



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Western-Pacific Region  
Office of the Regional Administrator

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El Segundo, CA 90245

June 04, 2021

Ms. Mary-Lynne Bernald  
Chairperson  
Santa Clara/Santa Cruz Counties Airport/Community Roundtable  
PO Box 3144  
Los Altos, CA 94024

Dear Ms. Bernald:

Subject: PIRAT STAR/FAA Response to the Roundtable's Letter Dated November 24, 2020

Thank you for your letter dated November 24, 2020, in which you asked questions related to our previous presentations and responses regarding the PIRAT Standard Terminal Arrival Route (STAR). Below, please find our responses to the seven questions contained in the attachment to your letter.

Question 1a: As requested previously in our letter of March 6, 2020, can the FAA provide documentation that shows that the airport proprietor supported PIRAT?

FAA Response: We are unable to provide the requested documentation. As we stated in a letter dated May 27, 2020, while specific approval from airport proprietors is not required, as part of our enhanced commitment to working with communities, we have increased efforts to ensure we have their support as part of the Full Work Group (FWG) process. Support may include being part of a joint community engagement or education plan. While the airport was not an official member of the FWG, there were discussions held with the airport regarding the PIRAT STAR.

Question 1b: Was the issue of shifting noise considered in the PIRAT IER for the ground track prior to ARGGG as well as after ARGGG?

FAA Response: As shared in our letters dated August 27, 2019, and February 21, 2020, the FAA's noise screening for this action showed that potential for significant impacts and/or extraordinary circumstances due to aircraft noise is negligible. Therefore, neither the National Environmental Policy Act (NEPA); NEPA's implementing regulations (40 CFR Parts 1500–1508); nor FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*, required the FAA to conduct further noise analysis because the noise screening did not find potential for significant noise changes.

Question 1c: Can the FAA clarify the legitimacy of the July 17, 2018 PIRAT CATEX/ROD given that the description of the vectoring after ARGGG in the CATEX document is

substantially different from the charted heading of 060 that is specified in the published PIRAT procedure chart?

FAA Response: If by “legitimacy” you mean to ask whether the FAA’s decision to implement the PIRAT STAR based on the Agency’s environmental review of the change is still valid, the answer is yes. Prior to the implementation of the PIRAT arrival route, oceanic aircraft arriving at Woodside Very High Frequency Omni-directional Range (VOR) (OSI) (and not on the Tailored Arrival) departed OSI on a heading of 060 degrees and at 8,000 feet mean sea level (MSL). Air traffic control (ATC) would then vector aircraft to the assigned instrument approach. Other than OSI being replaced by the ARGGG waypoint, this has not changed with the PIRAT arrival route, and altitudes and flight paths between ARGGG and the assigned instrument approach remain unchanged. In accordance with FAA Order 8260.58B, *United States Standard for Performance Based Navigation (PBN) Instrument Procedure Design*, Paragraph 2-2-1, a heading must be part of the STAR when it does not connect to an approach procedure.

Question 1d: Can the FAA clarify what process exists, if any, to audit the content of an environmental review (CATEX or otherwise) when there is material evidence that assumptions or statements were either subjective, incorrect, or inconsistent, that methods used were invalid, or that the FAA did not seek answers to critical questions?

FAA Response: An environmental review conducted pursuant to the NEPA reviews proposed major federal actions and their respective future impacts compared to the no action alternative. Furthermore, the FAA disagrees with your statement that “material evidence that assumptions or statements were either subjective, incorrect, or inconsistent, that methods used were invalid, or that the FAA did not seek answers to critical questions.” Your statement ultimately questions legal remedies in circumstances in which you disagree with the FAA’s environmental review. The FAA cannot provide you with legal advice.

Question 2a: Why did the FAA disregard community concerns that were raised by residents and several cities in the fall of 2018, after the IER was concluded, but months before PIRAT ONE went live on Feb 28, 2019?

FAA Response: The FAA did not disregard community concerns. During the spring of 2016, to facilitate community involvement within their respective districts, the Congressional delegation designated a total of 12 representatives—locally-elected officials from Santa Cruz, Santa Clara, San Mateo, and San Francisco Counties—to serve on the Select Committee on South Bay Arrivals (SC). The SC’s role was to gather public input, within their represented areas, about measures to address noise concerns and to make recommendations that reflected public input; through this process, the FAA received and considered public input. The SC worked to identify which initially-feasible recommendations, including amendments and/or new procedures, could be included within the second phase of the Northern California (NorCal) Initiative. The San Francisco International Airport (SFO)/Community Roundtable provided guidance and assistance to the SC’s efforts.

The SC held a total of ten public meetings, and the SFO/Community Roundtable concurrently discussed the NorCal Initiative during its own regularly scheduled meetings. In November 2016,

the Congressional delegation provided the FAA with 104 recommendations from these two bodies. In July 2017, the FAA issued an interim report on its efforts to evaluate those recommendations. The FAA subsequently issued a November 2017 update that detailed a total of 203 items, which consisted of the original 104 recommendations and each of their sub-recommendations.

Question 2b: Why did the FAA continue to disregard the lack of community support for the new procedure when it modified PIRAT ONE to create PIRAT TWO, which went live in April 2019? By then, the FAA was fully aware that the community was very concerned about PIRAT and was not supportive of the procedure as implemented.

FAA Response: As mentioned earlier, the FAA did not disregard community concerns. In our previous letters and during SCSC Roundtable briefings on May 22, 2019, August 28, 2019, and February 26, 2020, we shared that the last change implemented to the PIRAT STAR only added a crossing altitude that was left off PIRAT ONE. The PIRAT TWO procedure simply added a crossing restriction of “at or below 15,000 feet MSL” at the PIRAT waypoint, which is located above the Pacific Ocean, approximately 22 nautical miles from land.

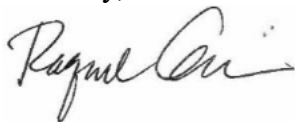
Question 3a: Can the FAA substantiate with a data analysis its statement that the 35.5% increase in the PIRAT procedure operations is solely due to an increase in market demand and has nothing to do with converting a private Tailored Arrival to SFO and other Oceanic Arrivals to SFO and OAK into a public RNAV/OPD that can now be used in the optimization algorithms used by airlines in requesting a flight plan and programmed in the Flight Management Systems?

FAA Response: The FAA did not make the statement you referenced. We would refer you to the information provided on SFO’s website<sup>1</sup> that showed international oceanic (Asia, Middle East, Australia, Oceania) deplanements increased by 17.6 percent from 2018 to 2019. Also, as stated by SFO airport staff during the February 26, 2020, SCSC Roundtable meeting, flights from Hawaii have had “quite an increase.” Please contact SFO for specific data.

The PIRAT STAR remains in use and there are currently no planned changes for this procedure in the foreseeable future. Our mission is to provide the safest, most efficient aerospace system in the world.

If we can be of further assistance, please contact my office at (424) 405-7000. We are committed to continue our work together and look forward to working with you on other areas of interest. If we can be of further assistance, please contact my office at (424) 405-7000.

Sincerely,



Raquel Girvin  
Regional Administrator

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<sup>1</sup> <https://www.flysfo.com/media/facts-statistics/air-traffic-statistics>

