



Office of the City Manager

INTEROFFICE MEMORANDUM

DATE: April 28, 2016

TO: Mayor and Council Members

FROM: Brian K. Biesemeyer, Acting City Manager

A handwritten signature in blue ink, appearing to read "B. Biesemeyer", is written over the printed name.

RE: Citizen Petition – Arizona Citizens for Quiet Skies

On April 5, 2016, a petition was presented to the City Council representing 150 residents, from both Phoenix and Scottsdale, concerning noise abatement from the Scottsdale Airport and the recent flight pattern changes by the FAA over Scottsdale.

Petitioners requested “to place on the agenda a discussion on the impact of Scottsdale Airport and the recent changes in flight paths by the FAA over our homes.”

The cover document to the petition encouraged the Scottsdale City Council to discuss:

- Enforcing existing noise abatement procedures currently in place for flights arriving and departing from the Scottsdale Airport.
- Commissioning a noise, health, and environmental impact study of the Scottsdale Airport on residents, schools, day care center, and senior citizen centers in and within the flight paths of corporate and commercial (there is no commercial scheduled service out of SDL) jet aircraft of SDL.
- Conducting a town hall meeting with concerned citizens. Scottsdale Airport authority, FAA representative, and Mayor to openly discuss issues and alternatives to mitigate noise from Scottsdale Airport.

Council directed the City Manager to prepare a staff report. Following is the staff report along with the petition.

Background

In September 2014, the FAA implemented new routes at Phoenix Sky Harbor Airport as part of its Next Gen, Performance Based Navigation initiative. Scottsdale Airport began receiving increased complaints, from both Phoenix and Scottsdale residents, about increased overflights and noise related to these changes. Aviation staff responded by evaluating data and meeting with FAA representatives several times over the past few months to determine impacts. The City of Phoenix

opted to file a lawsuit against the FAA for making these changes without prior knowledge or public outreach. This litigation is still pending.

The City of Scottsdale decided to continue regular and constructive conversations with the FAA in an attempt to ensure the best interests of Scottsdale are served. It is important to remember that the FAA regulates and controls the airspace, cities and states do not.

Mayor Lane has personally been in contact with FAA representatives and has been working with Sen. McCain, Sen. Flake, Rep. Schweikert, and Rep. Sinema, who have individually and collectively, contacted the FAA to request mitigation for those affected and have been actively supporting and advocating for language in the FAA Reauthorization Bill. The Bill passed the Senate this April and included language for requiring an airspace management advisory committee to review and report on the FAA's process for developing proposals that impact airspace changes. The next steps include seeking approval from the House of Representatives, finalizing the Bill, and approval by the President.

Scottsdale Aviation staff has met with the FAA more than half-a-dozen times and has been corresponding regularly with them on this topic since last October.

While the FAA did not introduce new flight paths at Scottsdale Airport, changes in flight paths at Sky Harbor and other airports have impacted Scottsdale Airport flight traffic by:

- creating tighter flight path corridors for Phoenix Sky Harbor commercial air traffic resulting in increased overflights in some areas and reducing them in others,
- tightening of departure turns out of Scottsdale Airport from the south to the northwest to de-conflict with other air traffic from Phoenix Deer Valley and Phoenix Sky Harbor,
- employing different procedures for Scottsdale Airport air traffic affecting timing, location, and throttle-up factors in northern Scottsdale, and
- shifting Scottsdale Airport air traffic to the outer cusps of our existing flights paths in northern Scottsdale to de-conflict with other air traffic.

While it appears unlikely that the FAA will completely revert the flight paths at Phoenix Sky Harbor, we have asked the FAA to review procedural adjustments. The local FAA has expressed a willingness to explore adjustments to mitigate these noise issues. A timeline of efforts and milestones are posted on the Scottsdale Airport website.

As for noise abatement, the city has a long history of proactive noise abatement efforts. Since 1985, the city has managed a Noise Compatibility Program which includes three prongs: land use management, airport operations, and program management.

Noise studies, officially called 14 CFR Part 150 studies, were done in 1986, 1996, and 2005. Scottsdale is one of two general aviation airports (Fort Lauderdale Executive Airport being the other) to complete three full 14 CFR Part 150 studies (both NEM & NCP). In each case, the City of Scottsdale has required a more stringent noise standard than the federal standard of 65 DNL;

preparing noise exposure contours and compatibility measure down to the 55 DNL. Each of these studies included extensive public participation.

The Scottsdale community, airport users, and Scottsdale Airport can be credited with reducing the number of sensitive land uses exposed to the FAA's noise compatibility threshold of 65DNL. There are currently no residences located within the 65 DNL noise contour for Scottsdale Airport.

Through the city's completion of three 14 CFR Part 150 studies a full range of techniques were used to evaluate the most effective and efficient means of minimizing noise impacts. These studies were completed with federal funding, consultative process, extensive technical analysis, and community involvement.

The purpose of the noise abatement program is to establish safe operating procedures to reduce noise impacts. The following list includes Scottsdale Airport's Noise Abatement Program measures recommended and implemented from the noise studies:

- Informal preferential use of Runway 3 as the calm wind runway. This is dependent on various factors and up to the discretion of the FAA ATCT.
- Discourage right downwind and right base pattern entry, long straight-in approaches and right turnouts prior to reaching the airport boundary for aircraft using Runway 3.
- Encourage right turns as soon as practical and discourage straight-out and left turns on departure from Runway 21.
- Prohibit stop-and-go operations, intersection takeoffs, formations and simulated single-engine takeoffs and training go-arounds by multi-engine aircraft.
- Continue to discourage descents below 2,500 feet mean sea level for practice instrument approaches.
- Continue to encourage National Business Aviation Association standard or manufacturer's comparable noise abatement procedures.
- Prohibit touch-and-go operations between 9:30 p.m. and 6 a.m. This restriction was adopted by City of Scottsdale Ordinance previous to the FAA requiring a Part 161 study be completed and approved for restrictions.
- Prohibit maintenance run-up operations between 10 p.m. and 7 a.m. This restriction was adopted by City of Scottsdale Ordinance previous to the FAA requiring a Part 161 study be completed and approved for restrictions.
- Continue to encourage use of AOPA Noise Awareness Steps by light single-engine aircraft.
- Encourage the use of published approach patterns to Runway 21.
- Inform transient helicopter pilots of the noise abatement flight paths.

Additionally, the airport has taken an active role in implementing the following as part of the noise abatement program:

- Voluntary Curfew Program: The airport promotes a voluntary curfew for operations that takes place after 10 p.m. and before 6 a.m. to ask for the operators cooperation to fly

outside these hours when possible. A letter is sent to operators when a complaint is received and connected to a flight operation during those times. This is not a restriction.

- Noise abatement and noise sensitive areas are noted on the airport facility guides.
- Precision Approach Path Indicator (PAPI) lights are installed at the runway ends and are set at the maximum four degrees instead of the standard three degrees to encourage aircraft approaches to be as high as safely possible.
- Lighted noise abatement reminder signs are installed at the ends of both runways to encourage and remind pilots to use noise abatement procedures.
- Landing thresholds at both runway ends are displaced to help raise the altitude of arriving aircraft over residential areas. The Runway 03 landing threshold at the south end of the airport is displaced 750' to the northeast, and at the northern end of the airport the Runway 21 landing threshold is displaced 400' to the southwest.
- Noise abatement information is a prominent part of our website and hard copy pilot guides on local noise abatement procedures are placed in flight schools and fixed base operators at other valley airports to inform pilots who may only occasionally use Scottsdale Airport.
- Scottsdale Airport staff worked with the FAA and local helicopter operators to update the helicopter letter of agreement for based helicopter operators and developed a helicopter pilot guide as a reference tool for transient pilots to prevent overflights over residential areas.
- Pilot briefings are held in conjunction with the FAA Air Traffic Control Tower staff to help increase safety and awareness for noise abatement recommendations.
- Presentations and meetings are held with real estate groups to provide factual information about the airport and disclosures to potential residents about proximity of airport.

Analysis and Assessment

Enforcing the Noise Abatement Program

The city currently promotes and implements a comprehensive noise abatement program on a continuous basis. This has occurred from the inception of the city's noise program back in the mid-80s. The noise abatement program retains the most successful noise abatement measures and adheres to national standards (NBAA) and airport owners and pilot association (AOPA) standards. The FAA ATCT collaborates with operators in following noise abatement procedures when safe and practicable. If safety is compromised, pilots have discretion to not follow these procedures.

Residents have asked Aviation staff for changes to the published flight paths and implementation of flight operation restrictions. Scottsdale Airport's flight paths have been in place for over two decades. Neither the city nor airport has authority to make flight path changes or implement restrictions; this is the FAA's role. A Part 161 study would be required to study proposed restrictions. This was already evaluated for Scottsdale during our 2005 Part 150 Noise Study and deemed not feasible. In addition, no Part 161 study has ever been approved by the FAA.

Commission an Update to the Noise Study

Another update to the 14 CFR Part 150 would require securing a grant from the FAA. This is not considered feasible for the following reasons:

- Older generation business jets such as the Lear 25 and Gulfstream II/III (referred to as Stage 2) that operated out of Scottsdale in 2005, can no longer fly in the United States due to Congressional mandate outlined in the FAA Modernization and Reform Act of 2012 which established December 31, 2015, as the phase-out date for Stage 2 aircraft weighing less than 75,000 pounds.
- Aircraft Operations for the latest 12 months are 157,449 and the Scottsdale 2005 Part 150 Study showed 196,281 operations – about a 25 percent drop in total operations.
- The FAA has taken a very hard line on only showing the 65 DNL on the official noise exposure maps in the last six to eight years. We may not be able to show the 55 DNL on future maps. The 65 DNL contour is primarily located on airport property.
- The FAA has also started to fine tune their definition of noise-sensitive land uses (for example, places of worship in strip commercial development or in industrial parks are no longer considered noise-sensitive).
- There are no residential impacts within the 65 DNL noise contour of Scottsdale Airport. This is one of the parameters for securing federal funding for a study and FAA approval of restrictions would be unlikely.
- The current noise abatement program meets with national recommendations.
- Environmental impact statements are done to assess the impacts and develop mitigation for major/controversial improvement projects, not for noise.

Conduct a Town Hall Meeting

A town hall meeting was suggested by the petitioners. However, Aviation staff focuses on making specific callbacks to complainants to provide factual information, discuss specifics, and understand their complaints about impacts from Scottsdale Airport because not every resident has the same complaint. This allows us to focus specifically on their concerns. Staff has responded to 55 callback requests from January through March 2016, with a majority of these callback requests requested from recurring complainants. Also, staff is available and has arranged individual meetings with residents, including David Szafranski, to have meaningful discussions. The Airport Advisory Commission is scheduled monthly providing residents an opportunity to provide public comments in a public forum. A noise hotline and online web complaint form is available for residents to lodge complaints and request callbacks. A quarterly noise report is presented from Aviation staff to evaluate trends and track complaints.

Response to Request

Staff will continue to remain engaged on this topic with all parties and will continue to enforce noise abatement procedures within its legal ability to do so. Staff will not implement a noise study or conduct a town hall unless directed by Council.

cc: David Szafranski, Petitioner - Phoenix Resident