

Evan Wasserman

From: Steven Alverson
Sent: Tuesday, July 2, 2019 8:19 PM
To: Garcia, Faviola (FAA); Girvin, Raquel (FAA); Swann, Tamara A (FAA)
Cc: Mary-Lynne Bernald; Evan Wasserman
Subject: June 25, 2019 Letter from Alastair Fyfe
Attachments: scsc_letter_june25_Fyfe.pdf

Importance: High

Favi,

At the direction of SCSC Roundtable Chair Mary-Lynne Bernald, I have attached a June 25, 2019 letter from a member of the public, Mr. Alastair Fyfe, the contents of which were discussed during the June 26, 2019 SCSC Roundtable meeting you attended. This letter is being submitted to the FAA for its review, and for providing a response to the SCSC Roundtable regarding the specific comments raised in the letter. The letter addresses the recommendations made in the Select Committee Report and nine criteria in designing the new route. It would be valuable to know the FAA's position on these nine criteria and the development of the BSR Overlay.

Please contact Mary-Lynne with any questions.

Regards,

Steve

Steven R. Alverson

Senior Vice President

ESA | [Environmental Science Associates](#)
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June 25, 2019

To : SCSC Roundtable

Focusing on vote tallies for the Report's individual recommendations gives additional insight into the process that produced the 2016 Select Committee Final Report as reviewed by Ms. Zanardi at the May 22 meeting. From Appendix A of the Report, the Committee voted on 48 items, reaching unanimous consent on 43, almost 90%. Of the 5 items where votes were not unanimous, one did not reach 12-0 consensus because two members abstained and three were divided 11-1. However, the single remaining outlier, recommendation 1.2R1, barely reached the required threshold for passage with a split of 8-4-0. Within two months of the November 2016 vote, Los Altos Hills Mayor and Select Committee member Gary Waldeck, wrote the FAA, on January 14, 2017 to clarify that his decisive vote on this recommendation was cast on the basis of miscommunication/misrepresentation of data presented by the FAA to the Select Committee:

“If I, or other members of the Committee who supported the proposal had been aware of the FAA’s determination that any of these criteria were infeasible when the Select Committee voted, the initiative would not have been approved (I would have voted against)”.

The language of the controversial recommendation, 1.2R1, makes it evident that what barely passed was a recommendation for a new route that met the specific mitigating requirements set out in 1.2R2. However Mr. Waldeck's letter underscores that this fragile compromise was predicated on misinformation and thus no genuine regional consensus ever existed to support the proposed flight path shift.

Over the past three years, extensive correspondence from local elected officials to the FAA and Congressional representatives documents this lack of consensus. Several of these letters are attached.

In moving forward, please be mindful that a selective reading of the recommendations set out in the Select Committee Report is not what the region requested. As Los Altos Hills Mayor Roger Spreen recently wrote:

“If the FAA concludes that it cannot satisfy any of these criteria in the design of the new route, we insist the FAA abort any attempt to implement 1.2R1 without 1.2R2, and report to the SCSC Roundtable that recommendation 1.2 as framed by, and voted on by, the Select Committee is infeasible and unimplementable.”

Thank you for your consideration,
Alastair Fyfe
Brookdale, CA.

LOSALTOS HILLS



CALIFORNIA

June 21, 2019

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

RE: FAA Initiative to Address Noise Concerns of Santa Cruz/Santa Clara/San Mateo/San Francisco Counties, FURTHER UPDATE ON PHASE TWO, April 2019

Dear Regional Administrator Girvin:

Thank you for providing the April 2019 NorCal Update regarding the FAA's efforts to address the considerable noise impacts on Peninsula communities since the rollout of NextGen in the NorCal Metroplex in April 2015. Los Altos Hills is among the communities heavily impacted by the FAA's change in flight procedures and the increased volume of air traffic overflying the Peninsula to/from SFO. We have attended multiple briefings from the FAA and participated in the Select Committee on South Bay Arrivals, and we are now a participant in the newly-formed Santa Clara/Santa Cruz Counties Airport/Community Roundtable.

Los Altos Hills has been working with others in our region for years to provide guidance to the FAA in any/all attempts undertaken to address the increased noise affecting our communities. Most recently, the Select Committee adopted a set of recommendations to the FAA which represent the regional consensus for airplane noise mitigation.

As the Town of Los Altos Hills reiterated to the FAA in our letter dated December 14, 2017, and to Congresswoman Anna Eshoo in our letter dated June 28, 2018, **the nine criteria specified in the Select Committee's recommendation 1.2R2 were considered by the Select Committee to be mandatory requirements for any "BSR Overlay" procedure. Indeed, the language adopted by the Select Committee in recommendation 1.2R1 makes it clear that the recommendation is conditioned upon satisfying 1.2R2.** The Select Committee arrived at this conclusion after considerable debate, and these criteria were deemed necessary to ensure noise relief for those closest to the new route.

The Select Committee received assurances from your predecessor, former Regional Administrator Glenn Martin, and his staff, that these nine criteria were all feasible. In making the deciding vote

Raquel Girvin

June 21, 2019

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to adopt these recommendations, former LAH Mayor and Select Committee member Gary Waldeck relied on these assurances of feasibility from the FAA, as well as those of Congresswoman Anna Eshoo that “**steps will not be taken to implement these changes without regional consensus**”. Former Mayor Waldeck made clear in his letter to the FAA that, had he known that some of these criteria were infeasible, he would have voted against 1.2R1—and it would not have passed without his vote.

Subsequent to the release of the Select Committee recommendations and final report, the FAA later stated that several of the criteria in 1.2R2 were “not feasible”. Now that the Full Working Group has started to meet regarding the design of a replacement route, the Town wishes to remind the FAA of the importance of the nine criteria in 1.2R2.

The Town of Los Altos Hills believes that the replacement of the SERFR route with a “BSR Overlay” will not honor the regional consensus on this issue if it adopts 1.2R1 while failing to adhere to 1.2R2. In fact, previous letters sent to the FAA from the City and County of Santa Cruz on this issue make it clear that other communities are similarly concerned about such an outcome.

While we understand and accept that design of new routes are subject to many technical considerations which are within the domain of the FAA, we wish to remind the FAA in the strongest possible terms that it cannot adhere to the regional consensus on this matter if it engages in a selective reading of the Select Committee’s recommendation. Moreover, any recommendations made by the Select Committee based upon incorrect or incomplete FAA data cannot credibly be called a true regional consensus. **If the FAA concludes that it cannot satisfy any of these criteria in the design of the new route, we insist the FAA abort any attempt to implement 1.2R1 without 1.2R2, and report to the SCSC Roundtable that recommendation 1.2 as framed by, and voted on by, the Select Committee is infeasible and unimplementable.**

In addition to the Town’s position on recommendation 1.2R1 and 1.2R2, we also wish to call the FAA’s attention to the following Select Committee recommendations which would further help address the increased noise affecting our residents:

- 1.2R4: The FAA needs to find a new, better routing for southern arrivals into SFO which will minimize noise-sensitive residential overflights;
- 2.2R1: Many BDEGA arrivals overfly our Town. We encourage the FAA to work to shift more BDEGA arrivals to the so-called East leg (over the San Francisco Bay) to restore the historical split between East and West legs, and minimize noise over the Peninsula;
- 2.3: The Town is concerned about the potential of the new PIRAT route to send noisy, vectored flights south, over our community. The Select Committee’s recommendation was intended to reduce noise by ensuring adherence to the FAA’s previous commitment to keep flights at 8000’ over Woodside. But it was not the Select Committee’s intent to simply shift this noise farther south to other neighboring communities;
- 4.2, 4.3: The Select Committee recommended that the FAA and SFO work together to measure and document noise exposure in affected communities before and after implementing any feasible solutions, and to assure ongoing compliance.

Raquel Girvin

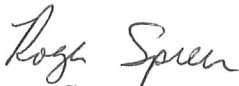
June 21, 2019

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The Town understands and appreciates that the FAA is continuing to work to address regional noise concerns, and that it is making a greater effort to keep affected communities apprised of the status of its efforts. The FAA needs to work with the community (through venues such as the Roundtable) to provide new information and seek regional input **as it designs solutions** to our region's noise issues—rather than after they are published. Working with affected communities to find truly regional solutions, and taking the time to get it right, would allow the FAA to demonstrate a viable model for community involvement which could be replicated nationwide. Failure to do so will result in yet more groups of angry residents from our Metroplex demanding fixes to the noise problems and complaining that unacceptable levels of aircraft noise have been shifted unfairly onto them.

We urge the FAA to carefully consider the Select Committee's recommendations in whole, as they were intended, when designing solutions, and to provide substantive updates to affected communities as the design proceeds. **If the FAA cannot implement solutions which honor the regional consensus articulated by the Select Committee, it should present its findings transparently at, and seek further community input via, the Roundtable, rather than proceed with implementing a solution which does not reflect the will of the community.**

Sincerely,



Roger Spreen

Mayor, Los Altos Hills, CA

cc: Los Altos Hills City Council
cc: Representative Anna Eshoo
cc: Representative Jimmy Panetta
cc: Representative Jackie Speier
cc: Santa Clara County Supervisor Joe Simitian
cc: FAA Acting Administrator Daniel Elwell
cc: Los Altos Town Crier
cc: Palo Alto Weekly
cc: San Jose Mercury News
cc: Santa Cruz Sentinel



MAYOR AND CITY COUNCIL

809 Center Street, Room 10, Santa Cruz, CA 95060 • (831) 420-5020 • Fax: (831) 420-5011 • citycouncil@cityofsantacruz.com

March 12, 2019

Mr. Daniel Elwell, Acting Administrator
Federal Aviation Administration
500 Independence Avenue, SW
Washington, DC 20591

RE: SANTA CLARA/SANTA CRUZ COUNTIES AIRPORT/COMMUNITY ROUNDTABLE

Dear Acting Administrator Elwell:

At its meeting on November 13, 2018, the Santa Cruz City Council adopted a resolution (attached) authorizing the City of Santa Cruz to join the Santa Clara/Santa Cruz Counties Airport/Community Roundtable (Roundtable) that has been established to address issues of jet noise in the region. Also attached is a copy of the similar Resolution passed by the Santa Cruz County Board of Supervisors on September 18, 2018. The City shares the County's concerns and joins the County in requesting that representatives from the Federal Aviation Administration (FAA) attend all Roundtable meetings.

The Select Committee on South Bay arrivals voted unanimously to include nine specific criteria to be met as conditions of any movement of the flight path from its current location in order to protect impacted residents. There was no language suggesting that the criteria were optional. However, the FAA subsequently asserted that three of the nine are not feasible or achievable for operational reasons.

The Select Committee clearly intended for all the criteria to be met as a condition of moving the path. In fact, the Select Committee member who cast the deciding eighth vote to move the path, then-Los Alto Hills Mayor Gary Waldeck, wrote to the FAA (copy attached) stating that he would not have done so had the FAA not assured him that the criteria were feasible. Given that the nine criteria that were unanimously approved by the Select Committee to mitigate impacts have not been met, the flight path should not be moved.

I urge the FAA to respect the position of the Select Committee that no change to the current flight path occur, given the FAA's determination that a third of the associated recommendations that were conditions for such a change will not be carried out.

Thank you for your attention to this matter.

Sincerely,

Martine Watkins
Mayor

Attachments

cc: City Clerk



December 14, 2017

Michael P. Huerta
Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Room 908
Washington, DC 20591

Re: FAA Initiative to Address Noise Concerns of Santa Cruz/Santa Clara/San Mateo/San Francisco Counties Phase Two Report

Dear Administrator Huerta:

As a member of the Select Committee on South Bay Arrivals, I have listened to many hours of testimony from the FAA and residents in the NorCal Metroplex who were affected by the dramatic increase in noise that followed the FAA's rollout of the NextGen System. I worked with my colleagues and the FAA to understand the issues and evaluate potential solutions to these problems. It was, and continues to be my expectation, that the process of community involvement we established will serve as a model for other communities nationwide who experience similar noise impacts from the NextGen System.

While I am appreciative of the FAA resources and staff effort that supported the Select Committee and compiled the Phase Two Report, I am disappointed that the report fails to adopt several key recommendations made by the Select Committee.

In particular, Item 1.2 R 1 & 2, the Select Committee endorsed the change in the ground track ONLY with the stipulation that all nine of the criteria outlined in 1.2 R2 would be incorporated into the new route. The Committee was assured that the FAA had deemed all nine criteria feasible. The criteria were carefully negotiated by the members of the Committee (with input from then-FAA Regional Administrator Glenn Martin and his staff). They were designed to protect the residents affected by the current and proposed new flight paths from the disruptive noise created by the NextGen System's introduction to the San Francisco Bay Area.

As you may know, recommendation 1.2 was passed by the Select Committee in an 8-4 vote, reflecting significant community concern over the proposed changes by achieving the bare minimum number of votes required (8-4) to establish it as a consensus recommendation of the Select Committee. I was the Select Committee member who cast the deciding 8th vote and I relied on the assurance that all these items were deemed feasible by the FAA. I am dismayed with the FAA's Phase Two Report; it

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California 94022
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Fax 650/941-3160

Administrator Michael P. Huerta

December 14, 2017

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appears to renege on those assurances, declaring at least two of the key criteria to be infeasible.

- Restore the flight altitudes over the MENLO waypoint to 5000' or higher; and
- Design the route with altitudes at least as high as the historical BSR along the entire route.

If I, or other members of the Committee who supported the proposal had been aware of the FAA's determination that any of these criteria were infeasible when the Select Committee voted, the initiative would not have been approved (I would have voted against).

If the FAA's proposed route change does not meet all nine criteria stipulated by the Select Committee, then it does not reflect the regional consensus and therefore should be abandoned. Indeed, in Representative Eshoo's April 18, 2016 letter to the members of the Select Committee, we were assured that "steps will not be taken to implement these changes without regional consensus."

The FAA needs to work with the community to find a regional solution which the FAA deems feasible. Otherwise, the FAA and our Congressional representatives will find themselves facing yet another group of angry residents from our Metroplex demanding fixes to the noise problems, and complaining that unacceptable levels of aircraft noise have been unfairly shifted onto them.

If the FAA wishes to demonstrate a model for community involvement to be replicated nationwide, then it must take the time to get it right and work in good faith with affected communities to find truly regional solutions to a region's noise problems.

I urge you to take this opportunity to work collaboratively with all stakeholders to find feasible solutions, rather than squander it by implementing a solution which does not reflect the will of the community.

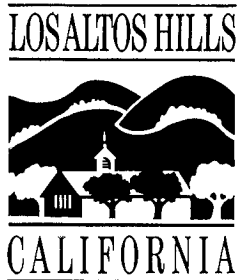
Sincerely,



Gary Waldeck

Mayor, Los Altos Hills

cc: Representative Anna Eshoo
cc: Representative Jimmy Panetta
cc: Representative Jackie Speier
cc: Supervisor Joe Simitian
cc: Regional Administrator Dennis Roberts
cc: Los Altos Town Crier
cc: Palo Alto Weekly
cc: San Jose Mercury News
cc: Santa Cruz Sentinel



June 28, 2018

The Honorable Anna Eshoo
Congressmember
California's 18th Congressional District
698 Emerson Street
Palo Alto, California 94301

The Honorable Jimmy Panetta
Congressmember
California's 20th Congressional District
100 W. Alisal Street
Salinas, CA 93901

RE: Final Report of the SELECT Committee for South Bay Arrivals

Dear Congressmembers Eshoo and Panetta:

On May 17, 2018, the Los Altos Hills City Council voted to endorse Citizen Alastair Fife's March 25th letter to each of you, copy attached.

During the SELECT Committee's meetings, the FAA representatives had agreed that both parts of Recommendation 1.2 (R1 & R2) could (and would) be accommodated if the Final Report indicated support for the measure. Our SELECT Committee representative, former Mayor Gary Waldeck, was the deciding (and last) vote in favor of Recommendation 1.2 (R1 & R2); each element of which had to be implemented in order for Recommendation 1.2 to be successful.

Alas, once the report was endorsed by Representatives Eshoo, Speier and Farr and then submitted to the FAA, the FAA had unfortunately reconsidered their ability to accommodate all of the elements included in Recommendation 1.2 R2. Had this revelation been known prior to the vote, Mr. Waldeck would have voted to REJECT the recommendation which would have FAILED the measure.

In endorsing Mr. Fife's letter, the Los Altos Hills City Council seeks your support to encourage the FAA to abort the SELECT Committee's proposed recommendation to reconstitute the old BSR flight path (Recommendation 1.2 R1 & R2) as requested in Mr. Waldeck's letter of December 14, 2017, also attached for reference.

Accordingly, we ask that you support our request to the FAA and to join us in insisting that the reversion to the original route be aborted since the decision was based on incorrect FAA data provided during the SELECT Committee's meetings.

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California 94022
650 / 941 - 7222
Fax 650/941-3160

Congressmembers Eshoo and Panetta

June 28, 2018

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Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "John Radford".

John Radford, Mayor
Los Altos Hills, CA

Enclosures

cc: Los Altos Hills City Council
Carl Cahill, City Manager




MAYOR AND CITY COUNCIL

809 Center Street, Room 10, Santa Cruz, CA 95060 • (831) 420-5020 • Fax: (831) 420-5011 • citycouncil@cityofsantacruz.com

December 1, 2016

The Honorable Jimmy Panetta
P.O. Box 1579
Carmel Valley, CA 93924

Dear Mr. Panetta: 

I am writing on behalf of a unanimous Santa Cruz City Council to register the City of Santa Cruz' strong objection to the primary recommendation of the Select Committee on South Bay Arrivals.

As you know, a City of Santa Cruz representative served as a member of the Select Committee over the past several months. During much of that process, there appeared to be ongoing commitments to seeking "consensus" and to avoid moving airplane noise. From the City of Santa Cruz' point of view, it appears that these commitments were not sustained in the final recommendation concerning the flight path.

Our concerns about the issue of consensus are thoroughly outlined in the attached letter to the Select Committee from Councilmember Don Lane, who represented our City on the Select Committee. In sum, we do not believe that the Select Committee achieved the consensus that was called for in this delicate and controversial situation.


Our other concern is that the recommendation on moving the flight path from mid-county back to neighborhoods in the City of Santa Cruz amounts to a decision to move noise, in contradiction to the direction given to the Select Committee when it was formed. This is demonstrated by the fact that the Federal Aviation Administration (FAA) stated clearly that repairs to the noise problem could have been implemented on the current mid-county flight path. Thus, a decision to both implement noise repairs and moving the path amount to a decision to move noise—even if that noise will be reduced by some unknown quantity.

The City of Santa Cruz had been prepared to accept a flight path over our community if an objective process determined that the new path was in the least impactful location. However, such an objective process was not created. In its stead, the Select Committee used a political process to select the location to move the noise.

In sum, we ask that you not move ahead on the Select Committee's recommendation on the flight path over Santa Cruz County and, instead, ask the FAA to use an objective process for selecting the path with least noise impacts. Again, our City would not object to a flight path over Santa Cruz neighborhoods if that path was determined to have the lowest possible level of noise impacts among the path options available.

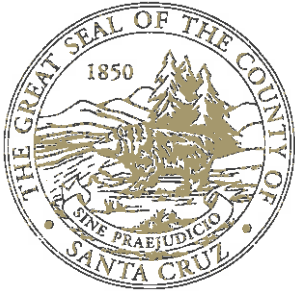
Thank you very much for your consideration.

Sincerely


Cynthia Mathews
Mayor

Attachment

cc: City Clerk



County of Santa Cruz

BOARD OF SUPERVISORS

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GREG CAPUT
FOURTH DISTRICT

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FIFTH DISTRICT

December 11, 2017

Congressmember Anna Eshoo
698 Emerson Street
Palo Alto, CA 94301

Congressmember Jimmy Panetta
100 West Alisal Street
Salinas, CA 93901

**RE: FAA Initiative to Address Concerns of Santa Cruz/San Mateo/
San Francisco Counties Update on Phase Two**

Dear Congressmembers Eshoo and Panetta:

We want to express our appreciation for the resources and hard work that went into the Phase Two Update recently released by the FAA. As you are aware, we wrote separate letters to FAA Regional Administrator Dennis Roberts in mid-August after the release of the first Phase Two Report. In the letters we expressed numerous concerns and questions, many of which were answered in the updated report. We also appreciate that many of the recommendations made by the Select Committee have been analyzed for feasibility and have been addressed or/are in the process of implementation.

However, we continue to have four major concerns on behalf of the nearly 120,000 residents we collectively represent:

Moving the Noise:

The FAA Phase Two Initiative Update indicates considering a flight path shift from the current SERFR to the former BIG SUR ground track. Separately, the FAA has published a new SERFR 3 arrival (effective February, 2018), which eliminates the previously existing conflict between the SERFR 2 arrival and SFO's Class B airspace. The elimination of this conflict will greatly reduce jet noise, as the conflict has been the

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single largest contributor to jet noise affecting communities under the SERFR flight path.

By the publication of SERFR 3, the FAA has demonstrated that SERFR can be modified in its current location to reduce jet noise to the same extent that any new BIG SUR replacement procedure would be designed, as the Class B conflict affects both procedures equally. For this reason, moving the new SERFR 3 flight path to the BIG SUR track may provide no advantage at reducing jet noise, but instead could serve only to move jet noise from one underlying community to another, a strategy that the Select Committee unanimously, and you publicly, stated would not endorse.

Required Criteria Cannot be Met:

The Select Committee recommended that the SERFR flight path be moved to the BIG SUR track (SC Item 1.2 R1), but by unanimous vote, they included nine specific criteria to be included as conditions to that movement (SC Item 1.2 R2), and there is no language suggesting the criteria are optional. Revelations by the FAA during Select Committee hearings and in the FAA's Phase One and Phase Two documents make it clear that at least three of the nine criteria are not feasible or achievable for safety and operational reasons (e.g., MENLO above 4,000 ft., Not Feasible per Phase One, Item 1.a.i.).

If all requisite criteria asked for by the Select Committee cannot be satisfied, the movement of the flight path should not occur. As to do so would seriously undermine the public process and intent of the Select Committee recommendations.

NEPA:

During the Select Committee process, it was stated numerous times that a new ground path would be subject to environmental review and that the public would have every opportunity to have input. In addition, the December 2, 2016, joint press release from your offices (Congressman Farr's office at the time) states that "Prior to the FAA taking any action (referring to a return to the BSR track) it will assess and report any environmental impacts in accordance with the National Environmental Policy Act." This conflicts with what was said at the recent December 2, 2017, meeting, and is confusing to the public. Because of statements and assurances made during the Select Committee process, and statements made by your offices--which we have consistently relayed to our constituents--the public and elected officials have an expectation of environmental review, including a robust public comment period before any changes to the flight path. If the FAA does not intend to conduct a public process under NEPA

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associated with moving the path back, the affected communities need to understand the justification. Further, the affected communities need to know what their options may be to remedy the situation. We oppose circumventing the NEPA process and ask that you advocate, as stated in your December 2, 2016, press release--that the FAA follow the NEPA process before making any decision to return to the BSR path and if a different process is proposed that the FAA provide a justification for their proposed process.

Community Consensus Does Not Exist:

As noted in prior correspondence, the April 18, 2016, letter from members of Congress to the Select Committee appointees outlined "the mission" of the Select Committee, which "...was to review the FAA proposals deemed feasible and make final consensus-based recommendations." That letter further assured the Select Committee members that "steps will not be taken to implement these changes without regional consensus." As you know, out of the 47 recommendations voted on by the Select Committee, all but 3 were approved unanimously. Of those 3, the most divisive vote (8 to 4, with 8 being the minimum for passage) was on Select Committee Item 1.2 R1, moving the path back to the BIG SUR ground path. Santa Cruz County's committee delegates split 2-2. There exists a petition objecting to the proposed flight path move which has been signed by 2,624 community members. Also, the Valley Women's Club, the Santa Cruz City Council, the San Lorenzo Valley Chamber of Commerce, and several advocacy groups (Quiet Skies Santa Cruz, Sky Posse Palo Alto, Quiet Skies Mid-Pen, and San Lorenzo Valley Advocates) have taken positions opposing the move. Thus, there is ample evidence indicating that your constituents are divided on the issue of flight path movement.

For these and other reasons we ask that any further consideration of moving the SERFR 3 arrival to the BIG SUR track be delayed until SERFR 3 can be implemented in place, and then flown and assessed, to see if it serves to cure the jet noise issues for underlying communities. In this way we might avoid the very undesirable outcome of enraging an entirely new group of community members by simply moving the jet noise from one community to another.

Thank you in advance for responding to our concerns and providing clarity regarding your position on each moving forward. We remain hopeful that we can reach a solution that will be acceptable to everyone within the affected communities.

December 11, 2017
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Sincerely,



BRUCE MCPHERSON, Supervisor
Fifth District Supervisor



RYAN COONERTY, Supervisor
Third District Supervisor

BMP/RC:lg

cc: Congressmember Jackie Speier
Santa Cruz City Council