



SAN DIEGO
INTERNATIONAL
AIRPORT

**AIRPORT NOISE ADVISORY COMMITTEE (ANAC)
Meeting Minutes**

On January 19, 2006, the Airport Noise Advisory Committee (Committee) met at the Commuter Terminal, San Diego International Airport, 3225 N. Harbor Drive, San Diego, CA. The facilitator, Mark Butler, Ph.D., commenced the meeting at 5:35 P.M.

Present: Mr. Richard Agee; Peninsula Community Planning Board; Mr. John Bennett, County of San Diego; Captain (Ret.) Jack Bewley, Airline Pilot; Mr. Jim Buckles, FAA-SDIA Tower; Mr. David Caldwell, Greater Golden Hill Planning Committee; Ms. Katherine Fortner, representing Congresswoman Susan Davis (ex-officio); Mr. Tait Galloway, City of San Diego; Ms. Paula Jacks, Community member; Ms. Marilee Kapsa, Uptown Planners; Mr. Ron Kelley, representing County Supervisor Greg Cox; Ms. Susan More, Ocean Beach Planning Board; Mr. Jack Zimmerman, Acoustician; Dr. Mark Butler, Facilitator; and Staff: Mr. Ted Sexton, Mr. Dan Frazee, Mr. Garret Hollarn

Absent: Mr. Dan Franklin-Pond, Little Italy Association; Mr. Thomas Traver, Midway Planning Board; Mr. Kelly Brown, Airline Representative (Excused); Ms. Sharon Smith, MCRD; (Excused); Ms. Margaret Radnick, (City of San Diego, District Two – Vacant) (Excused)

Members and staff introduced themselves. Aside from introducing himself, Mr. Frazee reminded ANAC participants that a comprehensive new air carrier recognition program, called the Flight Quiet Program, presently in development, will be initiated on July 1st. ANAC members were introduced to the specifics of the program at the November 2005 meeting. He also mentioned that a *Noise Matters* newsletter, scheduled for publication in February, will specifically deal with recent boundary changes in Quieter Home Program (QHP). Finally, Mr. Frazee noted that a new City of San Diego District 2 Councilman has taken office and ANAC can expect to regain representation.

Dr. Butler called for approval of the November 2005 meeting minutes. A participant noted a discrepancy between an FAA and Noise Office briefing at the November 2005 meeting regarding Missed Approached statistics of October 2005. The mentioned discrepancy was not noted in the Minutes and since it could not be found, corrections could not be made. The Committee approved the Draft meeting minutes for November 17, 2005.

Mr. Agee requested that the Noise Violation sub-committee report and discussion be moved from Presentation Items to Information Items on future ANAC Agendas. Dr. Butler received Committee approval to make the change. This change will be reflected on the March and subsequent Agendas for the duration of that sub-committee.

Mr. Sexton presented an Airport Authority update on the site selection process, noting that since he last reported in November there has been no significant movement and that staff and

consultants continue to study both the military and pared-down civilian sites. A report will be presented at the end of January to the Authority's Strategic Planning Committee with the results of their continuing investigation on location suitability for relocating the airport to one of the sites. He explained that suitability is defined as the operational, technical, environmental, political, and financial implications of siting a new airport, noting that the Authority template envisions an area of approximately 3,000 acres to accommodate an expandable terminal and support complex capable of processing at least thirty (30) million passengers per year and served by two parallel 12,000 foot runways with 4300 feet of lateral separation to allow all-weather independence operations. Residents of San Diego County will be asked to weigh in on the location and scenario that the Authority will suggest on a ballot measure during the November 2006 election. Mr. Sexton informed the Committee that he will keep them updated at future ANAC meetings as well as inform committee members regarding relevant Airport Authority written materials to take back to inform their constituents. Ms. More asked when the results of suitability of the sites will be given out. Mr. Sexton replied that briefings will start this month at the scheduled Strategic Planning Committee meeting and it will encompass a series of briefings since there are nine sites being studied. Mr. Agee asked why the Board keeps Lindbergh Field on the table since it already has maxed out its capacity. Mr. Sexton replied that the community may feel that despite the advantages of siting a more expansive airport elsewhere, they may prefer, as an alternative, to have Lindbergh Field built out to the maximum extent possible to maximize its potential.

The next item is an annual review of the ANAC Rules and Procedures. Dr. Butler explained that every year at the January meeting the Rules and Procedures are reviewed to allow the Committee an opportunity to suggest changes. He mentioned that in 2006 ANAC requested an amendment that allows designated alternate members to vote. Dr. Butler asked the Committee if there are any changes they want to suggest at the meeting or if they wanted further time to study the document and bring it back at the next meeting. Mr. Agee suggested that the item be tabled for the next meeting due to the length of the discussion on the information he received from Mr. Frazee. Dr. Butler also suggested that Mr. Agee, who asked for Committee time at the March meeting to present his views for discussion, make discussion points available to Mr. Frazee so that Noise Office staff can forward the points to the rest of the participants prior to the March meeting.

Mr. Frazee provided a Remote Monitoring System (RMS) replacement update. Mr. Frazee recapped what has ensued since the November 2005 ANAC meeting regarding the proposed Remote Monitor Site #8 in the Point Loma area. He noted that this is as an additional noise monitor to specifically monitor flights departing from the airport on a 290-degree departure heading and to provide additional noise data for that underserved area. He also mentioned his visit to the Peninsula Planning Board (PCPB) in December 2006; that he gave them a synopsis of the quandary regarding finding a suitable location for this monitor and asked PCPB to assist the Noise staff in finding a suitable location for the monitor. Mr. Frazee and City Development Services staff intend to send out a survey to all residents who live within specific areas they are looking at to see if there are any people who may be interested in having their parcels evaluated to see if they meet the technical requirements for siting a remote noise monitor under CA PUC Title 21. Mr. Frazee passed out copies of the survey and

informed ANAC that about 285 individual surveys were mailed out to all residents in the designated areas; so far five have responded to the request. The residents are asked to respond by January 31, 2006 to meet City Development Services timing requirements. Depending on the outcome of the survey, the issue may be resubmitted to the City Council as early as March 7. Mr. Frazee also responded to a question regarding resident compensation for placement of the monitor, stating that the Airport Authority is not offering compensation, which is the reason they originally chose a location in City right-of-way to avoid the recurring cost of a pole that will remain in place as long as Lindbergh Field continues to operate from its present location.

Mr. Frazee presented a noise curfew violation update. He referred the participants to the curfew information hand-out in their folders. In 2005, a total of 41 aircraft violations were recorded. He explained that a violation is any aircraft that departs SDIA during the noise curfew period (11:30 p.m. until 6:30 a.m. for Stage 3 aircraft, 10:00 p.m. until 7:00 a.m. for Stage 2 aircraft), whether or not it subsequently receives an administrative penalty. The 41 violations included 29 air carrier and 12 general aviation operations; total penalized is 29 of 41 based on the Curfew Violation Review Panel (CVRP) that meets on a bi-monthly basis. NP means was not penalized based on extenuating information provided the Panel that caused the departure delay to be outside the control of the operator. Mr. Frazee stated that the CVRP is a scheduled public meeting that all ANAC members are encouraged to attend.

Mr. Frazee gave an update regarding the progress of the 9th Variance request. He explained that the parties are still negotiating their issues. Because of a request to delay the January settlement conference date, the next meeting is scheduled for the 2nd of February. It will be a pre-settlement conference and, if a settlement is not reached, the issue will go to trial in either March or April. If acceptable accommodation is reached with both interveners during the settlement conference, a stipulated settlement for the Variance will be worked out. One ANAC member asked what the stipulation of a settlement might be. Mr. Frazee explained that it has varied in the past. There has been eight previous Variances approved and only two went to trial, with the rest stipulated. Some of the requests were to add members to ANAC, to continue operation of the Authority's Noise Office, to continue to take input on the Quieter Home Program, and to provide different noise statistics to help the community understand more about the Authority's Noise Compatibility Program.

Ms. Cathy Hollarn, Quieter Home Program (QHP) Coordinator, updated ANAC on changes relating to the QHP. Ms. Hollarn introduced Mr. Joe Wolfe, a newly hired Airport Authority Facilities Development Program Manager, who is temporarily managing the QHP following Nyle Marmion's promotion to another position at the Airport Authority. She informed the Committee that a new Manager for QHP has been hired and that more information will be forthcoming at the March meeting. Ms. Hollarn also said that 277 applications were mailed out to the residents affected by the supplementary noise contour boundary expansion. She added that the expansion includes about 303 dwelling units (some multi-family properties), pretty evenly split between areas east and west of the airport. She added that, to date, 225 residents have responded. QHP staff will be prioritizing the participant list according to eligibility criteria, and should be getting in to the design phase with the first group around mid-

March. Ms. Hollarn also mentioned to keep in mind that when this supplemental expansion design phase is exhausted, we will need to look at further expansion to keep the Program on track and to continue efficiently using the Federal funds allocated.

As agreed earlier in the meeting, the Agenda item regarding the curfew fine structure was moved to this time. Dr. Butler gave a brief review regarding the sub-committee that was formed to review the noise curfew fine structure. Mr. Agee gave Committee members a copy of his report for review and discussion at this meeting as well as a version with changes suggested by Mr. Frazee.

Mr. Frazee gave the summary of the edited version with his comments and several recommendations. He explained that specific strike-outs are his opinions based on how he views the scope of the subcommittee. No review of the base document was accomplished by the subcommittee prior to it being brought before the ANAC. He explained that Mr. Agee did a lot of work in putting the report together with all the sub-committee's input. Mr. Frazee sees that there are three alternatives based on what is set forth. One, is not to make any changes and to leave the structure as it presently exists. A second option is to forward to the Authority Board the FAA - approved proposal, originally recommended by ANAC in 1999 and deferred by the Port District, then again recommended in 2003 and again deferred by the Airport Authority Board. Third, the Committee can decide to discuss and forward recommendations from the subcommittee report as well as from ANAC to the Operations and Facilities Committee at their next scheduled meeting in March. It would then be forward to the full Authority Board at the next scheduled meeting in April. Depending on the recommendations, it would necessarily have to be forwarded to FAA for their determination. Mr. Frazee also reminded the Committee if the third alternative is the choice, it took the FAA two years to return a determination on the last recommendation. On his part, Mr. Agee expressed his disappointment of the outcome of his full report; especially with the editions made by Mr. Frazee. His opinion is that Mr. Frazee's edits and strike-outs are meant to mislead ANAC. He further opined that the underlying reason is that the Airport Authority staff does not want ANAC to create a persuasive and rigorous recommendation to the Authority Board. He recapped what occurred in 2003 regarding Authority deferral of implementation of a significantly stiffer penalty structure, and again in 2004 when the Board dismissed the recommendations due to assurances that actions were being taken by the air carriers to further mitigate violations. Mr. Agee also pointed out that this sub-committee was formed in September 2005 because of substantive increases in air carrier violations and no response by the Authority Board. He noted that staff made no mention of the formation of the ANAC subcommittee at the Operations and Facilities Committee meeting in October, a meeting at which Mr. Agee was present. Mr. Agee made his voice heard at that meeting, and a vote resulted such that the Authority Board decided to table further discussion of a noise curfew fine increase pending the ANAC sub-committee's research and presentation to the Committee through ANAC at a later date. Mr. Agee noted that the Committee would have probably passed the former recommendation on to the Board with no further debate, but argues that ANAC needs to study the issue in more detail (out of the box) to forward the best recommendation possible. He stated that the subcommittee's recommendation to the Authority Board is the first true opportunity to ensure that community and ANAC input is given its due regard. Mr. Agee

strongly recommends to make minor alterations to his report and to reject Mr. Frazee's version and to demand a joint meeting with ANAC and the Airport Authority Board.

Public comment: Mr. Lance Murphy, a resident, presented his opinions, comments and suggestions regarding the RMS upgrade, CVRP, the Variance and the QHP.

Before continuing to the previous discussion, Dr. Butler made an observation based on the presentations by both Mr. Frazee and Mr. Agee. He noted that perhaps the subcommittee should have met more than once in order to work out some of the differences noted in the two documents. Mr. Frazee explained that as a staff member, he wanted to put into perspective the information brought up based on his experience. The single meeting held was called at his urging in an attempt to get issues on the table. Mr. Frazee further explained his reasoning behind his suggested changes to Mr. Agee's report. He explained that operation of the CVRP is under separate Airport Authority Board Policy and should not be tied to a subcommittee charged with investigating the violation fine structure. He noted that it is indeed within the purview of ANAC to recommend changes regarding any noise-related issue, but that recommendation is not within the scope of the subcommittee, as defined. On the issue of the use of collected curfew violation fines to benefit noise impacted communities, Mr. Frazee noted that Chief Counsel for the Airport Authority's view, expressed to Mr. Agee in writing, is that the administrative penalties are viewed by the FAA as airport revenue. Such revenue, by agreement with FAA, must not be spent outside of direct airport business. Airport Authority Chief Counsel's opinion is that FAA would consider such an act revenue diversion. As for the public reporting of the specific information considered by CVRP, due to extensive paperwork involved in CVRP, making it available to the general public through paper format is not logistically possible for Noise Office staff, although it is available by attending a public CVRP meeting or by contacting Noise staff to review at our offices anytime after the meeting. Ms. More has asked if information, i.e., violations and fines imposed is available to the public and could it be published in the newspaper. Mr. Frazee responded that this information is prepared as a Record of Decision (ROD) and is available on the Authority internet site. Regarding publishing the information in a local newspaper, he has to consult with Legal Counsel on this matter or it may also go on the planned Fly Quiet recognition Program. Dr. Butler added that the suggestion to publish individual violator's names and specific amounts was suggested and discussed several years ago but Legal Counsel at the time said it could not be done. He felt that the time may be at hand to look at the issue again in light of more public disclosure being achieved. A Committee member asked for and received further clarification on all three issues at hand. Mr. Agee stated that he feels that penalty funds going to the community could be achieved through undisclosed state and federal legislature. Additionally, noted that unless the community is brought directly into the operation of CVRP it will remain the same. Finally, he feels that Mr. Frazee has no right in editing his report; that only the Authority Board has the right to do that. Mr. Butler raised a point of order, noting that the Authority Board only has the right and responsibility to modify or edit ANAC-approved issues. He further noted that the subcommittee is having a very difficult time getting this through ANAC, let alone to the Authority Board.

Ms. More recommended that ANAC go through the subcommittee recommendation item by item to get a feel for how the ANAC members think about the recommendation.

In order to move forward, Dr. Butler noted that ANAC has an approved existing recommendation that was previously forwarded with no positive action forthcoming. Continuing on this matter, he suggested the Committee decide whether to move forward with the FAA-approved fine structure increase before beginning with the subcommittee's report and recommendation. One member asked if there might be a statute of limitation to FAA's prior approval, perhaps because of a change in administration that may cause reconsideration. Mr. Frazee explained that since it has already been approved he knows no reason for it to be disapproved due to change in administration. Dr. Butler suggested that ANAC might consider going forward with the "approved" increase proposal while continuing to investigate a more rigorous approach and potentially start the process for another FAA review. This would put in place a plan already approved by FAA, addresses the main issue at hand and give time for the Committee to decide if they want to move forward with a plan to redesign the penalty structure. This will go back to the FAA for an unknown period of time before it goes up to the Board. Mr. Agee wants to move forward with the subcommittee recommendation. Significant discussion ensued regarding all aspects of the approved fine increase schedule. Ultimately, Mr. Sexton suggested considering the fact that, in 2003, the Authority Board considered the proposed fine schedule increase the Committee had worked up over a period of years. Based on the evidence they saw before them they decided to not go forward with the proposed fine schedule increase. A year went by and the violations increased. ANAC positioned itself to make the recommendation based on the increase in violations. At the September ANAC Operations Mr. Agee brought forward a new proposal and ANAC formed a sub-committee to study it. In October the Operations & Facilities Committee was not briefed, because you did not authorize staff to report out to the Authority Committee that you requested reconsideration on the proposed schedule. Mr. Sexton further pointed out that there is an existing FAA proposed increase on the table that doubles the fine, the compliance period, and puts in a multiplier effect. What he suggests is to use what is in hand and submit it to Operations & Facilities meeting in March to evaluate and recommend to the full Board while working on refining the subcommittee recommendation.

Mr. Caldwell made a motion to move forward and resubmit to the Board via the Operations & Facilities Committee the proposal rejected in 2003. With no further discussion, the motion passed, with two nays. As a second motion, independent of the result of the Board action, ANAC voted to send back to the curfew violation sub-committee the interim product for clarification for and to continue their deliberation and investigation. For the discussion, Mr. Frazee suggested to change the scope of the sub-committee to include the other items that Mr. Agee has brought forward so recommendation could be made and make amendments. The motion carried.

Mr. Hollarn gave a presentation regarding the missed approaches and the end of 2005 statistics. For November and December 2005 missed approaches, for November out of 61, 14 were off runway 9 and for December, out of 77, 26 were off runway 9. During the curfew period of 11:30 p.m. to 6:30 a.m., it follows the standard split percentages. For non-runway versus runway heading the overall average percentage has been consistent. For the non curfew period of 6:30 a.m. to 11:30 p.m. has been 76% consistently and during curfew hour

has been consistently 7%. For a more complete review of the missed approach statistics, please see the accompanied PowerPoint presentation slides

Mr. Hollarn presented the update to the missed approach statistics reviewing the year-to-date totals for 2003, 2004, and 2005, and the months of September and October 2005. For September and October 2005, the missed approach numbers follow the typical average, with approximately 10% of missed approaches during the Curfew period (11:30 p.m. to 6:30 a.m.) and 15% of missed approaches taking a non-runway heading.

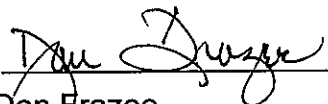
Mr. Agee asked Mr. Frazee to explain the diagram regarding the “acceptable departure area,” specifically the meaning of the 265 degree line and why it is relevant if FAA is planning to emplace a precision departure system. Mr. Hollarn provided a background on why these two headings degree came about; that there are more than the two standard instrument departure route which are the 275 and 290 heading; there is also the 310 heading for general aviation and the 250 heading approaches for head to head and missed approaches. This boundary is defined for safety issues and is defined by a 15 degree separation. Mr. Agee questioned the corridor angle and asked staff to reconsider the start point of the corridor. Mr. Frazee said he would indeed look at the diagram from Mr. Agee’s perspective and follow up if anything changed.

Mr. Frazee explained that the purpose of the diagram is an attempt to educate the community regarding how Noise Office staff is tracking aircraft departures from SDIA. He added that we are going to look at aircraft that deviate from inside the area. Mr. Agee gave his opinion regarding the diagram and also suggested adding a topic in regards to identifying aircraft that turn before the 1.5 mile off shore mark. Mr. Frazee said that we would look at that ability.

For clarification, Mr. Sexton informed the Committee that the next Ops Facility meeting is on March 20, 2006 and will take to the Authority Committee the ANAC request to recommend that the full Board increase the fine structure as shown on the proposed fine scheduled increases.

Seeing no further business before the Committee, Dr. Butler adjourned the meeting at 7:26 P.M.

The next meeting is scheduled for Thursday, March 16, 2006 at 5:30 p.m. in the Wright Brothers Conference Room, Third Floor, Commuter Terminal.



Dan Frazee
Deputy Director, Airport Noise Mitigation

NOTE: Please refer to the FAQ’s (Frequently Asked Questions) on the Airport Noise Office website at www.san.org/airportnoise/info_noise_main.asp for the answers to commonly asked airport noise-oriented questions. ANAC members may obtain a

hard copy of presentation materials by contacting Airport Noise Mitigation at (619) 400-2781.