



NEIGHBORHOOD NOISE

CITIZENS AGAINST AIRPORT POLLUTION, P.O. BOX 26142, SAN JOSE, CA 95159 (408) 297-9753 JULY 1999

EIS Update

The draft Environmental Impact Statement (EIS) for San Jose airport is a federal document crafted by the Federal Aviation Administration (FAA) and our airport administration, representing the City of San Jose. The EIS is similar to the state-required EIR but much harder to challenge. This 3-volume publication quietly made its appearance in April. A single public hearing was held in May and deadline for comments and criticisms was June 1st. Attendance at the public hearing was pitiful: 5 members of CAAP represented "the public." FAA refused to answer questions and said their role was only to "listen to and record comments."

CAAP members submitted comments, verbal and in writing. Our Rosemary Garden representative complained of daily kerosene odors and air pollution, speculated on the adverse health effects of bad air. Past CAAP Chair Lenora Porcella decried effects of an expanding airport on a San Jose historic neighborhood, established long before the airport went commercial.

Retired airline pilot Ernie Barter quoted the EIS regarding the deteriorated condition of the runway (30L/12R). Regardless, the FAA has authorized daily flights of the gigantic Boeing 777, a real pavement pounder. Barter believes the runway needs are overstated or false. He stressed SJC (San Jose airport) operates under FAA "waivers" for inadequate design, and that these inadequacies will persist. Furthermore, when runway 30L/12R is under repair, no instrument landing systems will be available on that runway.

Ken Hayes noted deficient notice of the public review and requested another public meeting and more

comment time. The EIS indicates SJC could handle 17.6 million passengers without facility improvements or an increase in gates. Also, terminal size has no bearing on passenger volume. The drawback for "no project" would be an extension of average flight delay. This delay is acceptable to FAA. Delays far exceeding this occur now at JFK, LaGuardia, and S.F. airports. The savings—almost a billion dollars. Air pollution and airborne carcinogens proximate to SJC are poorly addressed. Needs for both a conformity statement and cancer-risk estimates were pointed out.

CNEL (noise) contours did not account for hush-kitted stage II aircraft—acceptable to FAA, but noisier than the quieter stage III's. Nor was consideration for the huge Boeing 777 included. Descriptions of the new fuel storage tanks, located approximately 100' from the Guadalupe river, were completely lacking, as was the transfer system under Highway 101.

CAAP Legal Advisor Robert Harmsen questioned enforceability of the NCP (noise control program) since:

- it is a resolution (not an ordinance),
- has never been consistently enforced, and
- has never been court-tested.

In its absence, present noise impacts and CNEL contours are invalid, as are traffic impacts and air quality concerns. Harmsen challenged the INM (integrated noise model) used to predict noise contours for the following reasons:

- contours were modified,
- failure to include noisier planes,
- failure to include run-up noise during curfew hours, and

- failure of the airport director to appropriately document the need for run-ups.

The draft EIS did not discuss the applications for curfew run-ups nor the authority to modify the Noise Control Program (NCP) after the Airport Noise & Capacity Act passed in 1990.

The EIS fails to address the agreement to construct a hush house, if it would reduce noise impacts on nearby neighborhoods and improve noise controls.

The EIS glossed over environmental injustice impacts by being unduly restrictive and minimizing the impact on the Guadalupe-Washington, Hensley Park, and Rosemary Garden neighborhoods in San Jose as well as adjacent Santa Clara noise impacted neighborhoods.

What—CAAP worry? You betcha!!!

City Gets Tougher with Airport Curfew Violators

A long-standing and serious problem related to the San Jose International Airport is the issue of airline curfew violations. As residents who live near the airport know, the curfew, which runs from 11:30 p.m. to 6:30 a.m., is often violated.

Last year, there were 659 flights by airlines and cargo carriers that took off or landed during the curfew. Of those, 504 were granted exemptions due to mechanical, weather, or air traffic control problems. The remaining 155 were found to be in violation.

One of the great frustrations of residents is that it is often the same flights that break the curfew. Despite this, San Jose officials have done little to punish repeat offenders. That may

now be changing due to a stronger position taken the City Attorney's office.

In letters sent March 24 to Southwest, Reno Air, American, United, Northwest, and Mexicana airlines, the City Attorneys office cited "numerous serious and blatant violations of the curfew" and warned that the city "may entirely prohibit use of the airport by anyone who evidences an intent to engage in continued or deliberate violations of airport rules or regulations."

The letters were sent two days after members of the Airport Curfew Monitoring Committee asked the City Attorneys office to report on what steps the city had taken to enforce the curfew. The airlines are currently in communication with the City Attorney's Office over the matter.

Ken Yeager, who is a Rose Garden resident and chair of the Curfew Monitoring Committee, sees the action as a move in the right direction. "I'm glad the city is finally getting serious about cracking down on some of the worse offenders of the curfew," he said. "We all hope that this will make the airlines comply with existing regulations."

During this critical stage, it is all the more important that residents phone in complaints about curfew violations. The 24-hour Noise Report Recorder number is 452-0707.

The Airport Curfew Monitoring Committee met June 21 at 2 p.m. Results from that meeting were not available at the time this article went to press. Meetings are held at the Airport Administration Offices located at 1732 N. First, San Jose, 6th Floor. All residents are invited to attend. For further information, people can call Ken Yeager at 297-1024.

We've Got Their Attention!

by Chip Evans,
Co-Chair Airport Traffic Relief Alliance
The readers of this newsletter are responsible—and they can be proud

of it! The indignant thunder of neighborhood leaders, hundreds of signature gatherers, and thousands of San Jose voters who put the Airport Traffic Relief Act (ATRA) on the March 2000 ballot has clearly been heard in City Hall. And now there is palpable movement.

The fear of this obviously popular initiative to require traffic and transportation improvements as part of airport expansion has caused a flurry of activity to generate ideas, find funds, and build solid resolve to do something.

As these ideas make it to the press and the lips of our political and business leaders, keep listening for what is being committed to and by when. Passage of ATRA makes it law that certain improvements must be made before additional gates can be constructed. You and I cannot accept fuzzy support for fuzzy ideas as a substitute for a solid commitment to meaningful actions.

Keep your ear to the ground and prepare to join the campaign in the fall as we work together on this important issue. You can contact me at sjtrafficrelief@hotmail.com or 408/292-4592 to offer support or share your thinking.

Got Mail?

If you have an email address, please share it with CAAP so that we will be able to share information in a more timely fashion. Just imagine regular updates on airport antics, neighborhood information, and calendars of events. Not only will you be getting more regular (and better) information, but you will be saving us loads of money! Your contributions to CAAP will go straight into legal, political, and educational activities rather than to postage.

We promise to keep your address private and not share it with anyone or any organization. CAAP is a **NO SPAM** organization. Send your E-Mail address to CAAP at: caapsj@hotmail.com.

Support Your Local Airport Sheriff!

The fight continues with your help. Summer is upon us and as the weather warms, I am constantly reminded of why I give my time and cash to CAAP. When my windows go up, the pollution and noise the airport generates come flying in and remind me why I support CAAP.

Unfortunately, in the world of San Jose, politics money talks and the rest of us walk. Your generous support in the past has enabled CAAP to achieve substantial changes in the Airport Master Plan, but the battle is not over yet. CAAP has the opportunity to engage in three legal challenges at SJC and we are also building our war chest for the upcoming Airport Traffic Relief Initiative.

You and your checkbook are the source of all our success. Please put your gift in the envelope today. Your support is the difference!

April Noise Report

A total of seven non-compliant curfew penetrations (out of 63) were reported and four of these were by United Airlines. All seven are "under investigation." Airport operations were 96.8% Stage 3 (quiet aircraft). The big news this month is that the total curfew penetrations are down 50% compared to the previous month.

That dull roar you hear in the middle of the night is most likely engine run-ups. Forty-nine of the fifty-eight run-ups reported were conducted within curfew hours. The report also states that three of the high power run-ups conducted during curfew hours were due to early scheduled departures. This is not an excuse allowed by our noise control program, and CAAP is monitoring continued run-ups.

Sound Management?

Recently, a CAAP member brought to our attention the new slick brochure put out by San Jose International Airport describing their efforts at noise

management in glowing terms. It is an impressive piece and if I were a tourist, and not a resident, I might think that we had a caring staff committed to limiting airport noise pollution in the neighborhoods.

However, as a resident who is bothered by noise on a very frequent basis, I gave the brochure a second look and no where can I find what airport staff does to meet state noise standards that require the airport "to monitor and take action" to reduce noise impacts!

The brochure describes operational restrictions such as engine run-ups during curfew hours—even while they

continue on a daily basis! All the state-of-the-art systems may be useful to staffers, but doesn't mean much to anyone whose family life is disrupted by airport noise. The airport says that they want to respond to community concerns as quickly as possible.

We say the only response that is acceptable is to enforce the Noise Control Program and protect us from increasing noise.

Mailing List

CAAP volunteers are working to update our mailing list and clean up some of the duplicates and errors.

If you:

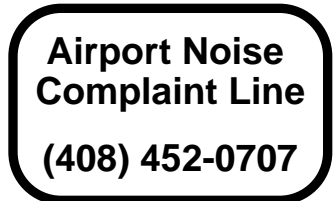
- are receiving more than one newsletter,
- suspect your name or address is incorrect,
- want to be removed, or
- know of someone who would like to be added,

please leave a short voice mail on our recorder at (408) 297-9753, or email us at caapsj@hotmail.com.

A few minutes of your time will help make us more effective AND save us a few postage stamps!

CAAP's Steering Committee:

Russell McBrien	Chair	russell_mcbrien@yahoo.com
Dr. Kenneth Hayes, M.D.	Vice Chair	jghayes7@aol.com
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Robert Harmssen	Legal Advisor	
Lenora Porcella	Membership	lenora@computvl.com
Lyle Johnson	Santa Clara Advisor	



New Way to Reach CAAP!

Email: caapsj@hotmail.com

Task Force Members:

Sandy Bauer	WebMistress	webmistress@caap.org
Carrie Moley	Newsletter Editor	

YES! I want to fight Airport Pollution!

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

Name: _____

Address: _____

Phone: _____ Email: _____

Employer: _____ Occupation: _____

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

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

P.O. Box 26142, San Jose, CA 95159 (408) 297-9753

Check out our web site at: www.caap.org



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