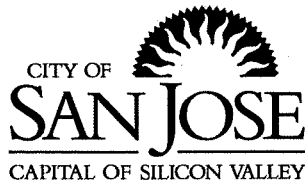


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Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: William F. Sherry, A.A.E.

SUBJECT: 2008 ANNUAL REPORT ON
AIRLINE COMPLIANCE WITH
THE NOISE CONTROL
PROGRAM AND CURFEW
MONITORING

DATE: February 20, 2009

Approved

Date

2/24/09

INFORMATION

BACKGROUND

On October 21, 2003, City Council approved an amendment to Title 25 of the San Jose Municipal Code to restate the curfew hours and aircraft restrictions. Mineta San José International Airport (SJC), with the approval of the Federal Aviation Administration (FAA), revised the curfew portion of its noise control program from a weight-based curfew to a noise-based curfew. The revised noise control program also included enforcement provisions where operators are fined \$2,500 for every curfew intrusion. A curfew intrusion is any aircraft takeoff or landing occurring during curfew hours. A non-compliant intrusion is any takeoff or landing by a prohibited aircraft during the curfew hours, which is not exempt due to causes beyond the scheduled operator's control, such as mechanical problems, weather delays, Air Traffic Control, security delays or an emergency. The following information and exhibits constitute the Annual Airline Compliance Report for 2008.

ANALYSIS

This report identifies the annual number of operations by airline, compliant and non-compliant intrusions for each airline, and a percentage breakdown by time of day. Additionally, the report identifies good faith measures taken by the airlines to maintain compliance with the Airport's Noise Control Program. In several cases throughout the year, the airlines have undertaken operational modifications in order to adhere to the City's Curfew Ordinance.

Table 1 lists each airline's total operations, total curfew intrusions and a breakdown of compliant versus non-compliant.

Table 2 breaks down the 637 total compliant intrusions by type. Weather and Mechanical delays accounted for approximately 73% of reported delays for 2008.

Figure 1 is a graphical representation of the percentage of total operations compared to the percentage of total intrusions. Southwest Airlines (57%) conducted the majority of SJC operations and amounted to less than 37% of the total intrusions.

Figure 2 breaks down 2008 curfew intrusions by time of day. Over 48% of all intrusions occurred between 11:30 p.m. and midnight. Over 68% of all intrusions occurred between the hours of 11:30 p.m. and 12:30 a.m.

Some examples of good faith measures taken by the Airlines in 2008 included:

- Over the course of 2008, the airlines continue to comply with the Noise Control Program that came with the adoption of the Curfew Ordinance on October 21, 2003. Airborne Express, American Eagle, Federal Express, Horizon Airlines, Northwest Airlines and Skywest Airlines continue to operate with no intrusions (compliant/non-compliant).
- **Alaska Airlines** - Alaska staff at SJC continues to report in a timely manner, with an average of 2 – 3 days response time.
- **American Airlines** - American had the third most intrusions in 2008 with 130. This equates to less than 1.5% percent of their total operations of 8,584. The operator had major delays due to weather at Dallas Fort Worth and Chicago O'Hare hubs. Engine run-ups during the curfew hours for American have remained at 23 from 2008.
- **Delta Airlines** - Delta has minimized the number of non-compliant arrivals and/or departures during the curfew period for 2008. Delta has reduced the number of curfew intrusions to only 10 in 2008 showing their willingness to adhere to the Noise Control Program.
- **Jet Blue Airlines** – Jet Blue has made significant progress in decreasing the number of intrusions in 2008. In 2008 Jet Blue had 40 intrusions reducing the number of intrusions by 32 from 2007.
- **Southwest Airlines** – Southwest Airlines dispatchers located at Love Field, SWA headquarters, remain proactive toward the Noise Control Program at SJC. Furthermore, they ensure all SWA flights are adhering to the noise abatement policies of SJC and the other airports SWA serves. Another example of a “good-faith effort” Southwest has continued into 2008 was their willingness to swap aircraft and flight crews whenever possible to ensure that

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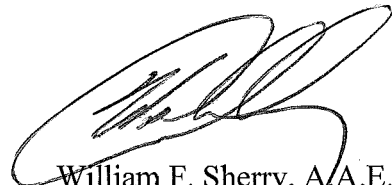
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the flights remain on time. Additionally, their Aircraft Scheduling Department is actively involved to limit the possibilities of curfew intrusions.

- **United Airlines** - United had the Second most intrusions in 2008 with 134. This equates to less than 3% percent of their total operations of 5,136. The operator had major delays due to weather at Dallas Fort Worth and Denver, Colorado hubs.



William F. Sherry, A.A.E.
Director of Aviation
Airport Department

**TABLE 1
MINETA SAN JOSE INTERNATIONAL AIRPORT
COMBINED ANNUAL AIRLINE COMPLIANCE REPORT 2008**

AIRLINE	TOTAL OPS	TOTAL INTRUSIONS	COMPLIANT INTRUSIONS	NON COMPLIANT INTRUSIONS
Alaska	6136	25	22	3
US Airways	5550	21	19	2
American	8584	130	130	0
Continental	2374	20	20	0
Delta	2018	10	10	0
Frontier	2528	22	22	0
Hawaiian	734	1	1	0
Jet Blue	2802	40	40	0
Mexicana	1390	7	7	0
Northwest	1406	0	0	0
Southwest	54336	243	227	16
United	5136	134	134	0
Airborne	214	0	0	0
ATI	442	3	3	0
Fed Ex	1332	0	0	0
UPS	894	2	2	0
TOTAL OPS	95876	658	637	21

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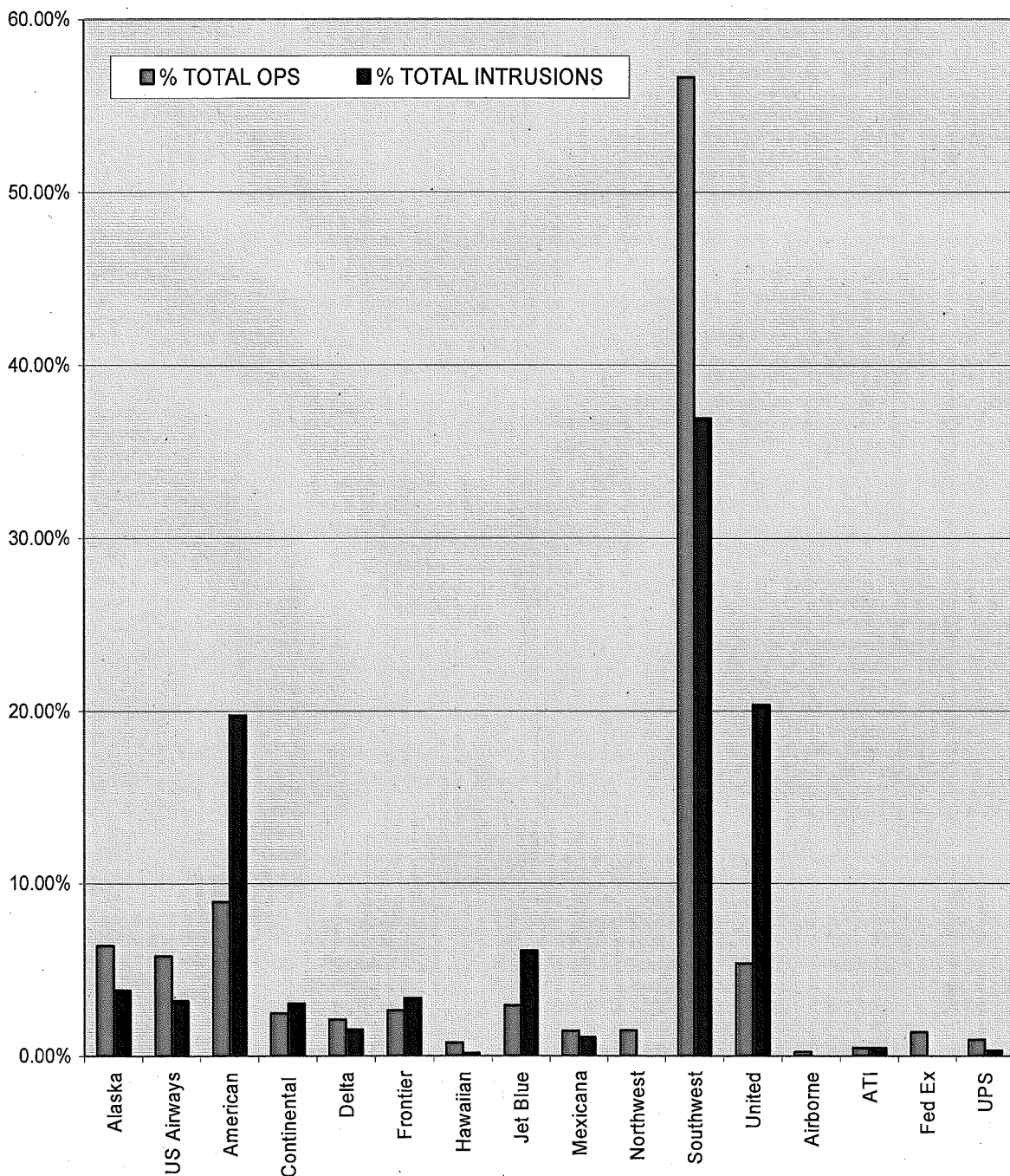
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**TABLE 2
MINETA SAN JOSE INTERNATIONAL AIRPORT
COMPLIANT INTRUSION BY TYPE**

Weather	Mechanical	ATC	Medical / Emergency	Military/Security /Government	Total
259	204	169	5	0	637
40.66%	32.03%	26.53%	0.78%	0.00%	100.00%

**FIGURE 1
MINETA SAN JOSE INTERNATIONAL AIRPORT
COMBINED ANNUAL AIRLINE COMPLIANCE REPORT 2008**

**PERCENTAGE OF TOTAL OPERATIONS COMPARED TO
PERCENTAGE OF TOTAL INTRUSIONS BY AIRLINE**



**FIGURE 2
MINETA SAN JOSE INTERNATIONAL AIRPORT
COMBINED ANNUAL AIRLINE COMPLIANCE REPORT 2008**

2008 INTRUSION BY TIME OF DAY

