

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?

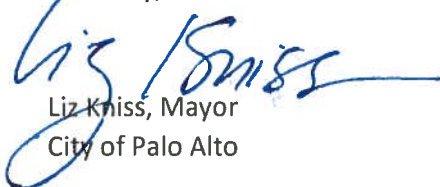
The proposed route, and the associated areas most likely to be used in vectoring flights from ARGGG to final approach, would likely direct aircraft over noise-sensitive areas, several wildlife refuges and water storage areas, historic areas, and minority and low-income populations. We draw your attention 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

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