



Minutes Tempe Aviation Commission December 9, 2014

Minutes of the Tempe Aviation Commission meeting held on December 9, 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
Sally Clements
Shannon Dutton (Vice Chair)
Mark Garrigan
Karyn Gitlis
Barbara Sherman (Chair)

(MEMBERS) Absent:

Gordon Gauss (Excused)
Lance McIntosh
James Wennlund (Excused)

Citizens Present:

Darlene Justus

City Staff Present:

Christina Hoppes, Acting
Environmental Programs Supervisor
Oddvar Tveit, Environmental Quality
Specialist

Meeting convened at 6:45 p.m.

After recognition of outgoing members Barbara Sherman, Karyn Gitlis and Sally Clements, Barbara Sherman called the meeting to order.

Agenda Item 2 – Consideration of Meeting Minutes (November 19, 2014)

Barbara Sherman asked for comments on the minutes and a motion to approve. Karyn Gitlis moved to approve the minutes with the exception that they incorrectly stated she was present. Lane Carraway seconded the motion to approve the minutes with the proposed correction. By a unanimous vote the motion to approve the corrected November meeting minutes carried.

Agenda Item 3 – Update from Staff

Staff introduced Christina Hoppes, Acting Environmental Program Supervisor. Ms. Hoppes explained that she, along with Environmental Services Manager David McNeil and Deputy Public Works Director for Water Utilities, Marilyn DeRosa, would be providing a stronger management structure in support of staff assigned to TAVCO in the future. They would be attending TAVCO's meetings the coming months to learn more about the aviation commission and how to best assist staff. The members expressed appreciation of the Public Works Department's engagement with the commission's staff person. Staff explained that this support and supervision is important in order to broaden the organization's understanding of highly technical aviation issues. He thanked Karyn Gitlis and Barbara Sherman for their consistent assistance in ensuring that committee documentation and transcriptions were understandable at a less technical level. Barbara Sherman stated that staff has been providing excellent reports

using data from the PHX Noise and Flight Track Monitoring System (NFTMS), and that generating these reports might benefit from additional support provided to staff. She acknowledged that reporting is not easily done by only one person with in-depth knowledge. Karyn Gitlis stated that staff also has dealt competently with concerned citizens doing their own monitoring of airport operations. Shannon Dutton asked whether noise from sources other than aircraft has been an issue for staff when monitoring and reporting. Staff said that complaints because of noise from other sources are handled by police or city neighborhood services, and the tracking of noise from e.g. highways, are based on different metrics and modeling tools. She added that staff is knowledgeable and gives the members pertinent information about noise strategies at other airports both in the U.S. and abroad. Lane Carraway mentioned staff's forthright approach to dealing with citizens and ability to mediate issues with Phoenix.

Agenda Item 1 – Public Appearances

Darlene Justus asked if this agenda item was in reference to changing the commission's staff person. She stated that staff has been helpful in providing information to the neighborhood and its citizens, and has been responsive to all requests for information. Staff also helps explain what is occurring in Tempe airspace, and communicates well regarding the FAA's activity and communication. Ms. Justus expressed confidence that the commission's staff person is providing all relevant information, and has always been knowledgeable, open and transparent.

Agenda Item 4 – Candidates for Officer Positions

Barbara Sherman solicited candidates for Chair position for 2015. Karyn Gitlis nominated Shannon Dutton. The motion was seconded by Mark Garrigan. Barbara Sherman then asked for a nomination to the position of commission Vice-Chair for 2015. Mark Garrigan nominated Gordon Gauss, and Shannon Dutton nominated Lance McIntosh. Both nominations for Vice-Chair were seconded by Karyn Giltlis. Votes were deferred to the commission's first meeting in 2015.

Agenda Item 5 – Drones

Staff mentioned that the issue of private drone use was brought before the commission by the North Tempe Neighborhood Association (NTNA). Private drone use has caused concerns nationwide. NTNA has expressed concerns regarding private use of drones under the airport flight paths in Tempe. Staff also explained that the National Transportation Safety Board (NTSB) has reversed an Administrative Law Judge order in the "Pirker" case, and clearly stated that unmanned aircraft systems are covered by the term "aircraft" and fall under the FAA's jurisdiction. FAA has published guidance for use of model aircraft, and is still working on the integration of commercial drones into the National Airspace System. Tempe has prohibited¹ the use of remote control planes or similar aerial devices in Tempe Beach Park and Rio Salado Park. Shannon Dutton asked staff how the requirement to notify local air traffic control about the use of unmanned model aircraft/drones within five miles of an airport is enforced. Staff stated that the FAA has published guidance on their authority to regulate model aircraft use in the Federal Register.

With regard to enforcement, the PHX FAA-has procedures for following up with local law enforcement on the use of laser pointers. However, enforcement of laser pointing prohibitions is limited to those situations where pilots report incidents and it has been possible to identify suspects, e.g. the use of laser on a helicopter where flying is done by visual navigation and pilots are better able to identify streets and other ground-based landmarks. For drone use that

¹ Tempe City Code Chapter 23, Article III, Section 23-40 (a) (9).

the FAA considers a flight safety hazard, enforcement would also depend on the ability to report and identify suspects. Lane Carraway suggested that drone manufacturers should include information about the FAA's Advisory Circular on model aircraft use in the packaging, telling the buyer about the agency's use restrictions and the need to check local use restrictions. Barbara Sherman suggested that the commission needed to do more research into all of the issues related to widespread drone use, including privacy, flight safety, and health and safety issues. Darlene Justus informed the members that videos from the vantage point of drones in Papago Park have been posted on YouTube.

The members agreed to continue the discussion of drones at the next meeting. Shannon Dutton stated that the discussions could include recommendations for partnering with Phoenix to come up with joint actions.

Agenda Item 6 – PHX Noise Monitoring Sites in Tempe

Staff stated that this was an item that Lane Carraway had requested be agendaized. Staff presented a report that the city procured in 2008 evaluating the positioning of the PHX fixed Noise Monitoring Sites (NMSs) in Tempe. The report identified three sites, NMS 13, 14 and 16 that were not well located for monitoring aircraft noise. Staff presented DNL/ Ldn averages for the three sites recorded from 2008 to November of 2014. The numbers showed that the noise levels attributed to aircraft operations have continued to stay significantly lower at these sites than at the other PHX sites in Tempe. The consultants suggested that they should be moved to Scales and Laird Schools, because these sites are highly noise sensitive and close to the flight paths. The report recommended that the third monitor be relocated to a location on Henry Street. These recommendations were for short-term relocation due to scheduled upgrades to the system. Potential long term recommendations for consideration include changing the system from a passive to an active mode system where relocated monitors could be used by the airport to promote quiet flying procedures, and considering a lower impact threshold than 65 DNL.

Karyn Gitlis mentioned prior commission discussions about setting up portable monitors in Tempe's most noise impacted neighborhoods. Lane Carraway said that because arrival paths now go over and partly north of Weber Drive, the airport should consider moving one of the sites to monitor the noise in the area of the Indian Bend, West Rio and East Rio Apartments, and the Cavalier and Marlborough Park Neighborhoods. The planes now arrive over more narrow zones instead of spreading randomly over north Tempe. The monitoring sites need to reflect where planes fly using area navigation (RNAV) in both North and South Tempe.

Staff stated that as planes get quieter and perform better, and as Tempe grows and density increases, other sources of noise make it more difficult for some monitors to isolate aircraft noise, particularly at the sites further from the airport such as those in Mesa. The airport owns and runs the equipment at all twenty sites and it is up to them to decide when to assess the monitoring system. The equipment at the sites was last upgraded in 2010.

Karyn Gitlis left the meeting 8:35 p.m.

Barbara Sherman expressed the need for Phoenix to review the PHX NMS to ensure that it provides useful data. This should be a topic the cities discuss. Staff explained that the system is set up to identify both single event noise and accumulated noise levels. Darlene Justus commented that arrival noise events are a bigger concern than departure noise events because arrivals use the airspace over Tempe neighborhoods more than departures, the events last longer because approaching aircraft are flying at slower speeds than aircraft that climb on

departure, and arrivals also fly at lower altitudes. These concerns support the need to ensure that monitoring provides accurate and useful data. Additionally, elected officials need to support impacted residents on the issue of arrival noise.

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

- Further discussion of drones.
- More discussion of arrival operations.

Lane Carraway requested feedback from staff on what transpires if any contact occurs between elected officials from Tempe and Phoenix regarding aviation.

Agenda Item 7 – Schedule next TAVCO meeting

The next meeting was scheduled for January 13, 2015.

Agenda Item 8 – Adjournment

The meeting was adjourned at 8:49 p.m.

Prepared by: Oddvar Tveit

Reviewed by: Marilyn DeRosa

Authorized Signature
Deputy Public Works Director- Water Utilities