



CITY OF DALY CITY

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October 10, 2011

Honorable Joseph E. Bergeron
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: 2010-2011 Civil Grand Jury Report: County Officials Need to Make Noise about Aircraft Noise

Dear Judge Bergeron:

On behalf of the City Council of Daly City, I have been requested to submit the City's response to the Civil Grand Jury findings and recommendations pertaining to the above-referenced report:

FINDINGS:

1. There has been an increase in both total departures and night departures from SFO. Increased volume and changed flight patterns have had an adverse impact on some northern San Mateo County communities including Brisbane, and parts of Daly City and South San Francisco. Some of the areas currently experiencing the most severe impacts either declined to participate or were deemed ineligible for the original noise insulation program.

Response: Concur, as it relates to Daly City.

2. Noise data collected by SFO and monitored by the SFO Roundtable address noise averages and do not focus on single events. No data is collected on individual night-time events, which can be the most distressing to residents.

Response: Concur.

3. The violation of noise standards by any aircraft is deemed a misdemeanor and is punishable by a fine of \$1,000. Under California law, San Mateo County has the authority to impose fines and sanctions for violations of noise regulations established by the State of California, Division of Aeronautics. San Mateo County does not impose fines or sanctions on offending airlines as a matter of policy.

Response: Neither agree nor disagree, does not pertain to Daly City.

4. The State of California, which issues the airport operating permit, is not represented as an advisory member of the SFO Roundtable.

Response: Neither agree nor disagree, does not pertain to Daly City.

5. Reports received by the SFO Roundtable, prepared by the SFO Noise Abatement Office, are not easily accessible to the public on the website (www.SFORoundtable.org). Information on the website was not current and a message stating that the website is “under construction” was displayed for the approximately one year duration of this investigation.

Response: Neither agree nor disagree, does not pertain to Daly City.

6. The Roundtable membership does not include any individual residents, nor do they have any citizen representation on any subcommittees.

Response: Neither agree nor disagree.

7. The bylaws of the SFO Roundtable do not require that the Chairperson and Vice-Chairperson be elected representatives from the participating San Mateo County communities who are accountable to their constituencies. The current Chairperson of the SFO Roundtable is not an elected official.

Response: Neither agree nor disagree.

8. The level of attendance by SFO Roundtable members varies widely and is declining overall. Daly City has withdrawn from membership entirely, and the San Francisco Board of Supervisors representative has not appeared since February of 2009. The SFO Roundtable recently decided to reduce their meeting schedule from monthly to quarterly.

Response: Concur as it relates to Daly City.

9. Public participation at SFO Roundtable meetings is minimal. With one exception, all of the elected members of the SFO Roundtable and all of the residents interviewed stated that noise complaints were not a reliable source of feedback because people had either “given up” or did not believe that complaining was effective.

Response: Neither agree nor disagree.

10. Daly City withdrew as a member of the SFO Roundtable in 2010, citing budget restraints as the reason. Membership fees for 2010 were \$750.

Response: Concur.

CONCLUSIONS:

1. While numerous San Mateo County communities are affected to various degrees by aircraft noise from SFO, the most severe impacts are created by departures over Brisbane, Colma, Daly City, San Bruno and South San Francisco. The increasing frequency and intensity of

aircraft noise, particularly at night, represents a problem for the quality of life for the residents of those communities.

Response: Concur, as it relates to Daly City.

2. The San Mateo County Board of Supervisors has not recently taken an active role in addressing aircraft noise issues and has largely delegated this responsibility to the SFO Airport Roundtable.

Response: Neither agree nor disagree, as it does not relate to Daly City.

3. It would be more effective to have elected officials serve as Chairperson and Vice-Chairperson of the SFO Roundtable, as they are directly accountable to the citizens.

Response: Concur.

4. Including a representative of the State of California, Division of Aeronautics, on the SFO Roundtable would add an important dimension and enhance effectiveness.

Response: Neither agree nor disagree, as it does not pertain to Daly City.

5. The lack of effectiveness of the SFO Roundtable has caused a decline in attendance and enthusiasm for participation in the SFO Roundtable. Community participation is minimal and not encouraged.

Response: Neither agree nor disagree.

6. The focus on average noise levels, rather than single events, can distort the extent and magnitude of the problem and foster the belief that complaining is futile.

Response: Neither agree nor disagree.

RECOMMENDATIONS:

The 2010-2011 San Mateo Grand Jury recommends that the San Mateo County Board of Supervisors:

1. Take an active role in revitalizing the SFO Roundtable to make sure that the interests of San Mateo County and its residents are fully represented, and that every effort is being made to mitigate the severe and increasing impacts of SFO airport expansion on San Mateo County residents.

Response: Neither agree nor disagree, as it does not pertain to Daly City.

The Grand Jury recommends that the County Board of Supervisors and the member cities of the SFO Roundtable direct their representatives to take action that will:

1. Ensure that the locations of noise measuring and tracking equipment parallel current departure flight paths.

Response: Neither agree nor disagree, as Daly City is not currently a member of the SFO Roundtable.

2. Request the SFO Noise Abatement Office to deploy equipment to measure and track the intensity of structural vibration on departure flight paths.

Response: Neither agree nor disagree, as Daly City is not currently a member of the SFO Roundtable.

3. Change the focus of required data collection and reports to ACTUAL noise measurements rather than COMPLAINTS from residents about noise.

Response: Neither agree nor disagree, as Daly City is not currently a member of the SFO Roundtable.

4. Increase the focus on single event noise violations and frequency, especially with night departures, rather than the 65dbCENEL which represents an average of noise experienced within a 24-hour period.

Response: Neither agree nor disagree, as Daly City is not currently an SFO Roundtable member.

5. Adapt the "Fly Quiet" Program to include sanctions as well as rewards based on single event violations, particularly with night departures.

Response: Neither agree nor disagree, as Daly City is not currently an SFO Roundtable member.

6. Create a sub-committee of the SFO Roundtable comprised of the elected representatives from the northern San Mateo County cities most impacted by aircraft departure noise to focus on mitigating the problems in those communities.

Response: Neither agree nor disagree, as Daly City is not currently an SFO Roundtable member.

7. Modify the SFO Roundtable bylaws to require that both the Chair and Vice-Chair be elected officials from participating San Mateo County communities.

Honorable Joseph E. Bergeron

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Response: Neither agree nor disagree, as Daly City is not currently an SFO Roundtable member.

8. Expand SFO Roundtable membership to include a representative from the State of California, Division of Aeronautics, to serve as a liaison.

Response: Neither agree nor disagree, as Daly City is not currently an SFO Roundtable member.

The 2010-2011 San Mateo County Grand Jury recommends that the City Council of Daly City:

1. Rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interest of Daly City residents who are severely impacted by aircraft departure noise.

Response: Concur.

The 2010-2011 San Mateo County Grand Jury recommends that the City Councils of Brisbane, Daly City, Millbrae, San Bruno and South San Francisco:

1. Form local Citizens Advisory Committees to work with their respective elected members of the SFO Roundtable to promote efforts to identify and mitigate aircraft noise issues in their communities.

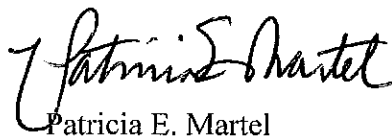
Response: Partially agree. If and when the SFO Roundtable takes steps to address the findings detailed in the Grand Jury Report and operate more effectively, the City of Daly City will consider convening a local Citizens Advisory Committee to work with the local elected representative on airport noise issues.

2. Maintain regular attendance and full participation in SFO Roundtable meetings and activities.

Response: Concur.

Should you or the Grand Jury require additional information or clarification concerning the response provided, please contact me directly at (650) 991-8127.

Sincerely,



Patricia E. Martel
City Manager