



**SANTA CLARA/SANTA CRUZ COUNTIES  
AIRPORT/COMMUNITY ROUNDTABLE**

PO Box 3144  
Los Altos, CA 94024

May 13, 2019

Ms. Raquel Girvin  
Regional Administrator, AWP-1  
FAA Western-Pacific Region  
777 S. Aviation Blvd., Suite 150  
El Segundo, CA 90245

**Subject: FAA Assistance with the SCSC Roundtable Questions Regarding the Proposed LOUPE FIVE and PIRAT TWO Flight Procedures**

Dear Ms. Girvin:

At its April 24, 2019 Regular Meeting, the Santa Clara/Santa Cruz Counties Airport/Community Roundtable (SCSC Roundtable) received feedback from Federal Aviation Administration (FAA) staff regarding the new LOUPE FIVE Instrument Departure Procedure (IDP) for San Jose International Airport. At that same meeting, the SCSC Roundtable reviewed the proposed PIRAT TWO Standard Terminal Arrival Route (STAR). Both procedures were published by the FAA on April 25, 2019. A number of questions regarding both procedures were raised at the meeting. FAA's representatives at the meeting, were unable to answer some of the questions, but promised to respond to an SCSC Roundtable request for information and report out at a future SCSC Roundtable Meeting.

At that same meeting, the Roundtable Members unanimously authorized me to prepare a letter to you following up on our questions on the LOUPE FIVE IDP and PIRAT TWO STAR as follows:

1. What is FAA's timeline to identify, design, and implement flight procedures?<sup>1</sup>
2. Please provide the Roundtable with a map that shows the LOUPE FIVE departure procedure on the ground, that depicts the communities that will be overflown, and the relevant changes in flight track locations, aircraft altitudes, and aircraft noise exposure also on the ground.
3. Where does a member of the public find a depiction of the LOUPE FIVE IDP (or any other proposed procedure) on street map which shows the cities along the route and shows the change in aircraft noise exposure on the ground from the old procedure to the new procedure?
4. On a publicly accessible website, please provide a depiction of the PIRAT TWO STAR on street map which shows the cities along the route and shows the change in aircraft noise exposure on the ground from the old procedure to the new procedure.

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<sup>1</sup> FAA representative Garcia responded to this question during the April 24, 2019 Regular meeting indicating that the FAA's flight procedure development process takes a minimum of 18 months, but she asked that the question be submitted in writing.

5. Please explain how the PIRAT TWO STAR flight procedure changes implement the Select Committee's recommendation to keep aircraft at 8,000 feet MSL over the Woodside VOR when safety permits.
6. How will aircraft be routed after leaving the ARGGG waypoint, what communities will they flyover, and at what altitudes will aircraft be over each community?
7. Was the PIRAT TWO arrival procedure proposed previously in another form and was it rejected?
8. What are the Record of Decision dates for PIRAT ONE and PIRAT TWO STARs? If there are none, what starts the 60-day clock for filing a formal petition for review?
9. What was the FAA's success criteria that was used to develop the PIRAT TWO STAR and was that success achieved?
10. What is the impact to noise and people on the ground as a result of the implementation of the PIRAT TWO STAR?
11. Where is the publicly accessible link that would allow the community to see the change in noise impacts on the ground from the PIRAT ONE to the PIRAT TWO STAR especially after the ARGGG waypoint?
12. Please provide responses to letters previously provided to the FAA by Mountain View, Los Altos, and Palo Alto (attached) regarding the PIRAT TWO STAR.
13. What were the previous procedures that individual airlines were using that are being replaced by the PIRAT TWO STAR?
14. What is the likelihood that flights using the PIRAT TWO STAR will be vectored either up or down the San Francisco Peninsula and what is the impact of that vectoring on the communities under the expected vectored tracks?
15. Please provide the SCSC Roundtable with the environmental analysis that was performed to evaluate the potential impacts of the PIRAT TWO STAR.

We appreciate the FAA's willingness to keep the SCSC Roundtable informed about flight procedure development on an ongoing basis.

While you are welcome to respond to this letter in writing, we would appreciate it if these questions could also be addressed by an FAA representative at a future Roundtable meeting. Please let me know when you or your staff is prepared to respond and I will place the FAA on a future agenda.

Thank you for your attention to this matter.

Sincerely,



Mary-Lynne Bernald  
Chairperson

Cc: SCSC Roundtable Members and Alternates

November 13, 2018

Mr. Dan Elwell  
Acting Administrator  
Federal Aviation Administration  
800 Independence Ave., SW  
Washington, DC 20024

Sent via email to [Dan.Elwell@faa.gov](mailto:Dan.Elwell@faa.gov)

Dear Administrator Elwell:

The City of Palo Alto is writing to comment on the recently proposed PIRAT ONE ARRIVAL Standard Terminal Arrival Route (STAR). These comments are submitted in response to the solicitation of comments set forth on the FAA's IFP Gateway which indicates that comments are being accepted until November 13, 2018. (See [https://www.faa.gov/air\\_traffic/flight\\_info/aeronav/procedures/application/?event=procedure.results&tab=coordination&nasId=SFO#searchResultsTop](https://www.faa.gov/air_traffic/flight_info/aeronav/procedures/application/?event=procedure.results&tab=coordination&nasId=SFO#searchResultsTop) )

We note at the outset that we understand the request for comments on the IFP Gateway is directed primarily at solicitation of technical comments from air traffic professionals or aeronautical users. The agency has not, however, provided any other mechanism for the public to comment on this proposed procedure. We are, therefore, availing ourselves of this opportunity to ensure that the FAA receives and considers our comments before taking a final agency action pursuant to 49 U.S.C. 46110.

We are troubled by the lack of community engagement by the FAA during the planning and execution of such proposed changes to routes or procedures. The manner in which the PIRAT STAR has been proposed and the process for solicitation of comments does not comply with the FAA's own Community Involvement Policy as set forth in Appendix 10 to FAA Order JO 7400.2L. Neither has the process complied with current FAA practice to engage the community in any air traffic change which is likely to be controversial on environmental grounds. See FAA Order 1050.1F § 5-2; see also RTCA, PBN Blueprint Community Outreach (2016) (available at [https://www.rtca.org/sites/default/files/2016\\_pbn\\_blueprint\\_community\\_outreach.pdf](https://www.rtca.org/sites/default/files/2016_pbn_blueprint_community_outreach.pdf) ) which was approved by the FAA's NextGen Advisory Committee in June 2016. As far as we know, the agency has not solicited non-technical comments, has not widely distributed the proposed draft CatEx document, and has not provided the environmental documentation that was prepared in connection with what appears to be a documented CatEx. See Order 1050.1F § 5-3. (The City, through its attorney, has submitted a FOIA request for this documentation but the agency has thus far not responded to the request. We reserve the right to supplement these comments upon the timely receipt of the requested information. We reiterate here, as we did in the FOIA request, that the environmental documentation is essential for the City to determine whether the agency has properly documented the Cat Ex.)

The City of Palo Alto has also written several letters to the FAA in the past to which the FAA has been completely unresponsive. We have been left with no viable process for engaging with the FAA regarding the many questions and concerns we have about flight operations in the airspace over our city; this

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communication vacuum is unacceptable. In the present context, in particular, the agency has failed to explain how the proposed PIRAT route addresses our previous complaints and concerns regarding OCEANIC arrivals into San Francisco International Airport (SFO).

With that background, we offer the following comments and raise several questions specifically on the proposed PIRAT STAR.

Because it has neither provided the environmental documentation to support the CatEx nor responded to the City's FOIA request, the FAA has not communicated whether or how the impacts of the proposed PIRAT route have been studied. We request that the FAA disclose single event noise levels, number of events over grid points on-the-ground and other relevant per-flight-operation noise data on the proposed PIRAT route using the FAA standard AEDT model. See FAA Order 7400.2L § 32-2-1. We also request that the proposed PIRAT route be presented for community involvement per Appendix 10 to FAA Order 7400.2L. We specifically request that preparation of an Air Traffic Initial Environmental Review pursuant to Order 7400.2L § 32-2-1(b).

We have several concerns about the potential impacts of the PIRAT route and ask the FAA to clarify the following issues related to routing paths and altitudes; air traffic volume; and noise and other environmental impacts, particularly given that one of NextGen's goals was to "take into consideration, to the greatest extent practicable, design of airport approach and departure flight paths to reduce exposure of noise and emissions pollution on affected residents."

While we appreciate the intent to limit flights to 8,000 MSL or higher near the neighborhoods in the Woodside area, we remain concerned about noise and other environmental impacts anticipated from the PIRAT STAR. In particular, we are concerned about the predictable increase in the volume of overflights resulting from the transition of the Pacific 2 Tailored Approach (TA) to a public-use area navigation (RNAV) STAR, and the increased impacts associated with adding Oakland International Airport (OAK) traffic to SFO traffic on this route. We are also troubled by the ambiguity and absence of information about where and how aircraft will be vectored by Air Traffic Control (ATC) between the ARGGG waypoint and final approach at SFO or OAK.

The following questions illustrate the current dearth of information available to the public about the impacts of the proposed PIRAT STAR and the necessity for a more transparent public process prior to any implementation decision.

#### **Ambiguity of Vectoring's Routes, Altitudes, and Impacts**

How will Air Traffic Control manage the paths for vectoring from the stated 060 heading from the ARGGG waypoint? Where are aircraft most likely to fly between the ARGGG waypoint and final approach into each airport? When vectoring aircraft from ARGGG, will Air Traffic Control maintain aircraft at or above 6,000 MSL over Palo Alto? What altitudes will be maintained over other neighboring sensitive areas? What are the impacts on the Air Traffic Control workload when all flights must be vectored by ATC after the ARGGG waypoint?

#### **Impacts of Increased Volume**

How many total operators and flights are anticipated to use this public-use STAR compared to the volume limitations of the current TA? Does the FAA anticipate increases in flights on this route because

of the increased growth projected at all three international airports in the San Francisco Bay Area? What are the anticipated levels of use by OAK arrivals vs. SFO arrivals on this route? What are the anticipated levels of use, if any, by SJC? What are the implications of the proximity of current and future SJC traffic to the anticipated PIRAT traffic vectored from ARRRG en route to SFO? How has the FAA studied the safety implications of PIRAT in increasingly congested airspace? What are the impacts on efficiency of increased volume?

### **Environmental Impacts**

What studies has the FAA completed on the noise and emission impacts of the PIRAT STAR procedure, including especially the on-the-ground noise impacts because of increased volume on PIRAT? Some flights currently using the Pacific 2 TA overfly our community during nighttime and early morning hours. What is the anticipated volume and frequency of flights on the newly proposed public route during these disruptive times?

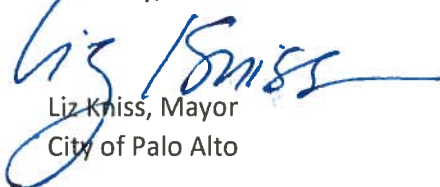
The proposed route, and the associated areas most likely to be used in vectoring flights from ARGGG to final approach, would likely direct aircraft over noise-sensitive areas, several wildlife refuges and water storage areas, historic areas, and minority and low-income populations. We draw your attention to the specific obligations of the FAA to consider impacts over such areas even if the agency believes that it has adequate legal justification to use a CatEx. See FAA Order 1050.1F § 5-3 in particular. What has the FAA done to study the environmental impacts of PIRAT flights, including the increased volume of these flights and their required vectoring, over these sensitive areas?

Finally, we urge the FAA to creatively partner with airports in the San Francisco Bay Area Metroplex to leverage new technologies to develop improved procedures as part of its Next-Gen journey. Leveraging SFO's Ground-Based Augmentation System (GBAS) is a key starting point. As you know, SFO is linking two satellite-based approach technologies – Required Navigation Performance (RNP) and a Global Navigation Satellite System (GNSS) Landing System (GLS) to improve from the approach tools invented 85 years ago, but improvements can only be gained by this technology if the FAA is willing to consider procedures that take advantage of it. Did the FAA team approach the SFO GBAS team to discuss how the new procedure could take advantage of GBAS to reduce aircraft impacts on nearby areas? How has the FAA considered SFO's upcoming deployment of new landing options when designing the PIRAT procedure?

Let me be clear that we do not believe that the FAA has adequately disclosed impacts of the PIRAT STAR under its existing orders and policy statements. And, in particular, the manner in which PIRAT STAR has been publicly disclosed violates standard agency practice for enhanced community involvement that has been adopted in the wake of the *Phoenix v. Huerta* decision.

Thank you for your attention to our concerns. We look forward to your response.

Sincerely,



Liz Kniss, Mayor  
City of Palo Alto

cc: [9-AMC-Aerochart@faa.gov](mailto:9-AMC-Aerochart@faa.gov)

[https://www.faa.gov/air\\_traffic/flight\\_info/aeronav/procedures/application/?event=email.contact&details=SFO%20\(%20KSFO\)%20SAN%20FRANCISCO%20INTL,%20SAN%20FRANCISCO,%20CA%20-%20STAR%20PIRAT%20\(RNAV\)%20ONE%20SAN%20FRANCISCO%20CA%20KSFO&procedureName=STAR%20PIRAT%20\(RNAV\)%20ONE%20SAN%20FRANCISCO%20CA%20KSFO&airportCode=SFO&airportName=SAN%20FRANCISCO%20INTL&airportState=CA](https://www.faa.gov/air_traffic/flight_info/aeronav/procedures/application/?event=email.contact&details=SFO%20(%20KSFO)%20SAN%20FRANCISCO%20INTL,%20SAN%20FRANCISCO,%20CA%20-%20STAR%20PIRAT%20(RNAV)%20ONE%20SAN%20FRANCISCO%20CA%20KSFO&procedureName=STAR%20PIRAT%20(RNAV)%20ONE%20SAN%20FRANCISCO%20CA%20KSFO&airportCode=SFO&airportName=SAN%20FRANCISCO%20INTL&airportState=CA)

Mr. Dennis Roberts, FAA Western-Pacific Regional Administrator

Ms. Faviola Garcia, Acting Deputy Regional Administrator

Ms. Kimberly Stover, Director, Air Traffic Operations, FAA Western Services Area, AJTW

Mr. Kevin Stewart, Acting FAA Aeronautical Information Services Manager

FAA Western Services Area Air Traffic Organization Manager

Hon. Dianne Feinstein, U.S. Senate

Hon. Kamala D. Harris, U.S. Senate

Hon. Anna G. Eshoo, U.S. House of Representatives

Palo Alto City Council

James Keene, Palo Alto City Manager

Molly Stump, Palo Alto City Attorney

**City of Palo Alto**  
*Office of the Mayor and City Council*

May 6, 2019

Mr. Dan Elwell, Acting Administrator  
Federal Aviation Administration  
800 Independence Ave SW  
Washington, D.C. 20024

**Subject: City of Palo Alto Response to FAA Initiative to Address Noise Concerns of Santa Cruz/Santa Clara/San Mateo/San Francisco Counties, Further Updates on Phase Two, dated December 2018 and April 2019**

Dear Acting Administrator Elwell,

Thank you for the FAA's work to analyze, study, and advance recommendations of the Select Committee and the SFO Roundtable. The City of Palo Alto offers the following questions and requests in response to the December 2018 and April 2019 Updates on Phase Two.

First, we offer an overarching request. We ask the FAA to transparently communicate the rationale for decisions made and actions taken in these Update documents. While we respect the FAA's professional expertise and need to make managerial decisions regarding the feasibility of recommendations, we believe affected communities and constituents deserve to understand the data and analyses supporting these decisions. Simply stating in writing that a recommendation is infeasible does not educate local stakeholders about the contributing factors. If the communities within the region are to work cooperatively with the FAA, then transparency is required.

**Class B Redesign**

The redesign of the Class B Airspace creates possibilities for future policies and procedures that reduce noise impacts within the Northern California Metroplex. We thank the FAA for undertaking this effort.

The Select Committee supported this recommendation in order to relieve noise impacts. In order to understand if a reduction in noise impacts has occurred as a result of the Class B redesign, the FAA must share data and information regarding (a) if more aircraft have been able to maintain an OPD; and (b) if there has been a decrease in noise levels experienced on-the-ground by affected communities.

The redesign included the creation of additional waypoints, including the SIDBY waypoint which is directly over Palo Alto. The redesign maintained the MENLO waypoint, which also brings air traffic over Palo Alto. The City of Palo Alto asks for the FAA to (a) disclose any noise impacts that were analyzed as part of the redesign or noise impacts that have been recorded since the new airspace has been in use; (b) describe the procedures that use SIDBY and MENLO waypoints, including any changes to the procedures such as minimum altitudes, ground tracks, aircraft speed, air brakes, angles of descent, etc.; and (c) to describe the vectoring used by aircraft using the SIDBY and MENLO waypoints.

**BSR Overlay**

The City of Palo Alto looks forward to the formation of the Full Working Group and their first meeting in

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June. Based on oral communications at the April 24, 2019 Santa Clara/Santa Cruz Counties Roundtable, the Full Working Group will consist of technical and aviation professionals, the airlines, and representatives from airports. The City asks for the FAA to share in writing the specific membership, scope, authority, and meeting schedule of the Full Working Group. The City of Palo Alto asks for the FAA to ensure that noise impacted communities are included in the conversation. How will the FAA ensure the Working Group considers the perspective of affected communities? What are the Full Working Group's means and methods for gathering input and incorporating public feedback? We ask that the FAA brief the SC/SC Roundtable on the Full Working Group's progress.

The City of Palo Alto also requests that the FAA collaborate with the Full Working Group to consider the Ground-Based Augmentation System (GBAS) system at SFO and the system's capacity to decrease noise impacts. The BSR overlay may achieve even greater relief from noise if combined with the technological advancement the GBAS. In order to take full advantage of the GBAS system, the FAA, SFO, and Full Working Group must work in collaboration to create approved paths of travel for aircraft that are compatible with GBAS.

#### **BDEGA In-Trail Spacing**

We appreciate the FAA's consideration of this recommendation from the SF Roundtable. While the Roundtable and neighboring communities hoped this recommendation would result in decreased use of speed brakes and thus minimization of noise impacts, we understand this has been deemed infeasible. We request the analyses be shared so that we can better understand the factors that prevent the implementation of this recommendation.

#### **Revise Woodside VOR OTA**

The City of Palo Alto applauds the FAA for formalizing this change that will bring some relief to neighboring communities by flying at higher altitudes. Nevertheless, we are troubled by the lack of community engagement during the planning and execution of the proposed changes. In addition to concerns about the lack of outreach, we are concerned that through the publication of PIRAT STAR TWO, air traffic will increase in volume as more airlines will have access to the route. Traffic will also increase as aircraft en route to Oakland International Airport will also be able to use the route. Lastly, PIRAT STAR TWO ends at the ARGGG waypoint. From that point, air craft are vectored at a 060 heading towards their final destinations. Because the procedure does not address vectoring after ARGGG, the procedure does not address the impacts to Palo Alto and other neighboring communities.

For a complete discussion of the City of Palo Alto's concerns, please see the City's letter to Dan Elwell dated November 13, 2018 (attached).

#### **The FAA use new, more effective, time-based flow management tools for better sequencing**

We join with the FAA, the Select Committee, and neighboring communities in recognizing the opportunity for new and emerging technologies to provide relief to communities impacted by air craft noise. We look forward to the FAA's engagement through the SC/SC Roundtable to explore how these efforts may impact local quality of life.

Additionally, we would like to understand if a visual approach to SFO's runway 28L would work with a GBAS landing system. Since the GBAS landing system may be soon used at SFO, we are curious if that system combined with the visual approach alleviates the safety concerns that have been identified.



While the FAA has yet to respond to our inquiries and requests for information, we maintain hope that the FAA will work with the City of Palo Alto and our neighbors to resolve the issues challenging our City.

Sincerely,

DocuSigned by:  
*Eric Filseth*  
64244717295F422...

Eric Filseth, Mayor  
City of Palo Alto

Hon. Dianne Feinstein, U.S. Senate

Hon. Kamala D. Harris, U.S. Senate

Hon. Anna G. Eshoo, U.S. House of Representatives

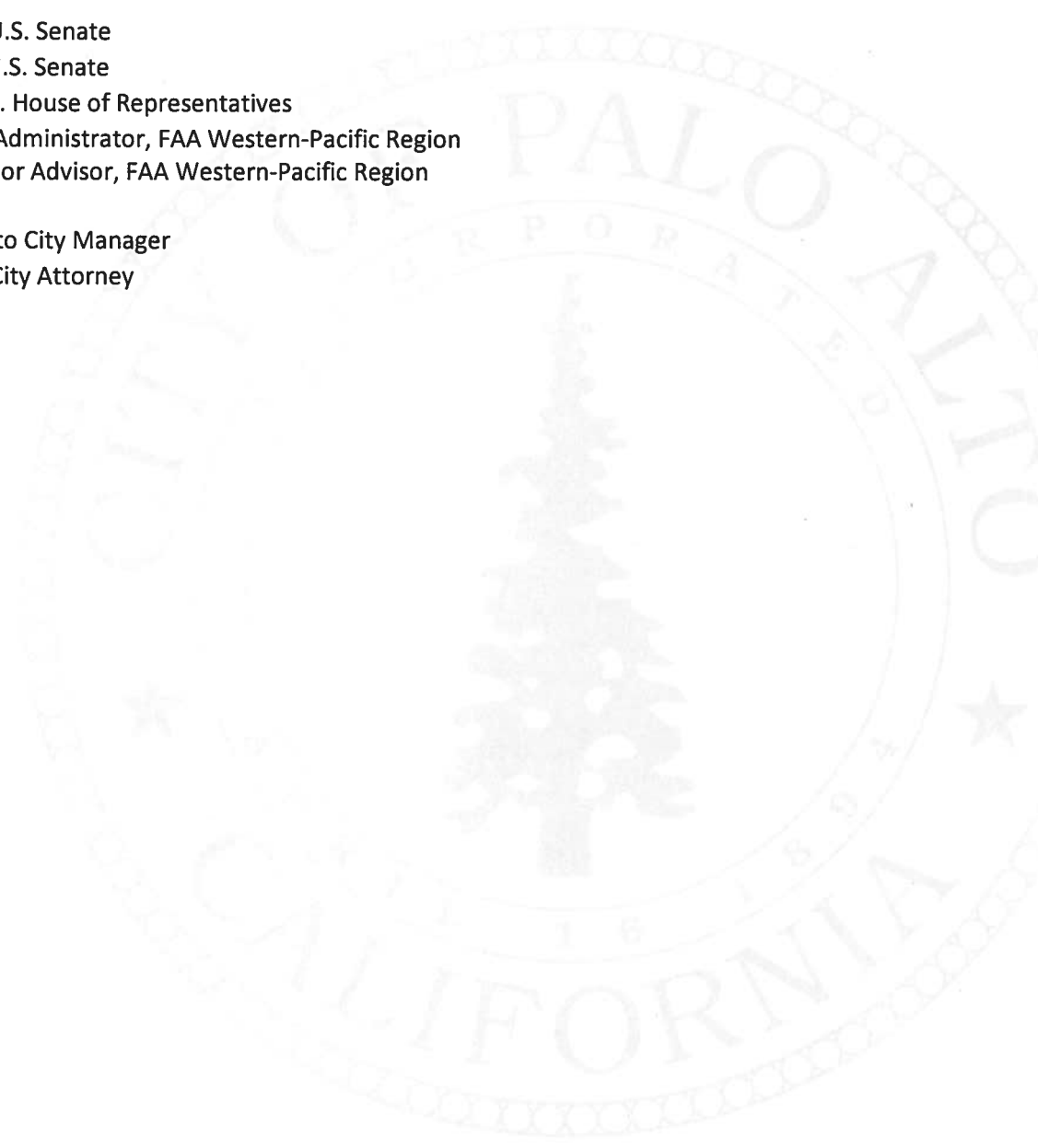
Raquel Girvin, Regional Administrator, FAA Western-Pacific Region

Faviola Garcia, FAA, Senior Advisor, FAA Western-Pacific Region

Palo Alto City Council

Edward Shikada, Palo Alto City Manager

Molly Stump, Palo Alto City Attorney



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November 13, 2018

Kimberly Stover, Director, Air Traffic Operations  
Western Service Area, AJTW  
2200 S. 216<sup>th</sup> Street  
Des Moines, WA 98198

**RE: IFP Coordination, Standard Terminal Arrival Route (STAR), PIRAT, KSFO/KOAK**

Ms. Stover,

The Cities of Mountain View and Los Altos (Cities) have serious concerns if the FAA allows the PIRAT STAR procedure to be published in its current state. Most importantly from the perspective of our cities, this new procedure has the potential to move noise over our cities, which violates the widely endorsed principle of not moving noise from one community to another. The PIRAT approach will likely increase the number of flights over Mountain View and Los Altos, as more, and perhaps all, Oceanic arrivals would be using this procedure rather than the select carriers using the existing Pacific 2 tailored arrival. Moreover, some proportion of that increased number of flights can be expected to be vectored over Mountain View and Los Altos when approaches are congested.

The aforementioned STAR data has been posted to the IFP Information Gateway and reviewed by our consultants. Please find the following issues relative to the STAR's development and production:

#### **Design**

The terminus of the PIRAT procedure is ARGGG at 8000' (MSL), where the aircraft depart on a track of 60 degrees "for vector to an instrument approach." We have the following comments:

- The cities of Mountain View and Los Altos are concerned about the potential of increased vectoring of transpacific flights over their communities during times of congestion and resulting from the higher utilization of the PIRAT procedure.
- The cities of Mountain View and Los Altos share an interest in noise being minimized over the populated areas past the ARGGG waypoint. To that end, we ask the FAA to work with Air Traffic Control (ATC) to have the minimum altitude of 8000' (MSL) followed.

## CATEX

- The CATEX is devoid of any noise data analysis relative to projected traffic increases and expected usage. Analysis of old / new noise contours appears to have been bypassed, irrespective of aircraft altitude.
- The CATEX does not address historic noise complaints over the noise sensitive communities due to nighttime oceanic flights crossing as low as 1500' AGL. The San Francisco International Airport Noise Office has been tracking data on this issue since 2015. The Late Night Woodside VOR report shows the flight number and altitude for each aircraft that uses, or is vectored in the proximity of the Woodside VOR, on approach to San Francisco International Airport / Metropolitan Oakland Airport between the hours of 10:30 p.m. and 6:30 a.m. This report is generated twice per week and is sent to Northern California TRACON (NCT). To date, this has been no more than a futile effort to mitigate noise impacts with this compliance. With the PIRAT STAR now being "public," greater usage is expected which has the potential to bring greater impact; none of this has been quantified in the CATEX.
- The CATEX states, "The PIRAT STAR will convert the Pacific 2 Tailored Approach (TA) to a public-use RNAV STAR that expands benefits of the TA [tailored arrival] currently only available to selected carriers to all users of KSFO." We expect that noise will be shifted from other approaches as airlines consolidate operations to use this procedure, which violates the widely endorsed principle, including by the San Francisco Roundtable, of not moving noise from one community to another.
- From the CATEX: "An Environmental Review was completed by the Western Service Center and is incorporated herein by reference. The Environmental Review was conducted in accordance with policies and procedures in the Department of Transportation Order 5610.1C, 'Procedures for Considering Environmental Impacts' and FAA Order 1050.1F."

This Environmental Review was not included with the CATEX. In addition, this Review was not signed off by the FAA Regional Manager nor the Regional Environmental Specialist. Therefore, the Environmental Review does not comply with FAA JO 7100.41, 7400.2, 1050.1, and DOT Order 5610.1.

## Air Traffic Initial Environmental Review

Section IV, Community Involvement, contains questions for Community Development input in conjunction with the airport proprietor. This section was not disclosed and appears to be noncompliant with the FAA's Community Involvement Manual / ATO Community Involvement Plan.

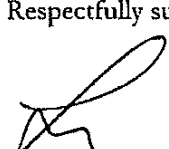
- Adverse effects on the following aspects of the environment were not disclosed:
  - Species listed or proposed to be listed on the List of Endangered or Threatened Species, or designated Critical Habitat for these species, contained within the San Francisco State Fish and Game Refuge, in which the terminus waypoint ARGGG is located.

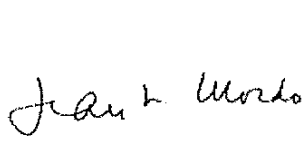
- Impact to the San Francisco Bay Natural Wildlife Refuge was also not disclosed and is a possibility due to the vectoring of additional arriving aircraft for San Francisco, Oakland, and San Jose. The vectoring of low arriving aircraft over the South Bay (5000' and below) increased 36% from 2001 to 2013 and is projected to increase in the future.
- Properties protected under Section 106 of the National Historic Preservation Act were not disclosed. These sites involve a unique characteristic of the geographic area, such as prime or unique agricultural land, a coastal zone, a historic or cultural resource, parkland, wetland, wild and scenic river, designated wilderness or wilderness study area, sole source aquifer (potential sources of drinking water: San Andreas Lake, Crystal Springs Reservoir), or an ecologically critical area.
- Significant increases of noise over a noise-sensitive area and emissions (hazardous/toxic substances) from low altitude vectored aircraft were not disclosed.

Therefore, the cities respectfully request the FAA to stop any further production action of the PIRAT STAR until the aforementioned errors can be rectified and the Environmental Review made compliant with current FAA Orders concerning Community Involvement. In addition, the cities request that this procedure be held in abeyance until noise impacts on the residents in our communities are provided by the FAA to our cities and until the cities are allowed to analyze the procedure and its impacts, and subsequently provide comments on this procedure.

Please consider the cities of Mountain View and Los Altos in the hosting of any future Community Involvement meetings concerning the finalizing of development of this STAR.

Respectfully submitted,

  
Leonard M. Siegel  
Mayor  
City of Mountain View

  
Jean Mordo  
Mayor  
City of Los Altos

cc: Honorable Anna Eshoo, U.S. House of Representatives  
Honorable Jimmy Panetta, U.S. House of Representatives  
Honorable Ro Khanna, U.S. House of Representatives  
Dennis Roberts, Regional Administrator, AWP  
Tamara Swann, Deputy, Regional Administrator, AWP  
Manager, Federal Aviation Administration, Western Service Area Air Traffic Organization  
FAA Manager, Aeronautical Information Services  
Manager, Performance-Based Navigation Integration Group (AJV-14)  
City of Mountain View City Council  
City of Mountain View CM, CA, ACM, ATCM-Gilmore

Mr. Dan Elwell  
Acting Administrator  
Federal Aviation Administration  
800 Independence Ave., SW  
Washington, DC 20091  
Sent via email to [Dan.Elwell@faa.gov](mailto:Dan.Elwell@faa.gov)

**Re: Request for Extension of Comment Period on STAR PIRAT TWO and Comments Regarding STAR PIRAT TWO**

Dear Mr. Elwell,

The City of Palo Alto is writing to express our concerns about the STAR PIRAT TWO procedure proposed for implementation in the northern California airspace. See [https://www.faa.gov/air\\_traffic/flight\\_info/aeronav/procedures/application/?event=procedure.results&tab=coordination&nasId=SFO#searchResultsTop](https://www.faa.gov/air_traffic/flight_info/aeronav/procedures/application/?event=procedure.results&tab=coordination&nasId=SFO#searchResultsTop).

The City recognizes and appreciates that the proposed STAR PIRAT TWO procedure directs aircraft to fly at higher altitudes over a portion of the Peninsula – a practice we have frequently requested and supported. However, the City remains extremely concerned about other potential impacts of this proposed procedure and that the response to our Freedom Of Information Act (FOIA) request regarding procedure has not been completed. Therefore, we write this letter to request an extension of the comment period for the STAR PIRAT TWO procedure and to express our concerns about the procedure.

**Extension of the Comment Period**

The comment period for the proposal is scheduled to close on March 29, 2019. The City has previously submitted comments on the proposal but was not afforded access to the background documentation supporting the proposal including, for example, environmental analysis that would support implementation. As a result, we submitted, through counsel, a FOIA request dated October 29, 2018, for further documentation (FOIA # 2019-001087WP). The agency responded with an unprecedented request that we pay copying and search fees, even though we are a public agency which is directly affected by the proposal and we have committed to making the requested information available to the public. We agreed to pay the additional fees. We were informed that documentation would be made available by March 29, which coincidentally is the deadline for comments on the proposal.

We have just learned, by email from the Western Service Center to our counsel (see email attached) that the response to our October 29 request has been further delayed *to a date beyond the expiration of the comment period on the STAR PIRAT TWO procedure*.

**By this letter, we request an extension of time to submit comments on the proposal for 60 days, or for 30 days after the FAA has supplied information in response to our FOIA request, whichever is later.**

As you are undoubtedly aware, the time for a judicial challenge to a final agency action is short and the agency's failure to provide even the most basic information to the public about the proposal has already seriously impeded the ability of the City to provide meaningful comments on the proposal. We believe

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that, absent an extension of time, the City would be justified in seeking an extension of the jurisdictional period under 49 U.S.C. 46110. By extending the comment period, the agency would reduce the risk that potential legal challenges would be further delayed.

There is no doubt that the PIRAT procedure has already generated considerable controversy and threatens to create the kind of controversy which led the FAA to announce its intention to prepare an Environmental Assessment for flight track changes in the vicinity of Burbank Hollywood Airport. See [https://www.faa.gov/nextgen/nextgen\\_near\\_you/community\\_involvement/bur/](https://www.faa.gov/nextgen/nextgen_near_you/community_involvement/bur/). The extension of time that we seek is designed to provide the information to the public which will enable decision makers and the public to understand the impacts of the PIRAT procedure and potentially avoid the overwhelming controversy that occurred in Studio City and Sherman Oaks, California.

### **Comments on the PIRAT STAR TWO**

***Ambiguity of Vectoring's Routes, Altitudes, and Impacts*** The STAR PIRAT TWO Procedure ends at the waypoint ARGGG. Based on the limited information provided, once the procedure terminates, aircraft are vectored via Air Traffic Control. The paths, altitudes, and noise impact of vectored aircraft have not been disclosed by the FAA. Based on existing conditions and experience with past procedural changes, we believe the vectoring of aircraft will increase noise impacts in Palo Alto and neighboring peninsula communities. We request the procedure be amended to increase the altitude of planes flying over Palo Alto and neighboring peninsula communities.

***Impacts of Increased Volume*** The STAR PIRAT TWO replaces a tailored approach that was in limited use as only certain airlines were permitted to fly the procedure. By opening the procedure to more airlines and/or by expanding its use beyond SFO arrivals to also include OAK arrivals the volume of air traffic will increase, thereby increasing the noise impacts on Palo Alto and her neighbors. If the noise impacts have been studied, they have not been disclosed. Until the procedure is amended to decrease noise impacts, we request the publication of the procedure be delayed.

***Environmental Impacts*** The proposed route, and the associated areas most likely to be used in vectoring flights from ARGGG to final approach, would likely direct aircraft over noise-sensitive areas, several wildlife refuges and water storage areas, historic areas, and minority and low-income populations. We draw your attention to the specific obligations of the FAA to consider impacts over such areas even if the agency believes that it has adequate legal justification to use a CatEx. See FAA Order 1050.1F § 5-3 in particular. The documentation provided thus far does not address the procedure's environmental impacts. We request the procedure be delayed until these environmental impacts are addressed.

***Inadequate Use of New Technologies*** We urge the FAA to creatively partner with airports in the San Francisco Bay Area Metroplex to leverage new technologies to develop improved procedures as part of its Next-Gen journey. Leveraging SFO's Ground-Based Augmentation System (GBAS) is a key starting point. As you know, SFO is linking two satellite-based approach technologies – Required Navigation Performance (RNP) and a Global Navigation Satellite System (GNSS) Landing System (GLS) – to improve from the approach tools invented 85 years ago, but improvements can only be gained by this technology if the FAA is willing to consider procedures that take advantage of it. The STAR PIRAT TWO is an opportunity to leverage the new technology to create a procedure that decreases noise impacts. We request the FAA to begin working with SFO to integrate the capabilities of the GBAS system with the STAR PIRAT TWO.

### **Inadequate Disclosure of Impacts**

We do not believe the FAA has adequately disclosed impacts of the STAR PIRAT TWO under its existing orders and policy statements. We have been advised that the manner in which STAR PIRAT TWO has been publicly disclosed violates standard agency practice for enhanced community involvement that has been adopted in the wake of the *Phoenix v. Huerta* decision.

Thank you for your attention to this matter.

Sincerely,



Eric Filseth, Mayor  
City of Palo Alto

cc: [Sent via email to 9-AMC-Aerochart@faa.gov](mailto:Sent via email to 9-AMC-Aerochart@faa.gov)

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