



Minutes Tempe Aviation Commission July 8, 2014

Minutes of the Tempe Aviation Commission meeting held on July 8, 2014, 6:30 p.m., at the Public Works Conference Room, Garden Level, City Hall Complex, 31 E. Fifth Street, Tempe, Arizona.

(MEMBERS) Present:

Lane Carraway
Shannon Dutton (Vice Chair)
Gordon Gauss (on phone)
Karyn Gitlis
Lance McIntosh
Barbara Sherman (Chair) (on phone)

(MEMBERS) Absent:

Sally Clements
Mark Garrigan (Excused)
James Wennlund (Excused)

Citizens Present:

Darlene Justus, NTNA President

City Staff Present:

Oddvar Tveit, Environmental Quality Specialist

Meeting convened at 6:40 p.m.

Shannon called the meeting to order.

Agenda Item 1 – Public Appearances

Darlene Justus thanked staff for providing flight track information and the FAA advisory circular on the operation of model aircraft close to airports, (AC 91-57). Supplementary arrival track information over north Tempe would be appreciated. She presented newspaper and magazine articles about how the noise from drones can disturb wild life research, the military use of drones, whether drones are useful or just invasive, the use of drones in national parks, drones in search and rescue, and the article about FAA v. Pirker case. She also referred to a recent article in USA Today that states that the FAA is expected to propose rules governing smaller drones weighing less than 55 pounds by the end of November. She recently had a visit by a neighbor who had seen the recent [Channel 5](#) segment on drones. The neighbor lives close to a person that has a drone, and was happy to see that the NTNA is concerned about drones. Drone flying has been observed in north Tempe neighborhood both during daytime and nighttime. Darlene asked that the commission or the city notify the airport about these drone operations close to the PHX flight paths. Staff suggested the quarterly meetings held in Tempe by the Phoenix Airspace Users Working Group (PAUWG), could be a venue for these concerns. The next PAUWG meeting is scheduled for August 14, 2014. Darlene mentioned that the model aircraft community is concerned about being overregulated because of the drone issue, and suggested the airport make public outreach to inform about the proper operation of drones. Upon question to staff from Gordon, staff confirmed that because of the administrative judge ruling in the Pirker case about FAA's lacking authority to regulate drones for commercial use, a

decision that has been appealed, there is a wait and see situation with regard to the regulation of drones including those used for recreational purposes. Shannon stated that camera drones and privacy are issues under local jurisdiction and can be difficult to enforce. Darlene ended her address by making the members aware that Senate Intel Committee Chair Dianne Feinstein expressed her concerns about drones and privacy on the CBS [60 minutes](#) program.

Agenda Item 2 – Consideration of Meeting Minutes (June 10, 2014)

Karyn moved to approve the draft minutes presented in the meeting handout. Barbara seconded the motion. The June meeting minutes were approved by a unanimous vote.

Agenda Item 3 – Updates from Staff

FAA's One Engine Out policy initiative:

June 27, 2014 was the FAA's hearing deadline on a proposed policy change to include One Engine Inoperable (OEI) flight path surfaces for airports in 14 CFR Part 77 aeronautical studies of new construction under the flight paths. This is where airports establish OEI departure areas with input from airport users and local communities. Staff has been in contact with city officials to make sure they are informed about the initiative, and what has been done at PHX. City of Phoenix did include OEI in a PHX obstacle height limit ordinance amendment in 2008. Staff had the opportunity to listen in on an FAA Webinar about the proposal on June 25, 2014, and the FAA is now evaluating comments received on the proposal. He also referred to H.R. 4623 introduced by Rep. Jim Moran (D-Va.) requiring that the proposed policy change to be implemented by following a normal rule making process.

PHX Noise Exposure Map Update:

The final maps have been submitted for FAA approval. The agency's review is expected to take two to three months, and is focused on how the required modeling tool, the Integrated Noise Model (INM), has been applied to come up with new baseline contours for 2013 and the contour forecasts for 2018. With regard to future use of approved maps, staff explained the issues airports have voiced regarding implementation of sound insulation projects going forward with the FAA Public Guidance Letter (PGL) 12-09. The guidance confirms a requirement of at least 45dB indoor noise level for a building to participate in a FAR Part 150 sound insulation program where the airport is committed by Airport Improvement Program (AIP) grant assurances. Adding the smaller footprint of the updated noise exposure maps, there is uncertainty both with regard to when and where in Tempe the airport would be in a position to offer sound insulation assistance in addition to what has already been provided to qualified single family homes. The final maps with Landrum & Brown's comments to input received at public hearing meetings and planning advisory committee meetings are posted at <http://www.skyharbor.com/community/NoiseExposureMaps.html>. Lane mentioned that low frequency aircraft noise still creates vibrations in homes that have received insulation upgrades. There still are untreated homes in between completed homes because the owner did not choose to participate or because of how the airport applied the contour lines in between homes in north Tempe neighborhoods.

COW IGA Initiative:

City staff is in the process of reviewing a prepared draft letter to Phoenix about the IGA for Councilmembers Onnie Shekerjian and Shana Ellis on the Council Committee of the Whole.

Agenda Item 4 – Rules of Procedure Update

With input from the city attorney's office, staff prepared and included in the meeting handout a draft revision to the rules to include changes made to the city code to consolidate the city boards and commission structure and a previous change regarding requirements for establishing subcommittees. After questions and discussions on the city ordinance to

consolidate city boards and commissions, Karyn moved to approve the resolution to revise the commission's rules of procedure. The motion was seconded by Lance and approved by the members by a unanimous vote.

Agenda Item 5 – Information pamphlet on Tempe-Phoenix IGA on noise mitigation flight procedures

Staff had received and included in the meeting handout comments from Barbara to the draft pamphlet that were explained by Barbara and discussed by the members. Several suggestions were made to simplify the document into a more laymen oriented one pager with less technical information and with reduced focus on explaining departure compliance measuring. Shannon encouraged the members to forward any additional input the members might have to staff by Wednesday July 16, 2014. All the input will be considered in a final draft review and approval at the next meeting followed by a discussion of a recommendation to the city to review it and use it as a public information document about the 1994 Intergovernmental Agreement. Barbara moved to proceed with the topic as suggested. Lance seconded the motion. The motion carried by a unanimous vote.

Agenda Item 6 – Commissioners' Business (topics for future discussion)

Lane suggested that commissions be listed under the "Residents" tab on the city home page. Shannon suggested a further discussion of the drone issue be included on the next meeting agenda and Barbara asked to get area navigation (RNAV) review on a future agenda. Staff said he would get back to the members about a meeting date that would accommodate participation by PHX FAA officials when RNAV review is on the agenda.

Agenda Item 7 – Schedule next TAVCO meeting

The next meeting was tentatively scheduled for August 12, 2014.

Agenda Item 8 – Adjournment

The meeting was adjourned at 8:38 p.m.

Prepared by: Oddvar Tveit

Reviewed by: Steven Methvin

Authorized Signature
Deputy City Manager-Chief Operating Officer