



Town of Atherton
Office of the Mayor
91 Ashfield Road
Atherton, California 94027
Phone: (650) 752-0500
Fax: (650) 614-1212

September 11, 2015

Tom Madalena
City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, CA 94063

SUBJECT: DRAFT AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) FOR SAN CARLOS AIRPORT

Dear Mr. Madalena:

The Town is taking this opportunity to comment on the Draft Airport Land Use Compatibility Plan for San Carlos Airport recently released for public comment by the City/County Association of Governments (C/CAG) for San Mateo County. While some of the Town's comments are directly related to the ALUCP document itself; others are general comments and requests directed at San Carlos Airport operations and how they directly affect Atherton citizenry. The City Council held a Study Session on September 2 to provide feedback to the Town's representative to C/CAG on the ALUCP. The comments below come from that review.

Role of the Airport Land Use Committee

The role of the Airport Land Use Committee (ALUC) is to “coordinate planning...to provide for the orderly development of air transportation, **while at the same time protecting the public health, safety, and welfare.**” The Town believes that the ALUC, in this case C/CAG, needs to take this obligation seriously as it reviews the ALUCP for San Carlos Airport. For nearly two years, the Town and other surrounding communities have petitioned, pleaded, and implored the Federal Aviation Administration (FAA), the San Mateo County Board of Supervisors, San Carlos Airport Operations, and aviation carriers themselves (Surf Air) to address a devastating disconnect between San Carlos Airport Operations and the **health, safety, and welfare** of the impacted communities. These pleas have been largely ignored as the overflights by Surf Air have not only become noisier but have increased in frequency. By failing to address these growing concerns the ALUC, the County, San Carlos Airport Operations, and the FAA have been derelict in their duty of protecting that health, safety, and welfare instead placing the expansion desires of commercial aviation ahead of the protection of its communities. This is unacceptable and must be remedied.

The Town asks that the County Board of Supervisors and San Carlos Airport take immediate and proactive steps to limit and mitigate the expansion impacts of airport operations on the surrounding communities – to include Atherton.

FAA Role and FAR Part 150

The FAA plays several roles with respect to airport/community land use compatibility **and the control of noise associated with aircraft operations**. From the pages of the ALUCP itself, Federal Aviation Regulations Part 150 provides for FAA grants to implement noise programs in communities impacted by aircraft noise. *Atherton is without any doubt impacted by aircraft noise operations and requests that the County Board of Supervisors and C/CAG request mitigation measures and grants to be applied locally to address this issue.*

Limitations on ALUCP Applicability and Approval Period

Aviation technology has changed greatly over the years and in doing so has allowed small hobbyist airports such as San Carlos Airport to expand into commercial aviation airports causing significant harm to communities that had heretofore been immune. We fully expect technology for these “air taxis” to continue to change at a rapid pace. Therefore, it is inappropriate for such an important issue to go unchecked for a 20-year expansion period. *The San Carlos Airport ALUCP should be shortened to a 10-year plan to allow for the appropriate governing boards to review and address the impacts and technology changes in a more realistic timeframe.*

Errors within the ALUCP and Commitments on behalf of Surf Air

The ALUCP fails to accurately account for activity through San Carlos Airport, particularly with respect to Surf Air operations. The Report inaccurately reflects current overflights as well as future expansion – both in relation to the number of flights but also in relation to the timing of those flights. While attempts have been made to accurately update the information, it seems inappropriate to review and approve a document that is clearly flawed at its core during initial review.

Over the last couple of years, several iterations of Surf Air management have made commitments to the local community on expansion plans, routes, flight patterns, and flight procedures. Most remain in limbo. The Town no longer has any assurances that these commitments will be honored and if the ALUCP is approved granting plenary permission for expansion at San Carlos Airport, any hope for solution will be lost.

The Town asks that any decisions on the ALUCP be postponed until accurate and current data can be compiled and shared with due and proper notice to affected communities.

FAA Assurances Document for Airport Sponsors

One of the many governing documents for the County and San Carlos Airport is the FAA Assurances document for Airport Sponsors. This document sets the terms, conditions, and assurances by both parties – the FAA and the County as Sponsor for operation of San Carlos Airport. Both parties are obligated to follow its provisions. *To that end, the Town hereby requests that the County Board of Supervisors and San Carlos Airport request under that document (Section C.22.h) that “...reasonable, and not unjustly discriminatory, conditions...be*

*met by all users of the airport **as may be necessary for the safe and efficient operation of the airport.**” As noted above and in the ALUCP, the safe operation of the airport includes the health, safety, and welfare of the surrounding impacted communities. Noise is an impact and the Town requests that the County take steps under the Assurances document to request conditions be applied.*

Hosting a Public Meeting

Atherton, Palo Alto, Portola Valley, Menlo Park, and Redwood City have citizenry that have all stood up and become fed up with the noise impacts of the expansion of San Carlos Airport by Surf Air. It is time that the County Board of Supervisors stand with its citizenry to address the issue. *The Town requests that the County Board of Supervisors hold a public meeting to hear and take action on this issue.*

Noise Levels, Monitoring and Mitigation

In mid-May 2015, the County conducted a noise study from an Atherton property location specifically addressing noise from Surf Air flights in and out of San Carlos Airport. The Community Noise Equivalent Level (CNEL) is a 24-hour cumulative noise metric for describing aircraft noise. San Carlos Airport representatives state that Federal and State guidelines provide that a CNEL of 65 decibels is acceptable over residential areas. The Town finds that excessive and in fact, the 2015 Draft ALUCP advises that the 1996 ALUCP allowed a CNEL of 55 decibels; lower than the new CNEL of 60 decibels.

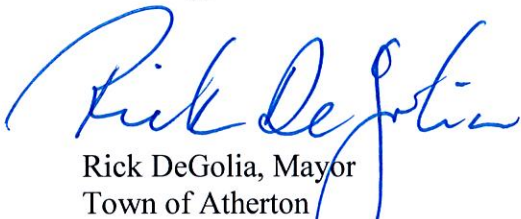
Nevertheless, the study conducted by the County was over a 21-hour period, captured 16 Surf Air flights and calculated a 43.13 CNEL for Surf Air flights and 47.78 CNEL for all aircraft overflights. Of the 16 Surf Air flights, 9 were over 65 decibels in single-event noise level (L-max) and **all** of the Surf Air flights registered above 60 decibels – with some over 70 decibels. Further, during the time period of the study, 6 of the Surf Air flights were between the hours of 7 pm and 7 am. Pursuant to the ALUCP, a 4.77 decibel weighting penalty is to be assigned to noise events that occur between 7 pm and 10 pm and a 10 decibel weighting penalty is to be assigned to those flights occurring between 10 pm and 7 am. Adding that penalty to the 6 Surf Air flights puts the single-event noise levels at 76 decibels. The study conducted by the County does not impose this penalty as required by the ALUCP nor does it appropriately measure the CNEL over a 24-hour period. The CNEL is calculated by combining the number of single events that occur with how loud the events were and at what time of day they occurred – with the penalties. Using that application, if every flight by Surf Air approaches 65 decibels with some approaching 76 decibels there is a significant noise impact.

The simple average alone, with penalty, of the 16 overflights by Surf Air in a 21-hour period is 67 decibels exceeding the FAA acceptable level, the 1996 CNEL level, and the proposed 2015 CNEL level. How can overflights be allowed to expand when the noise impact is clearly over the limits?

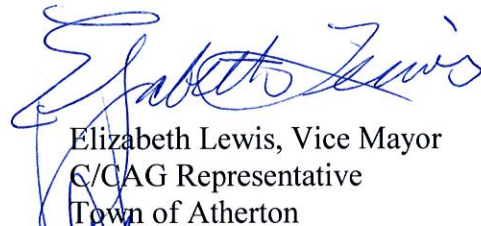
The Town does not agree with the noise assessments in the ALUCP and is further provoked by the planned expansion of San Carlos Airport and Surf Air operations. Continued impact is unacceptable and the Town requests that the County take immediate steps to mitigate the impacts. The Town believes that there are no legal impediments, either via the FAA, the Grant Assurances Act, or the Airport Noise and Capacity Act (ANCA) that would prevent the County and San Carlos Airport from implementing noise mitigation measures.

Please accept the above as the Town's formal comments on the ALUCP for San Carlos Airport and our request for immediate action by the County and San Carlos Airport Operations to mitigate the impact on the Atherton community.

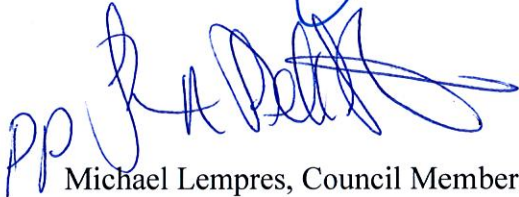
Sincerely,



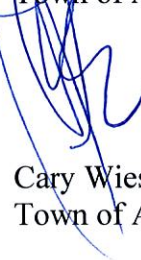
Rick DeGolia, Mayor
Town of Atherton



Elizabeth Lewis, Vice Mayor
C/CAG Representative
Town of Atherton



Michael Lempres, Council Member
Town of Atherton



Cary Wiest, Council Member
Town of Atherton



Bill Widmer, Council Member
Town of Atherton

cc: City Council
County Board of Supervisors
Representative Anna Eshoo
San Carlos Airport Operations