum is down to seven: the cities of Alameda, Berkeley, Hayward, Oakland and San Leandro, the County of Alameda, and the Port of Oakland. With the reduction in membership, the number of members present reduces the number of members required for a quorum. Instead of requiring six member agencies, this change would require representation of only three plus the Port of Oakland. A quorum of three cities, plus the Port, is what is being proposed here.

Co-Chair Benny Lee commented on the invitation to Contra Costa County, saying that he encourages them to join the group and be part of the process, where we can discuss our issues and concerns at the table. That way we can make changes together, he said, and that participation is very important. Because, by participating, we can come to the right solution. Just coming to a meeting and commenting doesn't help because there can be changes; and by being at the table you have the opportunity to be part of the discussion. Co-Chair Walt Jacobs said he agreed with Benny, and that he had no problem with that idea; noting that Richmond had previously been a Forum member and they have concerns about the overflights. He said he was taking this all in, and that the FAA had made changes to flight patterns to conform them to NextGen's satellite technology. They've narrowed the flight paths based on this ability of the technology to allow planes to fly closer together along a narrower path. That's what created the problem. The FAA may have done an environmental study, but it wasn't effective enough for people to say anything, and it happened too fast for anybody to respond to it properly. He said, he didn't think there was any consideration of the people living underneath the new flight tracks; and that's the fundamental problem. The Nextgen technology may make things more efficient, but, as someone said, in the old pattern, we didn't have these kinds of problems, and with the new patterns, we've got all kinds of problems. Walt noted that he's been on the Forum since its inception, and thinks that, in terms of the airport, they've done just about everything they can to cooperate. But, it's really not in their hands; it's the FAA that is going to be the controlling factor in this whole thing going forward.

Today we have a much better relationship with the FAA, but getting something done -- just to give an example, is the takeoff problem in Alameda that has been going on for a long time, and this subject was brought up four and a half years ago. We still have the same problem. The change has not been made. It involves whatever the federal processes are to get something changed with the FAA before they make any change. Alameda's problem is pretty simple—and they admitted that from the beginning -- and it's still a simple problem. So, we do have a challenge here, he said, and he thinks that Richmond has some very good points to make. We have a subcommittee to deal with this and the people that are on the subcommittee have been working their rear ends off. They are the ones who have succeeded in getting the FAA to participate with us. The Forum has tried to deal in a very cooperative manner all the way, with no one screaming and yelling at each other, because, obviously, the wind of anger blows out the light of reason so fast, it's unbelievable. The Forum is looking for response, not reaction. He feels that the Forum and the FAA are on the same page and are starting to operate well with each other. It's taken a long time for this to happen. He said he lives in Harbor Bay, and has also been experiencing the problem with the runway maintenance, which requires the use of the North Field runways. But, he believes the airport is capable of dealing with that particular problem, even after losing 95 percent of their business.

So, he said, that's his perspective, adding that he felt that Richmond needed to “get on the ball and join the Forum.” It's entirely possible that somebody from the Richmond group can be on the Forum's subcommittee, which is striving to get these issues resolved. He said the Forum has worked very hard on WNDSR, but it looks like it's coming to a disappointing conclusion. So, he concluded, he can't make anybody feel any better, but he can tell them that the Forum members have been active in working with

the FAA, and have reached a good point with the airport, which has bent over backwards to try to be cooperative. The FAA now sits at the table with us. To be a part of the problem is not a good idea--being part of the solution is the best idea. The facilitator thanked the Co-chairs, along with Diego Gonzalez from Port Government Affairs and his boss, Matthew Davis, for the outreach they've done to the other communities. It's certainly brought these issues to the forefront tonight, he said; and thanked Peter Marcuzzo and the subcommittee for the work they've been doing, along with the FAA and the well-qualified people that Raquel Girvin has brought to the table.

## **9. TECHNICAL WORKING GROUPS REPORT**

### **A. North Field/South Field Research Group Action Items**

The facilitator called upon Matt Davis to talk about the North Field/South Field Research Group action items. Mr. Davis said there have been two technical subcommittee meetings since the last Forum meeting in January. First off, he said, the technical subcommittee continues to track the Runway 33 departures issue at the request of the City of Alameda. At one point, he noted, there were nearly 300 small business jets departing this runway every quarter. These have been essentially eliminated, but every once in a while there is a departure, we're continuing to work on this to prevent such departures. This has been of benefit to Alameda. Another item was the TRACON tour, which is sponsored by the Forum. The Northern California TRACON is the FAA radar control center at Sacramento Mather Airport. The tour provides an opportunity for Forum members and other interested folks an opportunity to see what air traffic controllers see and do. Davis said, a tour was scheduled for earlier this year, but has been put on the back burner due to Covid-19. He said the tours will be reinstated when it is practical to do so.

## **10. NOISE OFFICE REPORT**

### **A. Update on Action Items from January 15, 2020 Meeting**

Starting with the action items, Matt Davis, reported that they had looked at helicopter activity in Alameda's Fernside district because of increased concerns there. Reports show no increase in activity in that area, but they will continue to track the issue. Davis said they have provided reports to the subcommittee regarding freight flights, as well as the three-year rolling trend report, which has been helpful for a basis of communication with that group. He noted that they had spent a lot of time discussing the phone complaint system, and have streamlined the way one can leave a voice complaint, he said. Folks indicated it took too long to leave a complaint by phone. So, basically, by switching from the pure analog system to a digital system helped us automate how we receive complaints. The time to leave a voice message has been significantly reduced, and we're always looking for ways to enhance the way to leave noise complaints. There was also a lot of discussion on the term "comment" versus "complaint." That was changed a few years ago, he noted. The industry was moving away from the term "noise complaint" and moving to "noise comment." He said he realized that some folks may want to communicate something other than a complaint, and the term itself may not be sufficiently broad to engage everyone who wants to communicate with the airport or the Noise office. There was a lot of concern about that change, which has since been rolled back. The previous language was "noise complaint" on the web site. Any reference to the term "comment" had been removed. Now, it's all "noise complaint" again. That was a result of input from the NextGen Subcommittee.

Mr. Davis continued, saying that when filing a noise complaint via the web, you used to receive a unique auto ID. It was a one-time use only; now with the ID you can continue to use it to track the complaint. If you are not getting a unique ID, you should let the noise office know. Next, he said, as for the Runway 30 daytime closure was discussed; it has come up multiple times. The airport understands the impact of the daytime closure for Alameda. For many years, he said, we conducted the maintenance work at night in order to reduce the impact on Alameda. As to why the airport elected to close Runway 30 for daytime

maintenance, there are a couple of reasons: first, in the past the daytime traffic volume was too heavy and made such closure impractical. Currently, the traffic volume on Runway 30 is half what it has been in the past; second, there is an advantage for us to be doing it this way because some of the work being done on the runway is easier to perform for our crews, especially the work that's done on and adjacent to the runway, e.g. removing vegetation which is difficult to do at night. Our crews have been able to take advantage of the daytime to get the work done more efficiently than we could by doing it at night.

Mr. Davis continued, noting that there were some economic discussions regarding the Port and the loss of close to 90 percent of air traffic because of Covid-19 and some of the financial pressures facing the Port. He said all the night work is on overtime, and by doing it in the daytime the Port would see some cost savings. This was not a decision made lightly by the Port, he emphasized, and said that they will continue to work with CLASS and stop doing daytime closures when they can. As flight activity comes back, he said, they are hopeful that by July or August they would be back to the normal closure schedule and have gotten through some of the economic issues.

Davis continued with the action items from the January 15 Forum meeting. Co-Chair Lee had asked the noise office to reach out to B&K to use Viewpoint to "log" data from a regional perspective. As a result, San Francisco information is now taken separately from Oakland. As Co-Chair Lee said, we've become more data driven, and having additional data from SFO is beneficial because of the intermeshing of flight tracks between SFO and OAK. Work is still in progress on this. As for the quarterly reports, Davis said, there are a significant number of flights in the "other" category and a question was raised as to why there's the "other" category. He said it is primarily because of a lack of definitive information. With the radar data provided to the noise office, some of the carriers are not identified; the information is blocked. If the system detects aircraft that we're unable to identify, he said, that goes into the "other" category. Most aircraft we do see, e.g. we know it's a Southwest B-737, and we know its destination and other information. Some government flights – especially law enforcement flights -- oftentimes are blocked and their flight information is not provided to the airport. Those go in the "other" category.

At the Forum's January meeting, James Nelson suggested that the Noise office look into how noise complaints from Stop.jetnoise could be incorporated into the quarterly noise reports. Davis explained that all of the sources of complaints coming in to the Noise office by phone or e-mail are shown in the reports. Right now, he noted, about half the noise complaints from e-mail are from Stop.jetnoise and half are from the Viewpoint app. The system does not directly integrate the Stop.jetnoise complaints, he said, but we will capture it like we would any other complaint. So, he said, a Stop.jetnoise complaint will come through as an e-mail complaint, as with a Viewpoint app complaint as well.

Martine Krause said she appreciated that the e-mail reports were tallied, but that still leaves a lot of reports uncounted because it relies on individuals e-mailing a monthly summary of their jet noise reports to the airport. She said that half of the time she forgets to e-mail it in. She asked that the Noise office do what the San Francisco Airport is doing, which is to incorporate, in real time, the Stop.jet.noise reports into their cumulative noise reports. Backtracking, she said she was very grateful for the FAA's presentation and for the work that the subcommittee has done working with the FAA. It's really reassuring to see that change is actually possible, that the flight paths can be moved if people come together and work together. She said that she thought the issue was that, while it seems to solve the safety problem that was described, it does not address the noise problem that was already in place for a significant part of the community, as was described earlier this evening. She said agreed with what everybody else was saying, from Richmond or Berkeley, that this path needs to shift further, potentially over the bay, as John Gioia was mentioning, in order to really get people out from under it. The other issue she wanted to raise for Berkeley, and that she didn't hear talked about very much, is that they are subject to a tremendous amount of departures from Oakland Airport --Berkeley is unduly impacted by departures from Oakland already, and so they have a tremendous cumulative impact. She called upon the Forum to look at the totality of the impact for each

of our communities. Matt Pourfarzaneh said that Matt Davis was going to provide CLASS with a report on when the daytime runway closure work was to be completed. He asked what level of flight activity was needed to return to financial stability. Matt Davis replied that he wished he had an answer for how long it would take, but they anticipated that things would start to pick up after the end of July or August with the return of the Hawaii flights, but this was delayed through September. Davis said he hoped to have a more definitive answer sooner than later, but that they have spent a lot of time and effort trying to reduce impacts to Alameda; and that they want to discontinue the daytime closure as soon as they can.

## **B. Viewpoint Update**

Mr. Davis gave an update on the Viewpoint app, which is being used by many people now to interface with the Noise office. This app was developed over the last few years and rolled out last year to provide a more streamlined mechanism by which folks can register noise complaints. He said they are looking to enhance the app to be able to store personal information without logging in. People want the cleanest and easiest way to file a noise complaint without having to input a lot of data. We want to maximize participation in the Noise office and look for those comments, concerns and complaints, he said. Many airports use third party vendors, but we've looked to develop this inhouse because, if we support the app, we can be sure it will continue to work. Many third-party apps have failed, or may no longer be compatible with the upgrades in our system. We are continuing to work on this, he said.

## **11. SUPERSONIC AIRCRAFT NOISE**

For agenda item 11, said the facilitator, we have Ms. Maryellen Egan, president of HMMH. Ms. Egan thanked the Forum for the opportunity to present the topic of supersonic aircraft noise, and noted that she has been working on airport noise issues for more than 35 years. Relevant to this topic, she said, she serves as the Airport Council International (ACI) representative to the International Civil Aviation Organization (ICAO) Committee on Aviation and Environmental Protection Noise Working Group, which is currently working on this issue. She gave a slide presentation on supersonic aircraft noise, which included proposed supersonic aircraft, the FAA's noise certification requirements, the status of the certification requirements, and the FAA's Notice of Proposed Rulemaking regarding supersonic flight activity. She pointed out the Concorde was retired in 2003. Since then, there have been no civilian supersonic aircraft in active service anywhere in the world. However, she said, there has been a resurgence in interest in supersonic air travel and, along with that, a lot of active research and development efforts by possible new entrants with the possibility of supersonic long-haul business and commercial flights fueling competition between different manufacturers. As a result, regulatory agencies, like the FAA and airport operators, are considering and looking at the implications for all kinds of issues but, in particular environmental noise. As a reminder, she noted, the current regulations in many countries, including the U.S., prohibit flights over land in excess of Mach 1. In short, there appears to be a business case for supersonic travel, which is mostly focused on the business aviation sector. She showed examples of supersonic business aircraft that are currently in the development stage. These aircraft will be capable of carrying from 18 to 55 passengers over 6,200 nautical miles at speeds of between Mach 1.6 and 2.2. Manufacturers claim that their aircraft will comply with 14 CFR Part 36 noise standards, and that their sonic signature will resemble a soft clap to observers on the ground. These aircraft are proposed to enter service by 2027.

So, to bring everyone up to date on the FAA Notice of Proposed Rulemaking (NPRM) and the aircraft noise certification process, she said, the subsonic noise certification under the U.S. Code of Federal Regulations (CFR) says that what these aircraft manufacturers need to comply with does not apply to supersonic aircraft. This lack of standards has been a main stumbling block for the manufacturers. As a result, the FAA, in April, issued a Notice of Proposed Rulemaking regarding the noise certification of supersonic aircraft. This rulemaking is in response to a Congressional mandate that came from the 2018 FAA Reauthorization Act. In that bill, the FAA was required to take a lead effort in the supersonic noise field. So,

she said, the current rulemaking activity would determine the technological and economic basis to support the noise level requirements for supersonics. She said it is important to note that there is nothing in this proposal that would affect the current restriction on the ability of anyone to operate at supersonic speed over land. Just to clarify things, this NPRM is only about takeoff and landing operations to and from the airport, not overflight above land. The comment period for this NPRM closed on Monday, and there were about 270 comments that the FAA received. As one might imagine, she said, the manufacturers generally commented in favor of this proposal, and there were about 60 comments from environmental organizations opposing the NPRM. The European Union also commented, based on the fact that the United States, had moved unilaterally in the process of certification and it had gotten out of step with ICAO's process, which is generally the international process for standard setting. Basically, ICAO has been moving at a slower pace. The next step after this, Ms. Egan noted, will be another NPRM dealing supersonic flight over land, but the initial business models that the manufacturers are proposing are routes that are primarily over water, e.g. for travel between Europe and the East Coast.

The facilitator said he wanted to confirm that the NPRM was not about supersonic flight over land in the United States, including Hawaii and Alaska. Ms. Egan said that was correct; supersonic flight over land would require an entirely-separate rulemaking process. McClintock thanked Ms. Egan and HMMH for the presentation. James Nelson asked what the manufacturers meant when they said their supersonic aircraft would meet 14 CFR Part 36 Stage 5 noise requirements. He said he asked because he had the opportunity to measure the noise level from the Concorde when it departed from Oakland Airport many years ago. It was loud. Ms. Egan said that she was reserving judgment on the aircraft that are currently being designed. She said she felt confident in saying that all the manufacturers understand that environmental considerations are important and that they're not going to be able to operate if they have a disagreeable environmental performance. So, she thinks that they will meet Stage 5 requirements, but the planes don't exist yet, so we don't know yet. The engines don't exist yet. Nelson observed that they look like low bypass ratio engines. Mary Ellen replied that they are, and that if they don't work out, then the manufacturers' business case will be challenged. Ms. Egan said HMMH had developed some noise contours from the data provided in the NPRM, and the contours are larger than for the Gulfstream 5. They're about the magnitude of a Boeing 737-200.

Richard Jestin said that his only experience with takeoffs of supersonic aircraft was in the military, and even at subsonic takeoff speeds, the noise was incredible. He asked if there was "firewall" in place that would prevent these supersonic aircraft from operating at Oakland Airport if they're substantially louder than the average B-737. Ms. Egan responded that it's not clear that these aircraft are going to be able to operate at all. As she said, the initial market will be over water, not over land, and it's not clear that they'll be able to get from the West Coast to Asia non-stop. So, she thinks the introduction of these aircraft will be on the East Coast. So, we'll have a lot of opportunity to see what happens there before they get to Oakland, but there are a lot of airports that are concerned about this. The Airports Council International (ACI) submitted comments in response to the NPRM, as did the Port of Oakland, expressing concern about the fact that new production aircraft should meet existing commitments and standards. Facilitator McClintock thanked Ms. Egan for bringing up the fact that the Port of Oakland did weigh in on the NPRM with a letter, which was shared with the Forum members. He noted that the Santa Cruz and Santa Clara Counties Roundtable also submitted comments to the FAA, and he understood that the San Francisco International Airport, and the SFO Community Roundtable probably did as well.

## **12. NOISE NEWS AND UPDATE**

Christian Valdes began with the status of the FAA's National Sleep Study. Last year, he said, they received public comments on the plan to conduct this study. Many commentators stated that they support the FAA efforts on collecting scientific data, data will be collected or what the quality of the data will be. Apparently, the means of collecting the data will be through 25,000 postal surveys, without any detail on

how those surveys will be distributed. From their survey responses, 400 people will be recruited. It is believed that the FAA will send this survey to communities around civil airports. They will include both residents who are and who are not concerned about aircraft noise, yet they don't explain how both these types of residents would be fairly represented in the survey. Arbitrarily, those residents more concerned about noise will take the time and effort to fill out the survey over residents who do not see aircraft noise as an issue. This could result in a skewed outcome. The FAA plans to use the sleep study results to update or validate the national aviation noise policy, so the quality of the study is of great importance. Relative to the schedule, the FAA says they can't decide when the study should start, in light of the COVID-19 pandemic and reduced airport operations.

Sections 188 and 173 of the FAA Reauthorization Act relate to a study regarding Day-Night average sound levels and a deadline for the evaluation of airplane noise metrics. In its report, the FAA found that DNL is the most suitable metric for assessing noise levels and to evaluate environmental noise. An attorney from Pasadena who reviewed the report, stated that it is thin and perfunctory, and reflects its disconnect between the FAA and communities under the flight paths. Even the use of the DNL noise metric during the Metroplex assessments did not predict community outrage from changed flight paths. The FAA report also described supplemental noise metrics that could be used under certain situations, but did not provide or explain how the FAA will decide how to implement them.

Two lawsuits were filed in March challenging the FAA on an issue that was not brought up in other Metroplex challenges; that is, whether the FAA failed to adequately assess impacts that may disproportionately affect children. The lawsuit raised 23 issues, including failure to consider the presence of children, schools, wildlife and other sensitive areas, and the FAA's decision to move flight paths south at the request of one citizen; thereby moving that impact to another county. Also, the FAA failed to analyze and describe impacts that represent a comparatively-smaller noise increase in rural or natural areas, which are more noise-sensitive. In a recent webinar put on by Embry-Riddle Aeronautical University, the administrator spoke to students about the future. He called for students to be ready because there is a generational shift; that creates opportunities. The FAA Administrator predicted the next five years will be the most eventful since the jet age, with new urban solutions on certifications of electric aircraft making the air transportation industry more complex. Looking broadly at the industry, he believes that air transportation demand will rise in two to three years, and by next year, the agency will handle one commercial space launch per week from one of the licensed spaceports. The FAA and Boeing completed three days of flight testing on the 737 MAX earlier this month as part of the efforts to put it back in service. Upcoming tasks include the evaluation of data, stakeholders' reviews, and final reports. The agency will lift the grounding order after safety experts confirm that the aircraft meets certification standards.

The company that brought us the first electric plane last year brought us the first flight of the electric plane. It can carry nine potential passengers and run about a hundred miles with its electric motor that produces no emissions. They're looking into newer battery technology that provides greater range. A new aircraft tug being advertised at Schiphol Airport, the TaxiBot, is a sustainable hybrid-electric vehicle. You connect it to the aircraft, and it pulls the aircraft to a runway without the use of aircraft engine power. TaxiBot engines consume 96 percent less fuel than an aircraft would on its own. Additional benefits include a 60 percent noise reduction and 50 percent damage reduction from debris being sucked into aircraft engines while taxiing. The vendor is currently in discussions with U.S. airports. NASA has sustainability goals to supplement or replace the Boeing 737 and Airbus A320. The agency is focusing on new technologies: electrified aircraft propulsion, and small core gas turbines with larger nacelles and higher bypass ratios. With current aircraft designs, there is a limit how large the nacelles diameters can be, so NASA is focusing on transsonic truss-braced wings, which allow engines to be installed much higher and have much larger nacelles and higher bypass ratios compared to today's engines. Also, they use high-rate composites that are lighter and stronger than metal.

On the research front, there was a report released on commercial space operations and sonic boom. It included a survey of historical measurements to develop a noise measurement protocol which was then used to conduct a noise measurement campaign on four launches at two separate sites. There were over 250 noise events collected and measured at 70 locations. Ultimately, the noise data database and protocol will be used for improved noise predictions, which will enable decisionmakers to provide more accurate information to the public regarding the potential community noise impacts of commercial operations. The Southern San Fernando Valley Airplane Noise Task force held its regularly-scheduled meeting online in May. Members of the group approved 16 recommendations that were submitted to the FAA on how aircraft arrive at or depart from Burbank and Van Nuys Airports. Co-Chair Benny Lee said Christian had said something that was a passion of his, i.e. it has to do with the noise impact provisions, which he has always visualized as something that would have a lot of data. He said, he would like to get more information on this and, hopefully, some information for the Forum, as well as for the staff. Christian replied that he would get some information back to Benny.

### **13. CONFIRM NEXT MEETING – October 21, 2020**

The next Forum meeting is scheduled for Wednesday, October 21, 2021

### **14. NEW BUSINESS/ADJOURNMENT**

Benny Lee suggested that if we will be doing any further virtual meetings, it would be a good idea to note on the meeting notice/agenda that it's important for participants to make sure they have the latest version. This will help to alleviate some of the issues we had tonight.

Facilitator McClintock thanked the FAA, elected officials, and everyone who participated in tonight's meeting.

The meeting was adjourned at 9:18 pm.

END