

East Columbia Neighborhood Association
8105 N Brandon Avenue
Portland, OR 97217

Governor Kate Brown
Office of the Governor
900 Court Street NE, Suite 254
Salem, OR 97301-4047

CC:

Speaker Tina Kotek
Senator Lew Frederick
Port of Portland
PDX Citizen Noise Advisory Committee c/o Chairman Mark Clark

Dear Governor Brown,

17 June 2019

Today we are writing to request your intervention and assistance. As community representatives we are requesting that you direct the Oregon Air National Guard to discontinue using the Overhead Continuous Descent Approach (OCDA) when landing at Portland International Airport (PDX).

Within this letter, we address (1) Entities and Special Terms involved, (2) Impacts of Noise Pollution, (3) Timeline of Pertinent Decisions and Actions, (4) Community Consent and Equity, (5) Alternative Solutions to the Current Situation, and (6) Conclusions.

Entities and Special Terms relating to OCDA at PDX:

PDX: Portland International Airport. PDX is situated within a residential metropolitan area and has established commercial flight paths in line with airport runways. The North and South runways both run parallel with the Columbia River.

ORANG: Oregon Air National Guard, the air component of the National Guard under control of the Governor of Oregon. The 142nd has a base at PDX. The existence of a military base at a major civilian airport is unique to Portland, Oregon.

OCDA: Overhead Continuous Descent Approach. The OCDA is an "overhead break," which is a landing procedure used by military pilots to expedite landings in potentially hostile areas. This maneuver has fighter jets circle over Portland residential neighborhoods twice in route to the

runway(s) at PDX. Also referred to as the OHCDA, CDOA, and CDA. Fighter jets executing the OCDA arrive in groups of 2 to 4 jets at speeds faster than civilian aircraft. When ORANG practices this maneuver at PDX, fighter jets fly at low altitudes over civilian residential communities, thus creating at least two acts of noise pollution on the ground. The high speeds produce louder noise than conventional lower speed approaches. The OCDA establishes new flight paths and resultant noise levels over areas that historically had none. See Appendix "A" OCDA Flight Paths.

Port of Portland: A State of Oregon entity that serves as the Portland International Airport's owner, operator, proprietor. The Port of Portland will be paid a total of \$1.00 in rent by ORANG for leasing the land at PDX for the next 50 years.

PDX Noise Management Office: The office within the Portland International Airport management hierarchy that manages the Noise Abatement Program, supervises the CNAC, and serves as the interface between the community and the airport.

CNAC: Citizen Noise Advisory Committee. A Port of Portland advisory committee, comprised of community members from the Portland metro area, focused on aviation noise issues. CNAC's recommendations are non-binding.

NoJetsPortland.com: Portland neighborhood activist group and petition with over 1,100 Portlanders committed to stopping ORANG's use of the OCDA over Portland residential areas. NoJetsPortland.com is not opposed to military jets landing at PDX or ORANG's mission and presence at PDX.

ECNA: East Columbia Neighborhood Association. ECNA is a City of Portland recognized organizational entity.

Woodlawn NA: Woodlawn Neighborhood Association. Woodlawn NA is a City of Portland recognized organizational entity.

CAN: Cully Association of Neighbors. CAN is a City of Portland recognized organizational entity. Due to a combination of geography, meteorology, and classism, Cully is the neighborhood that has experienced the most negative effects of the OCDA.

CNN: Central Northeast Neighbors. CNN is a City of Portland recognized association of Northeast Portland neighborhoods.

NPNS: North Portland Neighborhood Services. NPNS is a City of Portland recognized association of North Portland neighborhoods.

FAA: Federal Aviation Administration. FAA is charged with providing safe and efficient aerospace.

NEPA, EIS, EA: The National Environmental Policy Act governs all actions taken by federal, state, and private entities working with federal facilities or funded by federal funds. EIS (Environmental Impact Statement) and EA (Environmental Assessment) refer to different levels of review and documentation. An EA or EIS is generally required when a federal agency proposes actions that result in significant impacts.

WHO: World Health Organization. The WHO recognizes "noise" as a form of pollution.

Impacts of Noise Pollution

The World Health Organization recognizes noise pollution as a serious environmental issue that is responsible for a range of health effects, including sleep disturbance, stress-related mental health risks, and tinnitus. The WHO has observed that children living in areas with high aircraft noise have delayed reading ages, poor attention levels, and high stress levels. Conversely, the WHO has also observed that reduced noise exposures in neighborhoods can generate economic and social co-benefits such as higher property values and increased levels of pedestrian street activity and social interaction.

Portlanders have testified on the record at CNAC that the noise-polluting OCDA landing maneuver causes physical, mental, and psychological health issues. It shakes houses and windows. It can trigger PTSD. Many have testified to losing sleep, to losing the ability to work from home (due to not being able to talk over/shout over the OCDA maneuver), and/or not being able to hear themselves think or even converse with a person standing in front of them for the duration of the OCDA(s). Many attest to flinching at non-OCDA sounds that were previously tolerable. This is likely a result of the increased use of the OCDA, which fundamentally alters the soundscape and psychological landscape of the city.

Julia Olson, a child development specialist with a focus on early neuro-physiological and neuro-psychological brain development, and who lives in the Kenton neighborhood of Portland, states:

"Let us understand that this is not simply a recurring violation of a disturbing of the peace, but is also a molestation of the cognitive and emotional senses. It is a sabotage on the neurophysiology, the neuropsychology, of our central nervous systems, as human beings. It incites fear, deep fear also known as terror, it makes children cry, it triggers PTSD in our veterans and our homeless citizens, it creates an acoustic environment of war, and so much more. It truly "rapes" the senses. It is intolerable."

Timeline of Decisions and Actions regarding OCDA at PDX:

- For decades, ORANG fighter jets landing at PDX have used the straight-in approach used by commercial traffic. The noise created by this landing is comparable to a commercial aircraft landing.
- During the 1980s, 1990s, and early 2000s, ORANG attempts to use the OCDA at PDX, which would have necessitated the use of the spiral-down landing maneuver over civilian residential neighborhoods. These attempts are all rejected by the Port of Portland Noise Management office.
- 2002: The OCDA maneuver is tested at the west end of the airport; after 10 days, it is rejected by the Port of Portland. The PDX Aviation Director states that "The data that was collected made it clear that the overhead approach increases noise in neighborhoods close to the airport." See Appendix "B" letter from Port to ORANG, dated August 12, 2002, and supporting Noise Management Office report dated June 21, 2002.
- 2008-2009: Port of Portland approves use of OCDA at east end of PDX in spite of strenuous community objections. See Appendix "C", letter from Cully Association of Neighbors.
- 2008-Present: The OCDA maneuver creates a flight path where previously there was none approved. This industrial practice extends noise, vibration, and pollution into the residential community where none had existed before, and likely violates NEPA and FAA protocols.
- 2009: Portland City Council, State Representative Michael Dembrow, and State Senator Jackie Dingfelder send letters to ORANG in support of the community's position on public health, safety, and quality of life. See Appendix "D" letters from Portland City Council, Dembrow, and Dingfelder.
- 2017: ORANG and Port of Portland propose testing OCDA at west end of PDX and increasing frequency and hours of operation.
- 2017, May through 2017, October: ORANG conducts a 6 month test period to massively increase use and frequency of OCDA at PDX. Citizens in residential neighborhoods are outraged. Cully, Concordia, East Columbia, Roseway, Sumner, Woodlawn, Piedmont, and CNN are most affected and most opposed.
- 2017, May through 2018, November: Neighborhoods, neighborhood coalitions, individuals, and businesses testify and submit letters and petitions objecting to the OCDA maneuver. See Appendix "E" Community letters 2017, 2018.

- 2018, March: CNAC supports the residential community. The PDX sponsored Citizen Noise Advisory Committee reviews the OCDA test, test data, community response, and other available testimony including that of Port of Portland staff and the ORANG. CNAC concludes that the maneuver is not compatible with the communities on west end of PDX, and it should not be allowed. Considerable discussion also ensues over compatibility with the communities on east end of PDX.
- Though the CNAC recommendations do not preclude continued use of the east-end southern runway, the committee does recommend that the ORANG use the east and west-end northern runways. This recommended solution would route ORANG aircraft over the Columbia River, and away from residential neighborhoods for most of the landing maneuvers.
- 2018, March 8: CNAC recommends against use of OCDA on West end South runway at PDX and rejects other ORANG proposals to increase use and frequency of OCDA based on evidence that it is damaging and disruptive to people living in nearby neighborhoods.
- 2018, Summer: Port of Portland management allows ORANG to disregard CNAC recommendations. ORANG implements OCDA landing maneuvers over neighborhoods at west end of PDX.
- 2018, Summer: ORANG leadership, after a year-long public process, rejects the recommendations of CNAC, rejects public feedback, and increases OCDA landing maneuvers above residential neighborhoods. ORANG establishes a flight path above west end residential neighborhoods that previously had none. ORANG's actions and the Port of Portland's (in)actions once again likely violate NEPA and FAA protocols.

Community Consent and Equity

- Moving or expanding the impacts of aviation noise without analysis is contrary to FAA policy. Chapter 17 of the FAA's Airport Desk Reference calls for, at minimum, "[an analysis of] new or revised flight procedures at less than 3000 feet AGL [Above Ground Level] ... over noise sensitive areas not previously overflown." This precisely describes the implementation of the OCDA at PDX. See Appendix "F," FAA Airports Desk Reference, Noise.
- Port of Portland, as the airport proprietor has the duty and authority to protect the community from new encroachments of this nature. See Appendix "F," Federal Aviation Act 49 USCS 1431.
- ORANG's use of the OCDA moves noise, vibration, and air pollution into residential communities that previously had none, despite continuous objections. The health and

livability impacts could last forever.

- Communities most affected are diverse, predominantly lower income, and historically marginalized. Marginalized communities also deserve protection from the impacts of noise pollution.
- Community members met with ORANG leadership to discuss and request written commitments. ORANG declined and reserved the right to change its mind.
- Communities should not have to mount a public relations and political outreach campaign every time ORANG has a whim to renege on its verbal agreements. This burden is too great, and disproportionately affects lower income, migrant, and communities of color.
- Future ORANG leadership, without institutional knowledge of the community opposition to the OCDA, may attempt to expand its use again. ORANG's long track record suggests this is possible, if not likely.
- The notion that those who choose to live close to the airport shouldn't complain about airport noise belies the fact that the OCDA is distinct from regular airport noise and that homeowners and renters alike have a reasonable expectation that their property will not suddenly fall under a new military flight path when previously they weren't under ANY flight path.
- Military maneuvers do not belong in, on, or above civilian residential neighborhoods.
- The OCDA increases aircraft-crash exposure to community members.

Alternative Solutions to Current Situation

1. Minimize the impact of the OCDA landing maneuver by only allowing practice immediately prior to a squadron's deployment.
2. Limit use of the OCDA landing maneuver to the PDX northern runway. This moves ground level impact to the Columbia River.
3. Discontinue the use of the OCDA at PDX. ORANG can do what it did for several decades before: prepare to be mission-ready by practicing the OCDA elsewhere. To suggest that the ORANG can't be ready if it doesn't use the OCDA at PDX is to suggest that ORANG was not combat ready for the duration of the Cold War.

Conclusions

We believe that you, as Governor of Oregon, and therefore as the Commander-in-Chief of ORANG, actually have the power to do something about this unfortunate situation. We have gone through the proper public process and channels, and sought to curtail ORANG's use of the OCDA landing maneuver, but to no avail. This is a public health issue because Noise Pollution and its consequences are real. The OCDA is a military practice that is incompatible with residential settings.

ORANG's stated reasons for performing the OCDA landing maneuver at PDX amount to the convenience of saving time and gas money. The Guard is sacrificing our peace and quality of life in the name of defending those very same things. It doesn't make sense.

If the Oregon Department of Transportation built a bridge over our neighborhood without permission or proper mitigation and compensation, and with minimal public dialogue, ODOT would be sued. The OCDA is similar, because ORANG has established a permanent transit-way (low-altitude flight path) over our heads, yet has done so without permission, mitigation, and compensation. The Port of Portland, as ORANG's landlord and as an agency that is beholden to FAA and environmental rules, has failed in its duty to ensure that its tenant, even a military tenant, complies with federal environmental policy.

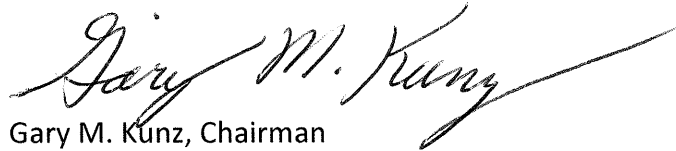
This is a social equity issue, a private property value issue, a public health issue, and most obviously, it's a significant quality of life issue. The Oregon Air National Guard's disregard for public processes and civilian recommendations in residential areas are cause enough for you to intervene and wield your authority and not just because the next generation of fighter jets are objectively louder. There is an injustice here that can be corrected simply by following protocols.

Imagine if Oregon Guard ground troops, tanks, and jeeps routinely drilled through the streets of your neighborhood. No one would tolerate that, because it would be considered to be an unacceptable industrial use for an area that is zoned residential. Though the technology of flight is seemingly miraculous, it is no less mundane. It's a failure of imagination to not see that the practice of these industrial maneuvers is unacceptable whether through, on, or above civilian residential neighborhoods. Just because the OCDA occurs hundreds or even thousands of feet above your head doesn't make it acceptable.

It's also a failure of imagination on the part of previous administrations to not recognize that these significant changes to the character of multiple neighborhoods calls for, at minimum, an EIS process. You, however, have the opportunity to rectify this situation. Please order ORANG to discontinue the use of the OCDA at PDX. If you are unwilling to take this action, please intervene to minimize the negative impacts of the OCDA by only allowing its use before deployment or limiting its use to the northern runway of PDX. You have the power to improve the lives of many.

We would welcome the opportunity to meet with you and your staff and answer any questions that you might have. Thank you again for your time and attention to this matter.

Sincerely,



Gary M. Kunz, Chairman
East Columbia Neighborhood Association



Andrew E. Pritchard, Spokesperson
NoJetsPortland.com

Appendix of attached documents:

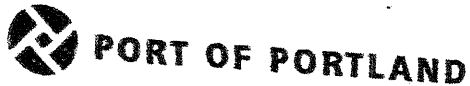
- A: OCDA Flight Paths
- B: Steve Schreiber, PDX Aviation Director, letter to ORANG 2002, and PDX Noise Office report
- C: Letter from Cully Association of Neighbors, 2008
- D: Portland City Council 2009, and State Representative Dembrow and Senator Dingfelder 2009
- E: Community letters 2017, 2018
- F: FAA Airports Desk Reference, Noise and Federal Aviation Act 49 USCS 1431
- G: Pre-Test Period petition Spring 2017
- H: NoJetsPortland.com petition with over 1,100 signatures. <https://www.nojetsportland.com>
- I: Post-Test Period petition winter 2018

Note: Additional pertinent documents are available upon request.

OCDA Flight Paths



Port of Portland document showing the OCDA flight paths. In practice, aircraft fly beyond these boundaries. The majority of OCDAs occur at the East end of the South runway, which clearly establishes a new military flight path over primarily residential areas.



August 12, 2002

Vice Commander Brad Applegate
Oregon Air National Guard
142 FW/CC
6801 NE Cornfoot Road
Portland, Oregon 97218-2797

Dear Vice Commander Applegate:

After reviewing the discussion on the Oregon Air National Guard's proposed overhead approach procedure during the last Citizen Noise Advisory Committee (CNAC) meeting, reviewing the noise office's field data during the test period, and having a number of internal discussions, the Port of Portland has recommended to the FAA that the Air National Guard F-15's not be allowed to fly the overhead approach procedure. The data that was collected made it clear that the overhead approach increases noise in neighborhoods close to the airport.

The idea of additional testing was also proposed at the CNAC meeting. Based upon the data currently available, it is our opinion that any new tests or modifications of the procedure (changes in altitudes or speeds) would not significantly reduce the noise levels in neighborhoods adjacent to the airport.

The ORANG is an important partner with PDX as we work on aircraft noise issues. The dialog between the Port, the CNAC, and the Air National Guard was beneficial and illustrates the willingness of the Guard to address noise while at the same time maintaining readiness and providing for Homeland Defense. We appreciate your understanding of the balance we must find between airport operations and community impacts, and look forward to continued cooperation.

Sincerely,

A handwritten signature in cursive script that reads 'Steve Schreiber'.

Steve Schreiber
Aviation Director

cc: Gary Thornton, Chair, Citizen Noise Advisory Committee
Ray Ballantyne, Manager, Federal Aviation Administration, Portland Tower
PDX Airport Issues Roundtable
Chris Corich, General Manager, Operations and Maintenance, PDX
Joe Walicki, Manager, Noise Office, PDX

Overhead Approach Monitoring

Introduction:

- From May 6 to May 16, 2002, the Noise Management Office conducted a series of attended noise monitoring sessions for the Oregon Air National Guard (ORANG) as they tested an overhead arrival procedure.
- The ORANG set forth several objectives in a letter to the Citizen Noise Advisory Committee (see attached). One objective was to reduce aircraft noise levels at PDX. They are "...concerned about noise problems... and want to help in any way possible..." ORANG suggested that the overhead patterns will actually decrease noise levels.
- The purpose of the monitoring sessions was to determine if the procedures decreased or increased noise in the surrounding communities.

How the test flights were recorded:

- Data collection sites were located in residential neighborhoods that are in close proximity to the airport and under proposed overhead arrival routes.
(See attached maps)
- Data collected includes both runways 10R and 28L overhead and straight-in arrivals.
- This study focused on ORANG F-15 arrival noise data only.

Facts to consider:

- The attended monitoring sites are located on the side streets of neighborhoods where automobile traffic noise and the ambient noise levels are higher than the ambient levels in homes and back yards.
- Aircraft measurements were occasionally contaminated by community noise such as auto traffic.
- Overhead aircraft arrived in pairs; however, only one radar track is recorded (see attached flight track maps). It is typical for the military to have only one aircraft with an ATC beacon code "On" while flying in close formation.
- The overhead procedure calls for weather conditions of a 3500' ceiling and visibility of 5 miles. Based on historical weather data, these conditions exist 28% of the year
- ORANG typically has arrivals at PDX during weekdays at 10:00 and 14:00 hours.

Findings:

- The results of the monitoring in general show that the overhead procedure increased noise levels on the arrival portion of the overhead maneuver when compared to a straight-in arrival. Ambient levels ranged between 43-57 dBA. Overhead Log Max levels ranged between 74.5-82.3 dBA.

- There was added noise in communities that received little or no aircraft noise activity at all when the straight-in approach is used. The noise was noticeable on the ground in the vicinity of the overhead approach.
- Some of the actual overhead arrival routes were outside the proposed ORANG routes. Some of the aircraft flew further into residential communities

Conclusion:

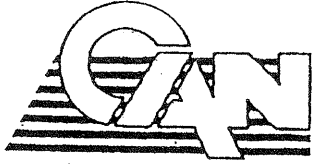
We were only asked to look at the noise concern. We did not consider any other factors such as national security concerns, tactical training, etc. **In general this procedure added to the overall noise in neighborhoods adjacent to the airport.**

Field work and report complied by:

Bob Noble and Eric Petersen, noise technicians, and Matt Tjostolvson, noise intern.

Noise Management Office

June 21, 2002



Cully Association of Neighbors
4415 NE 87th
Portland, OR 97220

October 23, 2008

Jason Schwartz
PO Box 3529
Portland, OR 97208

RE: Cully Association of Neighbors (CAN) objects to the Overhead Approach over the Cully neighborhood by the Oregon Air National Guard (ORANG) F-15 jets.

By unanimous vote on September 9, 2008, CAN passed the following resolution which is reflected in the meeting minutes:

“CAN strongly objects to proposed changed flight patterns designated “overhead approach/break” because of increased noise and public safety risk. We are very disappointed that this issue was not publicly raised by the PDX airport with the neighborhood. “

CAN’s resolution was presented at the monthly Citizen Noise Advisory Committee (CNAC) meeting on September 11, 2008 by Erwin Bergman, Quality of Life chair for CAN and long time member of CNAC.

CAN’s objections to the proposed change in procedures whether for testing only or as a revision of a flight route are:

- 1) Shifting noise from a long existing and accepted flight route to a new location where noise sensitive residential properties have not been exposed to high noise levels from direct overhead flights is not acceptable in the aviation regulatory framework.
- 2) Furthermore, shifting flight patterns and noise from a primarily noise compatible industrial and commercial zone to primarily noise sensitive residential area is a “real NO, NO” in the regulatory framework.

Both arguments reflect first the very fundamental goals and guidelines of the Federal Aviation Administration (FAA) having Congress mandated oversight over US aviation. Secondly this change in flight pattern is diametrically opposite of long standing philosophy goals and planning efforts by Portland International Airport (PDX) to route aircraft as much as possible away from noise sensitive residential areas.

At the Noise Compatibility Planning efforts (Part 150) a few years ago, we were “admonished” time and time again by FAA representatives of these pitfalls. CAN had expectations, that after passing on our objections to PDX at the September 11th CNAC meeting, that the overhead approach procedures either for testing or as a standard waiting to be adopted would cease. This, however, seems not to be the case as CAN’s objections are being ignored as flights continue over head. In fact, PDX staff at an impromptu huddle advised that testing will continue until the end of February ’09.

Can sees this as a breach in promises made by PDX in an undated information bulletin (August 08) disseminated apparently to CNAC members only. Erwin Bergman was on vacation during August and did not become aware until his return on September 5th. The PDX bulletin stated that “the procedure will be contingent upon community acceptance. If we (PDX) find that the community is impacted by the procedures, we reserve the right to withdraw our support which will likely result in the FAA declining further requests for arrival procedure.”

It is noteworthy that upon repeated urging for an appropriate response, Erwin Bergman was told that PDX did not believe that the 4 or 5 complaints that they received about F-15 flights suggested a significant community impact. Realistically, when counting call-in complaints, one must also consider that a very small number of residents are even aware of the complaint hot-line number, thus creating an artificial PDX evaluation. In contrast, CAN believes that a resolution passed unanimously by over 40 residents at the September meeting is much more indicative of the community’s concern.

CAN would also like to point out that PDX potential use of the Day and Night Average Noise Composite (LDN) to evaluate impacts to CAN with and without overhead flights will not reveal real impact levels to quality of life. LDN buries short loud noise events by averaging noise energy and making them disappear which is contrary to the actual noise energy emitted when an F-15 is shooting over your head. Worldwide, the LDN is viewed more and more as an inept and abstract descriptor/metric for aviation noise.

Gary Thornton, a long time Vancouver CNAC member expressed the same concerns about the overhead approach in an August 12th e-mail to the PDX.

As explained by PDX bulletin to CNAC members, “due to noise impacts, in the past ORANG pilots have had to fly to other airbases in order to practice the over head approach,” but now because “fuel prices have risen while the military budget has been reduced”, “ORANG developed a new procedure” to be used at PDX.

CAN feels that monetary reasons for using the overhead approach at PDX should not be considered. We believe that PDX handled this issue poorly. We urge PDX again to discontinue testing of the overhead approach and consider its potential adaptation as a routine arrival procedure as deleterious to CAN, its neighbors and not representing a neighborly action.

Sincerely,

Erwin Bergman

CC: Portland City Council, House Representatives Tina Kotek and Jackie Dingfelder



CITY OF PORTLAND, OREGON

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February 19, 2009

Major General Raymond F. Rees
Adjutant General
Oregon National Guard
PO Box 14350
Salem, Oregon 97309-5047

Dear Major General Rees,

The Portland City Council is writing to you in response to a safety concern that was brought to our attention by the Cully and Concordia neighborhoods of NE Portland. The Air Guard's recent change to the continuous descent landing approach for F-15 jets over residential neighborhoods in Portland is of great concern to the Council. We encourage the Air Guard to pursue an alternative landing option that does not involve added risk to the safety of Portland residents.

Portland City Council is aware that the continuous descent approach is generally used for training purposes to allow our pilots to prepare for possible attacks on their fighters. In the past these landing operations were not utilized with any regularity at the PDX Air Guard-facility. As the density of the City around the airport is growing and with recent lessons from the December 2008 F-18 crash in San Diego, California, we believe this approach poses a real safety threat to the residents currently affected by this exercise.

Additionally, the noise and vibration created by the approach results in excessive impacts on our citizens and businesses. The continuous descent approach does not have the same impact or a comparable noise to local road traffic. It has a different tonality and was found to be approximately twice as loud as the previous approach based on a preliminary review of available noise data. Sound levels from the continuous descent protocol were measured in the upper 60's to 70 dBA range, a level of noise at which citizens are forced to use raised voices to communicate effectively.

Portland City Council deeply appreciates the needs of the Air Guard to appropriately train their pilots. We believe also that safety of both members of the Air Guard and the citizens on the ground below are of paramount importance, and in that spirit, Portland City Council is looking forward to working out a solution that is acceptable to both your program, and the safety of the residents of Portland.

Thank you,

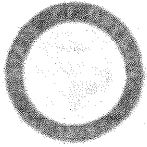
Commissioner Randy Leonard

Commissioner Nick Fish

Mayor Sam Adams

Commissioner Amanda Fritz

Commissioner Dan Saltzman



MICHAEL DEMBROW
STATE REPRESENTATIVE
DISTRICT 45

HOUSE OF REPRESENTATIVES

March 6, 2009

Major General Raymond F. Rees
Adjutant General
Oregon National Guard
PO Box 14350
Salem, OR 97309-5047

Dear Major General Rees,

Concerns over the recent change to Air Guard's continuous descent landing approach have been brought to our attention at neighborhood association meetings in Cully. We've heard those concerns echoed from a number of people on the doorstep and at Town Hall meetings in NE Portland.

We understand that the continuous descent landing approach is a training tool for pilots, but hope that an alternate flight path can be found. Residents have genuine concerns over quality of life and safety. Hopefully there is a solution that allows pilots to receive effective training and protects the safety of neighborhood residents.

Thank you for the work that you do and please don't hesitate to contact us if you have any concerns.

Best,

Representative Michael Dembrow (HD 45)

Senator Jackie Dingfelder (SD 23)

Appendices

Gary M. Kutz, Chairman
East Columbia Neighborhood Association
8105 N Brandon Avenue
Portland, OR 97217

Mr. Phil Stenstrom
Manager, Aviation Noise Program
Portland International Airport
7000 NE Airport Way
Portland, OR 97218

4/15/2017

Dear Phil,

I'm writing to inform you that the East Columbia Neighborhood Association is going on record opposing the increased frequency, allowable hours, and expansion to runways 10 R and 10 L of the ANG overhead approach practice maneuvers.

Areas to the west of PDX are heavily residential and we believe the proposed maneuvers will negatively impact the livability of our neighborhood. To this end we have created a petition and intend to gather signatures to demonstrate community support for our position.

I look forward to discussing this matter with you and representatives of the CNAC, FAA, and ANG.

Sincerely,


Gary M. Kutz, Chairman
East Columbia Neighborhood Association

Appendices



May 4, 2017

To Whom It May Concern:

We have recently learned that the Oregon Air National Guard intends to fly twice the number of F-15 jets over the East Columbia Neighborhood, at low elevations, for extended hours. Our company would like to go one record opposing the increased frequency, allowable hours, and expansion to runways 10 R and 10 L of the ANG overhead approach practice maneuvers. We oppose these measures as the jets would be flying very low directly over the Columbia River RV Park, a business that we own and operate.

We believe that the additional noise would severely hurt our profits and current patrons. As it stands, the jets are one of the most common complaints we get from people staying in our park. People stay in our park to enjoy a peaceful atmosphere while they vacation in the city. The jets are a harsh disruption to that enjoyment. The noise itself is disturbing enough but, the jets also cause the RV's to shake and rattle. Once word gets out that the jets are flying low overhead, from sunrise to sunset, 7 days a week, no one will want to stay in our park.

We ask that the Oregon Air National Guard not implement this plan now, or ever. The current plan would hurt our business and bother our patrons.

Thank you,


Delta Management Co. LLC

East Columbia Neighborhood Association
2209 N. Schofield
Portland, Oregon 97217

Mr. Bill Wyatt
Executive Director
Port of Portland
PO Box 3529
Portland, OR 97208

Dear Mr. Wyatt,

1 June 2017

First, let me congratulate you on your pending retirement. One of the biggest retirement challenges encountered by many of us, is stepping back from a hectic schedule and transitioning to enjoy a quieter life. I wish you and your family all the best as you make this transition together. Today, my primary reason for writing is to inform you of an inappropriate situation developing over our neighborhood - East Columbia, and request your intervention.

The Oregon Air National Guard, with support from the Port of Portland, have begun 'testing' a different landing approach for the F-15 fighter aircraft. Ostensibly, this maneuver benefits the community by getting aircraft on the ground quicker and reduces time in pattern and noise impacts on the ground. However, there is a rather significant social cost that I believe is being completely overlooked or not sufficiently appreciated by those making the decisions.

I can tell you from personal experience that this maneuver creates a very heavy impact on residential communities near the ORANG base, including East Columbia. The PDX Noise Management Office tells us that this six month test period will be used to gage community reaction and gather data during the aircraft's landing operations. Some community reaction has already been provided; at the May CNAC meeting my neighborhood turned in petitions calling for a stop to the testing, signed by over 200 individuals. For a small neighborhood like ours, gathering over 200 signatures in about two weeks speaks very loudly of the community's reaction.

Since then, testing has continued - and I believe the notion that your Noise Management Office can gather meaningful data is flawed. The FAA does not release flight-track data for military or law enforcement aircraft, so your people taking sound level measurements on the ground can not correlate those measurements to aircraft locations.

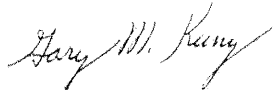
Also, the very nature of these low-level approaches creates annoyance and panic rather than extremely high dB sound levels. The sleeping babies wake up, the night-shift workers wake up, those working from home are disrupted and lose productivity.

Social stress throughout our society is near an all-time high. Introducing extremely loud, low flying fighter aircraft into the residential community is very disruptive. It increases the "kick-

the-dog" syndrome and is just plain wrong. We have clearly communicated this to your PDX Noise Management team but received no relief

I urge you to immediately halt this misguided and very poorly defined 'test' immediately!
Please investigate this matter and let me know what can be done.

Very Sincerely,



Gary M. Kunz, Chairman
East Columbia Neighborhood Association

Attached: Copies of petition signatures Bill Wyatt only

cc

Ted Wheeler, Mayor

Amanda Fritz, Commissioner

Dan Saltzman, Commissioner

Nick Fish, Commissioner

Chloe Eudaly, Commissioner

Honorable Tina Kotek, Oregon Speaker of the House

Honorable Lew Frederick, Oregon State Senator

Jim Carter Commission President, Port of Portland

Phil Stenstrom, Manager PDX Noise Management Program

Appendices

From: Tish Moll
Sent: Thursday, August 24, 2017 7:16 AM
To: PDXNoise <PDXNoise@portofportland.com>
Subject: Attn: Citizens Noise Advisory Committee - regarding f14 jets

Attn: Citizens Noise Committee

I wrote you a lengthy email last night regarding the jet landing maneuvers. One more observation I neglected to express and would like to add:

I of course have spoken to other friends and co-workers about this issue who do not live in my neighborhood. From 4 of them I have heard this response (I'm paraphrasing, but all expressed the same thought) "I know! I was shopping in a Cascade Station store and I heard them and it was unbelievably loud"! One of them actually said her heart started pounding, like a panic attack, thinking a plane was crashing into the store. Think about that. Unsuspecting shoppers actually experiencing panic because of the jets. Not good!

From: Tish Moll
Sent: Wednesday, August 23, 2017 9:02 PM
To: PDXNoise <PDXNoise@portofportland.com>
Subject: Attn: Citizens noise advisory committee - Jet landing maneuvers over Cully and Sumner neighborhoods

I am writing this letter to summarize my complaints to you for this summer's assault on my livability because of the air force jet's landing maneuvers directly over my home and neighborhood. I have written emails to you before in the last couple of months. I hope they have been read and are still on record. I know you are having a meeting sometime in early September. I will be unable to attend but would like to have my input considered. The jet noise this year will be winding down as summer wanes, but I know that if you as a committee don't have any clout or intention to stop this assault on our livability it will start again next spring and we will have the same intolerable conditions to deal with all next spring thru the summer next year. I do not want that to happen and I don't feel it should.

Points to consider:

I know you have been tabulating complaints this year, you need to consider those numbers will not be accurate as your phone line to register complaints was overwhelmed in late June and early July. I know this because I was not getting my calls returned and when I persisted I finally got through and received an apology with the explanation from the person manning this line that he was simply overwhelmed and could not return calls. At this point it seems reasonable to surmise many people would give up calling again with any new complaints, as all they received was a recording and no calls were returned in a reasonable amount of time. I also came to find out the web site to register complaints had technical i.t. problems, probably lasting well over a month. Therefore that site was unavailable to who knows how many would-be people wanting to complain. I myself persisted to get this problem fixed and resolved, but in the meantime

Appendices

untold people were unable to get a complaint thru via that resource either. It is again reasonable to assume that many people gave up. The point I am trying to make here is you need to consider that your complaint numbers are undoubtedly lower than they would be had the complaint system been working correctly all summer. In reality, your complaint numbers are probably worthless. I have the feeling the complaint lines are just there to appease people anyway and are used just as public relations tools. If that weren't the case, the complaints would be listened to and action would be taken. We have been under noise assault all summer and I certainly haven't heard or seen any let up. This may be a test period for you and the Air National Guard, but consider that during this test period, we the people in these neighborhoods have had to be the guinea pigs. It has not been fun!

The flights this year were over the top in number and the new tighter flight landing made the jets fly directly over my house at a very low altitude many times a day almost every day. This is during the peak period of our outdoor livability and enjoyment in Portland, and it certainly was detrimental to my livability. I have a right to enjoy my own back yard, read a book, putter in the garden, relax in a lawn chair, - whatever - without fighter jets directly over my house constantly. What this does to a person's psychological well-being is not good. When the "visiting" jets were here for a couple of weeks the noise and frequency was off the charts! It felt like I was living under a dog fight of jets. That period especially was totally INTOLERABLE! The whole season has been bad, but if I have to go through that again next summer I will be very very angry and upset about it. I do not feel friendly or hospitable to those "visitors" . PLEASE DO NOT INVITE THEM BACK.

I informed you via this email site earlier this summer that I saw visible discomfort from my dog more than once as jets were directly over my home. She would actually moan as the jets were overhead. I heard from a neighbor of mine that her dog also showed physical discomfort, moaning as they flew over. As I am sure you are aware dogs hearing is very sensitive. I asked in a previous email to you that acceptable noise levels for animals be investigated and considered by you. I hope you did look into that. IT SHOULD BE CONSIDERED. This is a residential neighborhood these jets are impacting and we certainly have a right to have our beloved pets not be subjected to this noise assault either. It is worse for them than us humans, and NEITHER our pets nor ourselves should be subjected to this at all, let alone at the frequency we have been this summer. I know the time, hours, and days of maneuver restrictions have been lifted. Those restrictions are the LEAST that can be done. The restrictions should be reinstated.

There is a new park going in the Cully neighborhood next year, which is wonderful for that neighborhood of Portland. Unfortunately that park will not be as pleasant as it could be because of the air force jet noise it will be subjected to. There is a high school (Helensview) which is very near to where I live that the

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jets fly directly over at a very low altitude. Those students should not be subjected to those frequent high noise levels. Our neighborhoods should not be subjected to this. We do not live on an air force base, we do not live in subsidized housing that military personnel living on air force bases do, we pay property taxes to live in a livable environment . Your committee along with the Air National Guard need to consider all this as you make decisions regarding acceptable noise levels and the frequency of these jets that we are subjected to. What sounds good on paper from the powers that be and helps one side needs to be countered with the livability issues and voices from the other side .

One last point I would like to make. About 10 - 15 years ago when the military landing maneuver were first happening over our neighborhood I went to a meeting where the agenda stated a certain time period for public input. That sounded good to me, your committee was going to listen to public input. The meeting was about what the committee's recommendation would be, whether or not to give their approval for these jet maneuvers. I remember this vividly - IMMEDIATELY after the public input period (where many concerns and complaints were voiced) , a pre-written motion was read, then approved, that the committee give their approval. It was infuriating, almost a slap in the face! It was as if to say, " we set aside a time for public input, but we certainly weren't listening. Our motion to approve had already been written" --- I hope your committee still doesn't have that kind of attitude, that you are not just giving lip service that you care about the public's concerns. Because our concerns are real, our complaints are valid. **OUR LIVABILITY ISSUES NEED TO BE HEARD.**
Sincerely,
Patricia Moll

Appendices

To: Mr. Vince Granato
PDX Chief Operating Officer

Dear Mr. Granato,

The Cully Association of Neighbors (CAN) encourages you to reject the Air National Guard (ANG) request to expand the scope of its Continuous Descent Approach (CDA) at PDX. At the September 12, 2017 CAN meeting we unanimously voted to oppose the proposed CDA expansion for a 6 month trial period and not to make it permanent.

CAN ASKS YOU THEREFORE: NOT TO ALLOW CDAS ON WEEKENDS. NOT TO ALLOW CDAS BEFORE 9:00 AM AND NOT AFTER 5:00 PM. NOT TO ALLOW VISITING ANG UNITS TO FLY CDAS.

By approving this CDA expansion you, PDX, would be trading away the quality of life of CAN residents as an offset for a tighter jet fuel budget. Redmond and K. Falls, both considerably less populated than the Portland Metropolitan areas, should be the least disruptive and most appropriate locations for PDX ANG. Certainly visiting units should be directed there.

To CAN it appears further as a total absence of sensitivity by the ANG to invite other ANG units to come to PDX and fly CDAs after over 8 years of complaints and opposition to the CDA by residents. At a previous September 9, 2009 CAN meeting we had likewise unanimously and vigorously opposed the first CDA here at PDX on the promise that the program would be abandoned if sufficient complaints would be received. The complaints came in and are still coming in, but the CDAs continued and were never cancelled. PDX ignored its neighbors!

In 2008 CAN was told of some fine tuning of the CDAs had been done, if so, however, their present day to day execution is very annoying and unacceptable. CAN has so far endured 8 years of direct overhead CDAs. From a fairly low daily and total number of CDAs we have witnessed an increase of up to 21 and possible more daily CDA noise events. Up to May 2017 CDAs were only flown between the hours of 9:00 am to 5:00 pm. Now we are facing CDAs from sunrise to sunset and instead of weekdays only it would be expanded to the entire week. Thus technically 365 days or continually. Quiet weekends will be a thing of the past, at least in CAN! As an additional present to CAN is a standing invite to other ANG in the US to join in flying CDAs here. Visitors we were told would be advised in advance of the guidelines they were to be "faithfully" observed, such as boundaries, speed, power settings etc. One of the requirements to stay north of the Columbia Blvd. has been ignored by visitors and local ANG all the 8 years in spite of 8 years of complaints.

Noise bursts from intermittent spooling up have been especially annoying. Finally instead of limiting a flight to 2 aircraft now up to 4 jets fly their CDA together, extending each annoying event.

It should be noted, at this time, that CAN's concerns and request is not about regular daily activities at PDX, but directed at CDAs only. CAN residents were or should have been aware when they moved to CAN. They however were not aware or expected to low level military overflight corridors to be established over their historic neighborhood boundaries.

On this basis CAN believes that Aviation Laws and FAA Regulatory Framework is not being followed and CDAs are inconsistent by:

1. A change from a long existing and accepted flight route to a new location, where noise sensitive residential properties have not previously been exposed to a high noise level from direct overflights.
2. Furthermore shifting flight patterns and noise from a primarily more compatible industrial and commercial to a primary noise sensitive residential area is a real NO NO in the Aviation Regulatory framework.
3. As a reminder the PDX Part 150 Noise Compatibility Planning Meetings attendees (CAN) were time and time again ADMONISHED on these points by FAA staff.

Throughout aviation, addressing noise is a significant issue, reflecting findings over time best described by the World Health Organization (WHO) showing that Air traffic exposed population exhibit significant annoyance levels based on the severity of exposure. WHO defines health as "state of complete physical, mental and social wellbeing and not merely the absence of disease and infirmity". This implies that noise induced annoyance, especially when sudden, additional stressors at CAN have been the documented including poor air quality from diesel exhaust and arsenic, lead and

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other hazards air pollutants from local glass fabrication.

You may ask yourself why CAN is directing its request of the Director of Operation/Chief Operating Officer instead of CNAC, it being the voice of the public providing input, feedback and advise to you the proprietor. As the proprietor of the PDX airport you have been given by law the right and responsibility to DETERMINE and CONTROL all activities at the airport other than the "control the flight of the aircraft" being federally preempted. Rights and responsibilities of the airport proprietor are convincingly in case and statutory law including: 42 USCS Pubic Health and Welfare — Noise Control US Supreme Court. Burbank v. Lockheed Air Terminal US Supreme Court. Griggs v. Allegheny County Federal Aviation Ac 49 USCS 1431 Federal Aviation Regulation, Part 36. The Airport Proprietor. These laws make it convincingly clear, "That: Low level overflight may be considered a nuisance, an interference with the full and complete use of a property and in the constitutional sense represents a "taking" Airport proprietors must therefore consider locally determined desire for quiet.

"The Airport Proprietor in a brief law summary had been provided to CNAC members in the past listing proprietor's rights to include being able to deny the use of its airport on the basis of noise consideration like CDA activities, a restriction that Steve Schreiber had previously exercised by working with and through the FAA. Other obligations would require the proprietor to obtain noise easements known as Avigation Easements...If CDAs become permanent as a very specific landing procedure.

You may ask yourself why CAN is directing its request at the Director of Aviation or, it's Chief Operating officer instead of CNAC being the voice of the public. By its very nature CNAC is only advisory and not an action group or organization like PDX. As a proprietor however you have all the rights and responsibilities to act on our requests.

Your decision to support or to deny the ANG requested expansion of the CDA should this obviously be based solely on a finding that CDAs will or will not impose an extraordinary, unreasonable or excessive impact on an affected neighborhood. This to be based on the level of complaints both in the number and intensity and that being the sole yardstick. AS CNAC members represent a rather large metropolitan area it is reasonable to assume that only one or two CNAC members with firsthand knowledge could adequately represent the affected area which only borders the airport. If in addition they would reside in the affected area they then would be able to provide the most accurate picture of the effects of CDA over an extended period. CNAC members that may or may not have witnessed a well-rehearsed ANG fly day are in no position to provide credible evidence as to the day to day reality of living with CDAs. Their voices should not be heard!! CAN should not be made subject to the NIMBY SYNDROM! CAN was told many times that noise from CDAs is not that loud and annoying based on data that PDX collected from Carefully orchestrated flight operations and perfect weather conditions rather unlike day to day operations.

Noise readings from staged CDAs arranged by PDX are continuously exceeded by power ups during the CDA thus representing meaningless numbers! These loud bursts of noise are especially bothersome.

A minuscule reprieve promised to CAN was to move 35% of the current CDAs to the west end of 28L (6). With a 4 aircraft formation at that location we observed ship 3 and 4 sailing through most of CAN —thus no relief.

50 year historical PDX weather data make a promised 35% CDA shift to Jo R, certainly quite welcome by CAN totally unrealistic: thus no relief to CAN.

Refreshing was the request by the PDX Noise Office to the ANG to minimize afterburner takeoffs as much as possible. By contrast the ANG inviting other ANG with aircraft which require afterburner takeoffs make their presence at PDX much more annoying for airport neighbors.

Of real help to CAN however would be to move most or preferably ALL CDAs to 28R the east end of the north runway which would place essentially all the CDAs over the Columbia River, there to annoy the sea lions instead of CAN residents.

We are certain however that the ANG will argue Most vehemently that a 28R is unacceptable because:

1. It would require more taxiing time.
2. It would require crossing a possibly active runway which FAA is generally not fond of.

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3. It would waste a lot of jet fuel and certainly a lot less than flying to Klamath Falls or Redmond for CDAs there. It is so much easier to impose it on neighboring residents

4. 28R supposedly has no runway overrun barriers making for a less safe operation. CAN questions this.

Can Believes that we have presented a reasonable detailed and accurate case that CDAs together with other stressors have made life in our neighborhood so much less enjoyable. CAN looks forward to a positive outcome for us. CAN does not believe that our residents should be the scapegoat to offset military budget shortfalls. We would certainly be willing to sit down with you to answer any questions you may have. CAN is looking to a positive neighborly resolution with PDX.

Sincerely

Erwin Bergman, Airport and Quality of Life Committee Chair for Cully Association of Neighbors (CAN), Community Advisory Committee representative for Central Northeast Neighbors

cc. Curtis Robinhold, Executive Director Port of Portland
Laura Young, Chair Cully Association of Neighbors (CAN)
Doug Fasching, President Central Northeast Neighbors
Mayor Ted Wheeler and Portland City Council
Speaker Tina Kotek District 44
Representative Michael Dem brow District 23
US Representative Earl Blumenaur 3rd District
Senator Jeff Merkley
Senator Ron Wydon

September 19, 2017

Mr. Phil Stenstrom
Manager Aviation Program
Port of Portland

Dear Mr. Stenstrom,

First I have to thank you that at last week's CNAC meeting you gave me plenty of time to discuss CAN's profound concern about CDA's and especially ORANG's proposal to significantly expand CDA's as witnessed that very day literally.

One CDA after another throughout the day! This made living in CAN, a pleasant community of large lots with lots of trees, gardens and other greenspaces, rather challenging.

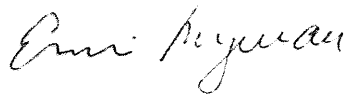
I am quite aware of the typical aviation argument that most of complaints and concerns are voiced by a small minority, which surprisingly is never satisfied with the status quo! You also should keep in mind that thought concern certainly reflects to a considerable degree the proximity of the complainant to the noise source. One should not ignore lifestyle, work during the daytime away from home, gardeners and outdoor people and then the indoor folks which are beyond their prime or just TV or iPhone junkies. Also keep in mind that number of complaints received do not reflect the number of people significantly affected. It takes some efforts as little as it may be, to pick up the phone and...low and behold and then you cannot find the PDX noise telephone number.

From my own experience it is reasonable that seeing no results after many calls one would then sense futility of ones future efforts.

Finally I am glad that the issue of Patriots was essentially untouched at the CNAC meetings.

Attached please find a copy of the 9/3/2009 letter from the Central Northeast Neighborhood Coalition (CNN) agreeing with Cully's serious objection to the CDA program and offering their unconditional support. An argument that this letter should not equally apply to the 2017 proposed CDA expansion lacks validity. I am sure that you are aware that the vote of CNN directors expresses the concern of all neighborhoods within CNN namely Cully (CAN), Hollywood, Madison South, Rose City Park, Roseway, Sumner. As of the date of the letter Grant Park Neighborhood Association was not part of CNN but now is. CNN's board of directors believe that a challenge or burden to one becomes everyone's concern.

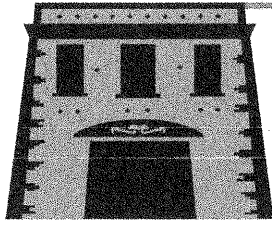
Sincerely,



Erwin Bergman
CAC Representative for Central Northeast Neighbors, NAAC Representative for Central Northeast Neighbors 1993-2009, Quality of Life for Cully (CAN)

cc. Vince Graunto, Chief Operating Officer
Curtis Robinhold, Executive Director
Laura Young, President Cully Association of Neighbors
Doug Fasching, President Central Northeast Neighbors

See Attached: Central Northeast Neighbors Letter to CNAC 9/3/2009



NORTH PORTLAND NEIGHBORHOOD SERVICES

North Portland Neighborhood Chairs Network 2209 N. Schofield Street Portland Oregon 97217 info@npncommunity.org

Support of the East Columbia Neighborhood Association opposition to the Continuous Overhead Descent Approach at PDX

Position of the North Portland Neighborhood Chairs Network

On November 6, 2017, the North Portland Neighborhood Chairs Network voted to support the end of low altitude operations of military fighter craft over residential neighborhoods and to oppose the practice of Continuous Overhead Descent Approach to PDX. Additional background information on this position supporting the East Columbia Neighborhood Association has been prepared for presentation by the Chair of East Columbia Neighborhood Association.

Supporting
Amber Dennis, Chair, Arbor Lodge Neighborhood Association
Susan Johnston-Wright, Bridgeton Neighborhood Association
Gary Kunz, Chair, East Columbia Neighborhood Association
Jeff Geisler, Chair, Hayden Island Neighborhood Network
Dannielle Herman, Overlook Neighborhood Association
Jan DeLeeuw, Chair, Piedmont Neighborhood Association
Tom Karwaki, Vice-Chair, University Park Neighborhood Association
Mike Salvo, Chair, University Park Neighborhood Association
Abstaining
Tyler Roppe, Chair, Kenton Neighborhood Association
Scott Mizze, University Park Neighborhood Association

CENTRAL NORTHEAST NEIGHBORS, INC.

4415 NE 87th Ave * Portland, OR 97220-4901
503-823-3156

January 3, 2018

Douglas Fasching, Board President
Central Northeast Neighbors
4415 NE 87th Ave
Portland, OR 97220

Mr. Vince Granato
PDX Chief Operating Officer
Port of Portland
7200 N.E. Airport Way
Portland, OR 97218

Dear Mr. Granato,

Currently, the Oregon Air National Guard (ORANG) conducts its Continuous Descent Approach (CDA) exercises Monday through Friday from 9am to 5pm. It is now requesting approval to expand this allowed time to include all daylight hours seven days a week. On behalf of the Central Northeast Neighbors (CNN) coalition, I am writing to ask your support in opposing this proposed expansion.

The residents surrounding the airbase have already experienced the impact of this proposed change first hand. With the support of the Citizen Noise Advisory Committee (CNAC), ORANG conducted a six-month trial period of this proposed expansion. This temporary deviation from the original agreement allowed all of the residents of the impacted neighborhoods to see the ramifications of the proposed changes and it gave them pause. Additionally, the original agreement was that the aircraft were to fly north of Columbia Boulevard, however during the trial many planes flew directly over the CNN office which is on NE Sandy Boulevard.

At the September 12th, 2017 meeting, the Cully Association of Neighbors moved to “oppose the expansion of the National Guard continuous descent approach as outlined in the expansion proposal,” (Please see attached minutes).

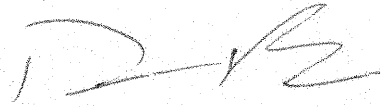


At our October 2017 Board Meeting, Cully residents Erwin Bergman and Kathy Fuerstenau gave a presentation voicing their concerns with Air National Guard flight patterns. Included in their presentation was the impact to the surrounding neighborhoods of this proposed expansion including potentially harmful noise levels. It was at this meeting that the CNN Board voted unanimously to oppose the proposed expansion (Please see attached minutes).

In conclusion, I ask you to join the CNN coalition and the Cully Association of Neighbors to oppose the proposed expansion by the Air National Guard.

Thank you for your attention to this very important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Fasching', written in a cursive style.

Doug Fasching, Central Northeast Neighbors, Board President

cc. Laura Young, President Cully Association of Neighbors
Port of Portland CNAC
Oregon Air National Guard

Appendices



CULLY ASSOCIATION OF NEIGHBORS
Central Northeast Neighbors
4415 NE 87th Avenue
Portland, Oregon 97220

Mr. Vince Granato
PDX Chief Operating Officer
Port of Portland
7200 N.E. Airport Way
Portland, OR 97218

2/7/2018

On behalf of the Cully Association of Neighbors (CAN), I wish express appreciation for the good work of the Citizen Noise Advisory Committee (CNAC) and the ongoing commitment of our community partners at the Port of Portland and Oregon Air National Guard (ORANG) to continuing productive dialogue and collaborative engagement with impacted neighborhoods. Such communication supports CAN's efforts to promote a healthy, thriving, vibrant, equitable and diverse community which all feel welcome and safe to call home.

This letter serves to reaffirm and clarify the intention and desired outcomes of the CAN General Meeting assembly vote that took place on September 12th, regarding the CDOA test period, recently referenced in a document from Central NE Neighbors (CNN). The community desires specific outcomes including: changes in flight patterns to reduce military flights over neighborhoods, reduction of noise impacts of 4 ship formation by limiting flights to 2-ship formations, revert to prior agreed upon hours and days of flights (9am - 5pm weekdays), prohibit visiting aircraft from engaging in CDOA patterns, encourage runway utilization (10 vs. 28) to mitigate noise impacts over most impacted neighborhoods and more public engagement around the sources of aircraft noise impacts on community (departures vs. arrivals, visiting vs. local pilots, etc.).

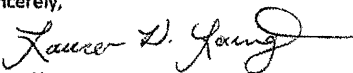
As presented to CNAC and to CAN at its May 9, 2017 meeting, ORANG performed a six-month test of an expanded "rapid descent" flight routine. As described, the effects were expected to be: a change in flight paths, takeoff and landing routines, an increase in number of flights and number of aircraft formation size, more visiting aircraft participating in the CDOA, and expanded hours and days of operation. It was also indicated that the change in flight patterns and formation size would reduce noise impacts over Cully. Near the end of the six month trial period (September 12th, 2017) of the ORANG CDOA four-ship pattern, CAN considered the overall effects of the test on the community.

The assembly generally held that the intensity, location and timing of the new patterns had increased rather than decreased noise levels, and that the duration of noise events in the community to an unreasonable degree, and therefore the new routines were objectionable as a permanent change. Long term members of CAN also reminded newer members of CAN's prior objections to flights over the neighborhood during 2008, when the CAN membership voted unanimously to oppose the overhead approach pattern implementation. Therefore, on September 12th, the membership and the Board of CAN voted, without opposition and with one Board member abstaining, to oppose the continuation of the new routines embedded in the test period.

It is our hope that ORANG and the Port of Portland will honor the needs of Cully and other impacted neighborhoods in the following ways: return flight hours and days to pre-test schedules, refrain from allowing visiting pilots to fly the CDOA and other patterns that will errantly take them over neighborhoods, limit the size of flight formations to 2 ship patterns for training purposes, encourage utilization of the 10 L/R runway for training purposes to dramatically reduce military aircraft noise impacts on the Cully neighborhood.

Thank you for your time and consideration of our request.

Sincerely,


Laura Young
Chair, Cully Association of Neighbors

East Columbia Neighborhood Association
2209 N. Schofield
Portland, Oregon 97217

Mr. Curtis Robinhold
Executive Director
Port of Portland
PO Box 3529
Portland, OR 97208

28 February 2018

Dear Mr. Robinhold,

The East Columbia Neighborhood Association voted overwhelmingly that the overhead landing maneuver, proposed by the Oregon Air National Guard (ORANG), is completely inappropriate when staged over our neighborhood.

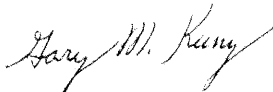
During the months of May through October 2017 the Port of Portland in conjunction with the ORANG conducted a test of the Overhead Continuous Descent Approach (OCDA) at PDX and above our neighborhood. Members of the East Columbia Neighborhood participated in this test by observing aircraft operations, making notes, and finally holding a robust discussion during an open neighborhood meeting in November. What we were struck with was the difference between the straight-in landing approach and the OCDA. Neighbors participating noted that the OCDA had a much greater negative impact on the neighborhood than the straight-in approach.

Please see appendix A: Summary of neighborhood observations and comments

Many of us are ex-military or have relatives currently serving our country in uniform. It is not lost on any of us that the ORANG pilots are friends, neighbors, and family members and need training to stay proficient and safe as they stand ready to defend our nation. It is also not lost on us that our community members work, sleep, and live in our homes within the recognized residential areas of Portland. It is vital that residential areas be protected from industrial types of noise and pollutants. The very nature of low altitude jet aircraft operations delivers industrial noise and pollutants directly to the inner portions of our residential community.

We urge the Port of Portland and Citizen Noise Advisory Committee (CNAC) to recommend, as they did before in 2002, that this maneuver not be allowed over our residences. During the years since 2002 our neighborhood has grown in density which only amplifies the negative impacts of this landing maneuver. If that can not be done, we'd like to know why and then be afforded the opportunity to be active participants in a fair discussion that balances the training needs of the ORANG with the livability of our residential community.

Very Sincerely,



Gary M. Kunz, Chairman
East Columbia Neighborhood Association

Attached:

Copies of petition signatures
Port of Portland letter August 12, 2002

cc

Ted Wheeler, Mayor

Amanda Fritz, Commissioner

Dan Saltzman, Commissioner

Nick Fish, Commissioner

Chloe Eudaly, Commissioner

Honorable Tina Kotek, Oregon Speaker of the House

Honorable Lew Frederick, Oregon State Senator

Alice Cuprill-Comas Commission President, Port of Portland

Phil Stenstrom, Manager PDX Noise Management Program

Appendix A: Summary of neighborhood observations and comments

Compared to the conventional straight-in approach:

- The overhead approach is louder when a flight of aircraft approach at their higher speed and higher altitude
- The circling descent maneuver delivers noise to residents that previously had none or little.
- The latter portions of the circling maneuver bring aircraft extremely low above our residences, about 400 feet.
- The close proximity of aircraft to homes is very startling and disruptive to normal activity.
- The operation of jet aircraft directly above and very close to residences causes noticeable vibration to the occupants as well as their homes.
- The operation of jet engines directly above and very close to residences delivers additional air pollution to our community.
- The time saved approaching the airfield at higher speed is mostly lost by the additional time in the circling descent portion of the maneuver. Net benefit to the community is near zero.
- Reduced noise impact on those directly beneath the straight-in approach is zero. No one lives in the Columbia River.
- Increased noise to those living farther from the straight-in approach is significant because louder *higher aircraft direct their noise further into the community.*

East Columbia Neighborhood Association
2209 N. Schofield
Portland, Oregon 97217

Mr. Curtis Robinhold
Executive Director
Port of Portland
PO Box 3529
Portland, OR 97208

1 March 2018

The East Columbia Neighborhood Association voted overwhelmingly that the overhead landing maneuver, proposed by the ORANG, is completely inappropriate when staged over our neighborhood.

We appreciate that the ORANG needs to maintain proficiency through regular training. Many of us are ex-military or have relatives currently serving our country in uniform.

During the months of May through October 2017 the Port of Portland in conjunction with the ORANG conducted a test of the Overhead Continuous Descent Approach (OCDA) at PDX.

Members of the East Columbia Neighborhood participated in this test by observing aircraft operations, making notes, and finally holding a robust discussion during an open neighborhood meeting in November. What we were struck with was the difference between the straight-in landing approach and the OCDA. Neighbors participating noted that the OCDA had a much greater negative impact on the neighborhood than the straight-in approach.

Please see appendix A: Summary of neighborhood observations and comments

It is not lost on any of us that the ORANG pilots are friends, neighbors, and family members and need training to stay proficient and safe as they stand ready to defend our nation. It is also not lost on us that our community members work, sleep, and live in our homes within the recognized residential areas of Portland. It is vital that residential areas be protected from industrial types of noise and pollutants. The very nature of low altitude jet aircraft operations delivers industrial noise and pollutants directly to the inner portions of our residential community.

We urge the Port of Portland and CNAC to recommend, as they did before in 2002, that this maneuver not be allowed over our residences! If that can not be done, we'd like to know why and then be afforded the opportunity to be active participants in a fair discussion that balances the training needs of the ORANG with the livability of our residential community.

Very Sincerely,



Gary M. Kunz, Chairman
East Columbia Neighborhood Association

Mr. Vince Granato
PDX Chief Operating Office
Port Of Portland
7200 NE Airport Way
Portland, OR 97218

Dear Mr. Granato

March 1, 2018

This letter supplements my September letter to you honing in on information already shared with you. I am again asking you not to approve the expansion of the CDAS as requested by the ANG.

First thought I would like to share with you how much more my neighbors and I thoroughly enjoyed the last nearly six months not have to hear, see and feel military jets flying CDA's over our heads. One felt that it was not necessary to repeatedly scout the sky and listen for the increasing pitch and rumble of an approaching aircraft bearing into our ambient before peace and life can return again- but for how long? A real nuisance we can do without that.

Secondly I would like to make you aware that your proprietor's approval of the expansion of the CDA program, in fact the entire CDA program is inconsistent with FAA requirements unless you can offset it with other efforts detailed later.

Who am I?

For the benefit of some, especially people in the decision loop, though it would not be inappropriate to tell them that I have worked for just about 30 years with PDX on a various of technical, operational and planning activities representing Cully and the Central Northeast Neighborhood Coalition and myself. Having been extensively involved with aviation/aircraft noise issues it bothers me immensely when I hear that if you don't like it you are free to move away; or why did you pick your home site knowing that the airport would be your neighbor?

Due diligence?

I moved to my house at 5330 NE Holman (adjacent to Lombard Blvd) in 1970, approx. one mile south from the PDX with departure and arrival corridors at the same distance. My daytime noise ambient measured between 45-49 DBA with intermittent small bumps by traffic and trains. Nighttime ambient typically is around 40 DBA.

My wife and I are both retired and thus & not away from home like a typical 8-5 person. Our living area at home faces the airport, and windows are typically open weather permitting. We have a large vegetable garden and fruit trees making for lots of "fresh air". Our home is 800 ft. south of Columbia Blvd, identified as the southern boundary of CDAs. GA and cargo feeder

aircraft fly occasionally over our home. We feel that the sky overhead is ours; that is before CDAs!

Where are the planes?

CNAC and PDX noise management staff have consistently questioned the location and route of CDA aircraft provided mainly by complainants. While I cannot vouch for accuracy of information by others I will totally stand behind my observations. An aircraft observed directly overhead, that is at 90 degrees directly over my home is 800 ft. south of its operational boundary goal. No radar track will improve accuracy!! When aircraft progressively move laterally and more and more change into “very close” or “way off”. My observation suggests that about 40% of CDAs occur Significantly south of the Columbia Blvd- boundary.

We hear you! Really?

PDX in approving the CDA in 2008 and 2017 promised that if neighborhood impacts would be too severe by the number of complaints received, they would stop CDAs. In spite of significant complaints PDX did not stop pursuing CDAs. One wonders what the level of complaints has to be to stop the program. Evidence collected throughout the western aviation world clearly shows that complaints received at various airports are “ONLY THE TIP OF THE ICEBERG”. Unhappy people after many efforts, and not seeing any results from their efforts, just give up as a waste of their time. Where will the goalpost be for PDX?

Inconsistency with FAA requirements

As CDA affected PDX neighbors are continuing the complaint process with PDX we are becoming more concerned that our efforts will fall again on deaf ears, and the full range of CDA increases will be implemented Our efforts now have identified an area where PDXs past and current approach is not consistent with applicable FAA policies reflected in the FAA Environmental Desk Reference for Airport Actions. In section 17 on noise on page 18 we find under noise mitigating the following;

PASTED IN

1) Operational measures. Some common operation mitigation measures include: (A) change in flight tracks or runway usages;

A) Note: New or revised flight procedure changes at less than 3,000 feet AGL may route air traffic over noise-sensitive areas not previously overflown. These procedures must be examined, even if they affect fewer people than the no action. This analysis is needed to determine if the proposed procedures would cause a significant impact to the newly affected community. Mitigation to the area newly affected should be included where appropriate. Be sure to assess impacts due to the mitigation. This analysis is needed to ensure mitigation does cause more severe impacts than unmitigated impacts.

- B) Voluntary noise abatement procedures: or
- C) Changes in airport operation acceptable to airport users that do not interfere with interstate commerce.

2) Land-use related measures. Some common land use mitigation measures include:

A) Buying land or land interests such as air rights, easements, and development rights. These measures establish airport-compatible uses of the affected properties;

First the term mitigation describes an action, namely doing something. It may be an action on the ground or on paper. Thus CDA is an action, namely a change in flight tracks.

Secondly an action must occur at less than 3000ft AGC; again this applies.

Thirdly it identifies an action over a noise sensitive property area-, again CDA's fit into this category.

Fourth it identifies an area/ property that has not previously been overflowed. One can argue that point but this area has never been identified as a flight corridor. No attempts have ever been made in the past to acquire any rights or easement over it, as it did not have any utility or is necessary for efficient operation of the PDX airport. Furthermore CDAs over this residential area have always been contentious and objected to by the residents from its first proposal in 2002 with support of neighborhoods and even in the past objected to by a PDX Aviation Director. To basically conclude that the past CDA over continuous unabated protection efforts by the residence over this residential area made it into a designated and legal flight route and there by not meeting this requirement is rather absurd. However we expect it!

Under these circumstances it appears to me/us that for PDX as the proprietor and sponsor of the CDAs to continue or even expand their scope is not acceptable FAA consistent resolution. An option is a provision in the FAA language that this action/ the CDAs would be allowed if it could be shown that even by not meeting the three spelled out requirements the action/ CDA would have less community impact then their prior flight route in this case the straight 3 degree arrival path. Aircraft on this route do overfly an extensive industrial and commercial established flight corridor over which any necessary easements, and development freights would have been acquired a long time ago. Also significant residential development in this area is "relatively" new suggesting that all or many residents have been aware of an established PDX and related aviation noise before moving there. In comparison to this established corridor CDAs would by far have the most significant impact. Another comparison, principally sponsored by the ANG suggests that CDAs would reduce the noise impact over the city. How this could be shown is a puzzle since obviously many, many aircraft overfly the city, and a few more or less would not make too much a difference unless of course the ANG intends to "fly circles at tree top" level. As a conclusionary note one should be aware that according to FAA policy any aircraft over 3000ft AGL does not have noise impacts of any significance and thud may be ignored.

To be consistent with the FAA language CDAs should thus at the very least not be expanded, in fact they should be stopped altogether! FAA policy has ALWAYS been to avoid as much as possible avoid disturbing residential over-flights and most certainly not reroute over-flights from commercial/ industrial areas to residential areas!!

Under the Proprietary Exception in Aviation Law PDX as the proprietor has the right and in fact the duty to address and work with their neighbors to not adversely affect their health and quality of life. FAA and ATC responsibility is to ensure safe Aviation consistent with established FAA rules only.

Sincerely,

A handwritten signature in cursive script, appearing to read "Erwin Bergman".

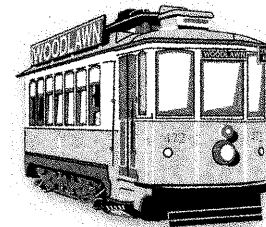
Erwin Bergman

CNAC Representative for Central Northeast Neighbors, Quality of Life for Cully (CAN)

CC: Vince Graunto, Chief Operating Officer
Curtis Robinhold, Executive Director
Doug Fashing, President Central Northeast Neighbors
Phil Stenstrom, Manager Aviation Program

WOODLAWN NEIGHBORHOOD ASSOCIATION

WWW.GOWOODLAWN.COM



Woodlawn Neighborhood Association
c/o NE Coalition of Neighborhoods
4815 NE 7th Avenue
Portland, OR 97211
info@gowoodlawn.com

March 06, 2018

Re: Overhead Approach by Air National Guard

Dear Citizen Noise Advisory Committee:

We are attaching signatures from our Woodlawn Neighbors who are in opposition to the use of the "Overhead Break". Many of our neighbors complain of being startled and left shaken by the sudden and unusual noise of these Overhead Breaks. These are folks that have lived in the neighborhood for many years and likely have become accustomed to general airport & national guard noise, but find these new additions incompatible with our residential settings.

We urge you to consider halting these low altitude operations over our residential neighborhoods.

Sincerely,
Shelly Caldwell
Chair, Woodlawn Neighborhood Association

A handwritten signature in black ink, appearing to read "Shelly Caldwell". The signature is written in a cursive, flowing style.

Presented at CNAC
3-8-18

Mr. Curtis Rjobinhold
Executive Director
Port of Portland
P.O. Box 3529
Portland, OR 97208

March 8th, 2018

Re: ORANG proposed Overhead Continuous Decent Approach (OCDA)

This letter is being presented to the members of the CNAC and to Mr. Phil Stenstrom, manager PDX Noise Management Program

I am a member of the East Columbia Neighborhood and my property is directly affected by this proposal over my home.

I do not give the ORANG or the Port of Portland permission to violate the airspace above my home. This OCDA is very invasive to myself and has caused me injury. I am demanding that this invasion of my US constitutional rights to life, liberty and the pursuit of happiness not be infringed upon. I am demanding that this OCDA cease and not be approved unless an emergency condition presents itself.

Continuous ringing in my ears attributed to the screaming sound of the engines at approx. 1000 ft over my property or in the vicinity thereof.

Severe Anxiety due to the presents of a massive war machine (jet) overhead at such a low altitude. This anxiety has led to my chronic loss of sleep.

Possible Health problems to my body due to the constance barrage of the pollution spewed by the exhaust (burned and unburned) on my Person and any living person or animal on my property, my Garden and my animal pasture. This may have a deleterious effect during this test period and far into the future if approved.

Economic Loss of property values caused by the establishment of this OCDA.

Environmental damages to surrounding parklands and wetlands.

I am demanding that you not approve this OCDA.

Thank you,



Martha Johnston
9509 NE 13th Ave
Portland, OR 97211

PH: 503-720-5035 cell
ediplumb@gmail.com

Subject: Military Landing Procedures Port of Portland
Date: Thursday, March 8, 2018 at 2:43:04 PM Pacific Standard Time
From: Christine
To: Gary Kunz
Attachments: doc18922120180308143357.pdf

*DELTA MANAGEMENT
reiterates their position*

Hi Gary,

Here is the letter we sent to the Port of Portland back in May. Our company's position on this matter has not changed. Our number one complaint from residents is the noise caused by military jets fly over our park. Our RV Park residents are especially vulnerable to the noise caused by these jets because RV's are less insulated than traditional homes. Our company is strongly in favor of a reduction of flight time for military jets.

Thanks,

Christine Johnson
Residential Property Manager
Delta Management Co.
203 E Reserve St.
Vancouver, WA 98661
360-696-4448 ext. 1015

-----Original Message-----

From: kyocera@deltamanagementco.com [<mailto:kyocera@deltamanagementco.com>]
Sent: Thursday, March 8, 2018 2:34 PM
To: Christine <Christine@delta203.com>
Subject: CTX SHOP SCAN --KYOCERA 5500i

TASKalfa 5500i
[00:c0:ee:88:61:04]

East Columbia Neighborhood Association
Woodlawn Neighborhood Association
Central Northeast Neighbors PDX CAC
NoJetsPortland

Mr. Mark Clark, Chairman
PDX Citizens Noise Advisory Committee

Dear Mark,

8 November 2018

Thank you and your committee members for all the time and effort that have gone into evaluating the Overhead Continuous Descent Approach (OCDA) for well over the past year. The entire process has placed a huge burden on both members of the committee and the community.

Tonight, we are requesting that you once again take up this matter with more follow through on decisions you've already made. As you recall, there was a lengthy test, analysis, and comment period that resulted in CNAC recommending that the OCDA not be allowed using runway 10R. This result was conveyed directly to the ORANG and their leadership decided to mostly reject the CNAC recommendations.

In past years the CNAC recommendations have been conveyed by the Port staff to the FAA. *We request that the CNAC, and Port, jointly tell the FAA that they recommend against use of the OCDA on runway 10R.*

Each time an arriving flight requests the OCDA the Air Traffic Controller (ATC) should deny the request if it would use runway 10R. We believe it is the duty and responsibility of the Port of Portland, as the Airport Proprietor, to represent the CNAC recommendations to the FAA, which has final say as to what flight patterns are used. Previously, the CNAC considered and reflected the community's desire to maintain a livable environment through strong opposition to the OCDA, and can, and should do so again.

Very Sincerely,

Gary M. Kunz
Shelly Caldwell
Erwin Bergman
Andrew Pritchard
Community representatives

information. FAA or the sponsor should fully consider the mitigation and balance its benefits against those of the proposed action.

NEPA requires a Federal agency preparing an EIS to discuss mitigation in sufficient detail to disclose that the agency has fairly evaluated environmental consequences (*Robertson vs. Methow Valley*, 490 U.S. 332 (1989)). In addition, under 49 USC Section 47106(c)(1)(B), FAA may not approve Federal funding for major airport development projects, unless the agency determines that no possible and prudent alternative to the project exists and that every reasonable step has been taken to minimize the adverse effect. Major airport development projects are those that involve the location of a runway, new airport, or major runway extension. For more information about the mitigation required, see FAA Order 5050.4B, paragraph 1203(b)(4). In accordance with NEPA and 49 USC Section 47106(c)(1)(B), an EIS must discuss and adopt mitigation measures recommended by the agencies that a State authorizes to plan for the area surrounding the airport. Sections 8.b(1)-(3) of this chapter provide examples of noise mitigation measures for a proposed airport action. If feasible, provide an estimated schedule for undertaking accepted mitigation. Where there is a DNL 1.5 dB or more increase in noise over noise sensitive areas within the DNL 65 dB or greater noise level, there should be further analysis. This analysis is needed to determine whether there noise increase of DNL 3 dB or higher over noise sensitive areas within the DNL 60–65 dB noise contour. **Measures to mitigate these impacts should be considered for purposes of NEPA**, including:

include: X (1) Operational measures. Some common operational mitigation measures

(a) **changes in flight tracks or runway usage;**

Note: **New or revised flight procedure changes at less than 3,000 feet AGL may route air traffic over noise-sensitive areas not previously overflown.** These procedures must be examined, even if they affect fewer people than the no action. **This analysis is needed to determine if the proposed procedures would cause a significant impact to the newly affected community.** Mitigation to the area newly affected should be included where appropriate. Be sure to assess impacts due to the mitigation. **This analysis is needed to ensure mitigation does cause more severe impacts than unmitigated impacts.**

(b) voluntary noise abatement procedures; or

(c) changes in airport operations acceptable to airport users that do not interfere with interstate commerce.

(2) Land-use related measures. Some common land use mitigation measures include:

X (a) **Buying land or land interests such as air rights, easements, and development rights.** These measures establish airport-compatible uses of the affected properties;

(b) Building noise barriers or acoustic shielding that does not attract wildlife hazardous to aviation. (See FAA Advisory Circular 150/5200-33A, *Hazardous Wildlife Attractants on or near Airports*; or.

(c) Sound insulating affected structures having noise sensitive uses (i.e., private residences, hospitals, churches, public buildings, or other structures accommodating those uses)

(3) **Construction measures.** Common construction mitigation measures include:

(a) limiting the time of day when machinery may operate, blasting may occur, or trucks operate on streets traversing noise sensitive areas; or

(b) recommending the use of muffled heavy equipment.

"Airports in the United States, as a general rule, are operated by a local governmental authority, either a municipality, a county, or some independent unit. These airport operators are closer, both geographically and politically, to the problem of the conflict of interests between those citizens who have been adversely affected by the aircraft noise and the needs of the community for air commerce. Some airport operators have exercised the proprietary right to restrict in a reasonable manner, the use of any runway by limiting either the hours during which it may be used or the types of civil transport aircraft that may use it." (HR Rep No. 36, 88th Cong., 1st Sess., 27.)

^bHowever the proposed legislation will not affect the rights of a State or local public agency, as the proprietor of an airport, from issuing regulations or establishing requirements as to the permissible level of noise which can be created by aircraft using the airport. Airport owners acting as proprietors can presently deny the use of their airports to aircraft on the basis of noise considerations so long as such exclusion is nondiscriminatory.

^c"Just as an airport owner is responsible for deciding how long the runways will be, so is the owner responsible for obtaining noise easements necessary to permit the landing and takeoff of the aircraft." The Federal Government is in no position to require an airport to accept service by larger aircraft and, for that purpose, to obtain longer runways. Likewise, the Federal Government is in no position to require an airport to accept service by noisier aircraft, and for that purpose obtain additional noise easements. The issue is the service desired by the airport owner and the steps it is willing to take to obtain the service. In dealing with this issue, the Federal Government should not substitute its judgment for that of the States or elements of local government who, for the most part, own and operate our Nation's airports. The proposed legislation is not designed and will not prevent airport proprietors from excluding any aircraft on the basis of noise considerations.'

"A local governing body that owns and operates an airport is certainly not, by the Court's opinion, prohibited from permanently closing down its facilities. A local governing body could likewise use its traditional police power to prevent the establishment of a new airport or the expansion of an existing one with its territorial jurisdiction by declining to grant the necessary zoning for such a facility. Even though the local government's decision in each case were motivated entirely because of the noise associated with airports, I do not read the Court's opinion as indicating that such action would be prohibited by the Supremacy Clause merely because the Federal Government has undertaken the responsibility for some aspects of aircraft noise control. Yet if this may be done, the Court's opinion surely does not satisfactorily explain why a local governing body may not enact a far less "intrusive" ordinance such as that of the city of Burbank.

US Supreme Court. Griggs v. Allegheny County

"The defendant county designed the plan for its airport, including the arrangement of its take off and approach areas, in compliance with federal requirements. Allowable costs payable by the federal government included costs of acquiring land or easements through airspace. The noise, vibrations, and fear caused to the occupants of plaintiff's residential property located near a runway of the airport by constant and extremely low over flights interfered with the use of the owner's property. In eminent domain proceedings instituted by the plaintiff the Court of Common Pleas of Allegheny County held that there had been a "taking" by defendant of an air easement over plaintiff's property and fixed compensation. The Supreme Court of Pennsylvania held that if there was a "taking" in the constitutional sense, the county was not liable.

The Supreme Court of the United States reversed. • In an opinion by Douglas, the Court held that (1) the interference with the plaintiff's property amounted to a "taking," in the constitutional sense, of an air easement for which compensation must be made; • and

(2) the defendant county, and not the United States, was the "taker" liable to pay the compensation.

Headnote "Eminent Domain * 103 -- what constitutes taking -- air easement -- low flying airplanes.

1. The noise, vibrations, and fear caused to the occupants of a house located near a county airport by constant and extremely low over flight interfere with the use of the owners property so as to amount to a "taking" in the constitutional sense, and of an air easement for which compensation must be made.

Headnote It is argued that though there was a "taking", someone other than respondent was the taker -- the airlines or the C.A.A. acting as an authorized representative of the United States. We think, however, that respondent, which was the promoter, owner, and lessor of the airport, was in these circumstances the one who took the air easement in the constitutional sense. Respondent decided, subject to the approval of the C.A.A., where the airport would be built, what runways it would need, their direction and length, and what land and navigation easements would be needed. The Federal Government takes nothing; it is the local authority which decides to build an airport vel non, and where it is to be located. We see no difference between its responsibility for the air easements necessary for operation of the airport and its responsibility for the land on which the runways were built. Nor did the congress when it designed the legislation for a National Airport Plan. For, as we have already noted, Congress provided in 49 USC*1109 for the payment to the owners of airports, whose plans were approved by the Administrator, of a share of "the allowable project costs," including the "costs of acquiring land or interests therein or easements through or other interests air space."

Federal Aviation Act 49 USCS 1431

"Airport proprietor is responsible for consequences which attend his operation of public airport; his right to control use of airport is necessary concomitant, whether it be directed by state police power

of his own initiative; correlating right of proprietorship is recognized and exempted from judicially declared federal pre-exemption; such proprietary control includes basic right to determine type of air service which airport proprietor wants its facilities to provide as well as type of aircraft to utilize those facilities and intent of Congress not to interfere with such basic airport control is made clear in legislative history of 49 USCS Appx * 1431; state provisions and regulations prescribing standard or continued operation of airports with monitored requirements, which focus upon arrival of described ultimate maximum noise level and limiting land uses subjected thereto around airport facilities are not per se invalid, but state provisions regulating noise levels which occur when aircraft is in direct flight, and provisions for levying of criminal fines for violation, are per the unlawful exercise of police power into exclusive federal domain of control over aircraft flights in operation, and air space management and utilization in interstate and foreign commerce. (Air Transport Assn. v. Crott 1975)

"Pattern of federal regulation of air transportation does not preclude all state activity in aircraft noise control; maintenance of action for damages by property owners due to reduced market value by noise from jet aircraft taking off and landing at airport would not conflict with federal law. (Aaron v. Los Angeles, 1974).

"Since excessive airport noise results not only from presence of jet aircraft in flight, but also from existence of airport whose location, runways, and noise abatement procedures, among other things, are under direct and immediate control of airport proprietor, airport noise control is essentially shared responsibility of federal government and airport proprietor; **nuisance** cause of action against proprietor for excessive airport noise has not, therefore, been **federally pre-empted**. (Greater Westchester Homeowners Assn. v. Los Angeles, 1979).

"The fact that noise levels at particular area are already unacceptable does not necessarily mean that any increase in number of flights would amount to major federal action for purpose of environmental

review where it is not shown that action would produce significant change in quality of environment. (Palm Beach Environmental Study, 81-3-101, CAB Adv. Dig, Mar, 1981, p.68).

**Federal Aviation Regulation, Part 36 - FAA Comments.
Relation to Responsibility of Airport Proprietors**

"The noise limits specified in Part 36 are not intended to substitute federally determined noise levels for those more restrictive limits ~~determined to be necessary by individual airport proprietors in response to the locally determined desire for quiet and the locally determined need for the benefits of air commerce.~~ This limitation on the scope of Part 36 is required consistency with the responsibilities placed upon the airport proprietor by the United States Supreme Court in Griggs v. Allegheny County. Consistent with this limited scope, this amendment specifies that the Federal Aviation Administration makes no determination, under Part 36, on the acceptability of the prescribed noise levels in any specific airport environment."

"One commenter stated that he assumed that the Notice was intended to protect the public from adverse physiological and psychological effects, and that a noise envelope accomplishing this must be placed within airport boundaries. The FAA agrees that protections of the public from the adverse effects of aircraft noise, by controlling the noise source, must be achieved by regulation consistent with the statutory obligation on the part of the Administrator."

"One commenter stated that the FAA should limit the noise levels to those that do not exceed industrial health standards, vehicle emission standards, construction welfare standards, or commercial activities standards, and the FAA should permit local standards to prevail if they are more stringent than FAA standards. It is agreed that the ultimate objective of aircraft noise abatement is the achievement of aircraft noise levels similar to, or lower than, those of other industrial operations.



DELTA MANAGEMENT CO. LLC

203 E Reserve Vancouver, WA 98661

www.deltamanagementco.com

(360) 696-4448

fax(360) 695-1970

May 4, 2017

To Whom It May Concern:

We have recently learned that the Oregon Air National Guard intends to fly twice the number of F-15 jets over the East Columbia Neighborhood, at low elevations, for extended hours. Our company would like to go one record opposing the increased frequency, allowable hours, and expansion to runways 10 R and 10 L of the ANG overhead approach practice maneuvers. We oppose these measures as the jets would be flying very low directly over the Columbia River RV Park, a business that we own and operate.

We believe that they additional noise would severely hurt our profits and current patrons. As it stands, the jets are one of the most common complaints we get from people staying in our park. People stay in our park to enjoy a peaceful atmosphere while they vacation in the city. The jets are a harsh disruption to that enjoyment. The noise itself is disturbing enough but, the jets also cause the RV's to shake and rattle. Once word gets out that the jets are flying low overhead, from sunrise to sunset, 7 days a week, no one will want to stay in our park.

We ask that the Oregon Air National Guard not implement this plan now, or ever. The current plan would hurt our business and bother our patrons.

Thank you,

Delta Management Co. LLC

#	Name	Comment	Created On	Actions
20	Lisa Latin	-	May 3, 2017 1:28 PM	
19	Norah Kelly	-	May 3, 2017 1:45 PM	
18	Marie Xavier	-	May 3, 2017 1:45 PM	
17	Juliana Lukasik	The noise is extreme and literally rattles our windows. More noise and more often is extremely unwelcome.	May 2, 2017 1:46 PM	
16	Cheryl Larson	Thank you for your service airmen. Possible to practice in a more remote area?	May 2, 2017 2:15 PM	
15	Bonnie Jeffs	-	May 2, 2017 4:21 PM	
14	Larry Zimmer	-	May 2, 2017 5:10 PM	
13	Marlo McClure-Porter	-	Apr 28, 2017 1:24 PM	
12	Robyn Murphy	-	Apr 28, 2017 4:21 PM	
11	Laurence Beal	This flight pattern is inappropriately close to native natural habitat and residential areas. In addition, these exercises are carried out at low altitude over the Linnton energy cluster. There infinite better choices for flight paths.	Apr 28, 2017 4:22 PM	
10	Ab Kazati	Please stop this from happening!	Apr 27, 2017 5:16 PM	
9	Jennifer kazati	-	Apr 27, 2017 4:12 PM	
8	Fran Baumgardner	I appreciate what the F-15 pilots do for us everyday. Living in East Columbia I hear them daily and have accepted them. But this new schedule and route will be extremely troublesome to us living here. There has to be another solution that does not disrupt those of us who live here to such an extreme extent. Please re-evaluate and come up with a better solution for all. Thank you.	Apr 16, 2017 9:16 AM	
7	Kimberly Powell	-	Apr 16, 2017 12:31 PM	

6	Murrianna Thomson	I am 100% against this action. Not only will the noise be excessive, we will have to face increased risk of plane crashes in our neighborhood.	April 10, 2020 11:42 AM		1
5	Chandra M Hall	I'm sorry but no. Please find some unpopulated area that is more appropriate. Our neighborhood is already dealing with having pollution that is 70% worse than the entire neighborhood. We do not need low flying super noisy planes from dawn to dusk flying over adding to the issue. I think it's really awful that this was considered or foisted upon us with so little consideration. I have a toddler and PTSD. I personally don't need the added anxiety and stress this will create for my family.	April 10, 2020 11:41 AM		1
4	Stephanie Lundin	-	April 10, 2020 11:40 AM		1
3	Ben Benchaar	Approved	April 10, 2020 11:39 AM		1
2	Preston Taub	-	April 10, 2020 11:38 AM		1
1	Pamela Benchaar	This must be stopped or we'll never have peace in our neighborhood nor our homes!	April 10, 2020 11:37 AM		1

Stop the Fighter Jets Flying Over Portland Neighborhoods!



 [Andrew Pritchard](#) started this petition to Port of Portland and [2 others](#)

1,142 have signed. Let's get to 1,500!



 [Stephen McGreevy](#) signed this petition

 [Jamie fava](#) signed this petition



Waipahu, 96797
United States



Display my name and comment on this petition

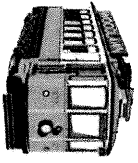
 Sign this petition

The Oregon Air National Guard (ORANG), based out of Portland International Airport (PDX), has vastly increased the quantity of fighter jets flying over Portland residential areas and practicing their Continuous Descent Approaches (CDAs). WHO, the World Health Organization, rates CDAs and other high intensity airplane noise as a serious physical and mental health hazard. The fighter jets, mostly F-15s and F-16s, drastically affect the quality of life for thousands of Portlanders. They shake houses, rattle bones, ruin the peace and sanctuary of backyards, and wake up the sleeping. These jets regularly deviate from their accepted flight paths by up to 1/2 mile, fly at low altitudes, increase noise pollution to unacceptable levels, and physically endanger those underneath the flight paths. It's the responsibility of citizens to prevent ORANG from unnecessarily flying ever deeper and more frequently over Portland residential areas on a permanent basis.

The people of Portland, Oregon demand that ORANG discontinue the massive increase of CDAs over residential areas and fighter jets flying over residential areas in general. Furthermore, we request that Portland's Citizen Noise Advisory Committee (CNAC) and the Port of Portland officially reject the proposed increase in practice flights and residential area flyovers.

The stakes are high. The sound of war planes roaring overhead will become the new reality of living in Portland if we don't act now. The increased fighter jet activity over residential areas will become the new normal. 5 years from now, when some neighborhoods are used to it, they could attempt to increase flight activity and fly even further over Portland. This issue strikes at the heart of what it means to be a Portlander. We must say "no" to the military-industrial complex parking itself in our living rooms and flying over our schools. Now is the time to draw a line in the sand.

www.nojetsportland.com



Woodlawn
Neighborhood
Association

HOME • OUR WOODLAWN • WOODLAWN NEIGHBORHOOD ASSOCIATION • EVENTS CALENDAR • OUR BLOG • CITY & NEIGHBORHOOD RESC

CALM THE SKIES OVER PORTLAND

Did you notice an increase in low level jet activity last summer and fall?
This is not just your imagination!

FROM MAY THROUGH OCTOBER, THE OREGON AIR NATIONAL GUARD (ORANG) AND PORT OF PORTLAND CONDUCTED A SIX MONTH TEST OF A REVISED LANDING PATTERN AT THE WEST END OF THE AIRPORT. NOW IT IS OUR TURN TO EVALUATE THE TEST AND PROVIDE FEEDBACK

Did you know?

- That the Port of Portland and the Citizen Noise Advisory Committee (CNAC) have NOT YET decided whether to approve this permanent increase in startlingly loud jet activity over our residential area.
- That there is still time to TALK ABOUT IT and let them know how we feel!
- That the East Columbia Neighborhood Association, and several others, have discussed and voted that this landing maneuver is very disruptive to the livability of our community.
- That we do acknowledge the need for training. These pilots are friends, neighbors, and family members.

Air National Guard

READ THE PETITION

TITLE *

FIRST NAME *

LAST NAME *

EMAIL *

STREET

CITY

SIGN YOURSELF

Sign Now

27 Signatures