



## AGENDA

### LEGISLATIVE COMMITTEE OF THE

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

**August 17, 2020  
1:00 PM – 3:00 PM**

*This meeting will be conducted in accordance with State of California Executive Order N-29-20, dated March 17, 2020. All members of the Committee will participate by video conference, with no physical meeting location.*

Members of the public wishing to observe the meeting live may do so at:

<https://www.youtube.com/channel/UCtPEgHsvTSnRcJUCQxX2Ofw>

[Youtube.com → SCSC Roundtable Channel](#)

Members of the public wishing to comment on an item on the agenda may do so in the following ways:

1. Email comments to [scscroundtable@gmail.com](mailto:scscroundtable@gmail.com) by 10:00 a.m. on August 17th. Emails will be forwarded to the Committee. Emails received after 10:00 a.m. and prior to the Chair announcing that public comment is closed for each item will be read into the record by the Chair at the meeting (up to 3 minutes, at the discretion of the Chair). **IMPORTANT:** *Identify the Agenda Item number in the subject line of your email. All emails received will be entered into the record for the meeting.*
2. Provide oral public comments during the meeting: click the following link to register in advance to access the meeting via Zoom Webinar: [https://mountainview.zoom.us/webinar/register/WN\\_QYAyP4NFQeyymPqiNQ0VZA](https://mountainview.zoom.us/webinar/register/WN_QYAyP4NFQeyymPqiNQ0VZA)
  - a. You will be asked to enter an email address and a name. Your email address will not be disclosed to the public. After registering, you will receive an email with instructions on how to connect to the meeting.
  - b. When the Chair announces the item on which you wish to speak, click the “raise hand” feature in Zoom. Speakers will be notified shortly before they are called to speak.
  - c. When called to speak, please limit your comments to the time allotted (up to 3 minutes, at the

In compliance with the Americans with Disabilities Act and the Brown Act, those requiring accommodation for this meeting should notify the City of Mountain View staff regarding ADA needs 24 hours prior to the meeting at (650) 903-6215.

1. Call to Order – *Legislative Committee Chair, Lisa Matichak*
  
2. Identification of Members Present – *Legislative Committee Members* Information
  
3. Oral Communications from the Public on Non-Agendized Items Information  
*This portion of the meeting is reserved for persons wishing to address the Committee on any matter not on the agenda. Speakers are allowed to speak on any topic for up to three minutes during this section. If there appears to be a large number of speakers, speaking time may be reduced. State law prohibits the Committee from acting on non-agenda items.*
  
4. Noise Metrics – *Committee Member Glenn Hendricks* Discussion/  
Action  
*Review and discuss the draft policies for a new approach to noise metrics, and the proposed use of the new approach to noise metrics. Define proposed actions to be taken for full Roundtable consideration.*  
  
Public Comment
  
5. Public Health & Environmental Impact of Noise and Emissions – *Committee Member Watanabe* Discussion/  
Action  
*Review and discuss the draft plan to address public health and the environmental impact of airplane noise and emissions, and the proposed use of the plan. Define proposed actions to be taken for full Roundtable consideration.*  
  
Public Comment
  
6. Legislative Update – *Legislative Committee Chair Matichak and Committee Member Watanabe* Discussion/  
Action  
*Receive update on bills introduced and House Appropriations Committee report and define proposed actions to be taken, if any, for full Roundtable consideration.*  
  
Public Comment
  
7. Adjournment – *Legislative Committee Chair Matichak*

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Agenda Item #4. Review of Noise Metrics

## **Language/Concepts the SCSC Roundtable Requests be Added to Appropriate Federal Aviation Administration (FAA) Legislation**

### **Issue:**

Current regulations and guidance that govern the FAA's environmental reviews do not include sufficiently specific language to direct the FAA to adequately consider the impact of aircraft noise on residents and noise sensitive resources when it is making determinations about the appropriateness of flight procedure changes.

The intent of the proposed language changes is to protect residents and noise sensitive resources as the FAA considers changing the flight procedures/path/frequency over them.

### **Recommendation:**

The following conceptual language changes need to be included in the appropriate FAA Reauthorization bill or similar bills regarding the FAA – until this language has been approved and adopted for use by the FAA.

- The millions of aircraft noise complaints and public discord that has resulted from the FAA's implementation of the NorCal Metroplex and other Metroplex projects throughout the country has demonstrated that the FAA's existing tools, noise metrics, and thresholds of significance have not effectively or accurately assessed the impact of aircraft noise on residents and noise sensitive resources. Therefore, the FAA must establish new reasonable and realistic noise metrics and noise standards for accurately assessing the noise impacts of flight procedure changes. This includes the application of cumulative and single-event noise metrics to assess impacts on human annoyance, sleep, health, learning, public spaces, and natural quiet.
- The FAA must modify their existing flight procedure approval processes to include and utilize the new noise metrics when approving any flight procedure modification.
- When the FAA is reviewing/approving any flight procedure, they must collect noise measurements at homes and noise sensitive uses (using the new metrics defined above). These noise measurements will include actual pre-change conditions, actual post-change conditions, and a post-implementation review process to ensure the "after" condition is the same

or an improvement in aircraft noise exposure as measured at homes and noise sensitive uses than was defined in the approved flight procedure.

- If the post-implementation noise measurements are higher than those defined in the approved flight procedure's environmental documentation, the FAA would be required to modify the flight procedures until the noise levels are at or lower than the approved levels.
- The SCSC Roundtable agrees that safety of air travel is paramount. However, the SCSC Roundtable believes that the rules governing the FAA's environmental processes should be amended to ensure that "the impact of aircraft noise on people and noise sensitive resources" is given the same decision making weight as "the efficient use of the airspace for aircraft operators".

Agenda Item #5. Review of Public Health & Environmental Impacts of Noise and Emissions

## PUBLIC HEALTH & ENVIRONMENTAL IMPACT OF NOISE AND EMISSIONS

Review and address public health and the environmental impact of airplane noise and emissions, and the proposed use of the work plan. Define proposed actions to be taken for full Roundtable consideration.

### Issues:

- Tens of millions of Americans suffer from a range of adverse health outcomes due to noise exposure, including heart disease and hearing loss. There is concern that long-term noise effects can cause mental health issues. Reducing environmental noise pollution is achievable and consistent with national prevention goals, yet there is no national plan to reduce environmental noise pollution.
- Environmental noise is not only a health risk to people who report being annoyed by noise, but these individuals are also at risk for additional health effects. Children in noisy environments have poor school performance, which leads to stress and misbehavior. They also have decreased learning, lower reading comprehension, and concentration deficits.
- Although there is not a complete picture of U.S. health impact assessments, there are indications that decision makers lack the information they need to protect communities from noise-related health effects. Environmental impact statements that calculate changes in noise levels also do not necessarily provide information about adverse health impacts resulting from these changes.
- Aside from the public health and environmental impact of noise and emissions, there is a statistically significant negative relationship between **airport noise** and **residential property** values, with the average home in areas where **noise** levels are 65 decibels or high selling for about \$2400 less than equivalent homes in quieter areas

### Recommendations:

- The Roundtable will continue to monitor and advocate for proposed legislation at the local, state, and federal level that addresses, or has the potential to reduce, aircraft noise exposure and environmental effects on its member communities.
- Analyze existing FAA policies regarding latest updates on Aviation Noise Abatement Policy.
- The National Academy of Medicine has a track record of accelerating policy changes regarding noise mitigation.

- Subject to eligibility requirements, the FAA also issues grants through the [Airport Improvement Program \(AIP\)](#) to airport operators and units of local government to fund projects to sound-insulate homes, schools, and healthcare facilities.
- The Health Impacts Project (HIP) provides guidance for policy makers to identify the health consequences of potential projects by making public a national sample of health impact assessments
- Continue to follow legislative efforts to reduce the 65 dBA level to 55 dBA.
- Is there a way to calculate the financial impact of airport noise on the healthcare industry?
- Any future flightpath decisions should directly consider health implications including where the health burden will be, with a particular focus on vulnerable groups.



Agenda Item #6. Legislative Update

## Agenda Item 6

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As of August 12, 2020, there are 15 bills of potential interest to the Roundtable that have been introduced into the House during the current legislative session. Attachment 1 is a summary of those bills. The purpose of this agenda item is for the Legislative Committee to review and discuss the bills, and to potentially make a recommendation to the full Roundtable any action the Roundtable take on these bills.

None of these bills have had any movement which is understandable given the focus on the pandemic and other important topics.

### Attachments:

1 - Summary of Potentially Relevant Bills Introduced

# Summary of Bills Introduced

As of August 12, 2020

Line #	Bill Number	Title	Brief Summary	Application Area	Date Bill Introduced	Author Co-sponsors	History	Recommended SCSC RT Action
1	HR 976	Air Traffic Noise and Pollution Expert Consensus Act of 2019	Directs the FAA to work with the National Academies of Sciences, Engineering, and Medicine to provide a report on the health impacts of air traffic noise and pollution.	All	Feb. 5, 2019	Stephen Lynch (D-MA)  30 cosponsors including: Anna Eshoo (D-CA) Jackie Speier (D-CA)	Feb. 7, 2019: Subcommittee on Aviation Feb. 5, 2019: Committee on Transportation and Infrastructure	
2	HR 2351	Protecting Airport Communities from Particle Emissions Act	Directs the FAA to contract the National Academy of Sciences to conduct a national study on the characteristics, distributions, sources, and potential health effects of airborne ultrafine particles.	All	Apr. 22, 2019	Adam Smith (D-WA)  12 cosponsors including: Anna Eshoo (D-CA)	Apr. 23, 2019: Subcommittee on Aviation Apr. 22, 2019: Committee on Transportation and Infrastructure	
3	HR 3001	Quiet Communities Act of 2019	Re-establishes the Office of Noise Abatement and Control in the Environmental Protection Agency.	All	May 23, 2019	Grace Meng (D-NY)  40 cosponsors including: Anna Eshoo (D-CA) Jackie Speier (D-CA) + many more	May 24, 2019: Subcommittee on Environment and Climate Change. Subcommittee on Railroads, Pipelines and Hazardous Materials. Subcommittee on Highways and Transit. Subcommittee on Aviation. May 23, 2019: Committee on Energy and Commerce Committee on Transportation and Infrastructure	

Line #	Bill Number	Title	Brief Summary	Application Area	Date Bill Introduced	Author Co-sponsors	History	Recommended SCSC RT Action
4	HR 4547	Safe and Quiet Skies Act of 2019	Prohibits commercial air tour flights within a half mile of military installations, national cemeteries, national wilderness areas, national parks, and national wildlife refuges. Prohibits tour flights at an altitude of less than 1,500 feet. Requires tour flights over occupied areas to be no louder than 55dbA.	All	Sep. 27, 2019	Ed Chase (D-HI)  2 cosponsors	Sep. 27, 2019: Committee on Transportation and Infrastructure	
5	HR 5105	Responsive Employees Support Productive Educated Congressional Talk (RESPECT)	Requires the FAA to respond in writing within 90 days to requests for data and information from Congress.  The FAA must also provide staff at a private or public meeting with a Member of Congress if certain conditions are met.	Congress	Nov. 14, 2019	Jackie Speier (D-CA)  16 cosponsors including: Anna Eshoo (D-CA) Ro Khanna (D-CA) Jimmy Panetta (D-CA)	Nov. 14, 2019: Committee on Transportation and Infrastructure	
6	HR 5106	Restore Everyone's Sleep Tonight (REST)	Allows airports to impose access restrictions for certain hours, and to assess certain penalties against air carriers or aircraft operators.	All airports	Nov. 14, 2019	Jackie Speier (D-CA)  16 cosponsors including: Anna Eshoo (D-CA) Ro Khanna (D-CA) Jimmy Panetta (D-CA)	Nov. 14, 2019: Committee on Transportation and Infrastructure	

Line #	Bill Number	Title	Brief Summary	Application Area	Date Bill Introduced	Author Co-sponsors	History	Recommended SCSC RT Action
7	HR 5107	Serious Noise Reduction Efforts Act (SNORE)	Provides noise mitigation through soundproofing and other strategies in the communities surrounding SFO.	Communities surrounding SFO	Nov. 14, 2019	Jackie Speier (D-CA)  3 cosponsors including: Anna Eshoo (D-CA) Jimmy Panetta (D-CA)	Nov. 14, 2019: Committee on Transportation and Infrastructure	
8	HR 5108	Southbound HUSSH and NIITE Help Households (SHHH)	Requires the FAA to continue processing the proposed SFO NIITE Departure Southbound Transition, and the OAK HUSSH Departure Southbound Transition, per the SFO RT and the Select Committee.	SFO and OAK	Nov. 14, 2019	Jackie Speier (D-CA)  2 cosponsors including: Anna Eshoo (D-CA)	Nov. 14, 2019: Committee on Transportation and Infrastructure	
9	HR 5109	Fairness in Airspace Includes Residents (F-AIR)	Redefines FAA's priorities as (i) safety of aircraft; (ii) co-equal priorities: the efficient use of airspace and the minimization of the impact of aviation noise, and other health impacts, on residents and communities, and other impacts of the use of airspace on the environment.	All	Nov. 14, 2019	Jackie Speier (D-CA)  15 cosponsors including: Anna Eshoo (D-CA) Ro Khanna (D-CA) Jimmy Panetta (D-CA)	Nov. 14, 2019: Committee on Transportation and Infrastructure	

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10	HR 5110	All Participating in Process Reaching Informed Solutions for Everyone (APPRISE)	Requires the FAA to ensure representatives of aviation roundtables are allowed to participate in the NextGen performance-based navigation implementation process or modified flight procedures affecting their communities.	All	Nov. 14, 2019	Jackie Speier (D-CA)  16 cosponsors including: Anna Eshoo (D-CA) Ro Khanna (D-CA) Jimmy Panetta (D-CA)	Nov. 14, 2019: Committee on Transportation and Infrastructure	
11	HR 5111	Notified Officials to Inform Fully and Impel Educated Decisions (NOTIFIED)	Requires the FAA to notify the public of any proposed new Performance Based Navigation flight procedure or flight procedure change affecting airspace at altitudes below 18,000 feet.	All	Nov. 14, 2019	Jackie Speier (D-CA)  16 cosponsors including: Anna Eshoo (D-CA) Ro Khanna (D-CA) Jimmy Panetta (D-CA)	Nov. 14, 2019: Committee on Transportation and Infrastructure	
12	HR 5112	Low-frequency Energetic Acoustics and Vibrations Exasperate (LEAVE)	Establish that no Federal statute is intended to preempt a cause of action against an airport in any state court by any individual or city within 5 miles of an airport when an action is brought for noise or nuisance caused by ground-based noise in violation of a State statute.	States	Nov. 14, 2019	Jackie Speier (D-CA)  4 cosponsors including: Anna Eshoo (D-CA)	Nov. 14, 2019: Committee on Transportation and Infrastructure	

Line #	Bill Number	Title	Brief Summary	Application Area	Date Bill Introduced	Author Co-sponsors	History	Recommended SCSC RT Action
13	HR 5450	Cleaner, Quieter Airplanes Act	Require a NASA initiative on reduction of greenhouse gas emissions and noise emissions from aircraft.	All	Dec. 17, 2019	Donald Beyer (D-VA)  32 cosponsors including: Anna Eshoo (D-CA) Ro Khanna (D-CA) Jackie Speier (D-CA)	Dec. 17, 2019: Committee on Transportation and Infrastructure	
14	HR 5874	Decrease Noise Level Act	Require the FAA to decrease the threshold for the day-night average sound level that constitutes significant noise from 65 to 60, and adjust relative ranges of day-night average sound level accordingly.	All	Feb. 12, 2020	Grace Meng (D-NY)  24 cosponsors including: Ro Khanna (D-CA)	Feb. 13, 2020: Subcommittee on Aviation Feb. 12, 2020: Committee on Transportation and Infrastructure	
15	HR 6038	Aviation-Impacted Communities Act	Enables aviation-impacted communities that are not currently within the 65 DNL standard shall be eligible for the Airport Improvement Program noise mitigation program funds and for grants under section 7, and shall also be granted status under section 5 to establish community boards to address airport noise in their communities.	All	Feb. 28, 2020	Adam Smith (D-WA)  17 cosponsors including: Anna Eshoo (D-CA) Ro Khanna (D-CA) Jackie Speier (D-CA)	Mar 2, 2020: Subcommittee on Aviation Feb. 28, 2020: Committee on Transportation and Infrastructure	