



City of Phoenix
OFFICE OF THE CITY MANAGER

December 23, 2014

Honorable Michael Huerta
Administrator
Federal Aviation Administration
800 Independence Avenue SW
Washington, DC 20591

Re: Request from City of Phoenix to cease use of new RNAV flight paths

Dear Mr. Huerta:

This letter transmits the official position of the City of Phoenix, owner and custodian of Phoenix Sky Harbor International Airport (PHX) as it relates to RNAV flight paths for PHX. On December 16, 2014, the Phoenix City Council voted to state the official position of the City that FAA immediately cease the use of the new RNAV flight paths implemented on September 18, 2014, and utilize the departure and arrival flight paths that were in effect prior to September 18, 2014.

On behalf of the City of Phoenix, I would like to thank Mr. Glen Martin, FAA Regional Administrator, for attending the Phoenix City Council Policy meeting on December 16, 2014 to discuss the adverse effects of the recent implementation of changes to RNAV flight paths for PHX. Mr. Martin was able to hear the concerns from City elected officials, staff and residents. As an outcome, we are hopeful that the FAA and City of Phoenix can achieve a mutually beneficial solution to address this important issue.

It was clear from the testimony at the meeting that the residents of Phoenix living near the new RNAV procedures, including those in historic properties and districts, are experiencing a significant increase in noise from aircraft overflights. Mr. Martin acknowledged in the meeting that the FAA did not anticipate this type of reaction from the public. It is clear that FAA did not anticipate the reaction because there was no appropriate outreach made to the City or the community to explain the potential effects of the RNAV flight paths. In addition to the public testimony, we understand that the Arizona State Historic Preservation Office (SHPO) has rescinded its concurrence with the FAA's no adverse effect determination regarding potential impacts to historic properties made under Section 106 of the National Historic Preservation Act and requested reopening of the Section 106 consultation process. We believe that the SHPO action is appropriate given that the information it received resulted in an obvious misunderstanding of the adverse impacts of the new routes.

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The City of Phoenix joins in the request of the Arizona SHPO to reinstate the Section 106 consultation process. The original process was inadequate and failed to predict the noise impacts and community reaction that are now quite evident. Inconsistent with the requirements of Section 106's implementation regulations, FAA failed to appropriately consult with the City of Phoenix as the Certified Local Government regarding the potential impacts of the proposed flight paths on historic properties in the City.

Further, the actual facts on the ground show that FAA's assertions to SHPO were incorrect. As Mr. Martin heard in the testimony on December 16 and we are hearing through extensive complaint information and in person visits, the aircraft noise is clearly perceptible above background noise in the areas along Grand Avenue and parts of southwest Phoenix and is affecting life and conversation at historic and non-historic properties. The City is collecting additional data and information on these effects that we will be glad to provide you in the upcoming weeks.

The City of Phoenix and the FAA have in the past partnered together to address aircraft noise issues in the communities near PHX. This partnership has included the expenditure of over \$300 million dollars of federal and local funds towards the purchase and relocation of residents, as well as the installation of sound insulation in homes. This money has been spent in order to develop compatible corridors for flights operating to and from PHX. We are very concerned that the new RNAV departure flight paths shifted aircraft away from the areas that we have collectively worked to make compatible over the last 20 years, and in fact continue to work on today.

For these and other reasons, the Phoenix Mayor and City Council voted unanimously on December 16, 2014, that, as the owner and operator of PHX, the City respectfully insists that the FAA immediately cease the use of the new RNAV flight paths implemented on September 18, 2014, and utilize the departure and arrival flight paths that were in effect prior to September 18, 2014. We request that the FAA, as it has done in the past, respect and defer to the views of the airport proprietor with respect to potential adverse effects of RNAV implementation. We request that the FAA discontinue implementation of the new RNAV flight paths until completion of a jointly designed and implemented local public outreach process aimed at finding a consensus solution that addresses both the agency's policy directives and the local needs of this community.

We acknowledge and respect the desire of Congress to modernize the nation's air traffic system and that this may include changes to procedures at PHX, including the upcoming Metroplex process. However, public trust is important and so we insist, should the FAA wish to pursue the implementation of new departure and arrival flight paths at PHX that at a minimum it prepare an Environmental Assessment and solicit public input throughout that process.

The City of Phoenix values the collaborative relationship we have shared with the FAA, which has resulted in PHX being a major economic engine in the region and an important part of the national aviation infrastructure. PHX must also be a respected and

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valuable community partner. It is our belief that working together we can find a solution that enhances aviation safety and efficiency while maintaining the quality of life for our residents and economic value for the region.

Finally, I ask that in all matters related to PHX operations and airspace that FAA officials communicate with our Acting Aviation Director, Tamie Fisher to ensure appropriate communication. This is specifically in regards to the resolution of the RNAV departure procedures for PHX, and any future changes to flight procedures that affect PHX, DVT, or GYR. Thank you for your time and attention to our concerns.

Sincerely,



Ed Zuercher
City Manager
City of Phoenix

cc: Phoenix Mayor Greg Stanton
Vice Mayor Jim Waring
Councilmember DiCiccio
Councilmember Gallego
Councilmember Gates
Councilmember Nowakowski
Councilmember Pastor
Councilmember Valenzuela
Councilmember Williams
Senator John McCain
Senator Jeff Flake
Congressman Ed Pastor
Congressman Elect Ruben Gallego
Dennis Roberts, Director, Airspace Services
Glen Martin, Western Pacific Regional Administrator
Tamie Fisher, Acting Aviation Director