

MINUTES OF THE EXECUTIVE COMMITTEE MEETING
Massport Community Advisory Committee

JANUARY 16, 2018
10:00 a.m.

Brookline Town Hall
333 Washington Street, Room 111, Brookline, MA 02445

Members Present: Dave Carlon, Jerry Falbo, Myron Kassaraba, Pete Navarra, Maura Zlody and Wig Zamore (arrived at 10:25 a.m.).

Participating by Phone – Pam Hill

Others Present: Jennifer Dopazo Gilbert, Esq., Anthony Gallagher (Massport), Cindy Christiansen (Milton CAC member) and Joanne Keith (Boston CAC member)

Dave Carlon called the meeting to order at 10:00 a.m. and noted that Pam Hill would be participating remotely due to a medical condition. All votes will be by roll call.

1. Public Comment

Cindy Christiansen asked to address the members. After the meeting, Cindy provided an electronic word document of her statement and asked that it be included in the minutes. Her statement is attached to these minutes and incorporated herein for the record.

2. Review and approval of meeting minutes

Members reviewed the minutes of December 7, 2017. Motion by Myron K. to approve the Executive Committee minutes of December 7, 2017 as amended by Pete N. to add members present and absent. Vote by roll call all members were in favor; approved unanimously.

3. Update on Massport CAC Enabling Act Amendment & Executive Director Hiring Process

Dave gave a brief update that things are going well and the Bill is in the Senate Hearings Committee. Jerry noted that there was a rumor that Rep. Boncurri was not voting for it, but he checked with him and he is voting in favor. Dave noted there were concerns about the legislation for the seventh Boston member. Jerry noted that a member wanted a health study and funding for it and that failed. Dave noted further lobbying will be required and Dave and Jerry will get together with Tom Glynn to discuss the amendment. The remaining issues are on cash-flow and hiring policies and other administrative issues. Myron noted the challenge is with budget and funding, because any hiring decision requires the amendment to be passed and MPA to waive the service fees for FY19. The hiring decision is on hold

until there is clarity on the funding and the MPA fee.

Pam and Pete think it's a good idea to move forward with a part time person for the Executive Director position if need be. Members discussed the pros and cons of hiring part-time and what this may do to the candidate pool. Bernie Lynch has contacted candidates and they have verified whether they are interested in either part-time or full-time. Dave noted that there will be a public meeting for the MCAC members to attend the final interview and submit questions for finalists. Members discussed whether to retain a consultant if the funding didn't pass. Pete suggested a motion to proceed to hire part-time if necessary. Discussion on whether a motion is necessary. Myron noted the urgency and the need for MPA to provide answers and get answers from the Senate. Discussion on whether to make the part time full time decision now or at the February Executive Committee meeting. Next Executive Committee meeting will be February 6, 2018 at 10:30 a.m. and there was consensus to wait until there is more information on the passage of the Bill. Motion withdrawn by Pete. In conclusion to his update, Dave noted the representative from the South End moved to add a 7th Boston member. There seems to be support to not add the 7th seat, but rather to designate one of the existing Boston members as specifically from the South End.

4. Update from Massport re: motions, requests, RNAV Study

Anthony noted the support for the Block 1 recommendations. Anthony requested Dave to send a letter regarding the MCAC vote to support Block 1. Anthony discussed the process going forward and asked the Executive Committee about the sequence of moving forward with Block 2. Dave noted that Block 2 requires some heavy lifting and asked for an update from MPA and Hansman as soon as possible. Since so much has been back logged into Block 2 Dave wants to know how this will be addressed procedurally. Dave noted that Hansman's work is impeccable, but he would like to see more on the analysis and the basis for the recommendations. This phase 2 is not simple so he wants to know why and what will it take to make changes in the future. Dave noted that it was a benefit to have the FAA in attendance and participating at the last meeting and he requested Anthony to insure that FAA participation at MCAC meetings will continue. Dave wants FAA active participation and the FAA to take questions from the public. Maura agreed, but she noted her frustration with the MPA hearings, because there is never a substantive response from MPA to the public questions and comments. She noted that without a response to the comments the hearings are not helpful. Myron suggested that the Executive Committee communicate to MPA and the Aviation Sub Com that Block 2, MIT, MPA and FAA clearly and definitively say what's in Phase 2, what's out and what's pending. At the last meeting Hansman noted that the team was open to other suggestions and it's important to know when the door

closes on the issues to be studied what has been excluded and the reasoning behind excluding it. Wig went over the role of the 4 entities, MPA, FAA, MIT and MCAC as he sees it. FAA responds to MPA as to why they can or can't study something. Wig agrees with Dave that Hansman is technically competent and he believes that Hansman and FAA decide what is being studied. Wig said that Todd Freidburg shut the door on BLANS and we do not want to get into that situation again. Members discussed the participation of the FAA team at the last CAC meeting and how important their input is prior to a vote being taken. Dave discussed an example of the 3-degree slide slope that Hansman said would not be studied. Dave accepted that decision but wants to know why it isn't being studied since it is done in Europe. Cindy noted that Hansman's reason was the 14 accidents, but she opined that these accidents did not relate to the 3-degree slide slope. Cindy offered to share her report on this with Dave. Anthony agreed to convey the request to have FAA present and for Hansman to be more specific on what is in and what is out and why. Dave asked for the report to go to the Aviation sub-committee first. Fly Quiet prototype was discussed. Anthony noted that a deliverable is being prepared and the fleet mix piece is coming soon. Anthony said that should be available in the next few weeks. John Nucci has been requesting fleet mix list from the MPA Board as well. Maura requested the list before the Aviation Sub-Committee. Wig asked on things like the Fly Quiet will it go to the whole MCAC? Dave said yes it will. Wig is concerned about peeling back those reports and digging in to the data. Wig wants disclosure of some of the core fundamental data. Wig requested the core data that goes with the glossy report.

Myron stated that the report from Anthony and his update were lacking detail and did not meet his expectations. Myron noted that a report was requested at the November 2017 General Meeting from Liz months ago for the correspondence and details about what was going on with respect to outreach to airlines on Vortex generators. Nothing has been received and he made that request again. Myron does not feel that we should have to have John Nucci go to the MPA Board to ask for it. Myron stated that in order for the MCAC to be effective in doing its job MPA has to do its job. Pam does not think Anthony adds value to the meetings and there is no time for this and it's an embarrassment. Pam stated that it is beyond unacceptable. Dave noted the fleet mix report is a simple thing; which planes have the Vortex generator and which one does not and then the MCAC can move forward with the information provided. Anthony stated he did not have the information or he would hand it out. Jerry requested that Anthony go back and report on the requests for information otherwise his presence and the MPA presence will be seen as only token gestures.

Cindy is frustrated about the MCAC not using its legal authority to get the information it wants. Cindy

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also said she is not getting the MPA Board information and it's no longer on-line. Anthony will speak to IT to fix this.

Dave asked Anthony for an update on the FAQs. Anthony said he has not heard from any of the elected officials, but the holidays may have had an impact. FAQ is in process and Liz is working on getting them for every runway.

Wig gave an update on matters of interest to the environmental sub-committee. Wig noted that he must confirm with Frank what dates he is available in order to schedule the meeting regarding noise monitors. Wig noted a new paper being published on health and ultra-fine particles particularly in Chelsea. This is a health impact on their communities like Winthrop with planes using 20M gallons on take-off and 20M on tarmac. Wig stated, if you can reduce the use of fuel on the tarmac it will reduce the health impacts. Dave noted the importance of this issue and other issues like the Seaport area.

Dave asked if there were any other hires for the MPA noise mitigation office. Anthony noted that there were interviews. Dave asked for a forecast in the business at the next meeting. On the BLANS website Anthony noted it changed to MPA holding on to the website and Flavio has confirmed it will be left where it is now until a better site is available. Maura asked what was MPA's legal retention and storage requirement for these materials. Anthony stated that the final reports are the key document, but Maura noted that the final report is not enough. She wants to know MPA's opinion on the record retention requirements and asked Anthony to get that opinion.

5. Noise Based Landing Fee Update

Jennifer gave an update on her meeting with General and Special Counsel relative to Noise Based Landing Fees and A.N.C.A. and the associated Federal Regulations.

6. Discussion of adopting a Policy for Submitting Requests, Proposals, and Resolutions

The latest draft with Pete's revisions were briefly discussed. Dave asked for comments back and for the draft to be finalized in order to bring it in final form to the MCAC in March. This item was tabled for the next meeting.

7. Information Sharing & Member Education

Discussion on educating members, providing fact-based information and studies in order to properly inform members. Dave questioned how to curate the information so it is meaningful. Wig wants sub-committees to be able to post information. Wig noted that most advocacy groups have websites with links to information and he wants a way to post information without deliberating. Wig would like to send out the paper on Chelsea and other serious science publications. Maura asked how he wanted to communicate. Wig wanted an opt-in mechanism for the public on the website. Members discussed

how to post and provide information. Dave noted complexities with the open meeting law. Wig and Maura believe that pushing out information assists the functioning of the MCAC and its sub-coms and can be done without deliberation or running afoul of the Open Meeting Law. Myron suggested a newsletter with links from the Executive Director once hired. Jerry noted that what will be nice is that the Executive Director will have a connection with the media. Myron was curious about accessibility to documents and some comments he received so he did a calendar of all MCAC meetings and he prepared a calendar of all the meetings and there were 27 in total.

Dave asked about Lunch and Learn interest. Wig noted the timing of the next environmental filing and asked for a briefing on that issue. Dave asked for a review of the year from MPA on runway use and other MPA issues in 2017 for the March meeting and the 2018 forecast. Myron asked for the business plan that is shared with the MPA Board. Anthony acknowledged and noted these requests.

8. Meeting Schedule & Logistics for 2018

The Executive Committee will meet every second Tuesday. There will be four quarterly meetings and rooms have been scheduled. Dave wants standing meeting schedule for the sub-committees. Wig agreed and will coordinate with Ralph.

Wig gave a brief update on the meeting with Frank Iacovino and noise monitors. He is trying to work out the schedule with Frank and other sub-com members. Dave noted to Anthony that Frank should be prepared to discuss details. Cindy asked for the noise monitor information in advance, because what she has is inconsistent with the information that she was provided.

9. Correspondence

None.

10. New Business – reserved for matters the Chair did not reasonably anticipate at the time of posting

None.

11. Adjournment

Motion by Pete to adjourn at 12:55 p.m., second by Jerry, roll call vote with each member approving; unanimous approval.

Documents:

- Meeting Agenda
- Draft Minutes of 12-7-18 for EC and MCAC
- Draft Policy on Submitting Proposals (draft of November 2017 with recent revisions proposed by Pete Navarra)
- Draft Process Massport/FAA Timeline for RNAV Study

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- Log of Requests to MPA
- Calendar of 2017 meetings from Myron K.
- Attachment No 1. Provided post meeting by Cindy Christiansen and included with minutes per request

Minutes by J. Dopazo Gilbert, Esq.

Approved on February 16, 2018.

Attachment No. 1 to Executive Committee Meeting Minutes January 11, 2018
Public Comment provided by – Cindy Christiansen

I will start with 2 examples of my attempts to get the MCAC to make simple rfi, requests that members of this body have stated hold regional benefits, but which have gone nowhere. I use these 2 examples to help explain the actions I am taking about the inadequate response from MP on the Oct 2017 MCAC rfi but also to offer to help you if you decide to use this state agency's legislative purposes and power to remedy MP's omissions.

First example of my inability to get simple information through the MCAC:

1. In May 2017 I made a request to the EC that MCAC submit a RFI asking that MP provide current and historic threshold and duration settings for its 30 noise monitors throughout the region, reasons for any changes, reasons for differences by locations, and the proportion of events picked up by the monitor at each site over the past five or 10 years by year. My request has stalled at the EC/MP level.

I did not ask for a demonstration of a noise monitor. From the description of the monitor meeting, it seems as if my simple RFI that will benefit communities across the region and which is justified by the MCAC's statutory purposes and power, will remain stalled. You can tell me whether or not I am correct that I will not get the information that I asked for 8 months ago at this planned monitor meeting or at any time in the very near future.

Second example of my inability to get community requested information

2. One of this state agency's purposes is to review the EDR/ESPR yearly reports. The information contained in the 2015 prompted the RFI that I brought forward to this committee at your March 2017 mtg. The RFI was regarding the AEDT software noise contours and dnl estimates.

Over 3 months later, at the end of June, MP wrote to the MCAC Chair and reported that they continue to wait for the AEDT software to be customized to Logan as the INM has been. This is despite the fact that the version of AEDT software available to MP for the 2015 EDR contains options to include daily, not yearly temperature, terrain, and non-default stage lengths as MP likes to use. This is despite the fact that the MIT study and HMMH are using AEDT software in the MIT analyses, and this is despite the fact that this information has regional benefits and that the MCAC has statutory power to make and receive information such as this in 10 business days. To my knowledge, your committee has done nothing more with this rfi.

I ask that the Exec Comm make a RFI for the dnl estimates and noise contours that Massport created for the EDR 2015 using the FAA-required AEDT software but which Massport did not publish or report in the EDR. This should be an easy, non-burdensome request of Massport because in the EDR Massport states that the analyses are done but

the decision was made to report results using the outdated INM software instead because the AEDT analyses did not have Logan-specific modifications. Further justification for the request is that the unreported results could be helpful to the MOU RNAV studies, and that it will be valuable information for members because it will increase MCAC members' knowledge and understanding of DNL and that knowledge will benefit future discussions and decisions the committee makes. I would be happy to write the RFI if that would be helpful to you.

My requests for information have not been successful and my attempts to have proposed motions discussed and voted by subcommittees and general membership also have not succeeded. Over the past year there have been several frustrations.

Here is one example The 12/8/2016 meeting minutes of the MCAC Executive Committee records this committee's discussion of a hearing, a topic prompted by Milton resident Tom Dougherty's 11/22/2016 request to the Committee and by my draft motion for a hearing on the RNAV Study, both part of the meeting record.

Even though the Executive Committee unanimously approved its motion to present to the general membership a motion to hold a hearing on the RNAV study, it was placed at the end of the agenda and it didn't happen. Unfortunately, a motion to adjourn was accepted by our Chair even though several members asked to allow this agenda item floor time - all recorded in the meeting minutes.

The general MCAC membership and the residents of the Commonwealth have not been given the information about the MIT study that they have asked for nor have they been given the opportunity to participate in a MCAC public hearing on the RNAV study even though several requests for this have been made, even though this committee voted to have a motion for a hearing to be brought to the general membership, even though the state legislators provided this state agency this purpose and all the necessary power to carry out this purpose, and even though the study is well over half way complete.

We voted on an RFI to obtain the scope, financial documents, and reports related to the consultants to the MP/FAA MIT study and their work. A month later the MCAC received an incomplete response to the rfi.

In their October 2016 letter to Director Huerta, Senators Warren and Markey and Representatives Capuano and Lynch specifically requested community input and a transparent process for this MOU Study, saying, quote

"While we are pleased that the FAA and Massport recently signed a memorandum of understanding (MoU) to address aircraft noise concerns at Logan International Airport, we were troubled to hear that the stakeholders from the town of Milton and other communities experiencing increased airplane noise were not part of the process. We ask that you please respond to the issues raised by Milton's Board of Selectmen and ensure that the FAA increases community outreach and participation as we work together to provide **all of our communities** with the relief they deserve. As the FAA works with the Commonwealth, our affected communities deserve a transparent process that provides them with opportunities to provide information and examine data." , end quote.

If you read the Milton Board of Selectmen's letter, you will see that they, like I, strive for regional fairness and have been a voice for all communities suffering from excessive noise and pollution. A transparent process, community outreach, participation, and input are exactly what

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the MA statehouse statute expects the MCAC to do, using our five purposes and power. And what have we done?

I have put together a list of items that were requested but were not produced in MP's response to this state agency. Because of my inability to get information as a MCAC member, I am working with others to obtain the documents that MP failed to provide.

I want the MCAC to succeed, I want it to be viewed as effective, especially by residents and those at the statehouse and in Congress. But we cannot be an effective advisory committee without adequate information, we cannot get adequate information without the use of our powers to make rfi's, and MP has made it clear through their actions, that we cannot obtain information without using our statutory purpose to hold hearings. I would like for the MCAC to use its statute-enabled power to provide the transparency and community participation that residents and legislators have requested. Let me know if I can help you do that, and please keep the general membership and me informed on any steps and decisions you make on this topic. Please include my comments in the meeting record; I will send an electronic version of what I just said.