



County Officials Need to Make Noise about Aircraft Noise

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Issue

Is the San Francisco International Airport Roundtable (SFO Roundtable) operating effectively to ensure that San Mateo County residents are not unduly impacted by aircraft noise?

Summary

The San Francisco International Airport (SFO), one of the busiest airports in the world, is experiencing significant expansion and an increase in both domestic and international flight traffic. While SFO is wholly owned and operated by the City and County of San Francisco, it is located entirely within the boundaries of San Mateo County. Many communities in close proximity to SFO and those located under departure flight paths are increasingly impacted by aircraft noise and vibration, especially from night departures.

The San Francisco Airport Roundtable serves as the primary forum to address the impact of aircraft noise on communities in San Mateo County. Comprised of elected officials from 17 San Mateo County cities along with representatives of San Francisco and SFO, the Airport Roundtable is tasked with monitoring noise and complaint data and interfacing with the public, local governments, state agencies, the FAA, the airline industry and SFO administrators on behalf of San Mateo County. The Grand Jury conducted an inquiry to determine if the Airport Roundtable was effectively representing those San Mateo County residents being impacted by aircraft noise and vibration.

The Grand Jury found that the effectiveness of the Airport Roundtable was diminishing, and that participation and enthusiasm for the SFO Roundtable was in decline. The City of Daly City, one of the communities most severely impacted by aircraft noise and night departures, has withdrawn from the Airport Roundtable. Monthly meetings of the Roundtable have been reduced to quarterly meetings. The Grand Jury recommended that the San Mateo County Board of Supervisors become actively involved in revitalizing the Airport Roundtable and recommended that Daly City renew their membership and appoint a fully engaged representative.

The Grand Jury further found that noise monitoring and mitigation efforts are primarily based on compliance with the federal standard of 65dbCNEL, which is an average noise level over a 24 hour period, and therefore does not address single aircraft noise events. They also determined that there is no mechanism in place to measure structural vibration. The Grand Jury recommended that the Roundtable expand their focus to include single aircraft noise events, particularly night departures, and request that the Noise Abatement Office deploy equipment to measure and monitor both single events and structural vibration.

The Grand Jury further found that the bylaws of the SFO Roundtable do not require that the Chair or Vice-chair be an elected representative of a member city, nor does it allow for any membership or committee representation by individual members of the community. It was also noted that there was no representation from the State of California, Division of Aeronautics. The Grand Jury recommends that the bylaws be amended to require the Chair and Vice-chair to be an elected official from a member city and expand membership to include a representative of the State of California, Division of Aeronautics. The Grand Jury also recommends that severely impacted cities form citizen advisory groups to work with their appointed representative on the Airport Roundtable to identify and mitigate aircraft noise in their communities.

Background

The San Francisco International Airport (SFO), is one of the busiest airports in the United States, serving as the gateway to Europe, Asia and Australia. In 2010 SFO served over 39 million passengers on some 387,000 flights. SFO serves as a major hub for United Airlines (now merged with Continental), and as the primary hub for Virgin Airlines. SFO is experiencing significant airport expansion and an increase in both domestic and international flight traffic into and out of SFO.

SFO is wholly owned and operated by the City and County of San Francisco, yet its 2300 acre operation is located entirely within the boundaries of unincorporated San Mateo County and in immediate proximity to numerous residential communities. While San Mateo County undoubtedly benefits economically from the presence of SFO within its borders, it also bears the brunt of the traffic congestion, pollution, and the vibration and noise generated by aircraft and related airport activities.

Although all air traffic control and flight patterns are under the sole jurisdiction of the Federal Aviation Administration, SFO operates under a permit issued by the State of California and is regulated by the State of California Department of Transportation, Division of Aeronautics. The California Public Utilities Code requires that "the department shall adopt noise standards governing the operation of aircraft and aircraft engines for airports operating under a valid permit issued by the department to an extent not prohibited by federal law. The standards shall be based upon the level of noise acceptable to a reasonable person residing in the vicinity of the airport".¹

California law further provides that, "The violation of the noise standards by any aircraft shall be deemed a misdemeanor and the operator thereof shall be punished by a fine of one thousand dollars (\$1000) for each infraction,"² and that "It shall be the function of the county wherein an airport is situated to enforce the noise regulations established by the department."³

In 1971, pursuant to California regulation, San Mateo County designated SFO as a "Noise Problem Airport."⁴ The preamble to the regulations states that "the regulations are designed to cause the airport proprietor, aircraft operator, local governments, pilots, and the department to

¹ Public Utilities Code Section 21669

² Public Utilities Code Section 21669.4 (a)

³ Public Utilities Code Section 21669.4 (b)

⁴ California Code of Regulations, Title 21, Article 2, section 5020

work cooperatively to diminish noise problems. The regulations accomplish these ends by controlling and reducing the noise impact area in communities in the vicinity of airports."⁵

In response, the San Francisco International Airport/Community Roundtable (SFO Roundtable) was created by a Memorandum of Understanding between the County and the cities of San Mateo County in 1981 as a forum to address the impacts of aircraft noise on communities in San Mateo County. Participation by the Cities is voluntary. The San Mateo County Board of Supervisors delegated responsibility for the aircraft noise issue to the SFO Roundtable comprised of local elected representatives from 17 San Mateo County communities along with officials from SFO, San Francisco, San Mateo County and the County Airport Land Use Committee (ALUC). The SFO Roundtable remains the primary agency charged with the responsibility for monitoring aircraft noise data and noise mitigation programs, as well as interfacing with the public, local governments, state agencies, the FAA, the airline industry and SFO administrators on behalf of San Mateo County.

Pursuant to state law, SFO established a Noise Abatement Office. This office operates 31 noise monitors in San Mateo County to measure noise and track ambient noise. These include 29 permanent locations and 2 portable units presently deployed in Brisbane. There is currently no mechanism in place to measure or track structural vibration. The SFO Noise Abatement Office also fields and tracks resident complaints about aircraft noise.

The Grand Jury assessed whether the SFO Roundtable is operating effectively to mitigate aircraft noise impacts on San Mateo County residents.

Discussion

While it is recognized that the Federal Aviation Administration (FAA) regulates the operation of aircraft and controls the use of airspace, there may be significant opportunities for the elected officials in San Mateo County to mitigate the impacts on its residents.

SFO expansion and the increase in air traffic, especially departing night flights, has raised strong objections from some northern San Mateo County communities. Issues also continue to be raised by southern and mid San Mateo County communities regarding aircraft noise from arriving flights coming into SFO.

The Roundtable has maintained a good relationship with SFO, and can claim many successes including the establishment of a state of the art Noise Abatement Office funded by and located at SFO. The role of the Noise Abatement Office is to monitor aircraft noise activity and to compile data and prepare reports. These reports are used by the SFO Airport Roundtable to analyze and mitigate noise impacts in San Mateo County.

In 1983 the FAA and SFO invested \$153,000,000 in a major noise insulation program to soundproof more than 15,000 homes located within the 1983 noise contour map in which it was determined that aircraft noise exceeded the federal standard of 65dbCNEL.⁶ The 65dbCNEL

⁵ California Code of Regulations, Title 21, Article 2, section 5000

⁶ 65 decibels Community Noise Equivalent Level

noise standard represents the average noise level over a 24 hour period rather than the noise level of any individual event. Single event aircraft flyovers need to occur frequently and at very high volumes in order to bring the average noise level to 65dbCNEL. A community or residence could therefore experience numerous severe noise events in a day, but unless the average noise level over a 24 hour period exceeded the standard, it would not be considered a problem.

Eligible homes were noise insulated with the installation of noise resistant doors and windows in return for owners waiving their future vertical air rights and their legal rights to engage in noise litigation against SFO. Funds for the insulation program have been exhausted, and there are no current efforts to seek additional funding for expansion of the program to insulate areas that were not originally included, but may now suffer significant aircraft noise impacts.

The impact of structural vibration created by aircraft departures is not measured or tracked, but represents another impact on northern San Mateo County communities, particularly with night departures of heavy aircraft with international destinations.

While the efforts of the Roundtable and SFO have successfully mitigated the impact of aircraft noise in many areas of San Mateo County, there are individuals and communities that continue to suffer significant adverse impacts from aircraft noise who believe that their concerns are not being adequately addressed. For example, changes in departure patterns over Brisbane have generated strong protests from residents who assert that their quality of life is being adversely impacted. Increased night flights over San Bruno, South San Francisco and Daly City are also of major concern to those communities, especially when the flights depart directly over residential areas that did not participate or were not eligible for the noise insulation program.

The SFO Noise Abatement Office and SFO Roundtable sponsor a cooperative "Fly Quiet" program that monitors departure noise and acknowledges airlines that operate within recommended noise reduction guidelines. Neither the County of San Mateo nor the San Francisco Airport Commission exercise their authority to issue fines and sanctions for noise violations despite frequent and repetitive failures to comply with standards.

Investigation

The 2010-2011 San Mateo Grand Jury conducted an extensive investigation into aircraft noise issues at SFO which included interviews with the following:

- Current and former members of the SFO Roundtable
- Key personnel at SFO and the SFO Noise Abatement Office
- San Mateo County Officials and Staff
- San Mateo County Counsel and Staff
- Elected officials from impacted San Mateo County communities
- Residents in communities impacted by aircraft noise and vibration

In addition, the Grand Jury reviewed numerous current and historic documents that included:

- Bylaws and meeting minutes of the SFO Roundtable

- Federal and state noise standards and regulations applicable to SFO
- Extensive data on SFO flight paths, noise complaints and violations of noise standards
- CNEL Noise Contour Maps (attachment)
- Minutes of the City of San Francisco Airport Commission.

The Grand Jury also toured the San Francisco International Airport and visited the SFO Noise Abatement Office to observe their noise monitoring and tracking systems.

Findings

1. There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.
2. Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.
3. The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.
4. The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.
5. Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is "under construction" was displayed for the approximately one year duration of this investigation.
6. The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.
7. The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.
8. The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.
9. Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe that complaining was effective.

10. Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.

Conclusions

1. While numerous San Mateo County communities are affected to various degrees by aircraft noise from SFO, the most severe impacts are created by departures over Brisbane, Colma, Daly City, San Bruno and South San Francisco. The increasing frequency and intensity of aircraft noise, particularly at night, represents a problem for the quality of life for the residents of those communities.
2. The San Mateo County Board of Supervisors has not recently taken an active role in addressing aircraft noise issues and has largely delegated this responsibility to the SFO Airport Roundtable.
3. It would be more effective to have elected officials serve as Chairperson and Vice-chairperson of the SFO Roundtable, as they are directly accountable to the citizens.
4. Including a representative of the State of California, Division of Aeronautics, on the SFO Roundtable would add an important dimension and enhance effectiveness.
5. The lack of effectiveness of the SFO Roundtable has caused a decline in attendance and enthusiasm for participation in the SFO Roundtable. Community participation is minimal and not encouraged.
6. The focus on average noise levels, rather than single events, can distort the extent and magnitude of the problem and foster the belief that complaining is futile.

Recommendations

The 2010-2011 San Mateo Grand Jury recommends that the San Mateo County Board of Supervisors:

1. Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented, and that every effort is being made to mitigate the severe and increasing impacts of SFO airport expansion on San Mateo County residents.

The Grand Jury recommends that the County Board of Supervisors and the member cities of the SFO Roundtable direct their representatives to take action that will:

1. Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.
2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.
3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.
4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hour period.
5. Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.

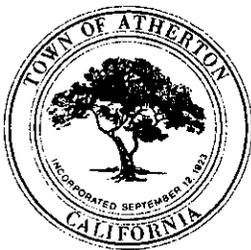
6. Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.
7. Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.
8. Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.

The 2010-2011 San Mateo County Grand Jury recommends that the City Council of Daly City:

1. Rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interests of Daly City residents who are severely impacted by aircraft departure noise.

The 2010-2011 San Mateo County Grand Jury recommends that the City Councils of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco:

1. Form local Citizens Advisory Committees to work with their respective elected members of the SFO Roundtable to promote efforts to identify and mitigate aircraft noise issues in their communities.
2. Maintain regular attendance and full participation in SFO Roundtable meetings and activities.



Office of the Mayor
Town of Atherton

91 Ashfield Road
Atherton, California 94027
Phone: (650) 752-0500
Fax: (650) 614-1212

October 3, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd floor
Redwood City, CA 94063-1655

Dear Judge Bergeron:

This letter serves as the Town of Atherton formal response to the June 30, 2011 letter from the Superior Court transmitting the Civil Grand Jury Report "County Officials Need to Make Noise about Aircraft Noise." The Atherton City Council authorized this letter and the attached specific responses at their meeting of September 21, 2011.

Atherton appreciates the efforts of the Grand Jury and their desire to address this issue. In general, due to our location in the south end of the County, you will note that many of our responses indicate recommendations are not applicable to our community.

If you have any questions please feel free to contact the Town of Atherton.

Thank you.

Sincerely,

Bill Widmer
Vice Mayor

TOWN OF ATHERTON

Attachment: Town of Atherton – Civil Grand Jury report on Aircraft Noise

**Town of Atherton comments on the
2010-11 San Mateo County Civil Grand Jury Report on
“County Officials Need to Make Noise about Aircraft Noise”**

Findings

1. There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and part of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.

Response: Agree with the finding. Furthermore, please note that passenger volume at SFO has returned to pre-9/11 levels. With this, there are more landings as well and many more flights circling multiple times over the South Bay communities whereby more and more flights are entering our airspace below the recommended 8000 foot level, dropping to 5000, which brings more noises. This should be also considered in this report.

2. Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be addressed to residents.

Response: Disagree with the finding – the data that is collected includes single-event noise, weighted for time of day, and averaged. Data is collected on a 24-hour basis, and includes night-time noise events.

3. The violation of noise standards by an aircraft is deemed a misdemeanor and is punishable by a fine of \$1000. Under California Law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.

Response: Disagree with the finding – San Mateo County should impose fines or sanctions on offending airlines.

4. The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.

Response: Agree with the finding.

5. Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website. Information was not current and a message stating “under construction” was displayed for the approximately one year duration of this investigation.

Response: A check of the Roundtable web site on September 12, 2011 revealed a fully functioning site that included easy access to reports and other current information.

6. The Roundtable membership does not include any individual residents, nor do they have any citizen representation on sub committees.

Response: Agree with the finding.

7. The bylaws of the SFO Roundtable do not require that the Chairperson and Vice Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.

Response: Agree with the finding. This item will be discussed at a 2011-12 meeting of the SFO Roundtable.

8. The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from the membership entirely and the San Francisco Board of Supervisors representative has not appeared since February 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.

Response: Atherton attends a majority of the meetings.

9. Public participation at SFO Roundtables is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the resident members interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe that complaining was effective.

Response: Partially disagree with the finding. Public participation is minimal. Complaints are reported by month for each city, along with specific data relative to the complaint

10. Daly City withdrew as a member of the SFO Roundtable in 2010 citing budget restraints as the reason. Membership fees for 2010 were \$750.

Response: Agree with the finding. Whilst the fee is minimal, should the roundtable wish to be fully inclusive, perhaps the membership fee should be optional.

Recommendations

For the San Mateo County Board of Supervisors:

1. Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented and that every

effort is being made to mitigate the severe and increasing impacts of SFO airport expansion on San Mateo County residents.

Response: Not applicable to the Town of Atherton

For the County Board of Supervisors and the member cities of the SFO Roundtable:

1. Ensure the locations of noise measuring and tracking equipment parallel current departure paths.

Response: Requires further analysis. Roundtable will need to engage in an analysis and evaluation as the current locations of noise measurement/tracking equipment and the efficacy of moving the locations. This item will be included in the Roundtable's 2011-12 Program of Work for further analysis. Atherton supports but requests some focus be given to landing profiles and management as well.

2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure paths.

Response: Requires further analysis. It is unclear if there is reasonable and cost-effective methodology/equipment for measuring the intensity of structural vibration, and uncertainty as to what would be done with such measurements, in terms of mitigation. This item will be included in the Roundtable's 2011-12 Program of Work for further analysis. Atherton supports and as with #1 above suggests attention be given to landing noise monitoring as well.

3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS about noise

Response: Needs further analysis. This item will be included in the Roundtable's 2011-12 Program of Work for further analysis. Atherton supports.

4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average noise experienced within a 24 hour period

Response: This has already been implemented, as the Community Noise Equivalent Level (CNEL) methodology does include single-event noise, including night departures. Consider monitoring and focus on landing noise as well.

5. Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures

Response: Needs further analysis. This item will be included in the Roundtable's 2011-12 Program of Work for further analysis. Atherton supports and suggests some attention to early morning (pre 530am) landing approaches (from Big Sur

approach as well as Peninsula “route arounds” with attention given to altitude management.

6. Create a subcommittee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.

Response: Needs further analysis. This item will be included in the Roundtable’s 2011-12 Program of Work for further analysis. Atherton supports.

7. Modify SFO Roundtable bylaws to require both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.

Response: This item will be implemented and discussed at a future meeting.

8. Expand SFO Roundtable membership to include representatives from the State of California Division of Aeronautics to serve as a liaison.

Response: Needs further analysis. This item will be included in the Roundtable’s 2011-12 Program of Work for further analysis.

For the City Council of Daly City:

1. Rejoin the SFO Roundtable and appoint a member to actively participate.

Response: Not applicable to the Town of Atherton.

For the City Councils of Daly City, Brisbane, Millbrae, San Bruno and South San Francisco

1. Form a local Citizens Advisory Committee to work with their respective elected members of the SFO Roundtable to promote efforts to identify and mitigate aircraft noise issues in their communities.

Response: Not applicable to the Town of Atherton.

2. Maintain regular attendance and full participation in the SFO Roundtable meetings and activities.

Response: Not applicable to the Town of Atherton.



BELMONT POLICE DEPARTMENT

Donald J. Mattei, Chief of Police

September 28, 2011

Hon. Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Grand Jury Report – County Officials Need to Make Noise about Aircraft Noise

Dear Judge Bergeron:

The City of Belmont takes issues sent to them by the San Mateo County Grand Jury seriously and typically assigns these reports to staff to conduct an in-depth review of the material. The staff report and attached material were placed on the City Council's September 27, 2011, agenda for review and approval. Based on this review the City has the following responses to the Grand Jury Report:

- *The 2010-2011 San Mateo County Grand Jury recommends that the San Mateo County Board of Supervisors:*
 1. Take an active role in revitalizing the SFO Roundtable to make sure the interests of San Mateo County and its residents are fully represented, and that every effort is made to mitigate the severe and increasing impacts of SFO airport expansion on San Mateo County residents.

Response: The question does not apply to the City of Belmont

- *The Grand Jury recommends that the County Board of Supervisors and member cities of the SFO Roundtable direct their representatives to take action that will:*
 1. Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.

Response: The respondent agrees with the findings

2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibrations on departure flight paths.

"A Tradition of Service"

Response: The respondent agrees with the findings

3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.

Response: The respondent disagrees wholly or partially with the findings. The respondent believes that there must be a blending of both types of data collection. There should be a direct relationship between the complaints from residents and the actual noise measurements collected. These are related and need to be studied.

4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hour period.

Response: The respondent disagrees wholly or partially with the findings. The standard of collecting data should be the same for night and day departures. The respondent agrees that decibel averages should not be used. Data collections should report as individual events. The average of these events can then be reported.

5. Adapt the “Fly Quiet” Program to include sanctions as well as rewards based on single event violations, particularly with night departures.

Response: The respondent disagrees wholly or partially with the findings. In concept the proposed “Fly Quiet” makes some sense but the SFO Roundtable has no authority or funding base to institute such a program.

6. Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.

Response: The respondent agrees with the findings

7. Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.

Response: The respondent agrees with the findings

8. Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, as a liaison.

Response: The respondent agrees with the findings

- *The 2010-2011 San Mateo County Grand Jury recommends that the City Council of Daly City:*

1. Rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interests of Daly City residents who are severely impacted by aircraft departure noise.

Response: This question does not apply to the City of Belmont

- *The 2010-2011 San Mateo County Grand Jury recommends that the City Councils of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco:*

1. Form local Citizen Advisory Committees to work with their respective elected members of the SFO Roundtable to promote efforts to identify and mitigate aircraft noise issues in their communities.

Response: This question does not apply to the City of Belmont

2. Maintain regular attendance and full participation in the SFO Roundtable meetings and activities.

Response: This question does not apply to the City of Belmont.

Should you have any further questions or need clarification on any of the responses provided to you please feel free to contact me directly.

Respectfully Submitted,



Don Mattei
Police Chief



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
County Manager's Office



APPROVED BY
BOARD OF SUPERVISORS

SEP 27 2011

BY *R. Ramella* CLERK OF BOARD DEPUTY

DATE: September 13, 2011

BOARD MEETING DATE: September 27, 2011

SPECIAL NOTICE/HEARING: None

VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: David S. Boesch, County Manager

SUBJECT: 2010-11 Grand Jury Response

RECOMMENDATION:

Accept this report containing the County's response to the following 2010-11 Grand Jury report: County Officials Need to Make Noise About Aircraft Noise.

BACKGROUND / DISCUSSION:

The County is mandated to respond to the Grand Jury within 90 days from the date that reports are filed with the County Clerk and Elected Officials are mandated to respond within 60 days. To that end, included is the County's response to the "County Officials Need to Make Noise About Aircraft Noise" report issued on July 6, 2011.

The San Francisco International Airport/Community Roundtable (Roundtable) was created in 1981 by a Memorandum of Understanding (MOU) between the City and County of San Francisco, the County of San Mateo, and several cities in San Mateo County, as a voluntary committee, to address community noise impacts from aircraft operations at San Francisco International Airport (SFO). There is no local, state, or federal mandate for the Roundtable to exist.

The original purpose of the Roundtable was to monitor the implementation of the recommendations of the 1980 Joint Land Use Study Final Technical Report. That report was a joint effort between the City and County of San Francisco and the County of San Mateo, regarding air quality, vehicular traffic, and aircraft noise issues related to the operation of the Airport. Air quality and vehicular traffic issues were already addressed on a regional scale by existing public agencies. No local public agency, however, was responsible for addressing aircraft noise. The Roundtable quickly focused all of its efforts on noise issues related to aircraft operations at SFO. It became and continues to be the only public forum in San Mateo County for local residents to express their concerns about SFO.

Local governments in San Mateo County are represented on the Roundtable by their

elected officials (city council members and County Supervisors). The City and County of San Francisco representation on the Roundtable includes a member of the San Francisco Board of Supervisors, a representative of the Mayor's Office, and a representative of the San Francisco Airport Commission (Airport Director).

The Roundtable monitors a performance-based aircraft noise mitigation program, interprets community concerns, and pursues additional feasible noise mitigation actions, through a cooperative sharing of authority among the airlines that serve the airport, FAA staff, Airport management staff, and local governments. The 22-member organization has been meeting on a regular basis since 1981 and continues to encourage public input related to aircraft noise from SFO operations. The 2010-2011 Grand Jury conducted an inquiry to determine if the Roundtable was effectively representing those San Mateo County residents being impacted by aircraft noise and vibration. This report responds to the findings and recommendations contained in the Grand Jury's inquiry.

Acceptance of this report contributes to the Shared Vision 2025 outcome of a Collaborative Community by ensuring that all Grand Jury findings and recommendations are thoroughly reviewed by the appropriate County departments and that, when appropriate, process improvements are made to improve the quality and efficiency of services provided to the public and other agencies.

FISCAL IMPACT:

There is no Net County Cost associated with accepting this report.

County Officials Need to Make Noise About Aircraft Noise

Findings:

Grand Jury Finding Number 1. There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.

County Response: Partially Disagree

Explanation: Staff agrees that there has been an increase in both total departures and night departures. However, staff does not have any evidence at this time that the flight patterns have changed. Southbound aircraft departures from SFO and Oakland International Airport fly over the northern portion of the county. According to the FAA, it has not changed its air traffic control procedures related to aircraft departures from either airport. The Roundtable is reviewing a large amount of flight track and noise measurement data collected by SFO to understand the scope and nature of the aircraft departure routes over the northern part of the county. The noise measurement data indicate that there are not severe or adverse aircraft noise impacts as defined by State

and Federal aircraft noise standards in the northern part of the County.

In response to the finding that some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program, staff notes that portions of the Cities of Daly City and South San Francisco were eligible to participate in the federal noise insulation program, per federal eligibility criteria. A combined total of over 10,000 homes were insulated in those two cities. There is no portion of the City of Brisbane that meets the federal eligibility criteria for the insulation program. As noted above, staff is not aware of any evidence documenting "severe impacts" in these areas.

Grand Jury Finding Number 2. Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.

County Response: Wholly Disagree

Explanation: The SFO aircraft noise monitoring system measures every single aircraft noise event, including nighttime noise events. That data is used to calculate and map the Community Noise Equivalent Level (CNEL) aircraft noise levels and noise contours, as required by the State of California Noise Regulations. The CNEL noise metric, in decibels, represents the average aircraft noise level over a 24-hour day. It is adjusted to account for the lower tolerance of people to noise during the evening and nighttime hours. State law requires every airport in California to measure aircraft noise with this 24-hour metric.

Grand Jury Finding Number 3. The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1,000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.

County Response: Agree. Reconsideration of the policy regarding fines and sanctions is a matter that could be considered by the Roundtable as a whole.

Grand Jury Finding Number 4. The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.

County Response: Agree

Grand Jury Finding Number 5. Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is "under construction" was displayed for the approximately one

year duration of this investigation.

County Response: Partially disagree

Explanation: Information on the Roundtable website is easily accessible to the public. The information on the website is continually updated. A new Roundtable website will be operational in September 2011.

Grand Jury Finding Number 6. The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.

County Response: Agree. Potential expansion of the Roundtable membership is a matter that can be considered by the Roundtable as a whole.

Grand Jury Finding Number 7. The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.

County Response: Agree. Potential revisions to the Roundtable bylaws can be considered by the Roundtable as a whole.

Grand Jury Finding Number 8. The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.

County Response: Partially disagree

Explanation: Staff disagrees with the portion of the finding regarding declining attendance. According to Roundtable attendance records, during the period from 2008 through 2009, Roundtable member attendance remained stable at about 70%. In 2010, there was a slight increase in attendance over the previous two years.

Grand Jury Finding Number 9. Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe that complaining was effective.

County Response: Partially disagree

Explanation: Staff agrees that *noise* complaints are not a reliable source of public feedback, but disagrees that a lack of complaints is a result of non-responsiveness by the Roundtable. Rather, it is the hope of County staff that the absence of significant complaints is indicative of the successful collaborative efforts of the Roundtable, the SFO Noise Abatement Office, SFO management, the FAA, and the airlines to pursue and implement safe and feasible noise mitigation actions. The matter of encouraging additional public participation is an issue that can be discussed by the Roundtable as a whole.

Grand Jury Finding Number 10. Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.

County Response: Agree

Recommendations:

The 2010-2011 San Mateo Grand Jury recommends that the San Mateo County Board of Supervisors:

1. Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented, and that every effort is being made to mitigate the severe and increasing impacts of SFO airport expansion on San Mateo County residents.

Response:

The recommendation requires further analysis. The County was a founding member of the San Francisco International Airport/Community Roundtable and has been an active member since the Roundtable began meeting in 1981. Over the thirty-year history of the Roundtable, three County Supervisors have served as the Roundtable Chairperson. The County Representative on the Roundtable will continue to support the on-going airport noise mitigation efforts of the Roundtable. As one of many agencies participating on the Roundtable, the County has, and will continue to, work with the other member agencies to maximize the ability of the Roundtable to serve County residents.

The Grand Jury recommends that the County Board of Supervisors and the member cities of the SFO Roundtable direct their representatives to take action that will:

1. Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.

Response:

The recommendation has been implemented. As a matter of County policy, individual supervisors who serve on committees such as the Roundtable do so independently, without specific policy direction from the Board of Supervisors. With regard to the location of noise measuring and tracking equipment, staff understands that the current locations of SFO noise monitoring system equipment effectively capture aircraft noise levels and accurately records aircraft flight paths in accordance with State regulations. Thus, no action by the County is necessary.

- 2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.**

Response:

The recommendation will not be implemented. Past research has shown that noise-induced vibrations from commercial aircraft operations do not cause structural damage. Due to the wide variety of flight paths, aircraft types, frequency of flights, and structure types, this recommendation has no practical purpose.

- 3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from the residents about noise.**

Response:

The recommendation will not be implemented. The data provided to the Roundtable, collected by the SFO Noise Monitoring System, includes actual noise measurements (single-event noise) and complaint data. Therefore, a change of focus of required data collection is not necessary.

- 4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hour period.**

Response:

The recommendation will not be implemented. See response to Recommendation No. 3. Furthermore, as noted elsewhere in this report, the CNEL metric, in decibels, represents the average aircraft noise level over a 24-hour day with additional weightings for evening and nighttime events to account for the lower tolerance of people to noise during those times. State law requires designated noise impact airports in California to measure aircraft noise with this 24-hour metric.

- 5. Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.**

Response:

The recommendation requires further analysis. Many years ago the Airport would send a

Letter of Admonishment to those airlines that caused loud noise events. That approach turned out to cause severe ill will between the Airport and the airlines and the surrounding communities.

Re-establishing these or other types of punitive sanctions is an approach that could be considered by the Roundtable as a whole, and cannot be dictated by the County. From the perspective of County staff, the Fly Quiet Program is a positive reinforcement effort by the Roundtable to publicly recognize the airlines for operating as quietly as possible to be a good neighbor to the surrounding communities. The Program began over 10 years ago and has been very successful. The addition of sanctions to the Program would totally change the character of the Program and would be counterproductive to its purpose.

- 6. Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.**

Response:

The recommendation requires further analysis. The suggested creation of such a subcommittee is a matter for the Roundtable to consider as a whole. From the perspective of County staff, this would be impractical from an operational and support standpoint. One of the strengths of the Roundtable is that it speaks with one voice and includes all of the noise stakeholders. The creation of geographically based subcommittees could diminish this quality.

- 7. Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.**

Response:

The recommendation requires further analysis. The suggested revision to the Bylaws is a matter for the Roundtable to consider as a whole. From the perspective of County staff, such a change is unnecessary and could be counter productive.

The current selection process for the Chairperson and Vice-Chairperson was established in 1981. The Chairperson and the Vice-Chairperson are elected annually for a term of one year. Any Representative on the Roundtable is eligible to be nominated to serve as the Chairperson or the Vice-Chairperson.

The recommendation would split the Roundtable into two groups, those who are eligible to serve as the Chairperson or Vice-Chairperson and those who are not. This approach would be divisive and impractical, and would eliminate the current equal status of all of the Roundtable Representatives.

8. Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.

Response:

The recommendation requires further analysis. The suggested revision to the Roundtable's membership is a matter for the Roundtable to consider as a whole, and is largely dependent upon the Division of Aeronautics willingness and ability to participate. State budget issues, travel restrictions, and the potential for similar requests elsewhere in the State, cause staff to question the ability of the Division of Aeronautics to attend and participate in the Roundtable meetings on a regular basis. The Roundtable currently has the ability to request the Division of Aeronautics participation in a Regular Roundtable meeting whenever there is a need for the Division's input.



CITY OF BRISBANE

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Brisbane, California 94005-1310
(415) 508-2100
Fax (415) 467-4989

September 30, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

RE: Response to the Grand Jury Report "County Officials Need to Make Noise about Aircraft Noise"

Dear Judge Bergeron:

On behalf of the City Council of the City of Brisbane, I would like to thank you for the opportunity to review and comment on the above mentioned Grand Jury Report dated July 6, 2011. Aircraft noise continues to be a distressing issue to our citizens and we are dedicated to finding solutions to address this serious, ongoing problem. The City Council has authorized this response at their regular meeting on September 19, 2011.

Findings:

The City of Brisbane has reviewed and agrees with the majority of the findings. The City disagrees partially with findings number 2 and 6.

- *Finding 2: Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents. The City agrees that data is reviewed based on averages rather than single events.*
Response: The City's understanding is that data is collected on night-time events as well as daytime. The City also notes that single events can be distressing not only at night but during the early morning and daytime in Brisbane, adversely affecting the health and welfare of our residents. The City believes this issue is at the heart of the matter and that we need data to reflect this reality. We also believe that both the SFO Roundtable and FAA need to accept single event noise as the basis of mitigation strategies.
- *Finding 6: The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.*



Response: The City notes that representatives appointed to the Roundtable are also residents of their jurisdictions whose job is specifically to provide their citizen's representation on community issues.

Recommendations:

The 2010-2011 San Mateo Grand Jury recommends that the San Mateo County Board of Supervisors:

1. *Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented, and that every effort is being made to mitigate the sever and increasing impacts of SFO airport expansion on San Mateo County residents.*

Further Action Required: The County is encouraged to take more of an active lead role in assisting their local jurisdictions with mitigating the impact of noise from SFO for their constituents. Our representative at the September 7, 2011 SFO Roundtable meeting noted that Board Member Dave Pine was present and participated in the meeting

The Grand Jury recommends that the County Board of Supervisors and the member cities of the SFO Roundtable direct their representatives to take action that will:

1. *Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.*

Further Action Required: Brisbane staff has and continues to work with the SFO Noise Abatement office regarding the location of noise measuring and tracking equipment to ensure accurate recording of noise levels affecting our community. The City of Brisbane is prepared to make locations available for additional monitor. At this time, the SFO Noise Abatement Office has stated that they lack funding and offer that a city willing to spend \$30,000 can purchase a noise monitor. This is an unacceptable response. SFO Noise Abatement should be adequately funded to support additional noise monitoring supplies and activities.

2. *Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.*

Further Action Required: The SFO Noise Abatement office has deployed additional noise monitors to measure and track current departure flight paths that occur over Brisbane twice in the past year. However, this is temporary and needs to be extended to permanent monitors.

3. *Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.*

Further Action Required: During the past year, the SFO Noise Abatement Office has reviewed actual noise data from recent additional noise monitor placements in two additional areas of our city. Earlier data has been presented to the community.

The most recent data collection was presented at the last SFO Roundtable meeting on September 7, 2011 and will be presented to the community at an upcoming SFO Roundtable Workshop in Brisbane on October 5, 2011. The SFO Noise Abatement Office has also provided the data to interested citizens to allow for additional transparency.

4. *Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hour period.*

We agree: The City requests that this data and not the CNEL data be the basis of mitigation measures. Our representative continues to lobby for this change which is a Federal standard and needs to be addressed at the Federal level. The City agrees that all members of the SFO Roundtable should begin the discussion at the local level and petition their respective state and federal representatives to address this needed change to the standard. The time frame for implementing a change in this Federal standard is unknown at this time.

5. *Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.*

Not yet implemented: Our representative will work with the other SFO Roundtable members in upcoming meetings to address this recommendation and will recommend that this be a high priority in the Roundtable's work plan. It is imperative that all the parties, including the airline officers, be required to come to the table and fully participate in resolving noise issues. We are encouraged by the efforts of Virgin America Airlines and believe their actions should become the industry standard.

6. *Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.*

Not yet implemented: Brisbane is supportive of this recommendation and our representative will discuss with fellow elected representatives about implementing this recommendation.

7. *Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.*

Will not be implemented: At the September 7, 2011 SFO Roundtable meeting, the members voted down a proposal to require both the Chair and Vice-Chair be elected officials. After discussion, it was determined that the current Chair has additional valuable expertise that is required to effectively understand the complex issues involved with addressing aircraft over flight noise and also provides continuity on the Roundtable. It was also clarified that both the Chair and Vice-Chair are selected by the members on an annual basis.

8. *Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison*

We agree: The City is supportive of this recommendation and believes that the SFO Roundtable should put more emphasis on engaged participation of all stakeholders to resolve the ongoing noise issues.

The 2010-2011 San Mateo County Grand Jury recommends that the City Council of Daly City:

1. *Rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interests of Daly City residents who are severely impacted by aircraft departure noise.*

Not applicable to Brisbane. The City is supportive of this recommendation.

The 2010-2011 San Mateo County Grand Jury recommends that the City Councils of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco:

1. *Form local Citizens Advisory Committees to work with their respective elected members of the SFO Roundtable to promote efforts to identify and mitigate aircraft noise issues in their communities.*

Informal committee exists: While a formal Citizen Advisory Committee has not been approved by the City Council, the Council and Staff have supported an ad-hoc citizens committee formed to promote mitigating noise issues in the City of Brisbane. Recent actions with this group includes coordinating through the SFO Noise Abatement Office, meetings with FAA flight tower operations at SFO and TRACON in Mather, California, as well as having a group meeting with Congresswoman Jackie Speier, Council Member A. Sepi Richardson, city staff, SFO staff and FAA staff to address noise issues.

2. *Maintain regular attendance and full participation in SFO Roundtable meetings and activities.*

Implemented: Councilmember A. Sepi Richardson continues to regularly attend the SFO Roundtable and is currently the Vice-Chair.

We hope with the cooperation of our surrounding affected cities, we will be able to work together to address and implement these recommendations.

The City also would like to note that we will be hosting an SFO Roundtable Community Workshop, scheduled for October 5, 2011, to discuss issues related to aircraft noise. FAA staff, SFO staff and airline staff will be in attendance to meet with our citizens. This is an important issue in our community and we will continue to work with all parties to resolve this ongoing concern. It is imperative that organizations such as the SFO Roundtable work effectively to bring all the parties involved to the table. These

stakeholders need to share in resolving the ongoing aircraft noise problem that severely affects the health and welfare of residents in the City of Brisbane.

Thank you for the opportunity to respond to this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Cyril Bologoff". The signature is fluid and cursive, with the first name "Cyril" being more prominent than the last name "Bologoff".

Cyril "Cy" Bologoff
Mayor

Cc: Adrienne Tissier
Brian Perkins

CITY OF BURLINGAME

City Hall – 501 Primrose Road
Burlingame, California 94010-3997



COMMUNITY DEVELOPMENT DEPARTMENT

PH: (650) 558-7250
FAX: (650) 696-3790

September 20, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center – 2nd Floor
Redwood City, California 94063-1655

**RE: CITY OF BURLINGAME RESPONSE TO GRAND JURY REPORT
County Officials Need to Make Noise about Aircraft Noise**

Dear Judge Bergeron:

At its regular meeting of September 19, 2011, the Burlingame City Council adopted the attached resolution (Resolution No. 69-2011) providing the City of Burlingame's response to the 2010-2011 San Mateo County Grand Jury report entitled: "County Officials Need to Make Noise about Aircraft Noise". A copy of this cover letter and the attached resolution are also being forwarded electronically to the Clerk of Court for placement on the Grand Jury web-site. Finally, a copy of the City's response is on file with the Burlingame City Clerk's Office.

Sincerely,

William Meeker
Community Development Director

RESOLUTION NO. 69-2011

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME APPROVING THE CITY'S RESPONSE TO 2010-2011 SAN MATEO GRAND JURY REPORT: "COUNTY OFFICIALS NEED TO MAKE NOISE ABOUT AIRCRAFT NOISE"

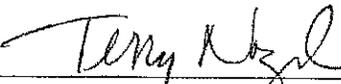
WHEREAS, on July 6, 2011, the 2010-2011 San Mateo County Civil Grand Jury issued a report entitled "County Officials Need to Make Noise about Aircraft Noise", which contains findings and recommendations pertaining to the City of Burlingame; and

WHEREAS, the City of Burlingame is required under Penal Code Section 933 to respond to the Grand Jury's findings and recommendations in said report; and

WHEREAS, the City of Burlingame has prepared appropriate responses to the Grand Jury's findings and recommendations and intends to transmit them to the Presiding Judge of the 2010-2011 San Mateo County Civil Grand Jury as required by law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLINGAME AS FOLLOWS:

1. The City Council approves the responses to findings and recommendations of the 2010-2011 San Mateo County Civil Grand Jury report entitled "County Officials Need to Make Noise about Aircraft Noise" pertaining to the City of Burlingame, a copy of which is attached hereto and made a part hereof.
2. The Mayor is hereby authorized to execute and transmit said responses to the Presiding Judge of the San Mateo County Civil Grand Jury, in accordance with State law.



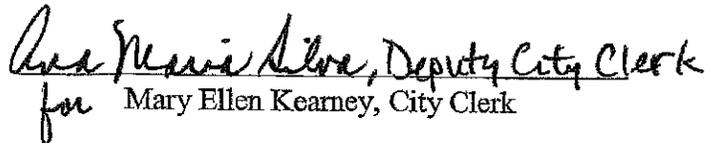
Terry Nagel, Mayor

I, Mary Ellen Kearney, Clerk of the City of Burlingame, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the Burlingame City Council held on the 19th day of September, 2011, by the following vote to wit:

AYES: **BAYLOCK, BROWNRIGG, DEAL, KEIGHRAN, NAGEL**

NOES: **NONE**

ABSENT: **NONE**


for Mary Ellen Kearney, City Clerk

CITY OF BURLINGAME RESPONSES TO GRAND JURY REPORT

County Officials Need to Make Noise about Aircraft Noise

(Adopted by the Burlingame City Council on September 19, 2011)

Background: The City of Burlingame has been a member of the SFO Roundtable since its establishment in 1981. Indeed, the first Chairman of the Board was San Mateo County Supervisor John Ward, a Burlingame resident, and Councilwoman and Mayor Gloria Barton was the City's first representative. Burlingame has always taken its role on the Board seriously and has valued the forum as a sensible, problem-solving vehicle for noise issues at SFO. Neither the current serving Board representative, Councilman Michael Brownrigg, nor the alternate, Councilwoman Ann Keighran, were contacted by the Grand Jury as their report was formulated.

Inevitably, there are concerns about airport noise in Burlingame, along with concerns over train whistles on the Caltrain tracks and freeway noise from Highway 101. We note with some satisfaction that the number of complaints at SFO for our city has diminished over time – in the most recent noise report, there was one call of complaint from Burlingame and we rarely generate more than 3 calls per month -- but we can by no means state that we are "Mission Accomplished." Our residents expect us to remain vigilant to changes at SFO and to do whatever we can to promote even quieter flying and take-offs/landings. We also believe firmly in the policy of not "noise shifting" – that is, solving one city's problems by routing traffic over another city.

In sum, our experience at the SFO Roundtable is that it is an effective problem-solving forum that has generally been beneficial to Burlingame. We appreciate that the Airport and the City and County of San Francisco have pressured airlines to perform better and to be respectful of our homes over which they fly. We appreciate that when our residents have concerns or questions, that it is easy to reach group of noise experts and officials who handle their calls and e-mail. For reasons of efficiency and noise reduction, we urge the Airport to adopt modern technology that would permit more accurate flying into and out of SFO and we encourage all airlines to switch to quieter, more fuel efficient aircraft as appropriate.

THE FOLLOWING ARE THE CITY OF BURLINGAME'S RESPONSES TO THE GRAND JURY'S FINDINGS REGARDING "COUNTY OFFICIALS NEED TO MAKE NOISE ABOUT AIRCRAFT NOISE":

Finding: *There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.*

CITY OF BURLINGAME RESPONSES TO GRAND JURY REPORT

County Officials Need to Make Noise about Aircraft Noise

(Adopted by the Burlingame City Council on September 19, 2011)

Response: Agree. It is notable that the City of Burlingame is not amongst the more severely impacted cities affected by noise generated by departing and arriving aircraft at SFO. The City is among those that declined participation in the original noise insulation program.

Finding: *Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.*

Response: Agree. Assessment of noise impacts based upon “averages” has little meaning to those residents that are prompted to complain due to individual night-time events that can cause the greatest disruption to their lives. We encourage the Roundtable to add to its work program the study of additional metrics that would try and account for these “spot events” and not lose track of them as an average over 24 hours.

Finding: *The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.*

Response: Agree; though the County of San Mateo’s policies regarding fines and/or sanctions on offending airlines are beyond the control of individual jurisdictions.

Finding: *The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.*

Response: Agree. Given the intended purpose of the SFO Roundtable – a forum for communities impacted by SFO Airport operations to discuss impacts and strategize solutions to reduce impacts from the facility’s operations – it would appear appropriate to include a representative from the Airport’s licensing authority as a member of the Roundtable in an effort to enhance the ability to develop approaches to lessening the facility’s impacts upon surrounding communities.

CITY OF BURLINGAME RESPONSES TO GRAND JURY REPORT

County Officials Need to Make Noise about Aircraft Noise

(Adopted by the Burlingame City Council on September 19, 2011)

Finding: *Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is "under construction" was displayed for the approximately one year duration of this investigation.*

Response: Partially disagree. At the time this response was prepared, reports prepared by the SFO Noise Abatement Office were readily accessible through the SFO Roundtable web-site. However, it is agreed that, in general, the SFO Roundtable web-site provides little current information regarding the latest activities of the organization – much information appears outdated, or otherwise generally lacking. The Roundtable is in the process of upgrading its website with the help of a professional developer, and we hope that this will improve communications.

Finding: *The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.*

Response: Partially Agree. It is true there is no formal citizen representation on subcommittees. We are not convinced that formal representation by individuals is appropriate, inasmuch as the elected officials who participate are representing a much broader point of view. We are concerned that individuals might direct subcommittee work to address very narrow, personal issues. However, citizen input would be helpful, and therefore we would support the Roundtable doing a better job of noticing interested individuals and the wider public of subcommittee meetings and agendas.

Finding: *The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representative from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.*

Response: Partially agree. The finding as stated is accurate. In our experience, the Roundtable has had three chairmen over the last 10 years, implying a healthy rotation at the leadership level. In our experience, the Chairman as a general matter runs the meeting and helps manage time, but we have never noticed that issues could not be raised by member cities and addressed by the Roundtable and its staff. We have not observed the current or any chairman quashing dissent or steering the Roundtable away from difficult issues. Nor have we

CITY OF BURLINGAME RESPONSES TO GRAND JURY REPORT

County Officials Need to Make Noise about Aircraft Noise

(Adopted by the Burlingame City Council on September 19, 2011)

observed the Chairman speaking for the Roundtable in inappropriate ways. We would not be averse to changing the bylaws of the Roundtable to ensure that only elected officials could serve as Chair or Vice Chair, but we are not persuaded that there would be a material improvement in the manner in which the Roundtable conducts its work if we did so.

Finding: *The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.*

Response: Partially agree. Daly City's decision to opt out reflects, as we understand it, one of many tough budget decisions about spending priorities in this era of limited resources. All of our cities are in the position of making such decisions these days. It is not for us to comment on whether that was the right decision for Daly City. The schedule for the meetings has changed slowly over the years as the number of noise complaints as diminished, but the most recent decision was to shift from 5 meetings/year to 4 meetings/year, or quarterly. Burlingame supported this shift, believing it to be more in keeping with private sector reporting and more predictable; it also facilitates the generation of a substantive agenda between sessions. We also believed that any "spot issues", such as the recent problems at Brisbane, could and would have to be handled in a sui generis fashion in any case, depending on what the issue was. We do not believe the volume of work or complaints warrants returning to a monthly schedule, with the associated impact on staff expense and political time.

Finding: *Public Participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe complaining was effective.*

Response: Partially agree. We were not interviewed so this does not reflect the Burlingame representatives' views. It is true that there are very few members of the public who attend the meetings and there have been few complaints aired at the Roundtable in recent years. We cannot say whether most people have "given up" or just don't see the problem as significant. Many San Mateo County residents understand that there is an international airport in our midst (and some residents moved here specifically to access it) and have accepted the fact that airports generate a certain amount of noise. As noted earlier, our own residents are far more

CITY OF BURLINGAME RESPONSES TO GRAND JURY REPORT

County Officials Need to Make Noise about Aircraft Noise

(Adopted by the Burlingame City Council on September 19, 2011)

concerned about the noise of late night train whistles from Caltrain and Union Pacific (UP), for which there is no official forum and scant attention paid by the noisemakers, especially UP. We acknowledge that Brisbane's recent problems seem to be out of the ordinary and deeply troubling, and we support the Roundtable's efforts to monitor the noise and search for practical solutions to Brisbane's issues.

Finding: *Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.*

Response: Agree; though Roundtable membership is entirely voluntary – Daly City's decision to withdraw from membership was made based upon that community's rationale for withdrawal.

THE FOLLOWING ARE THE CITY OF BURLINGAME'S RESPONSES TO THE GRAND JURY'S RECOMMENDATIONS REGARDING "COUNTY OFFICIALS NEED TO MAKE NOISE ABOUT AIRCRAFT NOISE":

Recommendation to the San Mateo County Board of Supervisors:

Recommendation: *Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented, and that every effort is being made to mitigate the severe and increasing impacts of SFO airport expansion on San Mateo County residents.*

Response: This recommendation is directed to the County of San Mateo. As the "umbrella" county government for the communities most impacted by SFO Airport operations, leadership from the County of San Mateo ought to be present. That said, we disagree that the Roundtable needs to be "revitalized;" rather, it would benefit from the attention and leadership of the County Supervisors since they represent the entire County. Moreover, as SFO noise and expansion policies evolve, it would be helpful for the County to be on top of such evolutions.

Recommendations to the County Board of Supervisors and member cities of the SFO Roundtable:

Recommendation: *Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.*

CITY OF BURLINGAME RESPONSES TO GRAND JURY REPORT

County Officials Need to Make Noise about Aircraft Noise

(Adopted by the Burlingame City Council on September 19, 2011)

Response: Though not yet implemented, the City of Burlingame's representative to the SFO Roundtable will encourage implementation of this recommendation at a future Roundtable meeting.

Recommendation: *Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.*

Response: Though not yet implemented, the City of Burlingame's representative to the SFO Roundtable will encourage the study of and, if appropriate, implementation of this recommendation at a future Roundtable meeting. We do not know if this requires specialized equipment or how expensive it might be. The costs/benefits of such equipment have to be considered in this budgetary climate.

Recommendation: *Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.*

Response: Though not yet implemented, the City of Burlingame's representative to the SFO Roundtable will encourage the relevant subcommittee to study how this recommendation might be implemented at a future Roundtable meeting.

Recommendation: *Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hour period.*

Response: Though not yet implemented, the City of Burlingame's representative to the SFO Roundtable will encourage the relevant subcommittee to study this recommendation and other ways to improve metrics of noise, in addition to the legal definition of average noise as measured today.

Recommendation: *Adopt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.*

CITY OF BURLINGAME RESPONSES TO GRAND JURY REPORT

County Officials Need to Make Noise about Aircraft Noise

(Adopted by the Burlingame City Council on September 19, 2011)

Response: The "Fly Quiet" Program is currently in place though, at present, it does not include sanctions and rewards provisions - the Program provides public information regarding the various airlines' compliance with SFP Airport operational procedures and noise mitigation measures. Though it is unclear what format sanctions and rewards provisions could take, the City of Burlingame's representative to the SFO Roundtable will encourage discussion of this recommendation at a future Roundtable meeting and study by the relevant subcommittee. We note that one international airline has threatened its pilots with termination if they vary from the specified departure route; whether industry self-policing such as this is sufficient or more specific penalties need to be created warrants consideration by the Roundtable.

Recommendation: *Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating problems within those communities.*

Response: Though not yet implemented, the City of Burlingame's representative to the SFO Roundtable will encourage implementation of this recommendation at a future Roundtable meeting. We also support the ad hoc process that is currently underway to address Brisbane's recent problems.

Recommendation: *Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.*

Response: At the recent SFO Roundtable meeting, the Burlingame representative suggested that this recommendation be agendaized for discussion by the Roundtable members and voted upon afterwards.

Recommendation: *Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.*

Response: Though not yet implemented, the City of Burlingame's representative to the SFO Roundtable will encourage implementation of this recommendation at a future Roundtable meeting.

CITY OF BURLINGAME RESPONSES TO GRAND JURY REPORT

County Officials Need to Make Noise about Aircraft Noise

(Adopted by the Burlingame City Council on September 19, 2011)

Recommendation to the City Council of Daly City:

Recommendation: *Rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interests of Daly City residents who are severely impacted by aircraft noise.*

Response: This recommendation is directed to the City of Daly City – no action is required on the part of the City of Burlingame or its designated representative to the SFO Roundtable.

Recommendations to the City Councils of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco:

Recommendation: *Form local Citizens Advisory Committees to work with their respective elected members of the SFO Roundtable to promote efforts to identify and mitigate aircraft noise issues in their communities.*

Response: This recommendation is directed to the cities of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco – no action is required on the part of the City of Burlingame or its designated representative to the SFO Roundtable.

Recommendation: *Maintain regular attendance and full participation in SFO Roundtable meetings and activities.*

Response: This recommendation is directed to the cities of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco – no action is required on the part of the City of Burlingame or its designated representative to the SFO Roundtable. The City of Burlingame's representative (or alternate) regularly attends, and fully participates in, scheduled meetings of the SFO Roundtable.



CITY OF DALY CITY

333-90TH STREET

DALY CITY, CA 94015-1895

PHONE: (650) 991-8000

October 10, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: 2010-2011 Civil Grand Jury Report: County Officials Need to Make Noise about Aircraft Noise

Dear Judge Bergeron:

On behalf of the City Council of Daly City, I have been requested to submit the City's response to the Civil Grand Jury findings and recommendations pertaining to the above-referenced report:

FINDINGS:

1. There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane, and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.

Response: Concur, as it relates to Daly City.

2. Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.

Response: Concur.

3. The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1,000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.

Response: Neither agree nor disagree, does not pertain to Daly City.

4. The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.

Response: Neither agree nor disagree, does not pertain to Daly City.

5. Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is “under construction” was displayed for the approximately one year duration of this investigation.

Response: Neither agree nor disagree, does not pertain to Daly City.

6. The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.

Response: Neither agree nor disagree.

7. The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.

Response: Neither agree nor disagree.

8. The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.

Response: Concur as it relates to Daly City.

9. Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either “given up” or did not believe that complaining was effective.

Response: Neither agree nor disagree.

10. Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.

Response: Concur.

CONCLUSIONS:

1. While numerous San Mateo County communities are affected to various degrees by aircraft noise from SFO, the most severe impacts are created by departures over Brisbane, Colma, Daly City, San Bruno and South San Francisco. The increasing frequency and intensity of

aircraft noise, particularly at night, represents a problem for the quality of life for the residents of those communities.

Response: Concur, as it relates to Daly City.

2. The San Mateo County Board of Supervisors has not recently taken an active role in addressing aircraft noise issues and has largely delegated this responsibility to the SFO Airport Roundtable.

Response: Neither agree nor disagree, as it does not relate to Daly City.

3. It would be more effective to have elected officials serve as Chairperson and Vice-Chairperson of the SFO Roundtable, as they are directly accountable to the citizens.

Response: Concur.

4. Including a representative of the State of California, Division of Aeronautics, on the SFO Roundtable would add an important dimension and enhance effectiveness.

Response: Neither agree nor disagree, as it does not pertain to Daly City.

5. The lack of effectiveness of the SFO Roundtable has caused a decline in attendance and enthusiasm for participation in the SFO Roundtable. Community participation is minimal and not encouraged.

Response: Neither agree nor disagree.

6. The focus on average noise levels, rather than single events, can distort the extent and magnitude of the problem and foster the belief that complaining is futile.

Response: Neither agree nor disagree.

RECOMMENDATIONS:

The 2010-2011 San Mateo Grand Jury recommends that the San Mateo County Board of Supervisors:

1. Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented, and that every effort is being made to mitigate the severe and increasing impacts of SFO airport expansion on San Mateo County residents.

Response: Neither agree nor disagree, as it does not pertain to Daly City.

The Grand Jury recommends that the County Board of Supervisors and the member cities of the SFO Roundtable direct their representatives to take action that will:

1. Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.

Response: Neither agree nor disagree, as Daly City is not currently a member of the SFO Roundtable.

2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.

Response: Neither agree nor disagree, as Daly City is not currently a member of the SFO Roundtable.

3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.

Response: Neither agree nor disagree, as Daly City is not currently a member of the SFO Roundtable.

4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCENEL which represents an average of noise experienced within a 24-hour period.

Response: Neither agree nor disagree, as Daly City is not currently an SFO Roundtable member.

5. Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.

Response: Neither agree nor disagree, as Daly City is not currently an SFO Roundtable member.

6. Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.

Response: Neither agree nor disagree, as Daly City is not currently an SFO Roundtable member.

7. Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.

Honorable Joseph E. Bergeron

RE: 2010-2011 Civil Grand Jury Report: County Officials Need to Make Noise about Aircraft Noise

Page 5 of 5

Response: Neither agree nor disagree, as Daly City is not currently an SFO Roundtable member.

8. Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.

Response: Neither agree nor disagree, as Daly City is not currently an SFO Roundtable member.

The 2010-2011 San Mateo County Grand Jury recommends that the City Council of Daly City:

1. Rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interest of Daly City residents who are severely impacted by aircraft departure noise.

Response: Concur.

The 2010-2011 San Mateo County Grand Jury recommends that the City Councils of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco:

1. Form local Citizens Advisory Committees to work with their respective elected members of the SFO Roundtable to promote efforts to identify and mitigate aircraft noise issues in their communities.

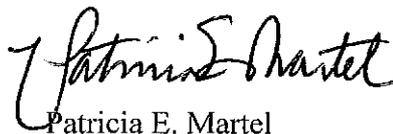
Response: Partially agree. If and when the SFO Roundtable takes steps to address the findings detailed in the Grand Jury Report and operate more effectively, the City of Daly City will consider convening a local Citizens Advisory Committee to work with the local elected representative on airport noise issues.

2. Maintain regular attendance and full participation in SFO Roundtable meetings and activities.

Response: Concur.

Should you or the Grand Jury require additional information or clarification concerning the response provided, please contact me directly at (650) 991-8127.

Sincerely,



Patricia E. Martel
City Manager



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222
(650) 286-3200
FAX (650) 574-3483

September 19, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Subject: Response to Grand Jury Report - "County Officials Need to Make Noise about Aircraft Noise"

Dear Honorable Judge Bergeron,

We are in receipt of the Grand Jury's final report entitled "County Officials Need to Make Noise about Aircraft Noise." Pursuant to your letter dated July 6, 2011 requesting a response, the City Council of the City of Foster City held a public meeting on September 19, 2011 and approved the following response.

Findings (1-10)

Response:

The City agrees with all factual findings that are supported by evidence and documentation. However, where assumptions were made to make a finding, the City neither agrees nor disagrees with the finding as there was insufficient information provided.

Recommendations (1-8):

As discussed at its September 7, 2011 meeting, the San Francisco International Airport/Community Roundtable is planning on submitting a response to the Grand Jury Report by the October 4, 2011 deadline. The San Francisco International Airport/Community Roundtable further decided to take under advisement the recommendations of the Grand Jury and to review them through its work program process as appropriate.

The City Council has determined that these recommendations do need further analysis. The City Council concurs with the San Francisco International Airport/Community Roundtable's approach to reviewing the recommendations and agrees that any further analysis be coordinated through the San Francisco International Airport/Community Roundtable, of which Foster City is an active member with Vice Mayor Art Kiesel as the Foster City representative.

Sincerely,

Linda Koelling
Mayor

MINUTE ORDER

No. 1244

OFFICE OF THE CITY CLERK/
DISTRICT SECRETARY
FOSTER CITY, CALIFORNIA

Date: September 23, 2011

Attention: City Council/EMID Board
James C. Hardy, City Manager
Honorable Joseph E. Bergeron, Judge of the Superior Court

City Council/EMID Board Meeting Date: September 19, 2011

Subject: Grand Jury Report Regarding Airport Noise

Motion by Councilmember Bronitsky, seconded by Vice Mayor Kiesel, and carried unanimously, 5-0-0, IT WAS ORDERED approving the response letter to the Honorable Joseph E. Bergeron regarding Airport Noise.



CITY CLERK/DISTRICT SECRETARY



September 7, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Subject: City of Half Moon Bay Response to Grand Jury Report: "County Officials Need to Make Noise about Aircraft Noise."

Dear Judge Bergeron:

At its regular meeting of September 6, 2011, the City Council of the City of Half Moon Bay reviewed and approved responses to the Grand Jury report entitled "County Officials Need to Make Noise about Aircraft Noise" as summarized below.

RESPONSES TO FINDINGS

FINDINGS:

1. *There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program*

Response: The City of Half Moon Bay has no knowledge or experience regarding this finding.

2. *Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.*

Response: The City of Half Moon Bay disagrees with this finding. Single events are monitored and addressed.

3. *The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.*

Response: The City of Half Moon Bay agrees with this finding, but notes that power to sanction fines is limited to the federal government.

4. *The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.*

Response: The City of Half Moon Bay agrees with this finding.

5. *Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is "under construction" was displayed for the approximately one year duration of this investigation.*

Response: The City of Half Moon Bay can neither agree or disagree with this finding, as there is no way to determine whether this finding may have been accurate during the time of the Grand Jury investigation. However, staff recently reviewed the referenced website and found the information to be current and easily accessible.

6. *The Roundtable membership does not include any individual residents, nor do they have any citizen representation of any subcommittees.*

Response: The City of Half Moon Bay disagrees with this finding. Several members of the Roundtable are not elected officials. Citizens are represented by their appointed or elected members to the Roundtable and subcommittees.

7. *The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.*

Response: The City of Half Moon Bay agrees with this finding

8. *The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely and the San Francisco Board of Supervisors representative has not appeared since February 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.*

Response: The City of Half Moon Bay partially agrees with this finding, but our delegate to the SFO Roundtable does not concur that the level of attendance by members is declining overall.

9. *Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe that complaining was effective.*

Response: The City of Half Moon Bay partially agrees with this finding, but notes that while public participation at Roundtable meetings is minimal, city delegates to the SFO Roundtable are charged with forwarding the concerns and complaints of their residents to the group and are diligent in doing so.

10. *Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.*

Response: The City of Half Moon Bay agrees with this finding.

RESPONSES TO RECOMMENDATIONS

Recommendations:

The 2011-12 San Mateo County Grand Jury recommends that the San Mateo County Board of Supervisors:

1. *Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented, and that every effort is being made to mitigate the severe and increasing impacts of SFO airport expansion on San Mateo County residents.*

Response: This recommendation was directed towards San Mateo County.

The 2011-12 San Mateo Grand Jury recommends that the County Board of Supervisors and member cities of the SFO Roundtable direct their representatives to take action that will:

1. *Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.*

The City of Half Moon Bay's delegate will be requesting discussion of the above recommendation at a future SFO Roundtable meeting.

2. *Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.*

The City of Half Moon Bay's delegate will be requesting discussion of the above recommendation at a future SFO Roundtable meeting.

3. *Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.*

The City of Half Moon Bay's delegate will be requesting discussion of the above recommendation at a future SFO Roundtable meeting.

4. *Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hours period.*

This recommendation has already been implemented. Violations are measured by both averages and single events.

5. *Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.*

This recommendation has already been implemented. A "Fly Quiet" program, which includes both sanctions and rewards, has been in effect for several years.

6. *Create a subcommittee of the SFO Roundtable comprised of the elected representatives from the Northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigation the problems in those communities*

This recommendation is directed at the Northern San Mateo County cities most impacted. The City of Half Moon Bay is not one of those cities.

7. *Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.*

The City of Half Moon Bay's delegate will request discussion of this recommendation at a future Roundtable meeting.

8. *Expand SFO Roundtable members to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.*

The City of Half Moon Bay's delegate will request discussion of this recommendation at a future Roundtable meeting.

The 2010-11 San Mateo County Grand Jury recommends that the City Council of Daly City:

1. *Rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interests of Daly City residents who are severely impacted by aircraft departure noise.*

Response: This recommendation is directed towards the City of Daly City.

The 2010-2011 San Mateo County Jury recommends that the City Councils of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco:

1. *Form local Citizens Advisory Committees to work with their respective elected members of the SFO Roundtable to promote efforts to identify and mitigate aircraft noise issues in their communities*

Response: This recommendation is directed towards the cities of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco.

2. *Maintain regular attendance and full participation in SFO Roundtable meetings and activities.*

Response: This recommendation is directed towards the cities of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco.

A copy of the resolution approving this response to the Grand Jury is attached.

Sincerely,



Laura Snideman, City Manager
City of Half Moon Bay

cc: City Council
City Attorney
City Clerk

PDF to: grandjury@sanmateocourt.org



TOWN OF HILLSBOROUGH

1600 FLORIBUNDA AVENUE
HILLSBOROUGH
CALIFORNIA
94010-6418

September 16, 2011

Hon. Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Response to Grand Jury Report – “County Officials Need to Make Noise about Aircraft Noise”

Dear Judge Bergeron,

Please accept this letter as the Town of Hillsborough’s formal response to the July 6, 2011 letter from the Superior Court relaying comments made by the current Civil Grand Jury regarding “County Officials Need to Make Noise about Aircraft Noise”.

The Town has reviewed the Grand Jury’s comments. Listed below are the Town’s responses to the findings and recommendations that were approved by the City Council at its September 12, 2011 meeting.

Findings:

1. There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.

Response: The Town does not have the ability to independently verify this finding and, therefore, cannot agree or disagree with this finding.

2. Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.

Response: The Town respectfully disagrees with this finding. Data regarding the number of noise exceedences is collected twenty-four hours a day every day of the week by the SFO Noise Abatement Office. Egregious and chronic offenders are contacted and the office works with the airline until improvement is shown. Particular attention is paid to nighttime exceedences.

3. The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.

Response: The Town respectfully disagrees with this finding as it is our understanding that San Mateo County does not have the authority to penalize offending airlines.

4. The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.

Response: The Town agrees with this finding, but believes that airport noise can most effectively be addressed at the local government levels.

5. Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is "under construction" was displayed for the approximately one year duration of this investigation.

Response: The Town partially disagrees with this finding because the public website and its information appear to be easily accessible.

6. The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.

Response: The Town agrees with this finding with respect to the lack of inclusion of individual residents on the Roundtable. However, City Councilmembers themselves are residents and representatives of the citizens of their communities.

7. The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.

Response: The Town agrees with this finding. However, an elected representative may serve as Chairperson if voted as such by the membership.

8. The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.

Response: The Town respectfully disagrees with this finding as it relates to declining attendance. It is the Town's understanding that attendance has been stable since the Roundtable meeting schedule was amended from monthly to quarterly. It is also our understanding that there were two meetings over the last year that a Board of Supervisors

representative could not attend likely representing the election transition. The Town understands that Daly City withdrew from membership in July of 2010, and that the Roundtable meeting schedule was amended from monthly to quarterly.

9. Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe that complaining was effective.

Response: The Town does not have the ability to independently verify this finding and, therefore, cannot agree or disagree with finding.

10. Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.

Response: The Town agrees with this finding.

Recommendations:

The 2010-2011 San Mateo Grand Jury recommends that the San Mateo County Board of Supervisors:

1. Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented, and that every effort is being made to mitigate the severe and increasing impacts of SFO airport expansion on San Mateo County residents.

Response: This recommendation is directed towards the San Mateo County Board of Supervisors. It is the Town's understanding that the San Mateo County Board of Supervisors has appointed David Pine to serve on the SFO Roundtable, continuing the Board's involvement on behalf of San Mateo County residents.

The Grand Jury recommends that the County Board of Supervisors and the member cities of the SFO Roundtable direct their representatives to take action that will:

1. Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths,

Response: It is the Town's understanding that the recommendation has been implemented, with the exception of areas where there are physical constraints, and that tracking is done by radar and, therefore, equipment does not necessarily need to be in specific locations to track flight paths.

2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.

Response: This recommendation has not been implemented because of the potential intrusive nature (entering private homes) of the research and the lack of information regarding substantial impacts to humans or structures.

3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.

Response: The recommendation has been implemented.

4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24-hour period.

Response: This recommendation has been implemented. SFO's aircraft noise monitoring system measures every single aircraft noise event including nighttime noise events. The single event data are used to calculate and map the Community Noise Equivalent Level (CNEL) aircraft levels and contours, as required by the State of California Noise Regulations. The CNEL metric represents the average aircraft noise level over a 24-hour day with additional weightings on evening and nighttime single events to account for the lower tolerance of people to noise during those periods. State law requires designated noise impact airports in California to measure aircraft noise with the CNEL metric.

5. Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.

Response: This recommendation has not been implemented because it is inconsistent with the program's goals of providing a venue for implementing "new noise abatement initiatives by praising and publicizing active participation rather than a system that admonishes violations from essentially voluntary procedures". This incentive based program appears to have greater success for commercial airlines compared to a program involving penalties. It is the Town's understanding that the Federal Aviation Administration (FAA) is the sole organization in the United States responsible for the movement of aircraft both on the ground and in the air. An agency may advocate for certain noise abatement flight tracks to reduce noise, but these must be both approved and assigned by the FAA. Therefore, sanctions by any agency other than the FAA would not be appropriate.

6. Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.

Response: This recommendation is directed towards northern most San Mateo County communities. It is the Town's position that that County-wide participation in noise mitigation is most effective since recommendations and actions of a select number of jurisdictions may impact others.

7. Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.

Response: This recommendation is directed towards the SFO Roundtable. The Town does not propose to request a respective change at this time as voting members currently have the option to select an elected official.

8. Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.

Response: This recommendation is directed towards the SFO Roundtable. Due to severe budget restrictions at the State level, utilizing the State of California, Division of Aeronautics noise liaison as a resource rather than a member would be appropriate.

The 2010-2011 San Mateo County Grand Jury recommends that the City Council of Daly City:

1. Rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interests of Daly City residents who are severely impacted by aircraft departure noise.

Response: This recommendation is directed towards Daly City.

The 2010-2011 San Mateo County Grand Jury recommends that the City Councils of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco:

1. Form local Citizens Advisory Committees to work with their respective elected members of the SFO Roundtable to promote efforts to identify and mitigate aircraft noise issues in their communities.

Response: This recommendation is directed towards Brisbane, Daly City, Millbrae, San Bruno and South San Francisco.

2. Maintain regular attendance and full participation in SFO Roundtable meetings and activities.

Response: This recommendation is directed towards Brisbane, Daly City, Millbrae, San Bruno and South San Francisco.

Sincerely,



Thomas M. Kasten
Mayor

RICHARD CLINE
MAYOR

KIRSTEN KEITH
MAYOR PRO TEM

ANDREW COHEN
COUNCIL MEMBER

KELLY FERGUSSON
COUNCIL MEMBER

PETER OHTAKI
COUNCIL MEMBER



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September 14, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd floor
Redwood City, CA 94063-1655

Dear Judge Bergeron:

This letter serves as the City of Menlo Park formal response to the June 30, 2011 letter from the Superior Court transmitting the Civil Grand Jury Report "County Officials Need to Make Noise about Aircraft Noise." The Menlo Park City Council authorized this letter and the attached specific responses at their meeting of September 13, 2011.

Menlo Park appreciates the efforts of the Grand Jury and their desire to address this issue.

Regards,

Richard Cline, Mayor
City of Menlo Park

Attachment: City of Menlo Park response – Civil Grand Jury report on Aircraft Noise

**City of Menlo Park comments on the
2010-11 San Mateo County Civil Grand Jury Report on
“County Officials Need to Make Noise about Aircraft Noise”**

Findings

1. There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and part of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.

Response: Agree with the finding.

2. Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be addressed to residents.

Response: Agree with the finding.

3. The violation of noise standards by an aircraft is deemed a misdemeanor and is punishable by a fine of \$1000. Under California Law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.

Response: Agree with the finding.

4. The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.

Response: Agree with the finding.

5. Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website. Information was not current and a message stating “under construction” was displayed for the approximately one year duration of this investigation.

Response: A check of the Roundtable web site on August 22, 2011 revealed a fully functioning site that included easy access to reports and other current information.

6. The Roundtable membership does not include any individual residents, nor do they have any citizen representation on sub committees.

Response: Agree with the finding.

7. The bylaws of the SFO Roundtable do not require that the Chairperson and Vice Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.

Response: Agree with the finding.

8. The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from the membership entirely and the San Francisco Board of Supervisors representative has not appeared since February 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.

Response: Data was not available with which to verify this finding although the City of Millbrae response would indicate a different finding.

9. Public participation at SFO Roundtables is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the resident members interviewed stated that noise complaints were not a reliable source of feedback because people had either “given up” or did not believe that complaining was effective.

Response: No data was provided to verify this finding.

10. Daly City withdrew as a member of the SFO Roundtable in 2010 citing budget restraints as the reason. Membership fees for 2010 were \$750.

Response: Agree with the finding.

Recommendations

For the San Mateo County Board of Supervisors:

1. Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented and that every effort is being made to mitigate the severe and increasing impacts of SFO airport expansion on San Mateo County residents.

Response: Not applicable to the City of Menlo Park.

For the County Board of Supervisors and the member cities of the SFO Roundtable:

1. Ensure the locations of noise measuring and tracking equipment parallel current departure paths.

Response: Agree with the finding.

2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure paths.

Response: Not applicable to the City of Menlo Park.

3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS about noise

Response: Agree with the finding.

4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average noise experienced within a 24 hour period

Response: Agree with the finding.

5. Adapt the “Fly Quiet” Program to include sanctions as well as rewards based on single event violations, particularly with night departures

Response: Agree with the finding.

6. Create a subcommittee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.

Response: Agree with the finding.

7. Modify SFO Roundtable bylaws to require both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.

Response: Agree with the finding.

8. Expand SFO Roundtable membership to include representatives from the State of California Division of Aeronautics to serve as a liaison.

Response: Agree with the finding.

For the City Council of Daly City:

1. Rejoin the SFO Roundtable and appoint a member to actively participate.

Response: Not applicable to the City of Menlo Park.

For the City Councils of Daly City, Brisbane, Millbrae, San Bruno and South San Francisco

1. Form a local Citizens Advisory Committee to work with their respective elected members of the SFO Roundtable to promote efforts to identify and mitigate aircraft noise issues in their communities.

Response: Not applicable to the City of Menlo Park.

2. Maintain regular attendance and full participation in the SFO Roundtable meetings and activities.

Response: Not applicable to the City of Menlo Park.



City of Millbrae
621 Magnolia Avenue, Millbrae, CA 94030

DANIEL F. QUIGG
Mayor
MARGE COLAPIETRO
Vice Mayor
GINA PAPAN
Councilwoman
NADIA V. HOLOBER
Councilwoman
PAUL SETO
Councilman

July 26, 2011

Hon. Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Bergeron:

We are in receipt of the Grand Jury’s final report entitled, “County Officials Need to Make Noise about Aircraft Noise”. Pursuant to your July 6, 2011 request, the Millbrae City Council held a public meeting on July 26, 2011 and approved this response. The City of Millbrae responds to the Grand Jury’s findings and recommendations as follows:

Findings

County Officials Need to Make Noise about Airport Noise

1. *There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and part of Daly City and South San Francisco. Some of the areas currently experiencing the most sever impacts either declined to participate or were deemed ineligible for the original noise insulation program.*

Response: Respondent agrees with the finding. Although the latter part of the finding relates to Cities of Brisbane, part of Daly City and South San Francisco. In addition, City of Millbrae has successfully participated in the noise installation program.

2. *Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.*

Response: Respondent agrees with the finding.

3. *The violation of noise standards by an aircraft is deemed a misdemeanor and is punishable by a fine of \$1,000. Under California Law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.*

Response: Respondent agrees with the finding. Although the section of the finding regarding imposing fines and sanctions for violations of noise regulations was directed towards San Mateo County.

4. *The State of California, which issues the airport permit, is not represented as an advisory member of the SFO Roundtable.*

Response: Respondent agrees with the finding.

5. *Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is "under construction" was displayed for approximately one year duration of this investigation.*

Response: Respondent disagrees partially with the finding as the finding could be accurate at the time of the Grand Jury investigation. However, staff has reviewed the subject website and found it to be easily available and the information current, including Monthly Noise Exceedance Report and Historical Significant Exceedance Report as part of the Airport's Director's Report posted on the website's Aircraft Noise Abatement Office page.

6. *The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.*

Response: Respondent agrees with the finding.

7. *The bylaws of the SFO Roundtable do not require that a Chairperson and Vice-Chairperson be elected representative from participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.*

Response: Respondent agrees with the finding.

8. *The level of attendance by the SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors' representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.*

Response: Our City Council Delegate who has served on the SFO Community Roundtable for four (4) years has noted that she does not agree that "the level of attendance.....is declining overall." Our delegate indicates that each City/Town has a delegate and an alternate to serve on the Roundtable – when the delegate is unable to attend the alternate usually does so that each agency will be represented at meetings.

Regarding the Grand Jury statement "the SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly." Our delegate feels that it is important to note that there was lengthy discussion regarding frequency of meetings by a sub-

committee of the Roundtable. Sub-committee discussions also included a new program of work for the upcoming fiscal year and efficiencies. Afterwards it was the unanimous vote of the sub-committee to bring the matter before the full Roundtable for consideration and discussion. It was the unanimous vote of the members at the October 6, 2010 regular meeting of the Roundtable to meet on a quarterly basis with a provision to meet at additional times if matters of great importance needed to come to the Roundtable.

9. *Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of SFO Roundtable and all of the resident members interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe that complaining was effective.*

Response: Our City Council Delegate indicates that while "public participation at SFO Roundtable meetings is minimal..." the delegates or alternates do bring the concerns of their respective residents to the meetings and the representatives do state that their residents are contacting them with complaints.

10. *Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.*

Response: Respondent agrees with the finding.

Recommendations

The 2011-12 San Mateo County Grand Jury recommends that the San Mateo County Board of Supervisors:

1. *Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented, and that every effort is being made to mitigate the sever and increasing impacts of SFO airport expansion on San Mateo County residents.*

Response: This recommendation was directed towards San Mateo County.

The 2011 San Mateo County Civil Grand Jury recommends to the County Board of Supervisors and member cities of the SFO Roundtable direct their representatives to take action that will:

1. *Ensure that the locations of noise measuring and track equipment parallel current departure flight paths.*

Response: The recommendation has not yet been implemented, but will be implemented in the future as respondent will request for the city's SFO Roundtable liaison to petition for the recommendation's implementation in a future SFO Roundtable meeting.

2. *Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.*

Response: The recommendation will not be implemented by the respondent because it's not warranted or reasonable since the recommendation is directed towards the SFO Noise Abatement Office.

3. *Change the focus of the required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.*

Response: The recommendation has not yet been implemented, but will be implemented in the future as respondent will request for the city's SFO Roundtable liaison to petition for the recommendation's implementation in a future SFO Roundtable meeting.

4. *Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65 dbCNEL which represents an average of noise experienced within a 24-hour period.*

Response: The recommendation has not yet been implemented, but will be implemented in the future as respondent will request for the city's SFO Roundtable liaison to petition for the recommendation's implementation in a future SFO Roundtable meeting.

5. *Adopt the "Fly Quiet" program to include sanctions as well as rewards based on single event violations, particularly with night departures.*

Response: The recommendation has been implemented. The SFO Roundtable has had, for several years, an effective "fly quiet" program in place rewarding those in compliance by their recognition and consequences for the violators.

6. *Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.*

Response: The recommendation requires further analysis. The respondent's interview of city's SFO Roundtable liaison indicates that the recommendation requires creation of a sub-committee by the Roundtable which needs to be scheduled for discussion as part of their future meeting. The discussion shall take place within a time frame not exceeding six months from the date of the publication of the Grand Jury report.

7. *Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.*

Response: The recommendation has not yet been implemented, but will be implemented in the future as respondent will request for the city's SFO Roundtable liaison to petition for the recommendation's implementation in a future SFO Roundtable meeting.

8. *Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.*

Response: The recommendation has not yet been implemented, but will be implemented in the future as respondent will request for the city's SFO Roundtable liaison to petition for the recommendation's implementation in a future SFO Roundtable meeting.

The 2011-12 *San Mateo County Grand Jury* recommends that the City Council of Daly City:

1. *Rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interest of Daly City residents who are severely impacted by aircraft departure noise.*

Response: This recommendation was directed towards Daly City.

The *San Mateo County Grand Jury* also recommends that the City Councils of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco:

1. *Form local Citizen Advisory Committee to work with their respective elected members of the SFO Roundtable to promote efforts to identify and mitigate aircraft noise issues in their communities.*

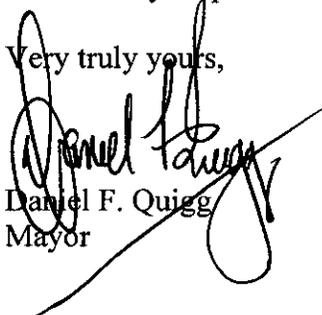
Response: The recommendation has been implemented. City of Millbrae established an "Aircraft Noise Advisory Committee" ("ANAC") around the 1990's when the noise from both arriving and departing flights to/from SFO became a tremendous burden on and disruption to residents within the flight patterns. After the City's participation in the SFO Noise Abatement project had been completed and complaints were nil, there was a recommendation in 2008 from the members of "ANAC" to sunset the committee because of lack of complaints and consequently no committee meetings had been held. The members also felt that their committee mission had been fulfilled. The Council did sunset the committee in s008 as recommended. If issues arise in the future the City Council will consider forming an advisory committee.

2. *Maintain regular attendance and full participation in SFO Roundtable meetings and activities.*

Response: The recommendation has been implemented. City of Millbrae's liaison to SFO Roundtable has maintained regular attendance and full participation in all Roundtable meetings.

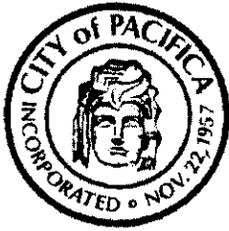
The members of the City Council and City Staff are committed to mitigate aircraft noise impacts on its residents. We appreciate the Grand Jury's time and effort into compiling the report on "County Officials Need to Make Noise about Aircraft Noise". We hope you will find our commentary helpful.

Very truly yours,



Daniel F. Quigg
Mayor

Cc: Marcia Raines, City Manager



Scenic Pacifica

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September 28, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice - 400 County Center, 2nd Floor
Redwood City, California 94063-1655

Dear Judge Bergeron:

The City of Pacifica has reviewed the Grand Jury's July 6, 2011 report entitled "County Officials should make Noise about Aircraft noise" and has prepared the following response. This response was approved by the City Council at its regular meeting of September 26, 2011.

The City's response to the findings and recommendations are as follows:

1. There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities, including Brisbane and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.

City response: Disagree in part. There has been an increase in both total departures and night departures from SFO. There is a return to levels experienced in the pre-9/11 period. Disagree on increase adverse impacts. There is no evidence that flight patterns or noise levels have changed. Areas of Daly City, San Bruno, Millbrae and South San Francisco were eligible in the federal noise insulation program per criteria and in the federal noise insulation program and either declined to participate or were deemed ineligible. Presently residents of the city of Brisbane do believe they have increased in aircraft noise and a meeting is set up with members of the Roundtable, City of Brisbane, FAA, Airlines and residences to address these issues. Pacifica's Representative will also attend.

2. Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.

City response: Disagree in part. Averaging data is not sufficient. "Single events" information needs to be studied carefully. Every aircraft noise event is on a noise monitoring system, 24 hours a day. This single event data collection follows the rules of California Code of Regulations) and is referred to as the CNEL (Community Noise Equivalent Level). SFO is considered a "noise impact" city and State law requires the CNEL metric for aircraft noise with this 24hr metric. It represents the average noise level during the 24 hour period. It is weighted for time of day.

3. The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.

City response: Disagree. No standard exists on a federal or state level for the maximum single-event noise levels. Currently violations by individual aircraft are not enforceable by San Mateo County. The noise standard adopted by the State of California is the 65dB CNEL (Community Noise Equivalent Code of Regulations).

An alternative approach is The Fly Quiet Program, a cooperative effort with the airlines for voluntary noise abatement policies and practices. Once an aircraft has left the ground it is under the jurisdiction of the FAA which dictates the route flown. Pilots, due to safety issues have the final say in where their aircraft fly. The volunteer enforcement program works with the airlines and the tower to engage in various methods to inform and encourage traffic controllers and pilots to utilize the established preferred arrival and departure routes. Pilots who ignore the plan are sent a "Final Letter" from the Airline Employer. The pilot is aware that the next infraction means "you're fired".

The Round Table will always be alert to determine if more punitive measures are needed and will move to address enabling these powers at SFO.

4. The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.

City response: Agree.

5. Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is "under construction" was displayed for the approximately one year duration of this investigation.

City response: Disagree. The website was down for a very short period while it was being updated recently.

6. The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.

City response: Agree.

7. The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.

City response: Disagree in part. The present Chairperson is not an elected city council member but the Round Table re-visited the idea at a normally scheduled meeting, 9 07 2011, and voted that it was not necessary to change the existing by-laws on this matter. The Round Table would be open to revisiting the idea again in the future if needed. Elections for these two offices will be annual.

8. The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.

City response: Disagree in part. Daly City did withdraw from the Roundtable and we found it alarming and encourage Daly City to return. Strength comes with numbers. This vigilance comes with a cost but not having power comes with a greater one. Attendance 2008 and 2009 was consistently around 70%. 2010 saw a slight increase.

9. Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe that complaining was effective.

City response: Disagree in part. Public participation at actual Roundtable meetings is minimal. However, there are residents who attend every meeting. All are welcome. Noise complaints should not be the only source of public feedback. Is the absence of a lot of members of the public a sign of disillusionment or are the present ways of submitting complaints and the existence of local citizen strategies of monitoring and self advocacy more influential? For example: Pacifica has the Fairmont Homeowners Association which is very active, very vocal and in the geographical area of highest impact. Brisbane now has a citizen activist group and will be meeting with Brisbane and members of the Round Table and FAA to discuss their present concerns. Machines are also data collectors and so far are effective noise monitors and are constantly evaluated.

10. Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.

City response: Agree. Daly City did withdraw from the Roundtable, citing costs. We were all alarmed and encourage them to return. All cities affected by the Airline operations must stand together in vigilance for the sake of efficacious local control over airport and airline impacts.

With the exception of recommendation 6 and 7, the City will implement the following Grand Jury recommendations by continuing to participate in the SFO Roundtable process. The reasons for the exceptions are noted below.

1. Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths. **(Note: this acknowledges that the tracking equipment is already in place and will remain)**
2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths. **(Note: this will be possible once appropriate vibration measuring equipment is available)**
3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.

4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24-hour period.
5. Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.
6. Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.

The City does not support this recommendation because the Roundtable believes that such a subcommittee is redundant.

7. Modify the SFO bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.

The City does not support this recommendation because the Roundtable recently discussed this issue and ultimately voted to maintain the Chair and Vice Chair eligibility to all representative members, elected or unelected.

8. Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.

The City of Pacifica's response to the Grand Jury report was presented at the City of Pacifica City Council meeting on September 26, 2011 and was subsequently approved. If you have any questions regarding our response, please do not hesitate to contact us.

Respectfully,



Mary Ann Nihart, Mayor

Cc: City Council
City Manager
City Clerk
Planning Director
SFO Roundtable

TOWN of PORTOLA VALLEY

Town Hall: 765 Portola Road, Portola Valley, CA 94028 Tel: (650) 851-1700 Fax: (650) 851-4677

September 28, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center
Redwood City, CA 94063-1655

**Re: Response to 2010–2011 Grand Jury Report
County Officials Need to Make Noise about Aircraft Noise**

Dear Honorable Bergeron:

The Town Council for the Town of Portola Valley (“Town”) wishes to thank the 2010-2011 Grand Jury for its investigation into the workings of the San Francisco International Airport Roundtable (“SFO Roundtable”). The Grand Jury has uncovered deficiencies in the SFO Roundtable that are consistent with the Town’s experience and observations over the past several years.

The Town Council reviewed the findings, conclusions and recommendations in the above referenced 2010–2011 Grand Jury Report that affect the Town at its public meeting of September 28, 2011, and approved the following responses:

Findings

Finding No. 1

There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.

Response No. 1

The Town does not possess data and other information enabling it to agree or disagree with this finding.

Finding No. 2

Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.

Response No. 2

The Town agrees that noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. The Town further agrees that no data are provided to the SFO Roundtable on the noise levels of individual night-time flights.

Finding No. 3

The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.

Response No. 3

The Town has not researched the law to determine whether San Mateo County has the authority to impose sanctions for violations of California noise regulations. The Town agrees that San Mateo County does not presently levy fines or sanctions on offending airlines.

Finding No. 4

The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.

Response No. 4

The Town agrees that the State of California is not represented as an advisory member to the SFO Roundtable.

Finding No. 5

Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is "under construction" was displayed for the approximately one year duration of this investigation.

Response No. 5

The Town agrees that reports prepared by the SFO Noise Abatement Office for the SFO Roundtable have not been easily accessible to the public on the Roundtable website. However, a new website is about to be launched that should improve this situation. The Town agrees that information on the current website is out of date. The Town is unable to comment on whether a message

indicating that the website was "under construction" was displayed for approximately one year during the Grand Jury's investigation.

Finding No. 6

The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.

Response No. 6

The Town agrees with this finding.

Finding No. 7

The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.

Response No. 7

The Town agrees with this finding.

Finding No. 8

The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.

Response No. 8

The Town does not possess information enabling it to agree or disagree with this finding, except that the Town can confirm that the Roundtable's schedule has been reduced to quarterly meetings.

Finding No. 9

Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe that complaining was effective.

Response No. 9

The Town agrees that public participation at SFO Roundtable meetings is minimal. The Town does not possess information enabling it to agree or disagree with the finding that "with one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either 'given up' or did not believe that complaining was effective." However, this finding is consistent with the experience of Town residents, who have largely

given up contacting the Noise Abatement Office because complaints have no effect.

Finding No. 10

Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.

Response No. 10

The Town does not possess information enabling it to agree or disagree with this finding.

Conclusions

Conclusion No. 1

While numerous San Mateo County communities are affected to various degrees by aircraft noise from SFO, the most severe impacts are created by departures over Brisbane, Colma, Daly City, San Bruno and South San Francisco. The increasing frequency and intensity of aircraft noise, particularly at night, represents a problem for the quality of life for the residents of those communities.

Response No. 1

The Town agrees with this conclusion.

Conclusion No. 2

The San Mateo County Board of Supervisors has not recently taken an active role in addressing aircraft noise issues and has largely delegated this responsibility to the SFO Airport Roundtable.

Response No. 2

The Town agrees with this conclusion.

Conclusion No. 3

It would be more effective to have elected officials serve as Chairperson and Vice-chairperson of the SFO Roundtable, as they are directly accountable to the citizens.

Response No. 3

The Town strongly agrees with this conclusion.

Conclusion No. 4

Including a representative of the State of California, Division of Aeronautics, on the SFO Roundtable would add an important dimension and enhance effectiveness.

Response No. 4

The Town neither agrees nor disagrees with this conclusion. More analysis should be given to the pros and cons of adding a representative from the State Division of Aeronautics to the Roundtable.

Conclusion No. 5

The lack of effectiveness of the SFO Roundtable has caused a decline in attendance and enthusiasm for participation in the SFO Roundtable. Community participation is minimal and not encouraged.

Response No. 5

The Town agrees that the effectiveness of the SFO Roundtable has diminished over the years. Among many past and current members of the SFO Roundtable, enthusiasm for participation in the SFO Roundtable is extremely low. The Town agrees that community participation is minimal and not encouraged.

Conclusion No. 6

The focus on average noise levels, rather than single events, can distort the extent and magnitude of the problem and foster the belief that complaining is futile.

Response No. 6

The Town agrees with this perceptive conclusion of the Grand Jury. The Town also joins the Town of Woodside in noting that the focus on "community noise equivalent levels" not only distorts the extent of the aircraft noise problem, but gives the appearance that public agencies do not care about multiple single noise events. This is evident in southern San Mateo County where aircraft noise from arriving flights is not constant, but periodically can be very loud.

Recommendations

Recommendation No. 1

Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.

Response No. 1

The Town supports this recommendation and through its representative will encourage the SFO Roundtable to adopt it. The time frame for adoption of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control. The Town further notes that the locations of noise measuring and tracking equipment also need to parallel current arrival flight paths, which affect South County communities.

Recommendation No. 2

Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.

Response No. 2

The Town supports this recommendation and through its representative will encourage the SFO Roundtable to adopt it. The time frame for adoption of this

recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

Recommendation No. 3

Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.

Response No. 3

The Town supports this recommendation and through its representative will encourage the SFO Roundtable to adopt it. The time frame for adoption of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

Recommendation No. 4

Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hour period.

Response No. 4

The Town supports this recommendation and through its representative will encourage the SFO Roundtable to adopt it. The time frame for adoption of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

Recommendation No. 5

Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.

Response No. 5

The Town believes that this recommendation requires further analysis to determine (a) whether legal authority exists to levy sanctions for single event violations and if so what agency possesses such authority, and (b) whether remedies short of sanctions might effectively address the problem (e.g., increased reporting from the FAA, media publication of offending flights, retraining of pilots). The time frame for consideration of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

Recommendation No. 6

Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.

Response No. 6

The Town supports this recommendation and through its representative will encourage the SFO Roundtable to adopt it. The time frame for adoption of this

Honorable Joseph E. Bergeron
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recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

Recommendation No. 7

Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.

Response No. 7

The Town strongly supports this recommendation and through its representative will encourage the SFO Roundtable to adopt it. The time frame for adoption of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

Recommendation No. 8

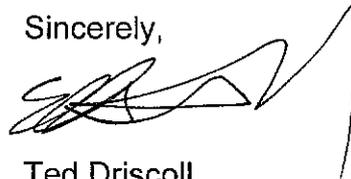
Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.

Response No. 8

This recommendation requires further analysis to assess the pros and cons of adding a representative from the State Division of Aeronautics to the Roundtable. The time frame for adoption of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

The Town Council thanks the Grand Jury for bringing this complex issue to the Town's attention in an informative and thorough manner. Please let me know if you require additional information.

Sincerely,



Ted Driscoll
Mayor

cc: Town Council
Town Manager
Town Attorney

Mayor Jeff Ira
Vice Mayor Alicia C. Aguirre

Council Members
Ian Bain
Jeffrey Gee
Rosanne Foust
Barbara Pierce
John D. Seybert



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mail@redwoodcity.org
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September 20, 2011

The Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice, 400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Subject: Response to July 6, 2011 Grand Jury Report: "County Officials Need to Make Noise About Aircraft Noise"

Dear Judge Bergeron:

Thank you for the opportunity to respond to the 2010-2011 San Mateo County Grand Jury report dated July 6, 2011, entitled, "County Officials Need to Make Noise About Aircraft Noise."

Following are Redwood City's responses to the report's findings and recommendations, as approved by the City Council of Redwood City on September 19, 2011.

Findings

Finding 1 (paraphrased) – *There has been an increase in departures from SFO; some affected areas either declined or were deemed ineligible to participate in the original noise insulation program.*

Redwood City agrees. It should be noted that passenger volume at SFO has finally returned to pre-9/11 levels.

Finding 2 (paraphrased) - *Noise data collected and monitored address averages and does not focus on single events; no night-time event data is collected.*

Redwood City disagrees wholly – the data that is collected includes single-event noise, weighted for time of day, and averaged. Data is collected on a 24-hour basis, and includes night-time noise events.

Finding 3 (paraphrased) – *San Mateo County does not impose fines or sanctions on offending airlines.*

This finding is not applicable to the City of Redwood City.

Finding 4 (paraphrased) – *The State of California is not represented on the SFO Roundtable.*

Redwood City agrees.

Finding 5 (paraphrased) – *Reports on noise events received by SFO Roundtable are not easily accessible to the public on the website.*

Redwood City agrees.

Finding 6 (paraphrased) – *SFO Roundtable membership and subcommittees do not include individual residents.*

Redwood City agrees.

Finding 7 (paraphrased) – *The bylaws of SFO Roundtable do not require the chair or vice chair to be elected officials.*

Redwood City agrees. This item will be discussed at a 2011-12 meeting of the SFO Roundtable (Note: The SFO Roundtable only meets quarterly.)

Finding 8 (paraphrased) – *Member attendance varies and is declining.*

Redwood City disagrees partially – the City agrees that the attendance varies, but does not agree that it is declining overall. Quorums are reached at the meetings.

Finding 9 (paraphrased) – *Public participation in the SFO Roundtable is minimal; respondents reported that noise complaints are not a reliable source of feedback due to residents “giving up” or not believing their complaining was effective.*

Redwood City disagrees partially – while public participation is minimal, complaints are reported by month for each city, along with specific data relative to the complaint.

Finding 10 (paraphrased) – *Daly City withdrew citing budget restraints.*

Redwood City agrees. The Roundtable supports Daly City rejoining the group, and has made that request.

Recommendations to Member Cities

Recommendation 1 (paraphrased) – *Ensure locations of noise measuring devices are appropriate.*

Requires further analysis – Redwood City supports this concept. However, the Roundtable will need to engage in an analysis and evaluation as to the current locations of noise measurement/tracking equipment and the efficacy of moving the locations. This item will be included in the Roundtable's 2011-12 Program of Work for further analysis.

Recommendation 2 (paraphrased) – *Request SFO Noise Abatement Office to measure and track structural vibration events.*

Requires further analysis – Redwood City supports this concept. However it is unclear if there is reasonable and cost-effective methodology/equipment for measuring the intensity of structural vibration, and uncertainty as to what would be done with such measurements, in terms of mitigation. This item will be included in the Roundtable's 2011-12 Program of Work for further analysis.

Recommendation 3 (paraphrased) – *Change focus of data collection to actual noise measurements rather than complaints from residents.*

Requires further analysis – Redwood City supports this concept. This item will be included in the Roundtable's 2011-12 Program of Work for further analysis.

Recommendation 4 (paraphrased) – *Increase focus on single event noise violations, especially with night departures.*

This has already been implemented, as the Community Noise Equivalent Level (CNEL) methodology does include single-event noise, including night departures.

Recommendation 5 (paraphrased) – *Adapt the "Fly Quiet" program to include sanctions and rewards.*

Requires further analysis – Redwood City supports this concept. This item will be included in the Roundtable's 2011-12 Program of Work for further analysis.

Recommendation 6 (paraphrased) – *Create an SFO Roundtable subcommittee of elected officials from northern San Mateo County cities.*

Requires further analysis – Redwood City supports this concept. However the value of creating such a subcommittee is unclear. This item will be included in the Roundtable's 2011-12 Program of Work for further analysis.

September 20, 2011
The Honorable Joseph E. Bergeron
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Recommendation 7 (paraphrased) – *Modify SFO Roundtable bylaws to require chair and vice chair be elected officials.*

Not yet implemented – Redwood City supports this concept. This item will be discussed at a future meeting of the SFO Roundtable.”

Recommendation 8 (paraphrased) – *Expand SFO Roundtable membership to include representatives from the State of California.*

Requires further analysis – Redwood City supports this concept and within the next six months will request that the Roundtable discuss this recommendation.

Again, thank you for the opportunity to comment on the Grand Jury's report.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Ira", with a stylized flourish extending to the right.

Jeff Ira
Mayor

C: Members, City Council
Members, San Francisco International Airport Roundtable



September 13, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 95063-1655

Dear Judge Bergeron:

This letter serves as the City of San Bruno's formal response to the July 6, 2011 letter from the Superior Court transmitting the San Mateo Civil Grand Jury Report entitled "County Officials Need to Make Noise About Aircraft Noise." The San Bruno City Council authorized this letter and the attached response at its meeting on August 9, 2011.

The City Council was requested to submit comments within 90 days. For the seven findings, the City Council was to indicate one of the following:

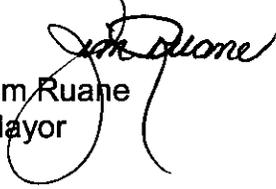
1. City Council agrees with the finding.
2. City Council disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed, and shall include an explanation of the reasons therefore.

Additionally, for the Grand Jury's recommendations, the City Council was requested to report one of the following actions:

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing board of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the Grand Jury report.
4. The recommendation will not be implemented because it is not warranted or reasonable, with an explanation thereof.

Thank you for the opportunity to comment on this report. If any additional information or response would be helpful, please feel free to contact me.

Sincerely,


Jim Ruane
Mayor

cc: City Council
City Manager

**City of San Bruno Response to
2010-11 San Mateo County Civil Grand Jury Report on
“County Officials Need to Make Noise about Aircraft Noise”**

FINDINGS

The 2010-11 San Mateo County Civil Grand Jury finds that:

Finding No. 1

There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.

Response to Finding No. 1

The City of San Bruno disagrees with the finding. It is the City's understanding that while there has been a recent increase in flights, it has not surpassed the number of traffic counts of the early 2000's.

San Bruno's has had a high level of participation in the noise insulation program. San Bruno residents within the most impacted noise contours were eligible to receive sound insulation within their homes beginning in 1983. Since that time, over 3,000 homes and businesses have been insulated. In fact, the final phase of sound insulation is currently underway, focusing on properties which have changed hands over the years, and whose previous property owners had not participated in the earlier phases of sound insulation.

Finding No. 2

Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.

Response to Finding No. 2

Through San Bruno's participation on the Airport Roundtable, it is the City's understanding, that the Community Noise Equivalent Level (CNEL) calculation is the gold-standard in the noise industry for airports, and is derived from single-event noise which is weighted for time of day (for example, multiplied by three in the evening and then again by ten during late night/early morning) and then averaged. This is the industry norm and the California State Noise Standard.

Finding No. 3

The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1,000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.

Response to Finding No. 3

San Bruno disagrees with the finding. Through San Bruno's participation on the Airport Roundtable, it is the City's understanding that the County of San Mateo may not impose fines on aircraft operating at SFO, and that such powers are reserved for the federal government.

Finding No. 4

The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.

Response to Finding No. 4

The City of San Bruno agrees that the factual assertion is accurate. It should be noted that the State Department of Aeronautics has played an active role in reviewing the City of San Bruno's land use policy documents.

Finding No. 5

Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is "under construction" was displayed for the approximately one year duration of this investigation.

Response to Finding No. 5

The City of San Bruno has no independent basis on which to agree or disagree with the finding.

Finding No. 6

The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.

Response to Finding No. 6

San Bruno disagrees with this finding, as every representative on the Roundtable is a citizen. Furthermore, San Bruno citizens, like those of other communities, are represented on the Roundtable by their appointed or elected members, in the same way a city council operates.

Finding No. 7

The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.

Response to Finding No. 7

The City of San Bruno agrees that the factual assertion is accurate. The City also believes that the Chair and Vice Chair positions should be available to any of the Roundtable's participating members, as provided for in the current SFO Roundtable Bylaws.

Finding No. 8

The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.

Response to Finding No. 8

The City of San Bruno disagrees with this finding. Through the City's representative on the Airport Roundtable, it is the City's understanding that the average attendance rate per meeting is approximately 70 percent, and that there has been a slight increase over the two previous years. The San Bruno representative has regularly attended Roundtable meetings and has been an active member of the SFO Roundtable.

The City of San Bruno agrees with the factual assertion that the SFO Roundtable meetings are scheduled on a quarterly basis. San Bruno has no independent basis on which to agree or disagree with the finding as it relates to: the City of Daly City's membership withdrawal, attendance by the San Francisco Board of Supervisor's representative.

Finding No. 9

Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe that complaining was effective.

Response to Finding No. 9

The City of San Bruno has no independent basis on which to agree or disagree with the finding.

Finding No. 10

Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.

Response to Finding No. 10

The City of San Bruno has no independent basis on which to agree or disagree with the finding.

RECOMMENDATIONS

Recommendation No. 1

The 2010-11 San Mateo County Civil Grand Jury recommends that the County Board of Supervisors:

1. Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented, and that every effort is being made to mitigate the severe and increasing impacts of SFO airport expansion on San Mateo County residents.

Response to Recommendation No. 1

No response is required from the City of San Bruno. However, it should be noted that the City of San Bruno will continue to take an active role in the Airport Roundtable as the City has done throughout the years. This includes Council Member participation in regular meetings, as well as staff level presentation to the SFO Roundtable when appropriate. In order to reach a greater number of residents, the City will announce these meetings on the City's website and on San Bruno Cable TV.

Recommendation No. 2

The 2010-11 San Mateo County Civil Grand Jury recommends that the County Board of Supervisors and the member cities of the SFO Roundtable direct their representatives to take action that will:

1. Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.
2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.
3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.
4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hour period.
5. Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.
6. Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.
7. Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.
8. Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.

Recommendation No. 2-1

Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.

Response to Recommendation No. 2-1

The City of San Bruno does not have authority to implement independently. However, San Bruno's representative on the SFO Roundtable will actively participate in a discussion regarding this recommendation.

Recommendation No. 2-2

Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.

Response to Recommendation No. 2-2

The City of San Bruno does not intend to implement this recommendation independently. San Bruno is comfortable with the current method and technology being used, and will continue to be active on the SFO Roundtable to continue to monitor and make further recommendations as the need arises, and as technology evolves.

Recommendation No. 2-3

Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.

Response to Recommendation No. 2-3

The City of San Bruno does not have authority to implement this recommendation independently. However, San Bruno's representative on the SFO Roundtable will actively participate in a discussion regarding this recommendation.

Recommendation No. 2-4.

Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hour period.

Response to Recommendation No. 2-4

The City of San Bruno cannot implement this recommendation independently. However, through participation on the SFO Roundtable, San Bruno would be interested in learning more about rules and regulations related to single event noise levels.

Recommendation No. 2-5.

Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.

Response to Recommendation No. 2-5

The City of San Bruno will not implement this recommendation as it is not warranted or feasible at this time.

Recommendation No. 2-6.

Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.

Response to Recommendation No. 2-6

The City of San Bruno does not intend to implement this recommendation. The City does not find a need to create an additional subcommittee for the Northern portion of the County. The City is confident that representatives of the entire SFO Roundtable can best address the issues.

Recommendation No. 2-7

Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.

Response to Recommendation No. 2-7

The City of San Bruno believes that the Chair and Vice Chair positions should be available to any of the Roundtable's participating members, as provided for in the current SFO Roundtable Bylaws.

Recommendation No. 2-8

Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.

Response to Recommendation No. 2-8

The City of San Bruno does not have authority to implement this recommendation. However, San Bruno's representative on the SFO Roundtable will actively participate in a discussion regarding the potential inclusion of a representative from the State of California, Division of Aeronautics, to serve as a liaison, and will vote based on the information and analysis received.

Recommendation No. 3

The 2010-11 San Mateo County Civil Grand Jury recommends that the City of Daly City:

1. Rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interests of Daly City residents who are severely impacted by aircraft departure noise.

Response to Recommendation No. 3

No response required from the City of San Bruno.

Recommendation No. 4

The 2010-11 San Mateo County Civil Grand Jury recommends that the City Councils of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco:

1. Form local Citizens Advisory Committees to work with their respective elected members of the SFO Roundtable to promote efforts to identify and mitigate aircraft noise issues in their communities.
2. Maintain regular attendance and full participation in SFO Roundtable meetings and activities.

Response to Recommendation No. 4

1. The City of San Bruno does not intend to implement the recommendation at this time, as the City does not feel there is a need to create such a body.
2. The recommendation has been implemented, and the representative from the City of San Bruno will continue to regularly attend meetings and will continue to participate fully, as has been the practice in the past.

CITY COUNCIL

ANDY KLEIN, MAYOR
ROBERT GRASSILLI
MATT GROCOTT
BRAD LEWIS
RANDY ROYCE

CITY OF SAN CARLOS



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September 13, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd floor
Redwood City, CA 94063-1655

Re: Civil Grand Jury Report – Airport Roundtable and Airport Noise at SFO

Dear Judge Bergeron:

I am writing to you on behalf of the San Carlos City Council. This will serve as the City of San Carlos' formal response to the letter from the Superior Court communicating comments made by the Civil Grand Jury about the Airport Roundtable and Airport Noise at San Francisco International Airport (SFO) entitled "County Officials Need to Make Noise about Aircraft Noise at San Francisco International Airport". The City Council has reviewed this letter at a public meeting of the Council and has authorized that it be sent.

In the report from the Civil Grand Jury on the Airport Roundtable and Airport Noise at San Francisco International Airport (SFO), a number of recommendations are made. Here is the City of San Carlos response to the conclusions in the report and the recommendations for San Carlos:

Conclusions

1. While numerous San Mateo County communities are affected to various degrees by aircraft noise from SFO, the most severe impacts are created by departures over Brisbane, Colma, Daly City, San Bruno and South San Francisco. The increasing frequency and intensity of aircraft noise, particularly at night, represents a problem for the quality of life for the residents of those communities.
Response: We agree with the finding.
2. The San Mateo County Board of Supervisors has not recently taken an active role in addressing aircraft noise issues and has largely delegated this responsibility to the SFO Airport Roundtable.

Response: We agree with the finding.

3. It would be more effective to have elected officials serve as Chairperson and Vice-chairperson of the SFO Roundtable, as they are directly accountable to the citizens.

Response: We agree with the finding.

4. Including a representative of the State of California, Division of Aeronautics, on the SFO Roundtable would add an important dimension and enhance effectiveness.

Response: We agree with the finding.

5. The lack of effectiveness of the SFO Roundtable has caused a decline in attendance and enthusiasm for participation in the SFO Roundtable. Community participation is minimal and not encouraged.

Response: We partially disagree with the finding. It is our understanding that the meeting frequency of the Airport Roundtable was changed from monthly to quarterly in October 2010 after a review of the roundtable's functions by a roundtable subcommittee.

6. The focus on average noise levels, rather than single events, can distort the extent and magnitude of the problem and foster the belief that complaining is futile.

Response: We partially disagree with the finding. We believe that both methods of noise measurement (average noise levels and single event noise levels) should be considered when reviewing Aircraft Noise from SFO.

Recommendations

1. Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.

Response: We agree with the finding. We understand that this recommendation will be placed on a future Airport Roundtable meeting by one of the Roundtable representatives for discussion with SFO.

2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.

Response: We agree with the finding. We believe that this recommendation should be placed on a future Airport Roundtable meeting for discussion with SFO.

3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.

Response: We agree with the finding. We understand that this recommendation will be placed on a future Airport Roundtable meeting by one of the Roundtable representatives for discussion with SFO.



County Officials Need to Make Noise about Aircraft Noise

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Issue

Is the San Francisco International Airport Roundtable (SFO Roundtable) operating effectively to ensure that San Mateo County residents are not unduly impacted by aircraft noise?

Summary

The San Francisco International Airport (SFO), one of the busiest airports in the world, is experiencing significant expansion and an increase in both domestic and international flight traffic. While SFO is wholly owned and operated by the City and County of San Francisco, it is located entirely within the boundaries of San Mateo County. Many communities in close proximity to SFO and those located under departure flight paths are increasingly impacted by aircraft noise and vibration, especially from night departures.

The San Francisco Airport Roundtable serves as the primary forum to address the impact of aircraft noise on communities in San Mateo County. Comprised of elected officials from 17 San Mateo County cities along with representatives of San Francisco and SFO, the Airport Roundtable is tasked with monitoring noise and complaint data and interfacing with the public, local governments, state agencies, the FAA, the airline industry and SFO administrators on behalf of San Mateo County. The Grand Jury conducted an inquiry to determine if the Airport Roundtable was effectively representing those San Mateo County residents being impacted by aircraft noise and vibration.

The Grand Jury found that the effectiveness of the Airport Roundtable was diminishing, and that participation and enthusiasm for the SFO Roundtable was in decline. The City of Daly City, one of the communities most severely impacted by aircraft noise and night departures, has withdrawn from the Airport Roundtable. Monthly meetings of the Roundtable have been reduced to quarterly meetings. The Grand Jury recommended that the San Mateo County Board of Supervisors become actively involved in revitalizing the Airport Roundtable and recommended that Daly City renew their membership and appoint a fully engaged representative.

The Grand Jury further found that noise monitoring and mitigation efforts are primarily based on compliance with the federal standard of 65dbCNEL, which is an average noise level over a 24 hour period, and therefore does not address single aircraft noise events. They also determined that there is no mechanism in place to measure structural vibration. The Grand Jury recommended that the Roundtable expand their focus to include single aircraft noise events, particularly night departures, and request that the Noise Abatement Office deploy equipment to measure and monitor both single events and structural vibration.

The Grand Jury further found that the bylaws of the SFO Roundtable do not require that the Chair or Vice-chair be an elected representative of a member city, nor does it allow for any membership or committee representation by individual members of the community. It was also noted that there was no representation from the State of California, Division of Aeronautics. The Grand Jury recommends that the bylaws be amended to require the Chair and Vice-chair to be an elected official from a member city and expand membership to include a representative of the State of California, Division of Aeronautics. The Grand Jury also recommends that severely impacted cities form citizen advisory groups to work with their appointed representative on the Airport Roundtable to identify and mitigate aircraft noise in their communities.

Background

The San Francisco International Airport (SFO), is one of the busiest airports in the United States, serving as the gateway to Europe, Asia and Australia. In 2010 SFO served over 39 million passengers on some 387,000 flights. SFO serves as a major hub for United Airlines (now merged with Continental), and as the primary hub for Virgin Airlines. SFO is experiencing significant airport expansion and an increase in both domestic and international flight traffic into and out of SFO.

SFO is wholly owned and operated by the City and County of San Francisco, yet its 2300 acre operation is located entirely within the boundaries of unincorporated San Mateo County and in immediate proximity to numerous residential communities. While San Mateo County undoubtedly benefits economically from the presence of SFO within its borders, it also bears the brunt of the traffic congestion, pollution, and the vibration and noise generated by aircraft and related airport activities.

Although all air traffic control and flight patterns are under the sole jurisdiction of the Federal Aviation Administration, SFO operates under a permit issued by the State of California and is regulated by the State of California Department of Transportation, Division of Aeronautics. The California Public Utilities Code requires that "the department shall adopt noise standards governing the operation of aircraft and aircraft engines for airports operating under a valid permit issued by the department to an extent not prohibited by federal law. The standards shall be based upon the level of noise acceptable to a reasonable person residing in the vicinity of the airport".¹

California law further provides that, "The violation of the noise standards by any aircraft shall be deemed a misdemeanor and the operator thereof shall be punished by a fine of one thousand dollars (\$1000) for each infraction,"² and that "It shall be the function of the county wherein an airport is situated to enforce the noise regulations established by the department."³

In 1971, pursuant to California regulation, San Mateo County designated SFO as a "Noise Problem Airport."⁴ The preamble to the regulations states that "the regulations are designed to cause the airport proprietor, aircraft operator, local governments, pilots, and the department to

¹ Public Utilities Code Section 21669

² Public Utilities Code Section 21669.4 (a)

³ Public Utilities Code Section 21669.4 (b)

⁴ California Code of Regulations, Title 21, Article 2, section 5020

work cooperatively to diminish noise problems. The regulations accomplish these ends by controlling and reducing the noise impact area in communities in the vicinity of airports."⁵

In response, the San Francisco International Airport/Community Roundtable (SFO Roundtable) was created by a Memorandum of Understanding between the County and the cities of San Mateo County in 1981 as a forum to address the impacts of aircraft noise on communities in San Mateo County. Participation by the Cities is voluntary. The San Mateo County Board of Supervisors delegated responsibility for the aircraft noise issue to the SFO Roundtable comprised of local elected representatives from 17 San Mateo County communities along with officials from SFO, San Francisco, San Mateo County and the County Airport Land Use Committee (ALUC). The SFO Roundtable remains the primary agency charged with the responsibility for monitoring aircraft noise data and noise mitigation programs, as well as interfacing with the public, local governments, state agencies, the FAA, the airline industry and SFO administrators on behalf of San Mateo County.

Pursuant to state law, SFO established a Noise Abatement Office. This office operates 31 noise monitors in San Mateo County to measure noise and track ambient noise. These include 29 permanent locations and 2 portable units presently deployed in Brisbane. There is currently no mechanism in place to measure or track structural vibration. The SFO Noise Abatement Office also fields and tracks resident complaints about aircraft noise.

The Grand Jury assessed whether the SFO Roundtable is operating effectively to mitigate aircraft noise impacts on San Mateo County residents.

Discussion

While it is recognized that the Federal Aviation Administration (FAA) regulates the operation of aircraft and controls the use of airspace, there may be significant opportunities for the elected officials in San Mateo County to mitigate the impacts on its residents.

SFO expansion and the increase in air traffic, especially departing night flights, has raised strong objections from some northern San Mateo County communities. Issues also continue to be raised by southern and mid San Mateo County communities regarding aircraft noise from arriving flights coming into SFO.

The Roundtable has maintained a good relationship with SFO, and can claim many successes including the establishment of a state of the art Noise Abatement Office funded by and located at SFO. The role of the Noise Abatement Office is to monitor aircraft noise activity and to compile data and prepare reports. These reports are used by the SFO Airport Roundtable to analyze and mitigate noise impacts in San Mateo County.

In 1983 the FAA and SFO invested \$153,000,000 in a major noise insulation program to soundproof more than 15,000 homes located within the 1983 noise contour map in which it was determined that aircraft noise exceeded the federal standard of 65dbCNEL.⁶ The 65dbCNEL

⁵ California Code of Regulations, Title 21, Article 2, section 5000

⁶ 65 decibels Community Noise Equivalent Level

noise standard represents the average noise level over a 24 hour period rather than the noise level of any individual event. Single event aircraft flyovers need to occur frequently and at very high volumes in order to bring the average noise level to 65dbCNEL. A community or residence could therefore experience numerous severe noise events in a day, but unless the average noise level over a 24 hour period exceeded the standard, it would not be considered a problem.

Eligible homes were noise insulated with the installation of noise resistant doors and windows in return for owners waiving their future vertical air rights and their legal rights to engage in noise litigation against SFO. Funds for the insulation program have been exhausted, and there are no current efforts to seek additional funding for expansion of the program to insulate areas that were not originally included, but may now suffer significant aircraft noise impacts.

The impact of structural vibration created by aircraft departures is not measured or tracked, but represents another impact on northern San Mateo County communities, particularly with night departures of heavy aircraft with international destinations.

While the efforts of the Roundtable and SFO have successfully mitigated the impact of aircraft noise in many areas of San Mateo County, there are individuals and communities that continue to suffer significant adverse impacts from aircraft noise who believe that their concerns are not being adequately addressed. For example, changes in departure patterns over Brisbane have generated strong protests from residents who assert that their quality of life is being adversely impacted. Increased night flights over San Bruno, South San Francisco and Daly City are also of major concern to those communities, especially when the flights depart directly over residential areas that did not participate or were not eligible for the noise insulation program.

The SFO Noise Abatement Office and SFO Roundtable sponsor a cooperative "Fly Quiet" program that monitors departure noise and acknowledges airlines that operate within recommended noise reduction guidelines. Neither the County of San Mateo nor the San Francisco Airport Commission exercise their authority to issue fines and sanctions for noise violations despite frequent and repetitive failures to comply with standards.

Investigation

The 2010-2011 San Mateo Grand Jury conducted an extensive investigation into aircraft noise issues at SFO which included interviews with the following:

- Current and former members of the SFO Roundtable
- Key personnel at SFO and the SFO Noise Abatement Office
- San Mateo County Officials and Staff
- San Mateo County Counsel and Staff
- Elected officials from impacted San Mateo County communities
- Residents in communities impacted by aircraft noise and vibration

In addition, the Grand Jury reviewed numerous current and historic documents that included:

- Bylaws and meeting minutes of the SFO Roundtable

- Federal and state noise standards and regulations applicable to SFO
- Extensive data on SFO flight paths, noise complaints and violations of noise standards
- CNEL Noise Contour Maps (attachment)
- Minutes of the City of San Francisco Airport Commission.

The Grand Jury also toured the San Francisco International Airport and visited the SFO Noise Abatement Office to observe their noise monitoring and tracking systems.

Findings

1. There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.
2. Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.
3. The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.
4. The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.
5. Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is "under construction" was displayed for the approximately one year duration of this investigation.
6. The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.
7. The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.
8. The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.
9. Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe that complaining was effective.

4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hour period.

Response: We agree with the finding. We understand that this recommendation will be placed on a future Airport Roundtable meeting by one of the Roundtable representatives for discussion with SFO.

5. Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.

Response: We agree with the finding. We understand that the recommendation has been implemented. The Airport Roundtable's "Fly Quiet" program rewards flyers in compliance through recognition.

6. Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.

Response: We agree with the finding. It would be advisable to establish a sub-committee of representatives from the communities in North San Mateo County that are most impacted by Aircraft Noise from SFO.

7. Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.

Response: We agree with the finding. We understand that this recommendation will be placed on a future Airport Roundtable meeting by one of the Roundtable representatives for discussion with SFO.

8. Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.

Response: We agree with the finding. We understand that this recommendation will be placed on a future Airport Roundtable meeting by one of the Roundtable representatives for discussion with SFO.

Sincerely Yours,



Andy Klein
Mayor

cc: City Council
City Manager
Assistant City Manager
City Attorney



OFFICE OF THE MAYOR

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September 22, 2011

Honorable Joseph H. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd floor
Redwood City, CA 94063-1655

Re: City of San Mateo Response to San Mateo County Grand Jury Report on San Francisco International Airport Aircraft Noise

Dear Judge Bergeron:

We are in receipt of the Grand Jury's report entitled "County Officials Need to Make Noise about Aircraft Noise." Pursuant to your July 6, 2011, request for responses, the San Mateo City Council held a public meeting on September 19, 2011, and approved this response. Below is the City of San Mateo's response to the Grand Jury's findings and recommendations. Please note that this response letter conveys the City's interests as one of 22 participating members on the Roundtable and potential direction given to the City's representative to the Roundtable. Formal actions to implement the Grand Jury's recommendations must be taken by the Roundtable itself.

Findings

- 1. There has been an increase in total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts declined to participate or were deemed ineligible for the original noise insulation program.***

Response: The City agrees with this finding as it relates to the increase in total departures. SFO has seen an increase in the number of flights in recent years, though air traffic levels are still below the levels seen in the early 2000s. In terms of the impact of flight patterns on northern San Mateo County communities, the Roundtable and SFO staff has worked with various parties in these communities to develop possible mitigations for noise issues.

- 2. Noise data collected by SFO and monitored by the SFO Roundtable address noise average and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.***

Response: The City partially disagrees with this finding. Both federal and state standards require the use of an average noise level over a 24-hour period called the Community Noise Equivalent Level rather than single aircraft noise events. However, this average is based on an average of single event noise which is weighted for the time of day. SFO also measures every single noise event through the use of noise monitors at the airport or in nearby communities under the flight path and flags events caused by aircraft.

- 3. The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1,000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.***

Response: The City disagrees with this finding as San Mateo County does not have the authority to impose fines on aircraft operating at SFO. Such powers are reserved to the federal government.

- 4. The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.***

Response: The City agrees with this finding as the State of California is not currently represented as an advisory member of the Roundtable. However, State liaisons work with the Roundtable as needed on specific issues.

- 5. Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.sforoundtable.org). Information on the website was not current and a message stating that the website is "under construction" was displayed for approximately one year duration of this investigation.***

Response: The City agrees in part with this finding. From late 2009 to mid-2010, the Roundtable website was mostly inaccessible. However, the City understands that the Roundtable is currently updating its website due to be rolled out in October 2011. The City commends the Roundtable for bringing its website up-to-date.

- 6. The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.***

Response: The City agrees with this finding as the Roundtable membership (including subcommittees) is comprised primarily of an elected representative from each participating jurisdiction rather than a citizen representative. Similar to serving on a City Council, the elected representatives represent the citizens of their community on the Roundtable.

- 7. The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.***

Response: The City agrees with this finding as the Chairperson and Vice Chairperson positions are open to any of the Roundtable's participating members. The current Chairperson is the chair of the County's Airport Land Use Committee and not an elected official.

- 8. The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely and the San Francisco Board of Supervisors representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.***

Response: The City agrees in part and disagrees in part with this finding. The City agrees with the statements made concerning Daly City's withdrawal from Roundtable membership, the lack of attendance by the San Francisco Board of Supervisors representative since February 2009, and the reduction in the Roundtable meeting schedule from monthly to quarterly. However, the City disagrees with the statement pertaining to the level of attendance by Roundtable members as attendance has remained unchanged since 2008 at an average attendance rate of 70%.

- 9. Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe that complaining was effective.***

Response: The City partially disagrees with this finding. While the City agrees that noise complaints are not a reliable source of feedback, the decline in complaints is likely the result of the Roundtable's work over the past 30 years with SFO, the Federal Aviation Administration, and the airlines to mitigate noise and other conditions for those who live in the proximity of the airport.

- 10. Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.***

Response: The City agrees with this finding.

Recommendations

- 1. Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.***

Response: Recommendation has been implemented in San Mateo and other cities represented on the Roundtable.

- 2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight plans.***

Response: Recommendation will not be implemented. The Roundtable has sponsored technical reports on low-frequency noise (a source of vibration), which is particularly acute behind the start-of-takeoff roll on Runways 1R and 1L. Though the reports concluded that some departing aircraft contain enough low frequency noise to cause perceptible vibrations, the Roundtable was advised that there is no potential for structural damage or human health effects. Furthermore, the Roundtable is unaware of any reasonable and cost effective way to measure structural vibration and what would be done with the data if it was measured.

- 3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.***

Response: Recommendation has been implemented. SFO collects extensive data on actual noise measurements from monitors in San Mateo and other communities. This data is used by the Roundtable and SFO to continually monitor noise of departing and arriving aircraft.

- 4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hour period.***

Response: Recommendation will not be implemented. As indicated in the response to finding 2, the 65dbCNEL is the California State Standard for airport noise levels. SFO will continue to monitor every noise event caused by aircraft.

- 5. Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.***

Response: Recommendation will not be implemented. The "Fly Quiet" Program is based on a cooperative relationship with the airlines rather than punitive action. The annual Jon C. Long Fly Quiet Program Awards recognizes three airlines each year that have performed the best in following the Fly Quiet Program, shown the greatest improvement in reducing noise impacts, or contributed to SFO's noise abatement efforts such as helping to pioneer new noise reducing procedures such as the Oceanic Tailored Arrivals. The Roundtable has also developed and distributed a Fly Quiet Program video to help the airlines improve their noise reduction efforts.

- 6. Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.***

Response: Recommendation will not be implemented. The Roundtable has operated for 30 years as a cooperative body and has achieved substantial benefits for the citizens of San Mateo County without pitting communities against one another.

7. *Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.*

Response: Recommendation will not be implemented. The Chair and Vice-Chair should continue to be open to any Roundtable member including both elected and non-elected officials. The current Chair has substantial experience in airport noise issues which is beneficial in his role despite not serving as an elected official.

8. *Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.*

Response: Recommendation requires further analysis. State representatives currently serve as liaisons on specific issues, which is an arrangement that has worked well. However, there could be value in having this liaison role be formalized in the Roundtable membership, which will require additional review by the Roundtable.

Sincerely,



Jack Matthews
Mayor



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CITY COUNCIL 2011

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September 30, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

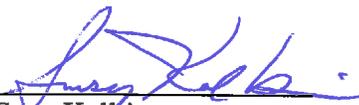
Subject: City of South San Francisco Response – Grand Jury Report titled “County Officials
Need to Make Noise about Aircraft Noise”

Dear Judge Bergeron:

As requested, enclosed is the response to the above referenced Grand Jury report approved by the South San Francisco City Council at a public meeting on September 28, 2011.

Should you have any questions, feel free to contact me at 650 877-8535.

Very truly yours,


Susy Kalkin
Chief Planner

Enclosure

Cc: City Clerk
City Manager
Grand Jury Website – grandjury@sanmateocourt.org

City of South San Francisco Responses to Grand Jury Report titled “County Officials Need to Make Noise about Aircraft Noise” – as approved by the City Council of the City of South San Francisco on September 28, 2011

Findings

1. *There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo county communities including Brisbane and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.*
2. *Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.*
3. *The violations of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.*
4. *The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.*
5. *Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is “under construction” was displayed for the approximately one year duration of this investigation.*
6. *The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.*
7. *The bylaws of the SFO Roundtable do not require that the Chairperson or Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.*
8. *The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors representative has not appeared since February 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.*
9. *Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either “given up” or did not believe that complaining was effective.*
10. *Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.*

South San Francisco does not dispute the Grand Jury Findings, but would offer that the report Findings do not highlight the significant accomplishments of the SFO Roundtable over the past 30 years, nor the work of the impacted jurisdictions. Two significant highlights include: 1) working cooperatively with the FAA, SFO staff and the airlines to establish the Shoreline Departure Route, which has effectively redirected many flights which would otherwise have flown over residential portions of this community to an area adjacent to the San Francisco Bay, where no residential uses exist, and 2) working

cooperatively with the FAA, SFO staff and impacted jurisdictions to insulate sensitive receptors within the 65 dB CNEL noise contour. Specifically, since 1984, South San Francisco's Airport Noise Insulation Program (ANIP) – funded by SFO and the FAA – has sound insulated approximately 6,890 homes within the 65 dB CNEL contour. Over the past decade, South San Francisco's ANIP program has noted approximately 50-60% fewer noise complaints (actual complaint numbers are not available), which it believes is directly due to the sound insulation efforts.

Recommendations

In order to address the issues discussed in the report, the Grand Jury identified: one (1) recommendation specific to the San Mateo County Board of Supervisors; eight (8) recommendations that apply to the County Board of Supervisors and the member cities of the SFO Roundtable; one (1) recommendation specific to Daly City; and two (2) recommendations directed toward Brisbane, Daly City, Millbrae, San Bruno, and South San Francisco.

Responses are included below for each of the recommendations.

The 2010-20911 San Mateo Grand Jury recommends that the San Mateo County Board of Supervisors:

1. Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented, and that every effort is being made to mitigate the severe and increasing impacts of SFO airport expansion of San Mateo County residents.

Response: It is not South San Francisco's purview to state what policy direction other agencies should take on this matter.

The Grand Jury recommends that the County Board of Supervisors and the member cities of the SFO Roundtable direct their representatives to take action that will:

1. *Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.*

Response: South San Francisco supports this recommendation and understands that this is already the procedure followed by SFO technical staff. Because of potential changes in flight schedules, procedures and routing it is important to make sure noise monitoring equipment is placed strategically to obtain the most accurate results.

2. *Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.*

Response: South San Francisco is not the appropriate agency to comment on the appropriate methods and metrics used to assess the impact of airport noise. However, the City supports the SFO Roundtable working with SFO staff to continue to explore the best methods for measuring and mitigating any and all airport impacts on the City's residents.

3. *Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.*

Response: The City supports the SFO Roundtable exploring the most effective data collection methods with SFO technical staff.

4. *Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hour period.*

Response: South San Francisco is not the appropriate agency to comment on the appropriate methods and metrics used to assess the impact of airport noise. It is the City's understanding that the CNEL (average noise measurement) is the FAA accepted standard, but the City would support the SFO Roundtable's efforts to investigate better methods to address single event noise concerns which are the source of the majority of noise complaints received by the City.

5. *Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.*

Response: South San Francisco is not the appropriate agency to comment on the best method to implement the "Fly Quiet" program. The City supports SFO staff continuing to work with airline operators to address identified noise related issues.

6. *Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.*

Response: South San Francisco does not support creating a "sub-committee of the SFO Roundtable". This would be counterproductive and inconsistent with the core principles of the SFO Roundtable, which is to work collaboratively to address airport related noise issues.

7. *Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.*

Response: South San Francisco is not the appropriate agency to comment on SFO Roundtable procedures. The SFO Roundtable membership should decide who can provide the best leadership and guidance to the group, and take the appropriate action based on that assessment.

8. *Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.*

Response: South San Francisco is not the appropriate agency to comment on SFO Roundtable attendees. The SFO Roundtable and the Division of Aeronautics should discuss the needs of the Roundtable and adjust their programs accordingly.

Subject: City of SSF Responses to Grand Jury Report – Aircraft Noise

Page 4 of 4

The 2010-2011 San Mateo County Grand Jury recommends that the City Council of Daly City:

1. *Rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interests of Daly City residents who are severely impacted by aircraft departure noise.*

Response: South San Francisco supports full participation from all jurisdictions in San Mateo County, but is not the appropriate agency to comment on Daly City's membership on the SFO Roundtable.

The 2010-2011 San Mateo County Grand Jury recommends that the City Councils of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco:

1. *Form local Citizens Advisory Committees to work with their respective elected members of the SFO Roundtable to promote efforts to identify the mitigate aircraft noise issues in their communities.*

Response: South San Francisco believes the existing SFO Roundtable provides a meaningful public forum for airing such concerns, and so does not support the recommendation to create a separate Citizen's Advisory Committee. Should things change, the City Council could consider whether a separate Citizens Advisory Committee should be established.

2. *Maintain regular attendance and full participation in SFO Roundtable meetings and activities.*

Response: South San Francisco agrees with this recommendation, which is consistent with past and current City practice with South San Francisco membership consistently at the table. The current SFO Roundtable members are Mayor Kevin Mullin & Vice-Mayor Rich Garbarino.

September 28, 2011

The Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: 2010-11 GRAND JURY REPORT - COUNTY OFFICIALS NEED TO MAKE NOISE ABOUT AIRCRAFT NOISE

Dear Judge Bergeron:

The Town Council of the Town of Woodside wishes to thank the 2010-11 Grand Jury for its investigation into the workings of the SFO Airport/Community Roundtable. The Grand Jury has uncovered deficiencies in the Roundtable that are generally consistent with the Town's experience and observations over the past several years. The Town Council reviewed the findings, conclusions and recommendations of the Grand Jury at its public meeting of September 27, 2011, and approved the following responses:

FINDINGS

1. There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.

Response: The Town does not possess data and other information enabling it to agree or disagree with this finding.

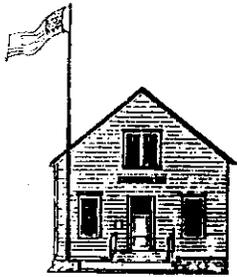
2. Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.

Response: Through its representative to the SFO Roundtable, the Town agrees that noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. The Town further agrees that no data are provided to the Roundtable on the noise levels of individual night-time flights.

3. The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.

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Woodside, CA 94062

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townhall@woodsidetown.org



The Town of
Woodside

Response: The Town has not researched the law to determine whether San Mateo County has the authority to impose sanctions for violations of California noise regulations. Through its representative to the Roundtable, the Town agrees that San Mateo County does not presently levy fines or sanctions on offending airlines.

4. The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.

Response: Through its representative to the Roundtable, the Town agrees that the State of California is not represented as an advisory member to the SFO Roundtable.

5. Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is "under construction" was displayed for the approximately one year duration of this investigation.

Response: The Town agrees that reports prepared by the SFO Noise Abatement Office for the SFO Roundtable have not been easily accessible to the public on the Roundtable website. However, a new website is about to be launched that should improve this situation. The Town agrees that information on the current website is out of date. The Town is unable to comment on whether a message indicating that the website was "under construction" was displayed for approximately one year during the Grand Jury's investigation.

6. The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.

Response: The Town agrees with this finding.

7. The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.

Response: The Town agrees with this finding.

8. The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.

Response: The Town does not possess information enabling it to agree or disagree with this finding, except that the Town can confirm that the SFO Roundtable's schedule has been reduced to quarterly meetings.

9. Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either "given up" or did not believe that complaining was effective.

Response: Through its representative to the Roundtable, the Town agrees that public participation at SFO Roundtable meetings is minimal. The Town does not possess information enabling it to agree or disagree with the finding that "with one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either 'given up' or did not believe that complaining was effective."

10. Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.

Response: Through its representative to the SFO Roundtable and information presented to the SFO Roundtable, the Town agrees with this finding.

CONCLUSIONS

1. While numerous San Mateo County communities are affected to various degrees by aircraft noise from SFO, the most severe impacts are created by departures over Brisbane, Colma, Daly City, San Bruno and South San Francisco. The increasing frequency and intensity of aircraft noise, particularly at night, represents a problem for the quality of life for the residents of those communities.

Response: The Town agrees with this conclusion.

2. The San Mateo County Board of Supervisors has not recently taken an active role in addressing aircraft noise issues and has largely delegated this responsibility to the SFO Airport Roundtable.

Response: A member of the San Mateo County Board of Supervisors is represented on the SFO Roundtable and regularly attends SFO Roundtable meetings. The Town does not possess information regarding further discussions the Board of Supervisors may have had regarding aircraft noise.

3. It would be more effective to have elected officials serve as Chairperson and Vice-chairperson of the SFO Roundtable, as they are directly accountable to the citizens.

Response: The Town agrees with this conclusion.

4. Including a representative of the State of California, Division of Aeronautics, on the SFO Roundtable would add an important dimension and enhance effectiveness.

Response: The Town neither agrees nor disagrees with this conclusion. More analysis should be given to the pros and cons of adding a representative from the State Division of Aeronautics to the SFO Roundtable.

5. The lack of effectiveness of the SFO Roundtable has caused a decline in attendance and enthusiasm for participation in the SFO Roundtable. Community participation is minimal and not encouraged.

Response: Through its representative to the SFO Roundtable, the Town cannot reliably chart the effectiveness of the SFO Roundtable over time. Through its representative to the SFO Roundtable, the Town agrees that community participation is minimal.

6. The focus on average noise levels, rather than single events, can distort the extent and magnitude of the problem and foster the belief that complaining is futile.

Response: The Town agrees with this perceptive conclusion of the Grand Jury. We also join the Town of Portola Valley in noting that the focus on “community noise equivalent levels” not only distorts the extent of the aircraft noise problem but gives the appearance that public agencies do not care about multiple single noise events. This is evident in southern San Mateo County where aircraft noise from arriving flights is not constant but periodically can be very loud.

RECOMMENDATIONS

The Grand Jury recommended that the County Board of Supervisors and the member cities of the SFO Roundtable direct their representatives to take action that will:

1. Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.

Response: The Town supports this recommendation and through its representative will encourage the SFO Roundtable to adopt it. The time frame for adoption of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control. The Town further notes that the locations of noise measuring and tracking equipment also need to parallel current arrival flight paths, which affect South County communities.

2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.

Response: The Town believes this recommendation requires further analysis to determine: (a) the technical feasibility of measuring structural vibration caused by departing aircraft; (b) the cost of implementing a program to measure and track this structural vibration; and (c) the likely effectiveness of implementing such a program. The time frame for consideration of this recommendation is

subject to approval by a majority of Roundtable members, which the Town is unable to control.

3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.

Response: The Town supports this recommendation and through its representative will encourage the Roundtable to adopt it. The time frame for adoption of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCNEL which represents an average of noise experienced within a 24 hour period.

Response: The Town supports this recommendation and through its representative will encourage the SFO Roundtable to adopt it. The time frame for adoption of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

5. Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.

Response: The Town believes that this recommendation requires further analysis to determine: (a) whether legal authority exists to levy sanctions for single event violations and if so what agency possesses such authority and (b) whether remedies short of sanctions might effectively address the problem (e.g., increased reporting from the FAA, media publication of offending flights, retraining of pilots). The time frame for consideration of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

6. Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.

Response: The Town supports this recommendation and through its representative will encourage the SFO Roundtable to adopt it. The time frame for adoption of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

7. Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.

Response: The Town supports this recommendation and through its representative will encourage the SFO Roundtable to adopt it. The time frame for adoption of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

8. Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.

Response: This recommendation requires further analysis to assess the pros and cons of adding a representative from the State Division of Aeronautics to the SFO Roundtable. The time frame for adoption of this recommendation is subject to approval by a majority of SFO Roundtable members, which the Town is unable to control.

On behalf of the Town Council, I would like to extend our thanks for the opportunity to review and respond to the work of the 2010-11 Grand Jury.

Please do not hesitate to call our Town Manager, Susan George, at (650) 851-6790, should you require any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Romines". The signature is written in a cursive style with a large, sweeping initial "R".

Ron Romines
Mayor