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MAY 13 2010

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Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

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

SUBJECT: 2009 ANNUAL REPORT ON
AIRLINE COMPLIANCE WITH
THE NOISE CONTROL
PROGRAM AND CURFEW
MONITORING

DATE: May 07, 2010

Approved

Date

5/10/10

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 2009.

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.

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Table 2 breaks down the 282 total compliant intrusions by type. Weather and Mechanical delays accounted for approximately 73% of reported delays for 2009.

Figure 1 is a graphical representation of the percentage of total operations compared to the percentage of total intrusions. Southwest Airlines (61%) conducted the majority of SJC operations and amounted to less than 27% of the total intrusions.

Figure 2 breaks down 2009 curfew intrusions by time of day. Over 46% of all intrusions occurred between 11:30 p.m. and midnight. Over 73% 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 2009 included:

- Over the course of 2009, the airlines continue to comply with the Noise Control Program that came with the adoption of the Curfew Ordinance on October 21, 2003. American Eagle, ATI, Federal Express, Horizon 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 2009 with 51. This equates to less than 8% percent of their total operations of 6,460. The operator had major delays due to weather at Dallas Fort Worth and Chicago O'Hare hubs.
- **Delta Airlines** - Delta has minimized the number of non-compliant arrivals and/or departures during the curfew period for 2009. Delta has reduced the number of curfew intrusions to only 10 in 2009 showing their willingness to adhere to the Noise Control Program. Delta has also swapped crews and aircraft to comply with the curfew.
- **Jet Blue Airlines** – Jet Blue has continued to make an effort to decrease the number of intrusions in 2009. Jet Blue had 50 intrusions in 2009 which equates to just over 3% of their total operations of 2,675.
- **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 2009 was their willingness to swap aircraft and flight crews whenever possible to ensure that the flights remain on time. Additionally, their Aircraft Scheduling Department is actively involved to limit the possibilities of curfew intrusions.

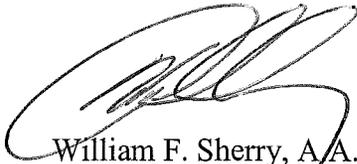
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- **United Airlines** - United had the Second most intrusions in 2009 with 55. This equates to a little over 3% percent of their total operations of 2,556. The operator had major delays due to weather at Chicago, Illinois and Denver, Colorado hubs.



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

TABLE 1
MINETA SAN JOSE INTERNATIONAL AIRPORT
COMBINED ANNUAL AIRLINE COMPLIANCE REPORT 2009

AIRLINE	TOTAL OPS	TOTAL INTRUSIONS	COMPLIANT INTRUSIONS	NON COMPLIANT INTRUSIONS
Alaska	4694	7	7	0
US Airways	4858	2	2	0
American	6460	51	51	0
Continental	1979	5	5	0
Delta	1241	10	10	0
Frontier	1987	15	13	2
Hawaiian	673	1	1	0
Jet Blue	2675	50	50	0
Mexicana	1177	9	6	3
Northwest	1366	6	5	1
Southwest	50336	77	76	1
United	2556	55	55	0
ATI	430	0	0	0
Fed Ex	1103	0	0	0
UPS	822	1	1	0
TOTAL OPS	82357	289	282	7

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

Weather	Mechanical	ATC	Medical / Emergency	Military/Security /Government	Total
150	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 2009
PERCENTAGE OF TOTAL OPERATIONS COMPARED TO
PERCENTAGE OF TOTAL INTRUSIONS BY AIRLINE

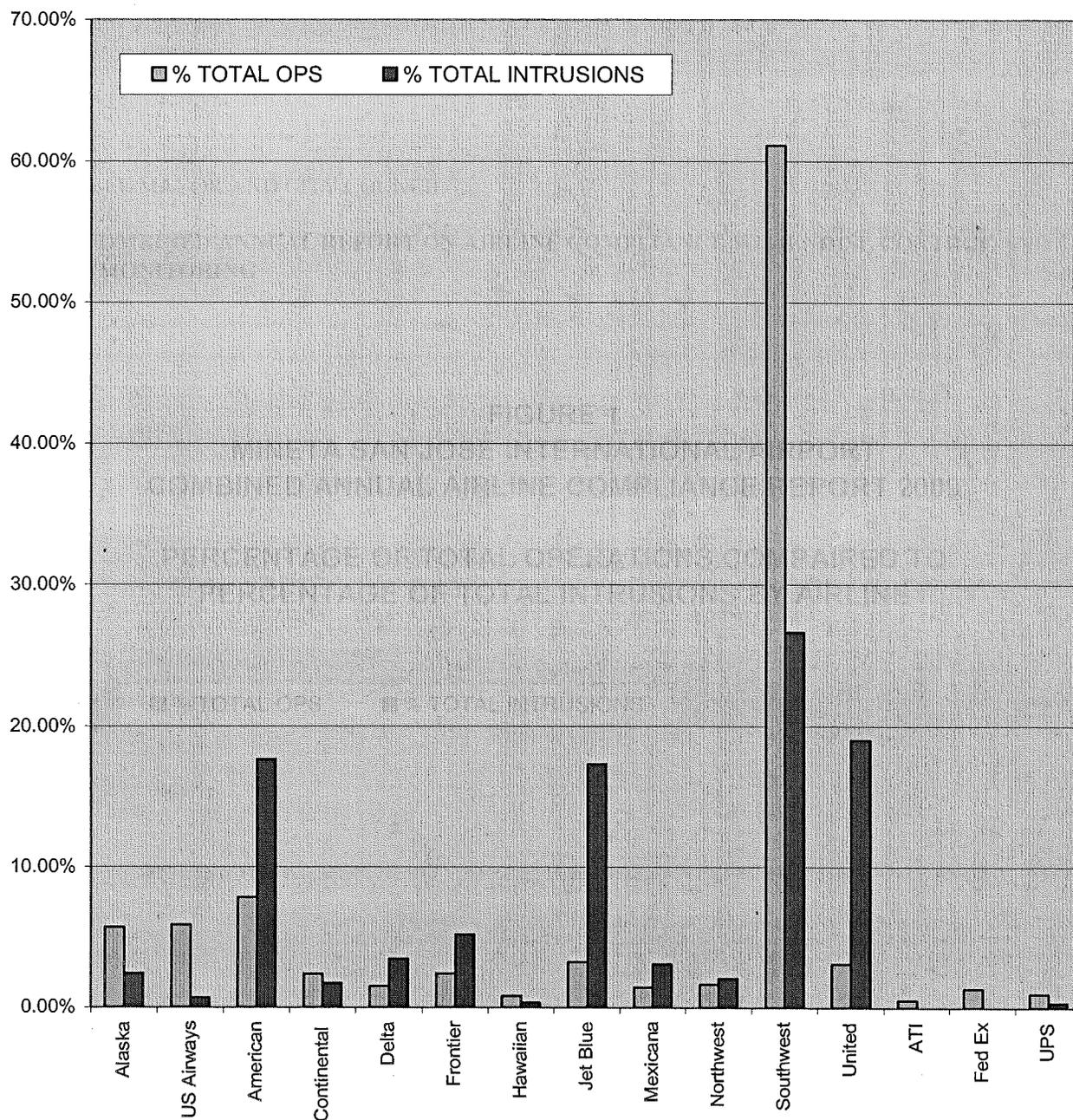


FIGURE 2
MINETA SAN JOSE INTERNATIONAL AIRPORT
COMBINED ANNUAL AIRLINE COMPLIANCE REPORT 2009

2009 INTRUSION BY TIME OF DAY

