

HMMH

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November 16, 2019

Mr. Patrick Lammerding
Deputy Executive Director
Hollywood Burbank Airport

Subject: Southern San Fernando Valley Airplane Noise Task Force – November 6, 2019 Meeting
Summary
Reference: HMMH Project Number 310870

Dear Mr. Patrick Lammerding:

The following is a bullet point summary of the third meeting of the Southern San Fernando Valley Airplane Noise Task Force (Task Force) that occurred from 6:30 pm to 9:30 pm Wednesday, November 6, 2019.



- The Chair, Paul Kerkorian, called the meeting to order.
- The Facilitator, Gene Reindel, provided roll call, and determined there was a quorum.
- Following the Chair describing the rules of order, the agenda was approved.
- The HMMH letter dated for September 27, 2019 of the meeting convened on September 11, 2019 was consented to being received by the council.
- FAA representative for Western-Pacific Public Affairs Ian Gregor spoke:
 - Air traffic controller social media account did not speak for the FAA and did not reflect the FAA.
 - FAA is fully committed to supporting the taskforce to find consensus measures.
- Before proceeding with presentations, the Chair recommended that organizations that had not yet been agenized wait on further presenting, and that the taskforce take a break from hearing from new community groups until after detailed responses and presentations from the airport and the FAA.
- Three community group presentations were scheduled for this meeting: Studio City for Quiet Skies, Benedict Hills Estates/HOA, Advocates for Viable Airport Solutions and Sherman Oaks/Encino for Quiet Skies.
- Studio City for Quiet Skies gave their presentation.

The following is a bullet point summary of what was included within Studio City for Quiet Skies' presentation:

- Represent concerned residents of Studio City, Sherman Oaks, Encino, Toluca Lake, Mulholland Corridor, Bel Air, and Beverly Hills.
- They are the "New Community" that the FAA says should not be the recipient of relocated noise, and the first community to receive a focused, half-mile wide path.
- There is an urgent need for interim relief. The Environmental Assessment process will take at least two (2) more years, and the LA City Attorney's call for Public Scoping is necessary, but will extend this process.
- FAA has eleven (11) more days to respond to LA City Attorney's cease and desist letter.
- FAA controllers allow aircraft to fly at 210 degree heading for miles along Santa Monica Mountains before giving vectors to turn
- Flight paths should be at one (1) nautical mile north of the foothills. Reasons to avoid the foothills are because they are in a large fire zone, the Santa Monica Mountain Parklands are four (4) noise sensitive sites, and the noise impacts are exacerbated over higher terrain.
- FAA stopped using Runway 15 for three (3) days.
- A video was shown depicting evidence of jets being able to make quicker turns north.

- Data from the 2018 Flight Plan Analysis by Landrum and Brown (L&B) were displayed by quarter and indicated the sudden shift in overflights over Studio City Hills upon the implementation of the Southern California Metroplex.
- FAA claims controllers are handling arrivals and departures just as they did previously.
- FAA admits there has been a southern shift, but denies that there is a delayed issuance of vectors for overflights.
- FAA blame the shift on increased BUR operations, but operations are down from the 2007 peak.
- During the 2007 peak year, there were 137 noise complaints over the course of the year, while in 2019, there were 251,510 noise complains in the first quarter only.
- FAA has not explained why some jets turn before the 101 Freeway but most turn after crossing Ventura Blvd.
- Interim solutions offered include Operation TWIST, as presented by Dan Feger as part of UproarLA.
- Operation TWIST details were re-discussed from last time.
- Runway 33 was used recently due to the fires and when President Trump was in town. They asserted that this is a more efficient path to SLAPP and OROSZ, and it does not require headwind.
- FAA has proposed revised RNAV for VNY would overly the same area as the BUR proposed procedure before the BUR Environmental Assessment and effectively create a double decker noise corridor.
- One nautical mile deviations would create spillover into additional neighborhoods.
- Proposals would make Ventura Blvd into a noise corridor.
- Long term solutions offered include the following:
 - Making TWIST permanent
 - Implementing runway rotations to share the noise
 - Operation JETNOISE and Quiet.



Dan Feger then presented his final two (2) parts of the solution

- JETNOISE→ JT & T North of 101 Stop Expansion.
 - If FAA requires RNAV procedure, create new initial waypoint just south of BUR.
 - Locate both JAYTE and TEAGN North of 101 Freeway.
 - Use open SID departure to require radar vectors and spread tracks that attempt to reproduce the 50 year historical departure tracks.
 - Mr. Feger recommended that Congress tax airline baggage fees with a 7.5% excise tax to provide funding for additional ATCs to pay for acoustical treatment.
 - There should be a moratorium on air service development, marketing, and promotion by BUR until noise levels are under control.
 - Runway 15 should be shortened and there should be installed an engineered materials arrestor system (EMAS) for safe departures, and the use of aircraft with >180 person occupancy should be discouraged.
 - The Environmental Assessment should reflect the commitment to avoid expansion of BUR beyond that which was voted on in 2016.
- Operation Quiet (Question Understand, Investigate, Explain, Think)
 - FAA, BUR and the airlines have uniquely contributed to this issue, and will not accept responsibility.
- Task Force Member Questions on Studio City for Quiet Skies
 - Clarification on the consistent use of the phrase “New Community”.
 - FAA regulations state that one cannot relocate noise to a new community. Studio City has been made into that new community.
 - Additionally, FAA cannot dodge fixing the problem by asserting they now cannot move noise to a “New Community” and assert that Studio City is the “historic community”.

- Steven Taber, representing the Benedict Hills Estates Association and Benedict Hills Homeowners Association, gave a presentation.

The following is a bullet point summary of what was included within the presentation:

- Benedict Hills Estates/HOA had previously entered into a settlement agreement with the FAA.
- A history of the settlement was described. Below are a few key dates and details
 - 2011-2013 the group had meetings with congressional representatives, LA Councilman Paul Koretz's staff, BUR representatives, Representative Henry Waxman, and other residents. The group eventually met with the FAA, who indicated that their complaints had been registered, but that nothing had changed and would be able to change.
 - October 2013- Benedict Hills Estates/HOA engaged Steven Taber to represent them. He brought in consultant Barry Yurtis.
 - March 2014- Barry Yurtis proposes curved departures from VNY and BUR to keep aircraft above the 101 freeway as they gained altitude.
 - In fall 2014, this plan was presented and well received by FAA Regional Administrator Glen Martin, and the FAA indicated that it would design a curved departure as part of the Southern California Metroplex.
 - July 2015- FAA issued draft Environmental Assessment without the curved departures. Benedict Hills issued comments on the Metroplex project.
 - August 2016- Southern California Metroplex Finding of No Significant Impact and Record of Decision was issued without the curved paths.
 - October 2016- Benedict Hills files Petition for Review of the Southern California Metroplex.
 - January 2017- Beginning of mediation between FAA and Benedict Hills.
 - After a back and forth, the FAA issued the Final Noise Screen and Emissions Analysis in January of 2018, and it was signed in March 2018.
- They did not get everything that they wanted, and the settlement has not yet been implemented.
- They are unable to release documents of the settlement because of a confidentiality agreement.
- A summary of the current flight paths, OROSZ TWO and SLAPP ONE was discussed.
 - A key issue with both of these is the minimum climb rate of 340 feet per nautical mile to 2,100 feet.
- Settlement procedures are called OROSZ 3 and SLAPP TWO
 - OROSZ 3 would have a minimum climb rate of 460 feet per NM. FAA said there would be dispersal, a climb to 1000 feet AGL, and then a climbing right turn to the heading of controller's choice. It would only compose 50% of these departures
 - SLAPP TWO would have 1000 feet AGL on RNAV, climbing right turn to the heading, followed by direct to SLAPP leg at controller's discretion. It would only compose 37% of the departures.
- The remaining 13% of flights would be composed of 1% flying the full standard procedure, and the remaining 12% would be non-RNAV procedures.
- The settlement procedures have not been implemented yet, and are not the cause of the increased noise exposure. The settlement did not require or create a concentrated flow over Studio City. This is the product of the Southern California Metroplex implementation.
- The settlement itself would partially reach the goals of Operation TWIST by getting aircraft higher more quickly. The 101 Freeway would be crossed less as well.
- This solution does not address VNY, but it would be better than the current procedures.
- An Environmental Assessment is needed. The FAA did not use categorical exclusion, which would have reduced the noise burden by implementing better procedures more quickly.
- Task Force Questions for Benedict Hills Estates Association and Benedict Hills Homeowners Association representative.
 - As a result of the settlement, the FAA agreed to revised departure procedures?
 - Yes, that is correct.



- If those are not followed, does the settlement provide for remedy in event of procedures not being followed and against whom?
 - The remedies are not specified, but if FAA procedures not implemented, we are released from not pursuing litigation.
- Is the basis of confidentiality agreement in the settlement agreement itself?
 - No, it was not provided in settlement agreement. It was part of the mediation procedures in the DC Circuit Court.
- Were the documents provided for the mediation specifically, or are these documents that could be available publicly?
 - They were specifically for the mediation, with a possible exception.
- The Feger measures as compared to the settlement revised procedures are not contradictory, correct?
 - Yes that is correct
- If task force took recommendations from Mr. Feger, and FAA took the position that they could not implement them because of your settlement agreement, you as council would disagree with that position?
 - Yes, that is correct.
- Settlement procedures are not being implemented because the Environmental Assessment is ongoing. [as a statement] I would expect that the task force's recommendations would be considered as part of that assessment?
 - He [the lawyer] cannot address that, as that is in the FAA's purview. The public press release recently put out by the FAA regarding the Environmental Assessment occurring for the settlement procedures, they would take the task force's work into account as comments.
- As your client was considering litigation, were any other communities provided with any notice of the situation as far as you know?
 - I cannot speak for the executive committees of the homeowner's association. I did not contact other committees, but there were ongoing liaisons between them and Benedict Hills.
 - Other communities were approached and were not interested at that time,
- In what manner were the other communities approached?
 - This was before [the lawyer's] hiring in 2013. I cannot speak for the homeowners association in this regard.
- With less technical distinctions between what the settlement was and the current circumstances- what is FAA not implementing?
 - They are flying at a 210-degree heading (southwest) and goes until given another waypoint (north of valley). The slow moving aircraft at the current minimum climb rate will take a longer time to make the turn to the North and go over Studio City and Sherman Oaks.
 - Settlement procedures will allow the air traffic controllers to give the aircraft a vector much sooner so they can make a turn more quickly.
 - Most of them will be turning prior to the 101 and flying along the 101 at a higher climb rate presumably.
 - This is all the word of the FAA. Whether it will be practiced remains to be seen.
 - They indicated this was the best they would give.
- How did the FAA justify taking years of negotiation and continually studying for a couple years while implementing this horrendous plan without an Environmental Assessment?
 - "Your guess is as good as mine".
 - The assessment done last fall was done as part of a "categorical exclusion" for the settlement procedures. Because of the public interest, provision in NEPA says in exceptional procedures do not allow for a categorical exclusion.



Therefore, FAA did a full-blown Environmental Assessment, which takes twenty-four (24) months.

- [Made as a statement] It is shocking that the FAA would torture communities for additional twenty-four (24) months, and more shocking they do not appear to follow the same provisions with an Environmental Assessment that we can see.
- Bob Bramen of Advocates for Viable Airport Solutions gave a presentation.

The following is a bullet point summary of what was included in the Advocates for Viable Airport presentation:

- They developed their solution with aviation consultants, former ATC, and input of several pilots.
- Flight tracks and operations numbers from both airports were quoted here.
- The departure tracks of both VNY and BUR cross each other, and head south of the 101 freeway before making a U-Turn.
- For VNY: 2.2 DME is a particular waypoint that was moved south to a new waypoint called PPRRY.
 - As a longer-term solution for VNY, they propose a new waypoint right before the 101 freeway so they can turn before or at it. They can turn sooner if there are no conflicts.
 - As an interim solution, VNY should replace PPRRY in RNAV and go back to the 2.2 DME, and increase the minimum climb gradient.
- For BUR:
 - As a longer-term solution, BUR should ensure that OROSZ and SLAPP be adjusted so that they will have 2,000 feet separation between them and the arrival path [see slides for details].
 - BUR should create three (3) dispersed bands in both procedures.
 - [not described in video, but the slides say] Interim solutions include different departure headings for OROSZ and SLAPP RNAV, and the conventional procedure, and to increase the climb gradients.
- The taskforce should make sure it has conversations with the right people, which include FAA Tower Air Traffic Controllers, SoCal TRACON Air Traffic Controllers, FAA ATO Air Space Designers, and airline pilots and representatives.
- Sherman Oaks/Encino for Quiet Skies gave a presentation

The following is a bullet point summary of what was included in the presentation:

- A video played called "NextGen Hell in the Santa Monica Mountains". Among some of the points raised in the video include:
 - 21 planes and helicopters within two (2) hours over Benedict Canyon, the site of a 2003 plane crash that ignited a brush fire
 - Since the changes, many residents are assaulted by a plane every three (3) minutes
 - The impacted area in the Santa Monica Mountains are over 6-15 miles from either airport
 - About 90% of the overflown area is in high/very high hazard severity zones.
- The focus of the presentation is on VNY.
- The FAA has also claimed weather has shifted flight paths south, but temperatures have been consistent since 2004.
- The FAA also has claimed that most of these aircraft flying south are heavier, but only 2% of them had more than 175 seats.
- In March/April 2017, the FAA published the new Metroplex RNAV departure procedure FATKO not featured in the Environmental Assessment. There was a small increase in complaints about noise in the subsequent months. LAWA responded and the FAA returned to the 2.2 DME waypoint.



- FAA then implemented new PPRRY waypoint in May 2019, also not in the Metroplex Environmental Assessment. After this shift, it raised to 37,000 complaints, which shifted to Sherman Oaks and Studio City.
- FAA's proposed solution is not in historic paths, but in new waypoints south of the 101. It puts noise still in areas where it is already an issue.
- The routes on the east side for VNY are nearly identical to the new proposed TEEGN waypoint for BUR, but in opposite directions.
- Cumulative impacts from these procedures affect protected parks, overall safety and risk of fire, and wildlife.
- The NextGen PBN paths are the problem and are what the FAA is proposing as a solution.
- Soundproofing is not a full solution since it does not account for open spaces and outside of the homes.
- Helicopters are flying at extremely low altitudes (7.6% under 300 feet altitude, 23% under 500 feet altitude), and are being forced to fly lower because of NextGen.
- There were negative testimonies featured of seasoned corporate and commercial pilots about the NextGen routes over Santa Monica Mountains.
- Case studies mentioned of wildfires sparked by crashes from general aviation and commercial jets.
- The FAA should return to conventional non-RNAV SIDs, and waive PBN mandates.
- The FAA should use the 2013 and other historic flight charts with preferential north flow with better dispersion
- Aircraft should turn over the unpopulated Sepulveda Basin.
- Routes should avoid the Santa Monica Mountains and foothills.

- Task Force Questions for the facilitator and the airport.
 - Joe Orenstein
 - Can there be an explanation of the interim Northern shift in flight paths when President Trump was in town, and if they are a viable interim solution?
 - Can the airports provide a detailed breakdown of where complaints are coming from?
 - Paul Koretz
 - Why was there not a quicker response after the second shift [to PPRRY] with 37,000 complaints?

- Community comments specific to the presentations were the following:
 - The VNY Citizens Advisory Council supported a voluntary 11pm-7am curfew in the interim, and hopes the task force will consider it as an interim solution.
 - Encino gets super concentrated noise exposure from both airports.
 - Recordings from a BUR meeting of an FAA official describing the flight tracks as being collapsed into one, but Ian Gregor stated that nothing has changed. Who is lying?
 - The task force should make sure more dispersed tracks do not overburden school children.
 - How many complaints were submitted when the president was in town, and from where?

- FAA Presentation of Responses to Some of the Task Force Member Questions Submitted in September 2019.

The following is a bullet point summary presented by the FAA:

- Did the FAA complete an Environmental Impact Report for the implementation of the Southern California Metroplex?



- This is was a requirement of California Environmental Quality Act. FAA is federal, and complied with the Federal NEPA procedure and did an Environmental Assessment. They found that there would be No Significant Impact.
- What outreach was done pre-Metroplex? Were any communities notified by the FAA regarding changes in flight paths/flight altitudes? Why didn't FAA inform the public?
 - The FAA conducted extensive outreach with standard procedures and engaged stakeholders and had public workshops.
- Was topography factored into the design of the Metroplex procedures? Did the FAA conduct safety analyses with respect to topography of Southern San Fernando Valley, other aircraft in area, and engine failure? If so, please provide that information showing results of those analyses?
 - The FAA did take this into account, and used a Safety Management System and a Safety Risk Management Panel. They took into account other factors and did extensive modelling and validation. They used the Noise Integration Routing System.
- Did they look at impacts on wildlife in Santa Monica Mountain Range?
 - Since the FAA was making changes occurring at or below 3,000 AGL, there was assumed to be no potential for these effects in the project area.
 - They did look at the potential of bird and bat collisions, and found no significant impacts were anticipated.
- Why did the FAA not implement a pilot project at first?
 - The FAA undertook the Metroplex process to coordinate implementation of routes with multiple airports, where airport activity and environmental constraints hinder efficient movement.
They did extensive modelling and validation.
 - Complex airspace which requires additional training, software and computer adjustments, making it difficult to do pilot projects for efforts like this one.
- Was any outreach conducted prior to publication of SLAPP ONE and OROSZ ONE waypoints?
 - The FAA was unclear what the question was referring to
 - If referring to the originally proposed departure procedures were established as part of the Southern California Metroplex implementation, and the FAA did extensive outreach and stakeholder engagement
 - If the proposed amended procedures, the FAA held heavily attended public workshops. The Environmental Assessment is in process.
- Gene Reindel, the Task Force facilitator from HMMH, presented responses to the Task Force member questions submitted in September 2019 for BUR.

The following is a bulleted summary of the presentation given by HMMH:

- Is there a correlation between climate and flight altitudes and flight patterns at BUR?
 - Flight paths may be altered to adjust for shifts in climate, but HMMH has yet to determine if there is a correlation.
- How does topography factor into increased airport/airplane noise, and do the Santa Monica Mountains possess topography that would account for increased decibel levels?
 - Terrain will not result in a noticeable increase in noise level, except for decreased distance from the receiver on a hill to flight path.
 - When aircraft are overhead, the sound heard is largely affected by the weather.
 - At lower elevations angles, sound is the sum of the sound travelling in a straight line from aircraft and the sound reflected off ground.
 - May experience noise actually coming from different direction. Having a line of sight with the source means receiving more direct noise. Reflected noise may produce longer durations.



- Can you show maps depicting flight paths pre/post Metroplex? Are departing aircraft starting their initial turn from Runway 15 at Hollywood?
 - Various figures were shown at this point.
 - Departures have shifted southwest, but have stayed fairly fanned out
 - Arrivals have produced concentrated narrow bands.
- Task force questions for HMMH presentation.
 - There was a request for maps on a monthly and quarterly basis, as well as for data from 2019 when it becomes available.
 - Are the dB criteria needed to determine No Significant Impact within the Santa Monica Mountains the same as those that would be required within 500 feet of an airport?
 - The topography does not change the need for NEPA compliance.
 - An Interactive map with the most southerly dips, or some sort of real time mapping, would be helpful.
 - Please include 2007 data.
 - Please make the maps easier to read with bolded titles.
- The next meeting will be December 4th, 6:30pm-9:30pm.
- Paul Koretz requested to add Congressman Ted Lieu to the task force.



The following is a summary of public comment on items not otherwise agenzied:

- There is no transparency with all stakeholders involved.
- Soot deposited as a result of flight overheads
- It is possible to fly Northern departures and should be used.
- Is there meaningful future planning going on? Should BUR have a ceiling on passenger traffic/capacity?
- The FAA workshops were poorly done. When people asked many questions, officials ran out the backdoor closed down the meeting.
- Where is the mayor?
- The task force needs to consider that the historic flight paths would bring noise and air pollution back to Valley Village.
- The FAA is lying.
- Please look into October 27, 28, 29, and 30th for analysis.
- FAA has poor methodology.
- The people effected by VNY would have an easier time making it to meetings held closer to the Western Valley.
- Request to be able to review all the proposals.
- No one city should bare the bulk.
- FAA, BUR, VNY have admitted paths have changed on record, but continue to lie to the press.

Sincerely yours,

Harris Miller Miller & Hanson Inc.

A handwritten signature in blue ink that reads 'Justin W. Cook'.

Justin W. Cook - INCE, LEED GA
Principal Consultant

cc: Sarah Paulson Sheehy, Senior Director, Government & Public Affairs, Hollywood Burbank Airport
Gene Reindel, HMMH Vice President and Task Force Facilitator