



NEIGHBORHOOD NOISE

CITIZENS AGAINST AIRPORT POLLUTION, P. O. BOX 26142, SAN JOSE, CA 95159 (408) 380-5806 NOVEMBER 2001

Necessary Items, Prior to Further Airport Expansion

In a recent letter to Mayor Gonzales, urging him to declare proposed Airport Master Plan amendments as major to ensure the widest public review, CAAP submitted a list of items that the city should implement regardless of future expansion plans. We urge you too, to support these items and seek their implementation prior to any further expansion at San Jose International Airport. They are:

1. More rigorous enforcement of our Noise Control Program and especially the elimination of the nighttime engine runups
2. A hush house for engine runups
3. Modifications to the existing Airport Master Plan should be designated as a major amendment with a new EIR as required
4. An enforceable noise ordinance
5. A moratorium on all air cargo expansion until we have an enforceable noise ordinance
6. Completion of noise insulation program for Rosemary Gardens and Guadalupe-Washington
7. Installation of an air quality monitor and study of airport environs

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Here We Go Again

Just when you thought that airport expansion plans were resolved...Four years ago the City Council approved a new Airport Master Plan. After years of study, millions of dollars, and thousands of pages of documents, the City adopted a plan to control growth at the airport until 2020.

The Airport Master Plan was hotly debated especially as it related to noise and air pollution generated at San Jose International Airport. Ultimately, the City Council approved a plan which put limits on the size of terminal and limits on terminal gates. Now, the Airport Department wants to scrap the Airport Master Plan. They claim to have a "new vision". The new vision will be presented to the City Council in a Study Session on November 5, at 7:00 p.m.

We think these new proposals should be treated as a major amendment to the Airport Master Plan and therefore require Planning Commission review and approval. Anyone interested in Airport Expansion should attend the Study Session to protect the quality of life in San Jose.

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Airline Bailout

We were shocked and saddened by the tragic and heinous September 11 attacks on America. No longer are we protectively isolated by two oceans. Since we are now on a war footings with Afghanistan bombings, there are further fears of bio-terrorist attempts. CAAP joins with all grieving Americans in expressions of condolences for the thousands who perished and their families.

The airlines wasted no time as their fleets were grounded. Just one day (September 12) after terrorists had hijacked and crashed four commercial jets, airline industry lobbyists were already at work, de-
(cont. on page 2)

How to Amend the Master Plan

The Airport Master Plan may be amended whenever the City Council determines that the goals, policies, principles or objectives of the Airport Master Plan should be updated, or the revisions are necessary due to changed circumstances or amendments are necessary to incorporate components consistent with, but not addressed in the Master Plan, or the proposed changes are not expressly or implicitly incorporated into, or consistent with, the Airport Master Plan.

Municipal Code Section 25.02.300 sets forth the process which the City must follow to amend the Airport Master Plan. The amendment process identifies two distinct approaches to amendments to the Master Plan depending upon whether the amendment is major or minor.

A minor amendment is an amendment which, if adopted, would not, in any way, potentially increase the design capacity of airport facilities to accommodate the total projected number of passengers. A major amendment, is an amendment which, if adopted, would alter or revise the development goals, policies, principles or objectives applicable to the airport, or would potentially increase the design capacity of airport facilities, to accommodate the total projected numbers of passengers.

The San Jose Municipal Code requires that a major amendment to the Airport Master Plan must be reviewed by the Airport Commission and the Planning Commission, to ensure that these entities can provide advisory recommendations to the City Council prior to a vote by the Council. These provisions mandate that the Airport and Planning Commissions hold public meetings to inform the public and receive public comment.

The Airport Department wishes to make
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How to Amend the Master Plan

(cont. from page 1)

major modifications to the Airport Master Plan, but wants to characterize it as a minor amendment to avoid the Airport and Planning Commission review. This is a bad idea. It short changes the public input on the process and dismantles the entire Airport Master Plan process in one quick action.

Don't let this happen. Insist on the full public review required for major amendments to the Airport Master Plan. The protections for the neighborhoods contained in the Municipal Code Section 25.02.300 should not be circumvented.

Interested parties may wish to attend the City Council Study Session on November 5, from 7:00 p.m. - 10:00 p.m. at City Hall to express their concern. A City Council vote is scheduled for the afternoon of November 13. For information, call the airport at 408-501-0979, visit their web site at www.sjc.org, or watch the CAAP web site at <http://www.caap.org> for updates. Call the CAAP hotline at 408-380-5806 to verify meeting dates and times just in case there are last minute changes.

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Airline Bailout (cont. from page 1)

scending on Congress with a multi billion-dollar plan to rescue their industry. They succeeded: \$15 billion in cash and loan guarantees. Twentyseven in-house lobbyists, augmented by 42 lobbyists from Washington DC firms backed up the airlines chief executives in their campaign for the bail-out. They concentrated on a few Congressional leaders, plus Transportation Secretary Mineta and President Bush's chief of Staff, Andrew Card Jr. "It was the most high level surgical strike that I have ever seen," said Jeff Mund, a Washington law firm partner with Hogan & Harrison and a lobbyist for General Electric, "And the people who made it happen were the CEO's". Meanwhile the pleas of organized labor to protect airline employees were ignored. "We are upset that the crisis with the airline workers was not addressed along with the crisis with the airlines," said William Samuel, a lobbyist for the AFL-CIO. For further details, see the October 10, 2001 edition of the New York Times article "THE AIRLINES".

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Heathrow Airport Violates Basic right - To Sleep

The European Court of Human Rights has ruled, in effect, that people have a fundamental right to a good night's sleep. Ruling on a case brought four years ago by eight Britons who said that being woken up night after night by airplane noise, the court said the British government had violated Article 8 of the European Convention on Human Rights by failing "to strike a fair balance between the United Kingdom's well-being and the applicant's effective enjoyment of their right to respect for their homes and the private and family lives."

This case has wide implications for environmental law and has been closely watched by other busy airports in Europe over which the court has jurisdiction. It may also affect a host of other environmental and quality-of-life issues around Britain.

A Month of Meetings

The City Council's planned Study Sessions for September 11 and 12 were canceled because of the tragic events in New York, Washington D.C., and Pennsylvania. Our country will never be the same and our hearts go out to all who have suffered because of this tragedy.

We spent the past month meeting with individual council members, urging them to support a new EIR as required by a major amendment to the Master Plan, and concerns such as a noise ordinance that would do much to improve the quality of life for all who live within earshot of the airport.



PLEASE HELP!

CAAP's postage bill is steep and we'd appreciate it if you would notify us if you are receiving a duplicate newsletter, need to make an address correction, or want your name removed from our roster. Please call us at 380-5806 or email us at info@caap.org.

Will The City Violate the Municipal Code?

After years of study and environmental analysis, the airport department projected that noise pollution at San Jose International Airport would not significantly increase as a result of its airport expansion plans. The EIR and the EIS projected that noise impacts would not materially worsen despite the huge increases in aircraft operations predicted for the future. Based upon these projections, the Airport Master Plan was approved. Critics of airport expansion complained that the noise projections were incorrect and unreliable.

It is now apparent that the critics were right. The noise projections contained in the EIR were proven to be completely false. Data gathered by the Airport Department, in the year 2000, clearly demonstrate that the actual noise levels have exceeded the maximum noise levels projected to occur upon completion of the airport full buildout! These facts make it clear that the noise projections contained in the Master Plan environmental analysis are completely inaccurate.

The actual noise data, in the year 2000, demands that the noise analysis of the EIR be redone. In addition, San Jose Municipal Code Section 25.04.330 (D) (3) requires that no contact for the construction of new terminal facilities...shall be awarded until additional environmental analysis, if new information indicates that circumstances have materially changed from the analyses and forecasts provided in the 1997 Airport Master Plan and related environmental analysis.

We expect the City to redo the noise analysis in a supplemental EIR. Before any contract is awarded for new terminal development at the airport. If the City refuses to update the EIR, CAAP will file suit to force the City to abide by the law.

Lawsuits are not cheap. The quality of life in our neighborhoods depends on timely and competent action. CAAP needs individuals to make donations. We must raise many thousands of dollars. Please help us with a check. Better yet, consider making a monthly contribution to CAAP each month when you pay your renter mortgage payment. Without your support, the airport department will be free to do what it wants.

~ Thought Provoking ~

Alternative Transportation

A large two engine train was crossing America. After they had gone some distance one of the engines broke down. "No problem," the engineer thought, and carried on at half power.

Further on down the line, the other engine broke down, and the train came to a standstill. The engineer decided he should inform the passengers about why the train had stopped, and made the following announcement:

"Ladies and gentlemen, I have some good news and some bad news. The bad news is that both engines have failed, and we will be stuck here for some time. The good news is that you decided to take the train and not the plane!"

In early October, the U.S. Conference of Mayors wisely pointed out the vulnerability of a transportation system too dependant on any one mode of travel. They urged aggressive investment in alternative transportation modes, including high speed rail and noted the half of all domestic flights are 400 miles or less, and 25% are 200 miles or less. European nations have built rail networks to meet passenger needs for shorter trips. Congressmann Young (Alaska) has introduced HR 2950, which proposes \$71 billion to create a world class high speed rail network. Mothers Against Airport Pollution, a mid-west organization, enthusiastically supports this bill, pointing out the high consumption of fuel by airplanes, with resultant toxic air

pollution in and around airports. Also to be considered is heavy reliance on imported oil. CAAP supports these efforts!

Aviation Delay Prevention Act

S633 (Aviation Delay Prevention Act) has been in the Senate Commerce Committee. Events of September 11, may have derailed this dangerous corporate welfare bill which eviscerates environmental standards for airport expansion projects and mandates expansions to solve delays and congestion problems. It does nothing to enhance airport safety or security. Check with Senator Feinstein (202-224-3841) and/or Senator Boxer (202-224-3553) on this Senate bill's status and vigorously oppose it.

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YES! I want to flight Airport Pollution!

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I Pledge a monthly donation of \$ _____ _____ \$ 35 Dues _____ \$Other

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* CAAP is required by law to disclose the occupation and employer of those who contribute more than \$99.

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Check our website at: <http://www.caap.org>





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