

DEC 19 1988

Mr. Ronald N. Short, AICP
Planning Director
City of Phoenix
125 East Washington Street
Phoenix, Arizona 85004

Dear Mr. Short:

Thank you for this opportunity to review the report entitled, "City of Phoenix Ad Hoc Task Force on Scottsdale Municipal Airport". Our understanding is that the Task Force was established in January 1987 to address the impacts of the Scottsdale Municipal Airport on the city of Phoenix. The Task Force has put a lot of effort into this which is reflected in the report.

The Federal Aviation Administration (FAA) encourages efforts to control aircraft noise and establish compatible uses of land around airports using Federal Aviation Regulation (FAR) Part 150, Airport Noise Compatibility Planning. The FAA works with airport operators; in cooperation with airport users, affected units of local government, and citizens by providing guidance and technical assistance for these efforts. Consistent with that position, the FAA participated in a FAR 150 study conducted by the city of Scottsdale for the airport.

The goal of the study which was done in conjunction with an airport master plan update, was to provide for the orderly development of the airport as well as achieving and maintaining compatibility between the airport and its environs. The study approach included the direct involvement of the public as required by FAR Part 150. This was accomplished through a Planning Advisory Committee (PAC) to review the work and through a series of public information meetings. The PAC consisted of 24 members representing the city of Scottsdale, city of Phoenix, FAA, Arizona Aeronautics Division, Maricopa Association of Governments, various homeowners association, users of the airport, various aviation association and an interested citizen. The study resulted in noise exposure maps (NEM) and noise compatibility program (NCP) for the airport.

The city of Scottsdale recommended 13 mitigation measures in the NCP. The FAA approved 11 of these measures. In approving those program measures, the FAA determined that they:

a. Would not create an undue burden on interstate or foreign commerce including unjust discrimination.

b. Are reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses.

c. Relate to flight procedures for noise control which can be implemented without:

(1) Reducing the level of aviation safety provided;

(2) Derogating the requisite level of protection for aircraft, their occupants and persons and property on the ground;

(3) Adversely affecting the efficient use and management of the Navigable Airspace and Air Traffic Control Systems;

(4) Adversely affecting any other powers and responsibilities of the Administrator prescribed by law.

The purpose for describing the FAR Part 150 procedure in detail is to suggest that the recommendations in the report that you provided be subject to the same procedures and scrutiny as the FAR Part 150 for the airport. Further, such effort to control airport noise is the responsibility of the airport operator. The city of Scottsdale should seek public input consistent with FAR Part 150, during the city's evaluation of these recommendations. If adopted by the city of Scottsdale, these recommendations must be forwarded to the FAA for review and approval. The FAA will be glad to work with the city of Scottsdale to maximize the use of the airport while minimizing noise impact to the surrounding community.

We have reviewed the report as we would any noise control planning efforts and as we would those measures adopted by the city of Scottsdale. In addition to the review criteria above, the review include whether or not the proposed action is contrary to provisions of any grant agreement for the airport.

The report fails to provide appropriate data on which the FAA would be able to make a well informed determination on each of the review criteria points addressed above. Based on the NEM, the city of Phoenix is not within the 65 YDNL for the airport. Therefore, the city of Phoenix is not impacted by noise from the airport. The recommendation must be reasonably consistent with obtaining the goal of reducing existing non-compatible land uses and preventing the introduction of additional non-compatible land uses.

1. RECOMMEND that a standard left-hand turn be made by all aircraft that takeoff from Runway 21 (to the southwest).

This recommendation was included in the FAR Part 150 study and a similar mitigation measure was included in the NCP. The FAA's position remains the same for that NCP measure.

The primary issue is one of procedural incompatibility with the existing high activity traffic flows throughout the entire Phoenix area especially the arrivals and departures to and from Phoenix Sky Harbor International Airport. For further detail, see attached letter from Mr. Miller, Manager, Phoenix Terminal Radar Approach Control (TRACON) to Mr. Soderquest, Scottsdale Airport Director, dated December 29, 1987.

2. RECOMMEND that a non-standard right-hand turn for Runway #3 (landing from the southwest) be investigated.

See our comment in response to Recommendation 1.

3. RECOMMEND that if and when, as recommended, a standard left-hand turn is implemented on Runway 21 and a standard right-hand on Runway 3, the "calm wind runway" designation should be changed from Runway 3 to Runway 21.

See our comment in response to Recommendation 1.

4. RECOMMEND that Touch-and-Go, Stop-and-Go, and Low-Approach operations be restricted to: a) 8 a.m. to 6 p.m. Monday through Friday and, b) 10 a.m. to 5 p.m. Saturdays and, c) prohibited on Sundays and holidays; and further recommend that the city of Scottsdale take necessary steps to achieve the complete relocation of touch-and-go operations to remote desert airstrips with appropriate support facilities.

This recommendation was included in the FAR Part 150 study and a similar mitigation measure was included in the NCP. The FAA's position remains the same for that NCP measure.

This recommendation maybe discriminatory. The airport must be available for public use on fair and reasonable terms and without unjust discrimination to all types, kinds, and classes of aeronautical uses. There maybe an impact on the efficient use of the airspace.

5. RECOMMEND that "restricted aircraft", based on the 1985 Scottsdale Airport Master Plan and Noise Compatibility program for Scottsdale Municipal Airport, (Part 150 Study) "ANCLUC studies" excessive noise criteria, shall be required to land on Runway 21 (from the northeast) and depart on Runway 3 (to the northeast); i.e., "head-to-head" operations for such flights shall be implemented if aircraft and ground technological limitations do not preclude implementation. Non-restricted aircraft shall go "head-to-head" if aircraft and ground technological limitations do not preclude implementation.

This recommendation was included in the FAR Part 150 study and a mitigation measure regarding restricted aircraft was included in the NCP. The FAA's position remains the same for that NCP measure. As it relates to restricted aircraft, the recommendation must be reevaluated after radar coverage exists at Phoenix TRACON and Scottsdale ATCT.

Head-to-head operation for all of the other (non-restricted) aircraft will severely impact safety and restrict the expeditious flow of traffic. As it relates to other nonrestricted aircraft, this recommendation may be discriminatory, may create an undue burden on air commerce, and may effect the efficient use of the airspace.

6. RECOMMEND that the Scottsdale Airport, with the construction of the new tower, installation of the microwave landing system and installation of an electronic noise monitoring system, establish definitive and strict guidelines that require as many take-offs to the northeast and landings to the southwest as possible, to minimize approaches and take-offs over residential areas and schools in both Phoenix and Scottsdale.

Head-to-head operation will severely impact safety and restrict the expeditious flow of traffic. Additionally, it may create an undue burden on air commerce, may be discriminatory, and may effect the efficient use of the airspace.

7. RECOMMEND that Scottsdale Municipal Airport shall install noise-suppression barriers and noise-suppression landscaping next to the road at the southwest end of its runway.

This recommendation was not included as a mitigation measure in the NCP. As stated previously, the city of Phoenix is not within the 65 YDNL. Therefore, this item does not appear to be eligible for federal airport grant-in-aid funding as a noise mitigation measure. We consider it a local concern.

8. RECOMMEND that a nighttime curfew be established from 10 p.m. to 7 a.m. daily.

This recommendation may have an impact on interstate commerce, and may be discriminatory.

9. RECOMMEND that in addition to establishing a full or limited nighttime curfew, as proposed, Scottsdale Airport shall implement a policy whereby all planes landing or taking off after 6:00 p.m. will try to use the runway that will create less noise impact on Phoenix residents.

See Recommendation 1 above.

10. RECOMMEND that owners of all Stage 1 and 2 aircraft based at Scottsdale airport be given six months to modify their aircraft with a Hush Kit, or Part 36 Compliant engine(s), if commercially available. If the kit or engine is available and the owner elects not to purchase the kit or engine, they shall not be allowed to use Scottsdale Airport.

This recommendation may be discriminatory, and a burden on air commerce.

11. RECOMMEND that owners of aircraft types/models that do not or cannot meet the new airport noise limits, be notified in advance (nationwide) that they will be subject to possible civil and administrative remedies and/or exclusion from the airport for noise violations.

This recommendation relates to recommendation number 13. See recommendation 13 for comments.

12. RECOMMEND that the Scottsdale Airport aggressively publish educational information and regulations regarding noise abatement procedures at the airport through normal aviation journals and manuals.

This recommendation is a local concern.

13. RECOMMEND that the City of Scottsdale establish reasonable maximum aircraft noise limits to reduce aircraft noise in the surrounding residential community with both General Airport (maximum decibel) and individual aircraft type, performance-based single-event noise exposure level (SENEL) limits be set and enforced.

The FAA opposes the use of an in situ SENEL measurement for reasons of aviation safety. Aircraft pilots attempting to achieve a lower SENEL value as they fly over a monitoring station may engage in aircraft maneuvers which are detrimental to safety. FAA's safety concerns in this regard are increased by the proposed imposition of severe financial penalties which will further encourage pilots to attempt to "beat the box."

14. RECOMMEND that a computerized sound monitoring system, including noise monitoring stations that completely surround the airport, be installed as soon as possible, and that the information gathered be provided to appropriate agencies/committees to initiate corrective action.

The cost/benefit of such a system must be thoroughly analyzed. Suggest, as is suggested by the Phoenix Planning Department, that Scottsdale consider a portable system. This item is not an approved NCP measure and may not be eligible for federal Airport grant in aid funding.

15. RECOMMEND that all aircraft based at or operating from Scottsdale Airport be required to have a Mode C Altitude-Reporting Transponder, which provides controllers with such flight data as aircraft position and altitude.

Has a potential of being an unreasonable economic burden on air commerce and discriminatory.

16. RECOMMEND that the existing and future Scottsdale City ordinances to impose fines and/or imprisonment for violations of aircraft-related ordinances with escalating penalties for multiple offenders, be strictly enforced.

This recommendation is of local concern. The fines and penalties must be reasonable and nondiscriminatory.

17. RECOMMEND that anyone who is found guilty of three noise violations in three years, be required to take his aircraft and leave the airport for not less than one year.

This recommendation has a potential of being discriminatory, and an unreasonable economic burden on air commerce.

18. RECOMMEND that a noise abatement program and one full-time Noise Abatement Officer position with additional evening staff be established at Scottsdale Airport to monitor violations around the clock and to ensure pilot education in these areas.

This recommendation is of local concern.

19. RECOMMEND that an Administrative Hearing Board, including Phoenix representation, be set up to adjudicate violations at Scottsdale Airport.

This recommendation is of local concern.

20. RECOMMEND that the city of Scottsdale maintain its airport current status and not seek a full or limited Part 139 Permit.

No comment.

21. RECOMMEND that Phoenix City Council request that the City Council of Scottsdale reaffirm the 60,000 pound gross weight limit on aircraft using Scottsdale Airport, and that limit be strictly enforced.

This recommendation has a potential of resulting in an unreasonable economic burden on air commerce and discriminatory.

22. RECOMMEND that the Arizona Department of Transportation, at the urging of Phoenix and Scottsdale City governments, conduct a study to determine how much liability and property damage insurance is needed by individual owners and require these amounts and that the cities of Phoenix and Scottsdale support state legislation imposing mandatory aircraft insurance requirements.

This recommendation has a potential of resulting in an unreasonable economic burden on air commerce, and unjustly discriminatory.

23. RECOMMEND that a copy of all aircraft owners' liability and property damage insurance be presented to the city of Scottsdale at time of tiedown and/or where hangar fees are paid.

This recommendation has a potential of resulting in an unreasonable economic burden on air commerce, and unjustly discriminatory.

24. RECOMMEND that the Maricopa Association of Governments establish a permanent joint citizens committee, made up of representatives from the cities of Phoenix and Scottsdale, to monitor compliance and update recommendations 1 through 28.

This recommendation is of local concern.

25. RECOMMEND that a written legal agreement be entered into by Scottsdale and Phoenix that would make all of these recommendations legally binding, and subject to penalties upon violation.

This recommendation is of local concern.

26. RECOMMEND that until the city of Phoenix has made all reasonably possible efforts to have Scottsdale Airport's flight paths moved from over Phoenix to over the city of Scottsdale, no zoning or master plan changes from residential to nonresidential in the airport area should be considered by the city of Phoenix.

The planned development zoning is an approved NCP mitigation measure. To hold an acceptable noise mitigation measure hostage while trying to attain others does not appear to be a prudent approach to attain noise compatibility. All acceptable measures should move forward at their own pace.

27. RECOMMEND that the city of Phoenix Planning Commission consider establishing a "noise overlay district" upon existing zoning regulations which would require additional sound insulation and other noise attenuation measures for new development with a 65 dBA+ noise contour.

This recommendation is of local concern.

28. RECOMMEND that the Mayor and City Council of Phoenix vigorously explore all potential legal remedies. It is further recommended that, following the exploration of potential legal remedies, the Mayor and City Council appoint a Negotiations Task Force to pursue the implementation of this task force's recommendations with the City of Scottsdale.

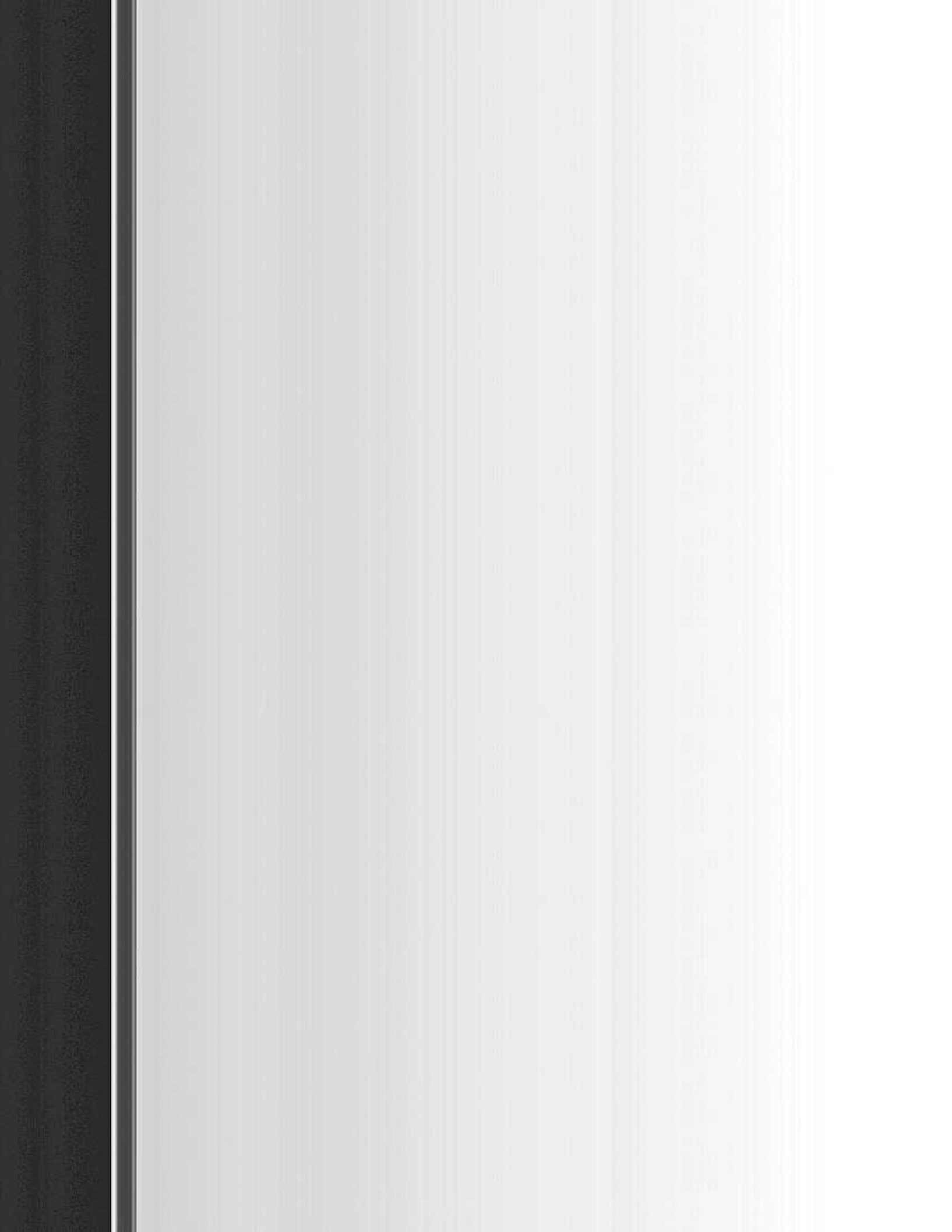
This recommendation is of local concern.











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Thank you for this opportunity to comment on this report. This type of action is fully supported by the FAA. It is suggested that these recommendations be forwarded to the city of Scottsdale for their consideration. If you have any questions, please contact me at (213) 297-1250.

Sincerely,

ORIGINAL SIGNED BY

Howard S. Yoshioka

Howard S. Yoshioka
Supervisor, Planning Section

cc:
Scottsdale
PIX

AWP-611:HYoshioka:X1250:DA.009.JAN89X:PGS 1-8
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