



LAX/COMMUNITY NOISE ROUNDTABLE

**REGULAR MEETING: WEDNESDAY, JANUARY 22, 2003
LAWA ADMINISTRATION BUILDING
LOS ANGELES, CA**

Meeting convened at 7:00 p.m.

Roundtable Members Present:

John McTaggart, Chairman, Councilman, City of Rancho Palos Verdes
Mike Cassidy, Vice Chairman, Representing Hermosa Beach Mayor Sam Edgerton
Fred Mackenbach, Councilman, City of Palos Verdes Estates
Gary Parsons, Councilman, City of Hawthorne
David Kissinger, Representing LA City Councilwoman Cindy Miscikowski
Roy Hefner, LAX Area Advisory Committee
Beverly Ackerson, PANIC
Mark Tellier, FAA
Roger Johnson, LAWA
Walt Gillfillan, Roundtable Facilitator
Bob Holden, LAWA

CONSIDERATION/APPROVAL OF NOVEMBER 13, 2002 MEETING MINUTES

Chairman McTaggart mentioned an email from Denny Schneider requesting some changes to the minutes. Bob Holden stated that he has made some of the requested changes. It was moved, seconded and unanimously approved that the November 13, 2002 meeting minutes be conditionally approved.

APPOINTMENT/CONFIRMATION OF UP TO THREE AT-LARGE MEMBERS FOR THE TWO-YEAR TERM FROM JANUARY 2003 THROUGH DECEMBER 2004

Chairman McTaggart nominated the following organizations for At-Large membership for the two-year term:

- ◆ The Peninsula Aircraft Noise/Safety Information Committee (PANIC), represented by Beverly Ackerson;
- ◆ The Ladera Heights Civic Association, represented by Dorothy Harris; and
- ◆ The Westchester/Playa Del Rey Neighborhood Council, represented by Denny Schneider.

Bob Holden clarified the issue based on questions from the Roundtable that it is the organization that is the member of the Roundtable and the individuals represent the organization. It was moved, seconded and unanimously approved that these organizations sit on the Roundtable as at-large members for the next two years.

DESIGNATION OF LOS ANGELES CITY COUNCIL DISTRICT 11 AS ELIGIBLE FOR ROUNDTABLE MEMBERSHIP DUE TO CITY COUNCIL REDISTRICTING

It was moved that Los Angeles City Council District (CD) 11 replace CD 6 as the official member of the Roundtable as the CD which abuts and includes LAX. The motion was seconded and unanimously approved by the Roundtable. Mr. David Kissinger will represent Councilwoman Cindy Miscikowski on the Roundtable.

There was a brief discussion regarding amending the by-laws to reflect this change. It was concluded that amending the by-laws is not necessary.

ROUNDTABLE MEMBER DISCUSSION

Roger Johnson gave a report of his trip to Washington, DC to meet with Dave Bennett, the head of FAA's Flight Standards and Safety division. In the meeting he discussed the continuing problem of easterly departures during Over-Ocean Ops hours and the LAX Part 161 Study. Accompanying Roger was Bret Lobner, Sr. Asst. City Attorney who handles a lot of LAWA noise issues. The intent of the meeting was to present the FAA with LAWA's position that existing LAWA Over-Ocean Ops policies, which predate ANCA (Airport Noise and Capacity Act of 1990), are mandatory and therefore do not require a Part 161 Study to implement. Roger reported that the initial discussions were in LAWA's favor, but that subsequent correspondence from the FAA's lead attorney indicated the opposite. Roger stated that the FAA's position is based on a 1988 report to Congress on the Part 150 Program in which they take the position that runway assignment and restrictions and operational constraints are within the sole discretion of the control tower. Roger further stated that he requested the FAA please cite provisions of either the US Code or the Code of Federal Regulations that actually granted them that authority, and the FAA was unable to do so. The position LAWA is taking is that it currently has the legal authority to implement penalties for deviations from Over-Ocean Ops procedures, including revocation of an airline's operating permit for continued violations. However, revoking a carriers permit will not result in denying access to LAX, but they would be considered a transient air carrier and it would immediately raise their landing fees by 50%. Roger further stated that LAWA believes that it does not have the authority to restrict access to LAX by a certificated air carrier, but that we may have the right to impose some administrative penalties based on long-standing Board policies that predate ANCA. One Roundtable member asked if there is a way to get a count of the number of people disturbed by these east departures. Roger stated that it would be possible and that the noise levels use would be modeled not monitored. The problem is obtaining accurate population numbers since LAX's land use database does not extend to many of the areas affected by east departures. It would be possible to take the modeled noise impact area and overlay it on some other census data. Roger also stated that he asked Dave Bennett if the FAA will only evaluate the Part 161 study using the 65 dB DNL/CNEL or would they allow LAWA to use a single event level as a supplemental evaluation. Dave Bennett stated that it would be appropriate to do this.

There was a brief discussion at the request of Beverly Ackerson regarding a large number of jet aircraft flying over the PV Peninsula in early January. Bob Holden stated that they were LAX departures due to LAX being in easterly operations due to the strong Santa Ana winds during that period of time.

Chairman McTaggart requested an update of what is happening with the air carriers that appeared at the Sept. 2002 Roundtable meeting regarding east departures. Roger Johnson summarized the results of the meeting and stated that Northwest Airlines (NWA) and China Airlines (CAL) came in with a solution in hand. NWA substituted a longer-range aircraft on that flight; and CAL are working with their internal flight standards and safety group to develop new wind charts that would permit departures with a slightly higher tailwind component, they will be shutting the air conditioning off during departure, and they will try to move some of the departures to before midnight.

Roy Hefner commented that he attended LA Mayor Hahn's Blue Ribbon Task Force, which was formed to get community input about the new LAX feeder entry level facility. He also commented on the single event noise disturbance study and that he hopes the study won't be confined to those residents within the 65 dB CNEL contour. He also commented on the monthly noise complaint report and the LAX complaint investigation policy of investigating only 5 complaints per month per household. He stated that he found it disturbing that the airport uses these statistics to determine if they are making improvements. He stated that the great majority of people don't bother to call in complaints and those that do give up after a couple of calls. Roger Johnson stated that it's not a fair characterization to say that LAWA uses noise complaints to determine whether it's getting better or not. Noise complaints are just information used to see what's happening out there. He also stated that LAWA just doesn't have the staff to investigate every complaint we get at LAX in a month's time and simply responding to a noise complaint doesn't solve the problem. We look at them to see if there's something correctable that we can do.

Roger Johnson then inquired of Mark Tellier about the status of implementing the KWAYET departure procedure. Mark stated that a key piece is a slight modification of the Special Flight Rules Area, which overlies Los Angeles. The revision to this airspace is currently moving along and could be in place by July. The bad news is that there's been a nationwide suspension of R-Nav departure procedures for logistical reasons, but the KWAYET may be exempt from this suspension. The FAA is trying for July date for publishing the final rule. There was a general discussion that followed regarding the aircraft that would not be able to fly the KWAYET departure and that they would be assigned the LAXX departure which has the aircraft offshore and flying around the PV Peninsula. Roger Johnson inquired as to whether a letter from the Roundtable to the FAA would be helpful in moving the approval process along. Mark replied that this a bureaucratic rulemaking process, which is establishing a new regulation. It was moved, seconded and unanimously approved that a letter be sent to the FAA from the Roundtable supporting implementation of the KWAYET procedure.

Mike Cassidy led a second discussion of determining the population affected by east departures. Roger Johnson spoke of the recent California court case regarding the Oakland Airport master plan where the courts determined that the 65 dB CNEL metric was insufficient for the purposes of an environmental impact report (EIR). The decision mandated that a single event noise metric also be analyzed, especially with respect to sleep disturbance. He further stated that the City of High Point, North Carolina has used a new supplemental single event metric that evaluated sleep disturbances using an 80

dB and a 90 dB single event level. Using the Integrated Noise Model (INM) LAWA would be able to model the noise level of a B747 and overlay the single event noise contour over a population map. Gary Parsons stated that the City of Hawthorne would cooperate in this study since these east departures overfly Hawthorne at low altitudes.

Mark Tellier stated that Steven Lloyd would like to arrange a presentation at the next Roundtable meeting to respond to the letters sent to the FAA by the Roundtable requesting changes to various flight procedures.

Walt Gillfillan introduced Mr. Chris Kunze, Airport Manager of Long Beach Airport (LGB) who was present to discuss the issue of noisy overflights of South Bay communities by FedEx Flight 1808 (LGB to OAK) using a hushkitted Boeing 727 (B72Q). This issue is covered by Roundtable Work Plan Item # III.6. Mr. Kunze has a similar problem since this aircraft departs LGB and creates a significant noise disturbance as it overflies parts of Long Beach. Mr. Kunze started by saying that LGB has one of the strictest noise regulations in the US and in the world, which is grandfathered under ANCA and is vigorously enforced by the City of Long Beach. Mr. Kunze handed out two packets of information including two letters sent from LGB's General Aviation Noise Committee (GANC) to FedEx's Sr. Attorney Mark Hansen concerning this operation, flight tracks, a gate penetration analysis and some aircraft noise data. Mr. Kunze read the June 1, 2002 letter and stated that FedEx has not responded to either of the two letters. He also stated that the FedEx flights are not in violation of the Long Beach noise ordinance. Mr. Kunze then asked the Roundtable if the members have any ideas how it could work jointly with the City of Long Beach or, more appropriately, the LGB GANC to solve this issue. Mr. Kunze stated in reply to a Roundtable member's comment that he believed the Long Beach City Council would be willing to work with the Roundtable, and that the Mayor of Long Beach might be willing to sign a joint letter to FedEx in support of resolving this issue. One Roundtable member expressed surprise that the letters were sent to FedEx's attorney. Bob Holden stated that the letters inviting the airlines to the September 2002 Roundtable meeting were addressed to the CEO's of the airlines, and we got 100% response and attendance by representatives of those airlines. It was moved, seconded and unanimously approved that the Mayor of Long Beach and the chairman of the LGB GANC be invited to the March Roundtable meeting and that a letter be sent to the CEO of FedEx inviting the Chief Pilot and the VP in charge of flight operations be invited to the meeting to discuss means of addressing and solving the issue. It was also requested that the Executive Director of LAWA also send a letter to FedEx inviting their representative to the meeting.

Dorothy Harris of the Ladera Heights Civic Association thanked the Roundtable for admitting her organization to the Roundtable and is looking forward to working with the membership for the next two years.

PUBLIC COMMENT

Linda Bush, a 15 year resident of Hawthorne, commented that the noise from LAX departures during late night and early morning hours is causing her to lose sleep, has caused health problems and is affecting her daycare business. She asked for help in resolving the noise problem.

Herbert Bush of Hawthorne attested to his wife's comments and commented that many more people in Hawthorne are affected by aircraft noise but do not know who to contact and complain. He would like to see the Hawthorne City Council send out a questionnaire to residents to find out how many residents are affected by the noise. He also commented on LAWA's noise complaint investigation policy, and is concerned about the damage done to houses.

Gordon Mike Amigo, a resident of Hawthorne since 1952, commented that LAX should be capped at a maximum capacity of 61 million annual passengers (MAP) and not be allowed to grow to 78 MAP. He also commented on the overflights of Hawthorne and that the pilots should be held liable and penalized.

The Roundtable meeting was adjourned at 9:16 p.m. The next Roundtable meeting is scheduled for March 26, 2003 at 7:00 p.m. in the Samuel Greenberg Board Room at the LAWA Administration Building.