



MINUTES of the
COUNCIL/CITIZENS AVIATION COMMITTEE
 (draft until approved by the Committee)

MEETING DATE & LOCATION: **Monday, July 25, 2016**, at the Newport Beach Civic Center (100 Civic Center Drive, NB), City Council Chambers.

ATTENDANCE:

- Committee membership:

Tony Petros	Council Representative	present
Kevin Muldoon	Council Representative	not present
Kay Mortenson	District #1	not present
Warren Wimer	District #1 (alt)	present
Eleanor Todd	District #2	present
Gerald Scarboro	District #2 (alt)	present
Tom Anderson	District #3	not present
Bonnie O'Neil	District #3 (alt)	present
Tom Meng	District #4	present
David Cook	District #4 (alt)	not present
Vicki Frank	District #5	not present
Walt Richardson	District #5 (alt)	present
Lauren Kleiman	District #6	not present
Vacant	District #6 (alt)	
Jim Dunlap	District #7	present
Karen Rhyne	District #7 (alt)	present
Dave Kiff	City Manager	present
Aaron Harp	City Attorney	present
Melinda Seely	SPON/Air Fair Rep.	present
Tony Khoury	AWG Representative	not present
Tom Naughton	AWG Representative	present
Roger Ham	Newport Coast Rep	present
John Youngblood	General Aviation Rep	present

- JWA Representatives present: Eric Freed, Vince Mestre (Landrum & Brown)
- City representatives present: Tom Edwards, Carol Jacobs, Shirley Oborny
- Others present:

Al Bartolic	Joan Dambrackas	Rosalie Puleo
Mel Beale	Thomas Damiani	Sally Peterson
Brian Benoit	Janet Geehr	Ned Post
Dan Burnstein	Carol Hunter	Dave Shepherd
Chris Cash	Michelle McDonald	Liz Vazquez-Avila
Lynn Cathcart	Michele Monda	Carla Vlick
Craig Coffin	Jim Mosher	Ronnie Weinstein
Dan Converse	Dan O'Neil	
Bill Dambrackas	Will O'Neill	

1. **Call Meeting to Order**

Chairman Petros called the meeting to order at 4 p.m.

2. **Self-Introductions**

Mr. Petros announced two new members, District 1 Alternate Member, Mr. Warren Wimer and the General Aviation Representative, Mr. John Youngblood.

3. **Approval of the Minutes.**

The minutes from the March 26, 2016, Aviation Committee meeting were approved.

4. **Updates/Current Business**

(a) Review of Departure Altitudes (JWA Staff)

Mr. Freed said several months ago Mr. Kiff asked him to pull together some data. We completed that in April 2016 and Mr. Edwards included the data in his April 2016 Monthly Update (attached). Mr. Freed said the two locations measured were Noise Monitor 6 and Balboa Island. The data is from March to August of 2013 and 2015. We looked at the commercial carrier departures as well as the five predominant aircraft type that operate at the airport which include:

- A319s
- A320
- Boeing 737, 700s, 800s and 757s

Some variables to consider are aircraft engine type, flying procedure, weight, wind (for those not flying RNAV) and air temperature.

The data looked fairly consistent but there were some noticeable exceptions; however, all carriers were compliant with the regulatory limits. Delta's 8320 was a bit higher at both locations. United was lower at both locations than it had been in the past. When we shared the results with United, they asked whether there was a problem with the noise and we told them there was not. In response to Mr. Kiff, 13.31% of the flights are United.

Mr. Dunlap suggested that if the data from United includes Continental, it might explain why the planes are flying lower, since Continental's planes were flying longer distances.

In response to Ms. O'Neil, Mr. Freed agreed that the airport has no control over the departure altitude.

Mr. Naughton said the RNP controls the altitude and asked whether there has been a response to the letter the City sent to Rob Henry on March 23. Mr. Kiff

said Mr. Henry would review an RNP proposed by the City. The City is working on one but it's not ready for release yet. Discussion ensued.

Ms. Cathcart said she noticed more soot and noise. Mr. Kiff reminded everybody that the power cutoff departure procedure is not a requirement. What's required is for the planes to meet the noise monitoring station thresholds. More planes appear able to meet those noise thresholds without using that type of departure procedure. We're seeing a busier airport today than compared to just two years ago. It's a combination of things. While a higher altitude is desirable for many reasons (pollution dispersion, noise reductions further from the airport) it could also have adverse impacts to the homes immediately adjacent to the airport (Santa Ana Heights, Anniversary Tract, more).

Mr. Mosher said it's unclear to him what the difference between "All" and "totals" mean in the table. He mentioned his handout (attached). He asked if anybody has thought about offering incentives to the airlines to do better with noise and altitude. For example, an allocation of preferential flights could be given to the airlines with the best records. Mr. Edwards responded that the airlines who didn't receive the preferential flights could claim they were being further restricted, which is not allowed.

Ms. McDonald said Skywest has been flying directly over her house lately, and not over the bay.

Ms. Puleo said she lives down the street from Ms. McDonald. Over the last year, the planes have been flying lower and louder. She asked what can't be done. Mr. Kiff said he thinks there are more planes departing and using the old departure procedure that allows for variation on the pilot's part. The FAA has been working on something for the last year called NextGen whereby all commercial departures will take off on the same path, straight down the bay over Noise Monitor Station #7, over Balboa Island, offshore and then turn. Right now, half the flights go down that path. In April of 2017, all the flights may go down that path. The proposed path does not go over Eastbluff, Westcliff or Dover Shores. Only the FAA controls planes once their wheels are off the ground.

Another attendee said as soon as the planes fly over, her landline and cell phone calls are dropped. In addition, there are also health and environmental concerns. She wants more direction as to what can be done as a community.

Mr. Kiff talked more about the NextGen path and explained that the City sent a comment letter to the FAA and hasn't received a response yet. In response to an attendee, he explained that there is no altitude requirement in the Settlement Agreement. The only requirement is that the planes' noise not exceed the thresholds at the noise monitoring stations.

(b)NextGen Update (Tom Edwards)

Mr. Edwards said NextGen is the next generation of aircraft moving about airspace. The FAA put together a Metroplex plan in which it addressed airspace for all the airports in Southern California. They will be implementing three take-off procedures for commercial air carriers at JWA.

All three are supposed to be identical. The planes are supposed to fly over NMS #7, although the TOING waypoint will be removed.

One current Standard Instrument Departure procedure is the STREL, which will become a near-identical path called PIGGN. This is scheduled to occur in early 2017. The other two, whereby the CHANNEL becomes HHERO and the MUSEL becomes FINNZ could be implemented by April 2017.

Dates of implementation may change. There have not yet been any written responses to the extensive comments made by the City, the County or AWG. There is no guarantee they will respond. Discussion ensued.

Mr. Weinstein said the City has worked hard to try and help the citizens. The citizens have collected over 2,000 signatures and sent them to the Local and Federal Government. He thinks the breakdown happens somewhere at the County and Federal level. The pressure needs to be taken off Newport Beach and put more on its Federal representatives. He thinks the County should flex its power. It controls the planes on the ground. That's a powerful position to be in. If the County can get them to the table, it might help.

Mr. Benoit, a resident of Dover Shores, said he doesn't think a minimum of \$60,000 being spent per year on this issue is enough. This is an issue where people are frustrated. He thinks the City needs to hire an expert to petition the FAA. The City recently spent \$200,000 to study the Mariners Mile business district. The restaurants on Mariners Mile are not keeping him up at night; it's the planes flying over his home. He wants to know if the committee can recommend spending money on an expert.

Chairman Petros said he spends more time on this issue than any other issue. The City has been to the FAA meetings. He is grateful to Supervisor Michelle Steel, who invited the City to attend those meetings. She is an open and willing Supervisor who wants to help find a solution. Chairman Petros is frustrated as well but he will continue to fight. He has spoken to the City of Phoenix, since they have sued on this issue as well.

Mr. Weinstein suggested we talk to Elizabeth Warren in Massachusetts, because she has some momentum going right now at the Federal level for noise out of Logan Airport.

In response to an attendee who lives in Laguna Beach who asked if NextGen would affect him, Mr. Kiff explained that the pilots are currently allowed to and will continue to be allowed to cut east for safety or separation purposes. This could occur anywhere from Crystal Cove down to Dana Point.

Mr. Kiff said that he, Chairman Petros, and Mr. Edwards are available to personally meet with anybody who wants to share their observations.

(c) Health Study Update (Carol Jacobs)

Ms. Jacobs explained that at the recommendation of the Aviation Committee, the City Council asked staff to look into a partnership with UCI to perform a health risk assessment. Ms. Jacobs contacted Dr. Jun Wu, an Associate Professor of Epidemiology who has a specialty in air pollution. Dr. Wu has published over 32 publications on the subject. The City met with her in June 2014 to discuss the scope of work and a timeline. The next step is to review the final scope. Dr. Wu estimates the study would take about a year to complete.

Chairman Petros thanked Ms. O'Neil for suggesting that a study be conducted.

(d) Any other updates from John Wayne Airport staff and/or questions on Tom Edwards' report

Mr. Mosher said there was mention of a request for a modification to the Settlement Agreement having to do with the definition of commuter aircraft. He thinks it would be helpful to know the current status of that request.

Mr. Mosher referred to the airport's quarterly graphs that may show Southwest's measurements before and after the new microphones. He said last year we increased the noise limits in the Settlement Agreement for Class E flights by a small amount. The plots seem to show a little increase in the noise limit but the actual noise of the new microphones is substantially higher than it was previously. However, it's not showing what it was just previous to the change in the microphones. It's showing what it was in 2008. He isn't sure what the intention of that data is.

5. Public Comments on Non-Agenda items

In response to several comments, Mr. Kiff agreed that it's always helpful for the citizens to complain to the FAA, or to contact JWA when a Skywest plane flies over a home that it shouldn't be flying over, for example.

Chairman Petros commended Mr. Weinstein for his efforts in this issue.

An attendee said Dana Rohrabacher is very active on Twitter and she recommends people reach out to him that way.

In reference to the quarterly reports, Mr. Mosher said he went to the airport's last quarterly meeting and asked to see the data that goes into the quarterly reports. He wants to see what the noise readings are flight by flight. The data is not that voluminous. He specifically asked to see data for Alaska airlines because the noise level was up by 5 decibels with the new microphones. He thinks it would be easy to create an Excel spreadsheet to show the data and would be helpful to the public.

6. Items for the next/other upcoming meeting agenda

No items were mentioned.

7. Set the next meeting

The next meeting was tentatively set for October 24, 2016 (later rescheduled to Monday, November 21, 2016)

8. Adjournment

The meeting was adjourned at 5:13 p.m.

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