



NEIGHBORHOOD NOISE

CITIZENS AGAINST AIRPORT POLLUTION, P. O. BOX 26142, SAN JOSE, CA 95159 (866) 263-4163 SUMMER 2007

CAAP Request Ignored by Airport Commission

For the past 4 months, CAAP has attempted to have the issue of air monitoring stations placed on the monthly Airport Commission Agenda. This Commission meets on the first Monday of each month.

Last November, three CAAP members, Frank Schiavo, Ken Hayes, Ed Hodges attended the meeting. We introduced the issue of air monitors and asked that it be included on the next scheduled meeting.

Mr. Sherry countered with an offer to host a meeting between CAAP, the Airport Staff, and representatives from Bay Area Air Quality Management District (BAAQMD). That meeting was held on Dec. 6, 2006.

Professor Bornstein, from San Jose State's Meteorology Department joined CAAP as an interested party. Later, on Jan. 10, Joanne San Filippo, the Airport Communication Manager, sent CAAP an e-mail apologizing for the fact that "the proposal would not make it onto the Commission agenda for January." Since that e-mail, our efforts to have the topic of Air Pollution Monitoring Stations placed on the Commission Agenda have been thwarted.

According to the airport's website, July's Airport Commission meeting has been canceled so check www.sjc.org for the August Airport Commission agenda.

CAAP to Petition City Council

C.A.A.P. is a neighborhood alliance whose goal is to encourage our airport to be a responsible neighbor. We have been in operation for the past 20 years. CAAP wants a series of air monitoring stations to be placed at the airport to measure potentially harmful emissions coming from that facility. Of the 44 recommendations submitted by the public on the topic of "how

Continued on Page 2, Column 1

A Funny Thing Happened on the Way to San Jose

Retired airport director, Ralph Tonseth, left an ambitious expansion program which would have cost close to 4 billion dollars.

New airport director, Bill Sherry, found that 1) airlines would not accept the landing fees necessary to fund the expansion, 2) airport usage has not rebounded since 9/11, 3) the Silicon Valley economy has not recovered from the year 2000 debacle and air travel is down, and 4) American Airlines "dehubbed" San Jose and cut its daily Tokyo flight and others reducing flights from 150 to 38 per day.

The airport capital improvement program has now been scaled back to 1.5 billion dollars. CAAP has long recommended solar panels on the roof, in keeping with the LEEDs concept of efficient use of design. We wonder what has happened to the two tiered approach/depart design, the people mover from North First Street, and the link between the Santa Clara BART station and the airport. Design for these important airport elements is not clear to us.

An unforeseen situation has developed regarding downtown building heights. The Federal Aviation Administration (FAA) has ruled that buildings in the flight path must have limited heights, generally many feet or floors less than designed for. Builders are asking the city for compensation of lost revenue, cost of redesign, and the decrease in value due to building height restrictions.

Before 9/11 SJC handled 23% of Bay Area air traffic - now it is just 18%. In 2001, 14 million passengers used San Jose International Airport (SJC). In 2005, passenger traffic was nearly 11 million.

In January 2007, both passenger and cargo activity was down 2.7% from January 2006. Total Air Carrier operations decreased by 1,076 in the 1st Quarter of 2007 from the 4th Quarter 2006.

Curfew Update

Airport Director Bill Sherry has met at least twice with CAAP members in the past 18 months. He stressed airport's desire to be a good neighbor and keeping the community involved in airport development. He never mentioned changes to the language of the new proposed airline agreements which have been a year's undertaking.

CAAP's response, spearheaded by executive board member and attorney, Robert Harmssen, was to strongly oppose new lease and operating agreements with "no default" language that gave the airport only one option for airlines which violate our noise ordinance - to levy the modest airline fine of \$2500. Gone would be any leverage to correct errant airlines' behavior, as now allowed under existing lease and operating agreements.

Director Sherry and City Attorney Kevin Fisher sought to reassure the community and the City Council that a suitable tradeoff existed. Airlines would voluntarily agree to fly no planes during curfew hours, if the "no default" clause was part of their new contract. Whether America West, which continues to land the Gamblers' Special at 1:20 a.m., would have voluntarily reschedule the flight was never determined.

CAAP maintains its position that the "no default" clause limited our curfew enforcement options. An important meeting with new Councilmembers Sam Liccardo and Pierluigi Oliverio, airport staff and CAAP's representatives convened prior to the City Council decision day on May 8.

Councilman Oliverio was supportive of CAAP's position and while Councilman Liccardo initially took the position that the tradeoff was worthwhile, CAAP and supportive citizens persuaded him to support keeping our existing options. We feel fortunate to have two Councilmen who took a leadership role and were able to convince

Continued on Page 2, Column 3

Continued from Page 1, Column 1

to spend curfew violation funds”, 21 asked for air monitoring stations. Yet, in the official report, there is no mention of this request. The airport commission rejected our request citing that the Bay Area Air Quality Monitoring District told them it was not needed. We, at CAAP, brought to the attention of the city council the Dec. 17, 2001 BAAQMD report which states:

“Airports are among the top ten industrial sources of air pollution nationally. While automobile emissions have declined from 1975 to 2000, aircraft emissions have increased. These emissions contain known cancer causing compounds, harmful particulates, and criteria pollutants. Air traffic in the Bay Area, already considerable, is expected to double by 2020. Recommendation #3 states: ‘The district is urged to obtain emissions data at and around airports and other flight paths to better assess air quality impacts.’”

Citizen groups across the US are also asking for air monitoring stations at their airports. We have a right to know if the air we breathe has dangerous chemicals. The purpose is to gather and evaluate air quality data at and around the San Jose Airport.

To review the points to be discussed:

- CAAP proposes that a data analysis screening study be performed.
- SJSU Meteorology Dept will conduct the study under the direction of Professor Bornstein.
- The study will use existing data from the BAAQMD 4th Street Air Monitor.
- The estimated cost of the study is \$30,000
- We want City Council authorization to use remaining curfew fund money to pay for the study.
- The main goal of the study is to identify the quantity & type of air pollution produced from activity at the airport.
- A secondary goal is to learn the percentage of air pollution contributed separately by aircraft vs ground vehicles.

District6@sanjoseca.gov
Councilman Oliverio
408-535-4906

District3@sanjoseca.gov
Councilman Liccardo
408-535-4903

Building Heights and Economic Development Restricted

Building developers in downtown San Jose received some disquieting news from the FAA recently. The southbound takeoff pattern is over parts of downtown San Jose. 15% of the airport takeoff’s use this pattern due to weather and wind conditions.

FAA plans for a worst-case scenario, in which a departing plane loses one jet engine due to malfunction and must make it’s takeoff on one engine only. The plane’s rate of ascent and clearance of downtown buildings would be decreased. Building height limitations are considered necessary for those buildings in the flight path. This has caused consternation amongst several downtown builders who find that their proposed buildings are too tall.

Many questions have evolved from the FAA’s decision to limit building heights. Builders want to know who will bear the cost of architectural revisions and loss of anticipated income from smaller buildings. They ask if the FAA has the authority to require these restrictions, and if there is any possibility of appeal. Many of us wonder why San Jose located a commercial airport so close to the center of their downtown. Still more of us wonder why we continue to expand this airport so close to our downtown and surrounding neighborhoods .

Airport Commission

*Meetings are normally held
the 1st Monday of the month
at 6:00 p.m.*

*Neil Armstrong Conference Room,
1732 N. First St., #600
July meeting has been canceled!*

Continued from Page 1, Column 3

their colleagues on the City Council that the “no default” clause should be deleted, and that the airlines should continue to sign contracts agreeing to abide by the rules and regulations of the City. Our thanks goes to our two new Councilman, in District 3 and 6, whose hard work in the first weeks of their term, preserves our ability to defend our nighttime curfew.

Curfew Fund Update

In our FALL 2006 issue we told you that the Airport Commission was considering four proposals to use the Curfew Fund allocation. If you recall, of the 26 suggestions made, staff forwarded 9 to the Airport Commission for consideration.

The use of the Curfew Fund Program to develop new projects for the community has been approved. The Airport collected more than \$325,000 in fines from airlines for violating the curfew (11:30 pm-6:30 am) and the San José City Council has approved the use of these funds for specific projects. Projects had to meet certain criteria: 1.) Enhance the airport’s interaction with the community, 2.) Offer some benefit to the community, and 3.) Enhance the relationship between neighbors and the airport. The following are the four approved programs:

- The Fly Quiet Program is a program that encourages airlines to provide the community with a quieter environment.
- Airport Internship Program offers students interested in aviation with a semester stipend to gain on-the-job experience at the airport. The Airport currently has four college interns working through May.
- Alternative Fuel Grant Program provides ground transportation providers at SJC with financial support toward converting their gasoline vehicles to compressed natural gas, resulting in lower emissions.
- Guadalupe River Park and Gardens Project will receive funds to facilitate the design guidelines for the Park’s Master Plan

“While the Airport continues to partner with the airlines to decrease the number of curfew violations, we are pleased to make these funds available to help improve the quality of life for our neighbors near the Airport,” said Bill Sherry, Director of Aviation at San Jose International Airport.

Airport News to Watch

Right to Know About Airport Pollution Act of 2007

Introduced January 4, 2007: H.R. 204: To require the Administrator of the Environmental Protection Agency to conduct a feasibility study for applying a method of identifying, assessing, and reducing the adverse environmental impacts of airport ground and flight operations (otherwise known as airport bubbles) and improving the overall quality of the environment, and for other purposes.

Feb 2, 2007: House Energy and Commerce: Referred to the Subcommittee on Environment and Hazardous Materials. This bill is in the first stage of the legislative process where the bill is considered in committee and may undergo significant changes in markup sessions.

To track this bill - <http://www.govtrack.us/congress/bill.xpd?bill=h110-204>

City Could Regulate Airport Pollution, Study Finds

March 6 -- Contrary to its long-held legal position, the City of Santa Monica may be able to regulate pollution at its airport in response to surging jet traffic, according to an analysis by the UCLA environmental law clinic. Presented to several State and City officials last month, the 40-page report confirms the Federal Aviation Administration's (FAA) authority over flights at the non-commercial municipal airport, which has seen jet traffic jump to some 20,000 takeoffs a year. But if the FAA fails to address community health concerns, Santa Monica could have a novel legal argument to back up potential laws to monitor and protect against pollution, according to the report. "The main point is that there appears to be a lot of gray area in what the City may be able to do to address environmental impacts from the airport," said Sean Hecht, the report's author and co-director for the UCLA Frank G. Wells Environmental Law Clinic.

From the LookOut News - Read more at www.thetransitcoalition.us/newspdf/ttc20070306b.pdf

CAAP's Steering Committee:

Kenneth Hayes, M.D.	Chair	janetgrayhayes@sbcglobal.net
Robert Harmssen	Co-Chair	
Lenora Porcella	Vice-Chair	lenora@computvl.com
Jim Lynch	Treasurer	jim44@lynch.com
Janet Gray Hayes	Secretary	janetgrayhayes@sbcglobal.net
Ed Blackmond	Technical Advisor	ed@blackmond.com
Mark Wheeler	Environmental Advisor	mark.wheeler@mindspring.com
Frank Schiavo	Environmental Advisor	
Ed Hodges	Historian	ehodges@ix.netcom.com
Darcel Robinson	Board Member	darcelrobinson@yahoo.com

**Airport Noise
Complaint Line
408-452-0707 or**

**24 Hour Airport
Customer Service Line
501-0979**

Task Force Members:

Sandy Bauer	Web Mistress	webmistress@caap.org
-------------	--------------	--

YES! I want to fight Airport Pollution!

Please apply the enclosed donation _____ \$1,000 _____ \$500
toward the **Neighborhood Defense Fund***: _____ \$ 750 _____ \$250
I Pledge a monthly donation of \$ _____ _____ \$ 35 Dues _____ \$Other

Name: _____

Address: _____

Phone: _____ E-mail: _____

Employer: _____ Occupation: _____

_____ I have also included my annual support of \$35.00

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

P.O. Box 26142, San Jose, CA 95159 (866) 263-4163

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





CAAP

P.O. Box 26142
San Jose, CA 95159
info@caap.org

866 263 4163

ADDRESS CORRECTION REQUESTED