



County of Santa Cruz

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July 8, 2019

Acting Administrator Daniel K. Elwell
U.S. Department of Transportation
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Acting Administrator Elwell:

We are writing in response to the testimony given by the Federal Aviation Administration's (FAA) representatives at the June 26, 2019 meeting of the Santa Clara/Santa Cruz Counties Airport/Community Roundtable (SCSCRT). The FAA representatives provided the SCSCRT an update of the FAA's review of the Select Committee on SFO South Bay Arrivals' recommendations, specifically addressing the June 4-6, 2019 FAA Full Working Group meetings to design an amendment to SERFR STAR, also referred to as the "BSR Overlay."

We are concerned that the FAA representatives' testimony did not address core questions and concerns we have repeatedly raised to the FAA and members of Congress in a series of letters beginning in August, 2017. We have carefully studied each of the FAA's reports and updates since the Select Committee finished its work, as well as the one response letter we received from the FAA to our inquiries. However, one major issue remains unresolved and continues to deeply divide our community; that is, "moving the noise" of the current flight procedure to an amended procedure.

We believe that a transparent, public process that provides accurate information before any amendments are implemented is both necessary and required, as is an appropriate *NEPA* review and a meaningful noise impact analysis. We therefore again request that the FAA respond to these key questions, and that it outline an estimated timeframe for taking action on the following three issues:

First, it is unclear that the FAA will conduct a *full, comprehensive National Environmental Policy Act, (NEPA)* review for the agency's envisioned amendments to the current procedure.

- *Will the FAA conduct a full NEPA review?*

Second, the FAA has not responded to our requests that the agency's *NEPA* (or other) review include field measurements and analysis of the noise impacts of any amendments as opposed to only conducting computer modeling of the noise impacts.

- *Will the FAA collect and analyze field data of the noise impacts of the proposed amendments prior to permanent implementation?*

Third, we believe that to help mitigate negative impacts to our community and citizens, the FAA should hold one or more public workshops for the purpose of educating those affected by the current flight procedure and those who will be affected by the proposed amendments and do so prior to implementing any amendments. The workshops should review the proposed amendments, the results of the agency's comprehensive *NEPA* review, as well as address a field noise analysis which includes testing the amendments by comparing them to prior field noise measurements of the SERFR STAR route.

- *Will the FAA conduct one or more public information meetings to educate the community regarding amendments prior to implementing them?*

Providing clear affirmative answers to all three questions is vital to the Santa Cruz County residents living under SERFR STAR and the historic BSR procedure. Since the BSR procedure was moved over to SERFR using NextGen, there has been a universal outcry from all concerned that "moving the noise" is not acceptable. For the past four years, this has been the consistent direction given to the FAA by our members of Congress, articulated in the Select Committee's Report and continually mentioned in correspondence between and among the concerned parties. In fact, the directives given to representatives of Santa Cruz County and the City of Santa Cruz on the Santa Clara/Santa Cruz Counties Roundtable were to relieve the immediate impacts of jet noise for those currently experiencing that impact without moving the noise to another part of the County.

As you are aware, the NextGen protocols and flight vectoring create significant noise issues. Exacerbating this is the fact that the FAA has ostensibly taken the position that it is under no obligation to address or mitigate noise impacts, a position with which we respectfully disagree.

The noise created by NextGen procedures when viewed in light of what we understand is the current position of the FAA that it is not required to address jet noise, conduct a comprehensive *NEPA* review, or coordinate public workshops prior to implementing procedures, has divided communities across the US where NextGen has been deployed. We strongly believe that communities deserve to know about the impacts of

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jet noise before a procedure is implemented by the FAA through a comprehensive public process that educates those impacted. As you are aware, 29 members of the Congressional Committee on Transportation and Infrastructure wrote to the FAA on June 18, 2019 raising similar concerns regarding how the FAA measures and addresses noise as well as raising pointed questions regarding the FAA's public outreach process. We add our voice to those advocating for a review of the current regulations governing noise measurement and public communication.

Thank you in advance for providing clarity regarding our questions. We would really appreciate a prompt response.



BRUCE MCPHERSON, Supervisor
Fifth District

Sincerely,



RYAN COONERTY, Supervisor
Third District

RC/BAM: jr

Enclosure

cc: The Honorable Jimmy Panetta
The Honorable Anna Eshoo
The Honorable Jackie Speier
The Honorable Ro Khanna
FAA Western Regional Director Raquel Girvin
Santa Clara/Santa Cruz Counties Airport/Community Roundtable
Santa Cruz City Council
Santa Cruz Board of Supervisors