

**From:** Jen (Sunnyvale)

**Sent:** Tuesday, April 28, 2020 7:12 AM

**To:** City Clerk

**Subject:** Public comment for City Council Meeting April 28, 2020 - Agenda Item #5.1 San José Airport Master Plan Amendment (Agenda Item 5.1; File # 20-477)

Hello San Jose City Clerk:

**Public comment for City Council Meeting April 28, 2020 - Agenda Item #5.1** San José Airport Master Plan Amendment (Agenda Item 5.1; File # 20-477)

Attached is a letter from the Sunnyvale/Cupertino Airplane Noise Group regarding agenda item 5.1. We strongly oppose the airport master plan amendment.

Per the COVID-19 instructions, please attached this letter to the Council item under "Letters from the Public". Can you also please forward this letter to the individual San Jose Council members so they are aware of this information?

Feel free to contact me if you have any questions.

Thank you,  
Jennifer Tasseff

## ***AIRPLANE NOISE GROUPS SUNNYVALE / CUPERTINO***



Also submitted via [city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov)

April 28, 2020

### **Re: Please oppose San José Airport Master Plan Amendment (Agenda Item 5.1; File # 20-477) Comments by Sunnyvale/Cupertino Airplane Noise Group**

Honorable Council Members:

The Sunnyvale/Cupertino Airplane Noise Group strongly opposes adoption of the proposed San Jose Airport Master Plan Amendment (Agenda Item #5.1). This proposed airport expansion would significantly increase airplane noise, greenhouse gas emissions, and harmful particulate matter.

The cities of Sunnyvale, Cupertino, Mountain View, and Palo Alto are already heavily impacted by airplane noise during San Jose Airport reverse flow (also called south flow operations). Under NextGen, the San Jose Airport south flow arrival flight path was shifted by miles into a narrow flight path that now impacts tens of thousands of residents during south flow operations.

Under Project Number T-13 "Terminal Projects", the airport is now proposing to expand the total number of gates from 40 total gates (in the 2027 master plan) to 42 total airlines gates under the 2037 master plan.

More gates translate to more airline throughput at San Jose Airport, and ultimately more airplane noise, greenhouse gases, and harmful particulate matter over residents who are already heavily impacted by the FAA consolidated south flow arrival flight paths. An increase in San Jose flights over Sunnyvale, Cupertino, and Mountain View would exacerbate an already contentious situation.

San Jose is directly responsible for planned expansions at the airport, which creates more airplane traffic. In their continued expansion of the airport, San Jose is directly responsible for the airplane noise issues that are now occurring over Sunnyvale, Cupertino, and Mountain View.

SJC recently expanded to 36 airline gates. We request that there be no further expansion of airline gates at San Jose airport until the airplane noise & emissions issue created during south flow operations is corrected over our cities (of Sunnyvale, Cupertino, Mountain View).

Continued expansion in the number of airline gates by SJC without consideration for the impacted residents and effective solutions being found is tantamount to negligence by San Jose officials and the San Jose Airport. Again, San Jose is directly accountable for the issues of airplane noise/ airline emissions over the cities of Sunnyvale, Cupertino, and Mountain View, as they continue to expand the airport and SJC operations without any consideration for the neighboring cities.

Additionally, our Airplane Noise Group submitted a number of comments regarding the various Master Plan EIR documents and environmental concerns. In each case, the subsequent responses did not fully resolve our group's questions/comments, or simply deflected each concern by citing misleading information. We have attached a copy of the group's compiled comments regarding the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103). Our group concerns were not addressed in a satisfactory manner.

The impact of any airport expansions on the ongoing pandemic should also be carefully considered. Any proposed expansions could have ramifications regarding the current and future pandemics, resulting in loss of lives and/or economic failure. Given the current global situation with COVID-19, adoption of this Airport Master Plan Amendment should be postponed until further analysis regarding the pandemic.

Thank you for your consideration regarding these matters.

Sincerely,

Tony Guan (408)357-0816

Jennifer Tasseff (408)737-8258

And members of the Sunnyvale-Cupertino Airplane Noise Group Over 500 members strong

Two documents attached:

- **ATTACHMENT 1 - COPY OF EIR COMMENTS SUBMITTED ON JAN 17, 2020 BY THE SUNNYVALE/CUPERTINO AIRPLANE NOISE GROUP – page 3**
- **ATTACHMENT 2 -GROUP COMMENTS REGARDING INCREASED BUILDING HEIGHTS -pg 12**

**COPY OF COMMENTS SUBMITTED ON JAN 17, 2020 BY THE SUNNYVALE/CUPERTINO AIRPLANE NOISE GROUP**

Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following reasons:

SUMMARY:

**AIRPLANE NOISE ISSUES:**

**Proposed increase in number of airline gates will result in more airport throughput, and exacerbate issues in surrounding communities regarding airplane noise and health concerns related to these San Jose airport overflights (south flow operations)**

The conclusion that noise impact will be less than significant needs further validation, because the EIR analysis was based around a 65DB CNEL noise threshold that is outdated and is never exceeded except in very few circumstances directly adjacent to an airport runway. Using the 65DB CNEL to define airplane noise impacts is not representative of human noise annoyance.

Currently there are efforts through Congress to re-examine this 65DB CNEL threshold and evaluate noise using alternate methods. In the meantime, SJ should conduct noise studies that correspond to airplane noise frequency and human annoyance prior to any approval of this EIR.

**AIR QUALITY SIGNIFICANT IMPACT:**

Per the Draft EIR, Air Quality will have a significant impact due to the projected increase in flight operations. Yet there is no proposed mitigation for this air quality impact. Appendix L of the EIR attempts to justify this significant impact to air quality by implying that the number of planes will not be impacted by the newly constructed gates. However, Appendix L is misleading, and other sections of the EIR imply impact to the number of planes directly based on the number of gates. (See section 4 below for specifics)

Recent health studies have indicated that exposure to frequent airplane noise and increased particulate matter from airlines can have health consequences for residents under flights paths, so this issue should be critical importance to San Jose officials, and should be accurately analyzed.

**GREENHOUSE EMISSIONS SIGNIFICANT IMPACT:**

- The EIR states significant impact of greenhouse gases, yet there is no proposed mitigation for the projected increase in flights. Appendix L attempts to justify this increased in greenhouse gas emissions by implying that the number of planes will not be impacted by the newly constructed gates or planned airport expansions. However, Appendix L is misleading and inconsistent with other information in the EIR that implies potential direct impact to flight operations. (See section 4 below)
- These significant emissions are counter to San Jose plans to flight climate change, and go against the State of California targets to reduce emissions.
- In a recent San Jose Mercury article, Greg Nudd, deputy air pollution officer for policy at the Bay Area Clean Quality Management District mentioned "A lot of people don't realize how carbon-intensive flying is."

- The aviation industry accounts for 12 percent of all transportation-related greenhouse gas emissions and 3 percent of total greenhouse gas emissions in the United States, according to the Environmental Protection Agency.

**Appendix L of the EIR attempts to justify the unmitigated significant increases in greenhouse emissions and air quality issues – Inconsistencies exist in the EIR regarding airport expansions & their corresponding impact to overall flight operations:**

Currently SJC gate capacity appears to be one of the main airport facility contributors to SJC flight delays. Since this is the case, then building new gates will have direct impact on overall capacity of the airport in the future, regardless of what appendix L of the EIR implies. At minimum, additional gates will have an impact on the overall airport capacity in the future beyond the 2037 horizon. In other words, construction of new gates effectively expands SJC airport capacity and ultimately the number of flights (currently or at minimum in the future) during peak activity hours beyond current capacity without the planned expansion.

Appendix L states that any gate expansions beyond current levels would have no impact to future airplane demand numbers. However, that Appendix L analysis stops at 2037 horizon, and does not consider a longer time frame, & makes potential erroneous assumptions regarding projected growth – Thereby justifying spewing addition tons of greenhouse gas into the atmosphere without any mitigation requirements that might be necessary under CEQA or other government agencies.

(For specifics see corresponding section below).

**Regarding greenhouse gas emissions, airplane noise, and air quality, the EIR analysis should be conducted well past the 2037 horizon**

Because climate change and air quality issues seriously impacting this planet, the SJC airport expansion and its implications should be considered well beyond the 2037 horizon. In addition, airplane noise has health ramifications for residents under the flight paths. There three factors (Greenhouse gas emissions, air quality impacts, and airplane noise) will have serious ramifications in the future.

As one of our group members wrote:

*"I have to applaud the Mercury news for publishing the article on December 29th for discussing the negative impacts for San Jose Airport expansion. The airport will ...spew a "significant and unavoidable" amount of ozone and greenhouse gases... At a time when California has almost year round fires, Australia has by some estimates lost over a billion animals because of fires and Venice Italy is flooded by rising sea levels. Sam Licardo has done the right thing requiring new construction in San Jose to not use natural gas. Now he needs to step up and do the right thing and oppose the airport expansion. The next fire is in Sam's hands."*

In this EIR, the significant impacts to greenhouse gas emissions and air quality are dismissed by Appendix L, and that is wrong. By creating incremental impact horizons (i.e. 2027, 2037), the SJ City Council and the SJC airport are skirting their environmental obligations to the Bay Area. In listening to the Council meeting on Jan 14, 2020, it was clear that money and profit (not the environment) were the driving factors for this project. Greenhouse gas emissions and air quality were basically ignored during the entire Council discussion, with complete reliance on the Appendix L analysis that is misleading, and predominant discussions regarding budgeting of the project.

### **The SJC Airport continues to experience challenges at peak hours:**

During the Council meeting on Jan 14, 2020, SJC Director Aitken stated “the Airport continues to experience challenges at peak hours.”

Based on an article in San Jose Spotlight regarding the SJC expansion:

<https://sanjosespotlight.com/san-jose-airport-receives-10-million-to-kickstart-plans-for-expansion/>

*“Last year, Mineta International broke its all-time record of number of passengers traveling through SJC, with 14.3 million people traveling in and out of the airport. In September of this year, that number has already been surpassed. Between Oct. 2018 and Sept. 2019, 15.3 million people traveled through SJC. And Wintner [deputy director of communications for the airport] says airport officials expect to receive another 400,000 passengers by the end of 2019.”*

*“That’s not sustainable, there’s no way we can continue to grow at that rate,” says Wintner. “We’ve been one of the fastest growing airports in the country over the last five years.”*

Statements like the two listed above imply that the gates or some other SJC expansion factor is currently impacting the airport in some way, or will be impacting the airport soon. This means that the implications contained in the EIR Appendix L, appear to be misleading. At some point, these proposed gate expansions will impact the number of flight operations/capacity of the SJC airport. So, these planned expansions have direct impact on greenhouse gas emissions and air quality.

### **Time Based Flow Management:**

During the Select Committee hearings, the FAA representative stated that Time-Based Flow Management (TBFM) might be available in seven years. It’s been three years since then, which means TBFM could arrive four years from now. TBFM would sequence airplanes far away from the airport, greatly reducing the congestion that currently occurs in and around the metroplexes, which ATC is charged with managing. One of the tools ATC uses to deal with congestion is vectoring and we can anticipate that TBFM will greatly reduce the need for vectoring. Since TBFM is likely to be rolled out before the 2037 planning horizon (unless the program is cancelled), it would be helpful if the EIR would speak to the environmental implications of TBFM on the approach paths to SJC, both for normal and south flow conditions.

- How will TBFM alter the percentage of flights arriving on the RNP Z approach to runway 12 during South Flow?
  - Can we expect TBFM to further increase concentration on the flight paths already in use?
  - What will TBFM do to use of the Eastern Approach to SJC during South Flow conditions?
- During the Ad Hoc Committee process, we were told that all planes on the Eastern Approach are vectored, so if the need for vectoring is greatly reduced or eliminated, it seems that the Eastern Approach could fall into disuse with those planes being added to the operations overflying Cupertino and Sunnyvale.

**The city of San Jose owns the airport, and has complete control over any planned expansions. In contrast, flight operations are in the control of the FAA. It is the one point, where residents or the city have control – And yet, SJ officials are ignoring impacts to greenhouse gases, air quality, and airplane noise**

For this reason, it is imperative that the airport consider carefully the future implications to greenhouse gases/air quality, and airplane noise seriously for this proposed expansion.

Excerpt from EIR: (page X PDF page 11)

“The City of San José is the owner and operator of the Airport. However, the Federal Airline Deregulation Act of 1978 prohibits a state or local government’s regulation of an air carrier’s rates, routes, or services. The City cannot regulate the number of flights or the types of aircraft utilizing the Airport, as long as those flights and aircraft can be reasonably accommodated. In practical terms, this means that the level of activity at the Airport will be directly related to two primary factors: 1) the demand for air transportation services that is largely based on the regional economy and jobs/housing land uses, and 2) whether there are facilities at the Airport that can accommodate the demand. As an example, if an airline determines that there is a market for adding flights to a given destination from San José and the existing facilities (i.e., runways, taxiways, gates, etc.) can accommodate the desired aircraft, the City has no approval authority over the airline’s decision to add the flights.”

**The new gates will be very profitable for SJ (\$27.5 million dollars profit annually per new gate )**

**Source Council meeting Jan 14, 2020**

[The city of San Jose would likely profit from airport gate expansions, while residents in neighboring cities would shoulder additional noise, greenhouse gas emissions, and other health ramifications due to the resulting significant increase in SJC flight operations.]

SJ has full jurisdiction of any airport expansions, and determines completely whether or not expansions of the airport will take place. It is clear that surrounding communities that are directly impacted by the airplane noise have no effective voice in this matter. Since this is the case, San Jose has potential clout with the FAA regarding impact on alternate paths that might relieve some of the noise from south flow arrivals. South flow operations have serious noise impact on cities like Sunnyvale, Cupertino, Mountain View.

Before approval of this EIR, and because these proposed expansions would impact neighboring cities who have no “say” regarding this matter, this would be a good opportunity for SJC to work/negotiate with the FAA to find mitigations for the SJC south flow issue over impacted cities. These neighboring cities will be seriously impacted by the increase in number of flights, but will have no monetary benefit generated by the gate expansions. For example, Time based flow management will effectively shift the vectored East approaching airplanes into the south flow flight path over Sunnyvale and Cupertino, yet consequences like this are not be considered as part of the proposed SJC expansions. These discussions should take place with neighboring impacted communities prior to EIR approval.

### **Building heights:**

Need to conduct a study to confirm these expansions will not impact south flow operations in any way.

[On February 25, 2019, the Sunnyvale-Cupertino Airplane Noise group requested that any action that would result in taller building heights in downtown San Jose or Diridon area should be delayed until the FAA and an experienced aviation consultant have completed a supplemental report confirming no potential current or future impact to the San Jose Airport south flow trigger, and no impact to SJC arrivals. (Current trigger > 5 knots south/east wind speed).

This Feb 2019 request was ignored by the San Jose City Council and other SJ officials. With additional proposed airline gates under the master plan, a full analysis of south flow operations should be conducted to confirm that south flow operations does not worsen in any way with these expansions. Attached supplemental material that was provided to SJ Council on Feb 25, 2019.]

### **SJC has been taking flights over from SFO, specifically domestic routes:**

During the discussion on Jan 14, 2020 Mayor Liccardo implied that many residents from the south bay use SFO airport, causing an increase in greenhouse gas emissions.

During many airport commission meetings, it was observed that SJC is attempting to “scalp” flights from SFO, and it appears this has been successful. This might imply that SF customers are now traveling extra distances to SJC for cheaper flights. Since it is clear that SJC is attempting to shift SFO flights over to SJC, then a full analysis should be conducted with projects showing the impacts of the potential additional transportation between the North bay cities to SJC (rather than to SFO). No such analysis appears to have been conducted regarding air quality and greenhouse gases from this source.

### **SUPPLEMENTAL INFORMATION REGARDING THE ISSUES SUMMARIZED ABOVE:**

**A ‘No project’ assessment made in the EIR states that SJC facility expansions will not impact the projected demand for 2037. However, this statement is somewhat misleading and should be clarified in the EIR.**

Background:

This EIR has many inconsistencies regarding gates and additional flights created by these planned SJC expansions.

For example: Appendix L indicates that NO PROJECT would not result in an increase in flights beyond what would exist with the current gates (i.e no expansion):

Appendix L (pg. 6) states “For SJC’s Master Plan amendment “No Project” scenario, this evaluation therefore concludes that no expansion of existing facilities will not deter the activity demand projected for the year 2037 from materializing, and instead would generate undesirable service levels and impacts that the facility improvements proposed in the Airport Master Plan amendment are intended to address.”



In contrast, the EIR in sections implies that gates associated with an airport can influence the level of activity:

The statement above is inconsistent with other statements made throughout the EIR.

For example, in the EIR document (pg x, PDF pg 11) Excerpt “The City cannot regulate the number of flights or the types of aircraft utilizing the Airport, as long as those flights and aircraft can be reasonably accommodated. In practical terms, this means that the level of activity at the Airport will be directly related to two primary factors: 1) the demand for air transportation services that is largely based on the regional economy and jobs/housing land uses, and 2) whether there are facilities at the Airport that can accommodate the demand.” As an example, if an airline determines that there is a market for adding flights to a given destination from San José and the existing facilities (i.e., runways, taxiways, gates, etc.) can accommodate the desired aircraft, the City has no approval authority over the airline’s decision to add the flights.”

From this statement it is clear that the total number of gates will impact the existing airport facilities. This statement would imply that ultimately if gates are built, then the level of activity will ultimately increase as a direct consequence of those new gates.

Currently SJC gate capacity appears to be one of the main airport facility contributors to SJC flight delays. This is based on various statement by SJC officials. Since this is the case, then building new gates will have direct impact on overall capacity of the airport in the future, regardless of what appendix L of the EIR implies. At minimum, additional gates will have an impact on the overall airport capacity in the future beyond the 2037 horizon. In other words, construction of new gates effectively expands SJC airport capacity and ultimately the number of flights (currently or at minimum in the future) during peak activity hours beyond current capacity without the planned expansion.

Appendix L states that any gate expansions beyond current levels would have no impact to future airplane demand numbers. However, that Appendix L analysis stops at 2037 horizon, and does not consider a longer time frame, & makes potential erroneous assumptions regarding projected growth – Thereby justifying spewing addition tons of greenhouse gas into the atmosphere without any mitigation requirements that might be necessary under CEQA or other government agencies.

In addition, the projections for 2037 are suspect, since the growth rate over the past 5 years has been very high, yet the projections through 2037 appear to be low in comparison – Making it easier in Appendix L to imply that new gate expansions would make no difference to overall flight operations, and therefore have no impact on greenhouse gas emissions/air quality, or airplane noise. These projections should be questioned, because they may be accidentally skirting CEQA requirements.

*Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following reasons:*

*The planned expansion of the SJ Airport will increase flight traffic. We already have an issue with loud airplane noise over cities like Sunnyvale & Cupertino during south flow operations. These planned expansions will only exacerbate an already serious noise issue over our cities with significant increases in the number of flights.*

*In addition, the study finds that the expansions will have a significant impact on greenhouse gas emissions. This airport expansion will spew greenhouse gases into the atmosphere as the number of planes increases. This is inconsistent with the Clean Air Plan, and inconsistent with San Jose plans to fight climate change, since SJ is the direct owner and operator of the airport.*

*The EIR implies that the number of flights would increase no matter what occurs with the expansion. This statement is misleading. Yes, it is expected that there will be an increase in flight demand over time based on the economy and jobs. However, an expansion of the airport will actually allow more airport capacity and allow more planes in the future than if there was no expansion of gates and facilities. This EIR is skirting that fact. Per the EIR - "the level of activity at the Airport will be directly related to two primary factors: 1) the demand for air transportation services that is largely based on the regional economy and jobs/housing land uses, and 2) whether there are facilities at the Airport that can accommodate the demand. As an example, if an airline determines that there is a market for adding flights to a given destination from San José and the existing facilities (i.e., runways, taxiways, **gates**, etc.) can accommodate the desired aircraft, the City has no approval authority over the airline's decision to add the flights." The total number of gates will impact the existing facilities. So if gates are built, then the level of activity at the airport will ultimately increase regardless of what the EIR attempts to imply. In other words, airplanes and airlines will back-fill into the new gates, causing more traffic than if the new gates did not exist.*

*The city of San Jose has complete control over any expansions of the airport. The EIR argument that the expansion will not ultimately alter the number of future flights is erroneous. This expansion will have direct impact on the number of future flights, and therefore direct impact on significant greenhouse gas increases and airplane noise. If the San Jose City Council approves an expansion of the airport, they will be directly responsible for a corresponding increase in airplane noise and greenhouse gas emissions, regardless of the misleading EIR.*

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Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following reasons:

1. The **project causes an unacceptable health risk** due to the significant impact on Air Quality.

Per the Draft EIR, **Air Quality will have a significant impact**: If implemented, the **expansion project will be inconsistent with the Clean Air Plan** because of significant emissions of nitrogen oxides and PM<sub>10</sub>, which are particulate matters that are smaller than 10 microns in size:

- The projected **incremental amount of nitrogen oxides** is estimated at 972 tons/year, **almost 100 times the significant threshold of 10 tons/year** (see table 4.3-8, page 121). Note that nitrogen oxides are poisonous gases that lead to the creation of smog. Nitrogen oxides irritate the respiratory system leading to respiratory infections and the development or aggravation of asthma.
- The projected **incremental amount of PM<sub>10</sub> is estimated at 33 tons/year, more than double the significant threshold of 15 tons/year** (see table 4.3-8, page 121). As noted in the report on page 101, "*PM<sub>10</sub> is of concern because it bypasses the body's natural filtration system more easily than larger particles and can lodge deep into the lungs.*" and "*Exposure to PM can increase the risk of chronic respiratory disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, and decreased lung function.*"
- Note also that the projected **incremental amount of PM<sub>2.5</sub> (particulate matters that are smaller than 2.5 microns in size) is estimated at 9.4 tons/year, which is very close to the significant threshold of 10 tons/year** (see table 4.3-8, page 121). Per the report on page 101, "*PM<sub>2.5</sub> poses an increased health risk relative to PM<sub>10</sub> because the particles*

*can deposit more deeply in the lungs and they contain substances that are particularly harmful to human health."*

2. The **project increases Greenhouse Gas emissions substantially thus ignoring the problem of climate change and going against** the State of California targets to reduce emissions or the City of San Jose plans to fight climate change.

Per the Draft EIR, **Greenhouse Gas Emissions will have a significant impact:** the emissions impact "*conflicts with statewide emissions reduction targets (Impact GHG-2)*" (page 376). **The amount of annual carbon emissions due to aircraft operations will almost double:** the current level is 139,083 millions of tons/year (see table 4.8-2 on page 210) and is expected to increase to 270,977 millions of tons/year if the project is completed (see table 4.8-3 on page 216) thus resulting in a net increase of aircraft carbon emissions of 131,894 millions of tons/year.

If the City of San Jose is serious about its claims that "*the fight against climate change grows more urgent every day*" (see [Climate Smart San Jose](#)), it should reject the SJC expansion project given the projected increase in greenhouse gas emissions.

3. **The conclusion that noise impact will be less than significant needs further validation** because the conclusion was based on a limited analysis that did not address requests sent in January 2019 such as the ones from Santa Clara County Supervisor Simitian or residents of Palo Alto to go above and beyond the legal minimum, have all assumptions documented, and show noise contours starting at 45 dB CNEL for all cities impacted by SJC traffic (see appendix A below for specific requests). For instance, noise contours of cities affected by SJC traffic or below 60 dB CNEL are not shown in the report; assumptions such as the percentage of south flow versus north flow operations or time used in the analysis are not disclosed. Furthermore, no sensitivity analysis seems to have been performed on the assumptions used to estimate the noise impact (for instance, reference grid location #5 will experience a projected CNEL increase of 1.2 dBA, which is 0.3 dBA short of the required 1.5 dBA increase that would make the impact significant (see table 4-13.9 page 314)).

In addition, the analysis does not investigate cumulative noise impact because, as stated in the report, current federal, state, and local regulations do not require cumulative impact analyses for areas outside the 65 dB CNEL contour of an airport (see page 320). Although not required by law, cumulative noise impact should be estimated and addressed given that several communities are affected by air traffic to and from multiple airports (including SJC). Given the flight concentration caused by NextGen, it should also be recognized that the law is outdated and should be re-evaluated to require that cumulative impact on communities affected by traffic from multiple airports is measured and calculated even when the communities do not fall under the 65 dB CNEL contour of any airport.

4. The **conclusions that the significant impacts on air quality and greenhouse gas emissions are unavoidable are not supported by a rigorous analysis.**

The report states that "*...as long as there is a market for air transportation services and there are facilities to accommodate the demand, activity will continue to increase*" (see page 31) and also concludes that "*the projected 2037 demand can be accommodated by the Airport's existing facilities, albeit under congested conditions with delays and poor levels of service*" (see page 31).

**These statements are not based on any analysis:** one cannot conclude that the increase in operations because of an SJC expansion would be fully accommodated by SFO and OAK because these airports also face capacity limitations in terms of gates and landing rates. Furthermore, such conclusions **ignore basic economic mechanisms such as congestion pricing and price elasticity** that have a direct impact on demand.

Thank you for your consideration regarding these matters.

Sincerely,

Tony Guan (408)357-0816

Jennifer Tasseff (408)737-8258

And members of the Sunnyvale-Cupertino Airplane Noise Group Over 500 members strong

## ATTACHMENT 2 – GROUP COMMENTS REGARDING INCREASED BUILDING HEIGHTS

To: City Council – San Jose

From: The Sunnyvale-Cupertino Airplane Noise Group

Date: Feb 25, 2019

RE: San Jose City Council Meeting Feb 26, 2019

Comment regarding Agenda Item 6.2 - (File #18-1944)

Actions Related to the Downtown Airspace and Development Capacity Study –  
Study regarding increased building height envelope in San Jose downtown and Diridon

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Below is a statement from the Sunnyvale-Cupertino Airplane Noise Group.

**Request (File 18-1944): Any action that would result in taller building heights in downtown San Jose or Diridon area should be delayed until the FAA and an experienced aviation consultant have completed a supplemental report confirming no potential current or future impact to the San Jose Airport south flow trigger, and no impact to SJC arrivals. (Current trigger > 5 knots south/east wind speed).**

Our group understands that San Jose recently commissioned a study to determine the feasibility of taller building heights in the downtown San Jose and Diridon areas. This study focused on departing flights only, and did not consider any impact on arrivals. As you know, normal flow arrivals fly directly over downtown San Jose, and these arrivals are partly impacted by the current building heights. Decisions regarding taller building heights will have repercussions for decades to come, and these important decisions should not be based on a clearly incomplete study that is missing a major piece of analysis. Without a proper study regarding the arrival flight paths, it is unclear whether the frequency of SJC normal flow or south flow operations (reverse flow) will be impacted in any way by the proposed taller building envelope. Any unintended impact could have major consequences to the airport, the city of San Jose, and surrounding communities.

San Jose Airport typically operates under normal flow operations, where arrivals are flying over downtown San Jose. In contrast, when the wind direction changes to South or East and the wind speed is greater than 5 knots, the direction of operation changes to south flow operations (often called reverse flow). An increase in south flow operations would not only impact the quality of life for your neighbors in Sunnyvale, Cupertino, Mountain View, and Palo Alto - An unintentional increase in south flow operations would have a detrimental impact to airline profitability, airport operations, and FAA safety. Yet an analysis of SJC arrivals was never conducted regarding increased building heights. Normal flow is the preferred path for safety reasons, airline financial benefits, and efficiency. For this reason, a study regarding SJC arrivals and any impact on south flow operations is warranted, and is in the airport's and San Jose's best interest.

Based on an FAA meeting in March 2017 at Congressman Ro Khanna's office, we already know that the south flow trigger is impacted partly due to the existing tall buildings in downtown San Jose. An excerpt from that meeting *"San Jose's runway is too short. Part of the reason that it is too short is the buildings in downtown which make a piece of that end of the runway unusable (planes can't drop down until they are past those buildings)."* It is unclear whether the proposed taller building envelope will have a downward pressure on the current south flow trigger, causing an increase in south flow operations over Sunnyvale and Cupertino – Potentially exacerbating an already contentious airplane noise situation.

We request that any San Jose vote that would ultimately result in taller buildings in downtown and/or the Diridon area be temporarily postponed until a supplemental aviation study is commissioned by San Jose, and the FAA is consulted to confirm any potential impact to the SJC south flow trigger. It is possible that the proposed building height changes will have no impact on the trigger. However, this assumption should be confirmed in writing by the FAA and an aviation expert prior to any approval.

To summarize, any San Jose approvals that would result in taller building heights should be delayed until the FAA and an experienced aviation consultant have completed a supplemental report confirming no impact to arrivals and the current south flow trigger (Current trigger > 5 knots south/east wind speed). The current aviation study is incomplete, and further analysis of the arrival flight path over downtown San Jose needs to be completed in order to make a fully informed, proper decision regarding building heights.

Thank you for your help regarding this matter.

Sincerely,

Tony Guan

Jennifer Tasseff

And members of the Sunnyvale-Cupertino Airplane Noise Group  
Over 500 members strong

**Below is supplemental information and diagrams that were compiled by the Sunnyvale-Cupertino Airplane Noise Group, and which may be helpful in understanding the issue.**  
**[Continued]**

**Supplemental Materials regarding taller building heights  
in San Jose Downtown and Diridon Area  
(Document prepared by the Sunnyvale-Cupertino Airplane Noise Group)**

**Background Information:**

Due to FAA flight path changes, tens of thousands of residents in Sunnyvale, Cupertino, and Mountain View are now detrimentally impacted by loud airplane noise during south flow operations. Complaint numbers at San Jose Airport have skyrocketed due to increased airplane noise during south flow operations over these cities. Could taller San Jose buildings indirectly increase the frequency of south flow operations, by forcing the FAA to reduce the south flow wind speed trigger from 5 knots to a lower wind speed threshold? The answer is uncertain, and requires further study.

**Excerpts from the March 22, 2017 FAA meeting conducted at Ro Khanna's office:**

Original Question submitted during meeting Mar 22, 2017:

*"As many citizens have noted, San Francisco Airport has a waiver from the 5-knot wind standard, allowing that airport to direct aircraft to land with up to a 10-knot tailwind. What would it take to get San Jose Airport that kind of waiver? If south flow were used only at wind speeds above 10 knots, it would be used much less often and the noise over these neighborhoods would drop.*

*Answer: FAA Flight Standards Program Manager Chris Harris explained that this approach cannot be used at San Jose Airport for two reasons:*

- 1. the usable runway for landing is too short for planes to land safely with that strong of a tailwind (SFO's runways are substantially longer), and*
- 2. San Jose Airport is used by many general aviation aircraft (small propeller planes) which could not land safely at those wind speeds under any conditions."*

Additional clarification regarding the tall building heights in downtown San Jose, and how these tall buildings currently impact the ability to raise the wind speed trigger for south flow from 5 knots to 10 knots. This information has also been confirmed through supplemental conversations with FAA personnel.

Response from Director Moylan based on additional info:

*"At the March 2017 meeting that I organized, FAA said that there were two reasons why San Jose Airport would not be granted a waiver of the 5-knot standard for landing with a tailwind. The first is the length of the runway, because it takes more runway to land with the wind at your back. San Jose's runway is too short. Part of the reason that it is too short is the buildings in downtown which make a piece of that end of the runway unusable (planes can't*



*drop down until they are past those buildings). But that was not the whole cause of the runway being too short. It was too short anyway. The other reason is that small planes aren't safe to land in a tailwind no matter how much runway you have. San Francisco can get a waiver because it has only large jets and a long runway. We have small planes and a short runway."*

### **Commissioned study by San Jose included no analysis regarding possible impact to the south flow trigger:**

The studies commissioned by San Jose considered the financial implications of taller buildings for the city at large, the SJ airport, and the airlines. The study also considered various FAA rules and regulations, including OEI (one engine inoperable), FAR Part 77, etc.

In contrast, there was no clear analysis to determine whether taller buildings would impact SJC arrivals and the south flow trigger in any way. The commissioned report specified financial and FAA impacts based directly on DEPARTURE flight paths in relation to building heights. No consideration was given to arrival flight paths. The south flow trigger is partly impacted by the current building heights in downtown San Jose (based on an FAA meeting March 2017).

A supplemental study or consultation with the FAA may be necessary to confirm no impact to the south flow trigger from the proposed taller building envelope. This analysis may require analysis of the arrival flight path during normal-flow operations.

### **Recommendations under Scenario 4 TERPS include minimal increases in height – Could minimal height increases have impact on the south flow trigger?**

Without an analysis by the FAA, the answer is unclear.

Yes, in some areas the recommendations under Scenario 4 call for minimal height adjustments, especially over downtown San Jose. Proposed height adjustments over downtown San Jose under Scenario 4 TERPS are between 5 and 35 feet; Increased heights in the Diridon area are significantly larger deltas (70 – 150 feet).

Based on San Jose Web tracker & FAA flight plates, the normal-flow arriving flights use a "straight in" flight pattern for each of the two runways 30L and 30R (during North flow). In many cases (based on San Jose web tracker altitude information), these arriving flights appear to be flying less than 500 feet above the high points of the San Jose downtown buildings.

For example, the Adobe tower at the corner of Park Ave and San Fernando Ave has a recorded height of 260 feet (per Wikipedia). Arriving flights routinely fly over this corner (per web tracker) at approx. 700-foot altitude. Although Web tracker may have some slight discrepancies in the altitudes, these normal-flow arrivals do appear to be flying very close to the tops of the current buildings. (See sample flight pictures next 2 pages.)

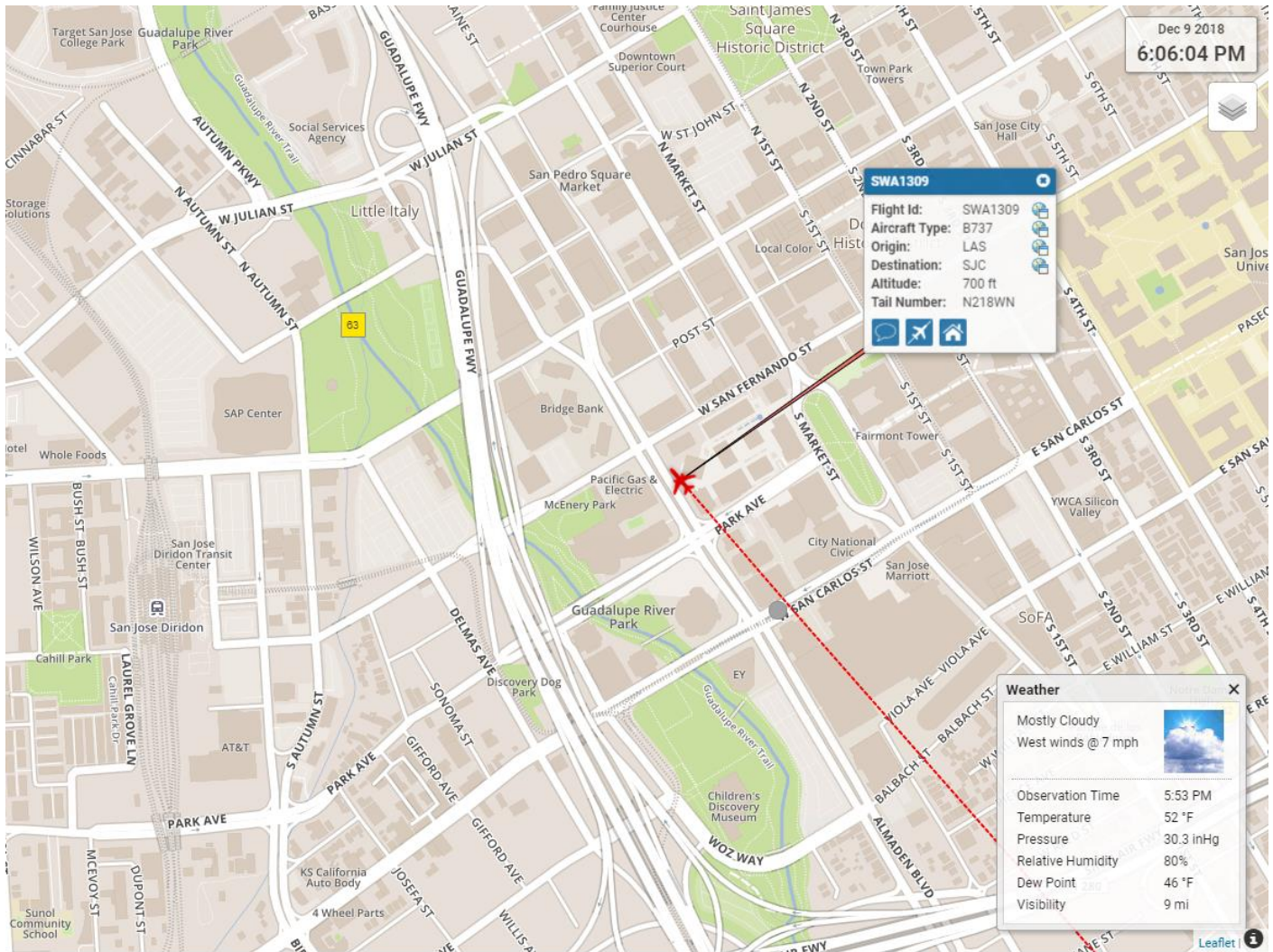
This might imply that even small height increases in buildings directly under the two arrival normal-flow flight paths could indirectly force the FAA to lower the south flow trigger criteria, especially if these changes result in the need for a steeper descent slope or closer proximity to



building roof tops & other associated obstacles. A 35-foot change might be considered significant if arriving flights are indeed flying closer than 500 feet from the tops of the downtown buildings, which is what SJC flight tracker altitudes seem to indicate.

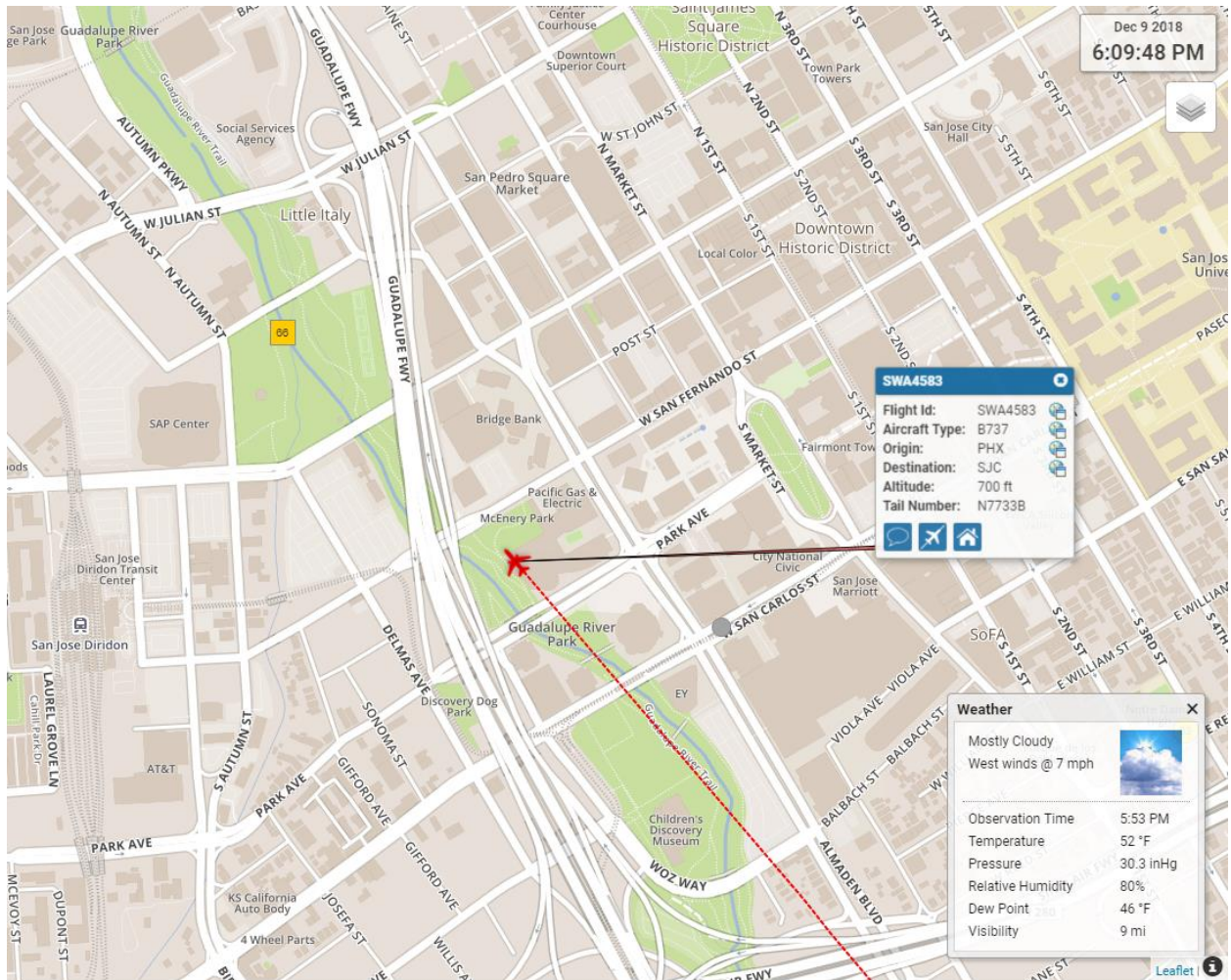
Only analysis by the FAA or an experienced aviation consultant can confirm whether the proposed small adjustments to height will impact the south flow trigger.

**Sample flight flying right next to the Adobe tower at an altitude of 700 feet. The Adobe tower is 260 feet, so height delta is approx. 440 feet between the plane and the top of the building. (Approach to runway 30R)**



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The two approach flight paths straddle the Adobe towers on each side (Approach to runway 30L).  
Flight at 700 foot altitude over Adobe Tower, which is 260 feet building height. Delta 440 feet (700 – 260).



CONTINUED



Proposed increases in building heights include taller buildings directly below the two normal-flow arrival flight paths (30L and 30R).

## Study Evaluation Area



The two normal-flow arrival flight paths correspond to the two black lines extending beyond each of the two SJC runways, and showing the distance in feet from the end of each runway (30R and 30L).

The arrival flight paths extend directly into the downtown core, and into a small section of the Diridon evaluation area.

CONTINUED

## **SJC Airport, the airlines, and FAA benefit from limited south flow operations at SJC:**

An unintentional increase in south flow operations would not be favorable for the FAA, the airlines, nor San Jose Airport. It appears that normal flow is the preferred path for safety reasons, airline financial benefits, and efficiency.

During the San Jose Airport Ad Hoc Committee meetings on south flow arrivals, FAA staff presented that a south flow arrival approach is a more complicated procedure than north flow given its proximity to other flight procedures for SFO traffic, and as such, it is a less preferred procedure when compared with north flow. The preferred approach is north flow, where planes approach SJC from the south flying north, as there is less air traffic from other airports.

Additionally, the south flow flight path is a longer flight path than the normal flow path. For this reason, it is likely not the preferred flight path for the airlines. The south flow arrival approach is longer, often resulting in as much as 30- 50 miles additional flying distance. Longer flight distances increase airline fuel costs, cut into airline profits, and can impact arrival times. Increases in airline fuel costs and/or impacts to arrival times associated with an increase in south flow operations, could indirectly factor into an airport's ability to attract or retain desired air service, therefore potentially impacting the profitability of the airport.

Finally, an unintended increase in south flow operations would further impact cities like Sunnyvale, Cupertino, Mountain View, and Palo Alto and would exacerbate an already contentious airplane noise problem.

## **Future Airline Technology and its possible impact to south flow operations:**

For fuel efficiency purposes, newer airlines are generally being engineered with shallower descent profiles.

General questions that we may wish to pose to the FAA:

- Does the FAA anticipate that future aircraft designs and potential shallower descents would place downward pressure on the south flow trigger, thereby potentially increasing the frequency of south flow flights?
- For the following question assume that the FAA has confirmed no current impact to the south flow trigger based on the proposed taller building envelope in San Jose:
  - Assuming this is the case, then could the proposed taller San Jose buildings in conjunction with a trend toward airline shallower descents cause potential FUTURE impact on the south flow trigger? In other words, is there a synergistic effect between the proposed taller buildings and shallower descent rates that could require a lowering of the south flow trigger wind speed in the future?

## **Could the proposed building height increases impact any possible improvement currently being considered for the south flow trigger?**

Perhaps.

We understand that the FAA has been working on its' response to the San Jose Airport Adhoc Committee recommendations and questions. It is expected that an FAA response will be available soon after the government shut down ends.

One of the requests in the adhoc report includes a question regarding the south flow trigger, and whether it is feasible for the FAA to slightly increase the south flow wind speed threshold (i.e. from the current 5 knot threshold to a wind speed threshold of 6 or 7 knots). An FAA response is pending.

It is likely that an increase in the proposed building height envelope in certain areas of downtown San Jose and the Diridon area directly below the normal-flow arrival flight path might impact any ability to raise the south flow wind speed trigger in the future. Already the FAA states that the trigger is partially impacted by current tall buildings in downtown SJ.

For this reason, we would recommend no adjustments to the previous building height envelope for areas directly below the normal-flow arrival flight path. In other words, current city codes regarding maximum building heights directly below the "straight in" normal flow arrival flight path would remain unchanged; In contrast, newly proposed height increases for areas a specified horizontal distance AWAY from the normal flow arrival flight path would be fine to implement – assuming the FAA has no objection and no impact to the south flow trigger is identified for these new locations.

## **Weblink meeting packets for San Jose discussions regarding proposed increased SJ building heights- SJ Airport Commission, CED Committee, and SJ City Council:**

San Jose City Council Feb 26, 2019 Meeting link for Agenda Item 6.2 - (File #18-1944)  
Actions Related to the Downtown Airspace and Development Capacity Study  
<https://sanjose.legistar.com/LegislationDetail.aspx?ID=3859245&GUID=62B21903-3F67-4DDF-A072-C8C46B9DF1CB&Options=&Search=>

Meeting Link to Community and Economic Development Committee (meeting Jan 28, 2019):  
<https://sanjose.legistar.com/LegislationDetail.aspx?ID=3829565&GUID=7C96ACD3-C53B-4A18-BE6E-61826B93289D&Options=&Search=>

Meeting Link for Jan 14, 2019 San Jose Airport Commission meeting:  
<https://www.flysanjose.com/node/5086>

Meeting Link for Jan 24, 2019 San Jose Commission meeting:  
<https://www.flysanjose.com/node/5136>

OEI Slide presentation on Jan 14, 2019:  
<https://www.flysanjose.com/sites/default/files/commission/1%20%2014%2019%20Airport%20Commission%20OEI%20Presentation.pdf>

END OF SUPPLEMENTAL DOCUMENT

**From:** Robert Holbrook  
**Sent:** Tuesday, April 28, 2020 11:57 AM  
**To:** City Clerk  
**Subject:** Comment for agenda item 5.1 on Today's City Council Meeting

Dear Sir or Madam,

Per the instructions posted for today's City Council meeting, I am sending for the record (and before the 12pm cutoff) my comments below. These address agenda item 5.1 of today's City Council meeting.

Thank you in advance for your attention to this.  
Robert Holbrook

The EIR you're about to approve found no significant impacts from airport operations because under the 'no project' assumption the airport as it exists could accommodate the forecasted growth. That was just barely true: with projected demand, the EIR showed the current airport at 98.3% of its 2037 capacity without the project. Had the forecast exceeded that capacity, the EIR would have entered a world of gray, in which impacts would have had to have been more carefully weighed, possibly with more findings of significance.

Please join me in considering the growth assumptions that the EIR assumed. The existing master plan forecasts 264,000 operations in 2027. The new forecast is for 10% fewer operations in 2037, a decade later. The EIR also shows that annual passenger activity is expected to grow 57% over the next nineteen years, whereas it grew 63% over the most recent five years per the EIR. We now know that after last year's growth, the growth rate required to meet the new forecast for 2037 is just 2%.

If you vote to approve this EIR, you are declaring that SJC, which, by its own account has been one of the fastest growing airports in the nation in recent years, can now be expected to grow at 2% annually, not just under the current circumstances from which I trust we will recover, but for most of the next two decades.

**From:** b. beekman

**Sent:** Tuesday, April 28, 2020 1:21 PM

**To:** Taber, Toni ; CouncilMeeting

**Subject:** from blair beekman. sj city council 4.28.20. Item 5.1.

Dear community of san jose and city govt.,

To once again, try to offer, only a simple outsider's opinion.

With so much money, that can be involved with this issue.

If applicable, I hope this item will not be relying on, regional Measure B, transportation and environmental funding.

And there can be ways, to find different options, for simple, positive, funding sources, if needed

Also, can you make clear, how this item, can connect to, your current thinking, with long-term, high-rise development ideas, around airport.

From incredibly staged, and over-ambitious beginnings, from the mayor, about this issue, the past year, to this current item -

I hope, the simple, mild-mannered, practical thinking and planning, of the airport commission, is still doing well.

And they can still be considered, as a good resource, for all of the community, in this worried time.

sincerely,  
blair beekman