



# Annual Meeting

November 13, 2023

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# Mission and Brief History

CLASS is a nonprofit, community advocacy organization made up of individuals and homeowner association members formed to protect the safety, health and welfare of the people living in Alameda and communities near the Oakland Airport. CLASS represents over 2,800 CHBI households and others.

Established in 1989, CLASS was formed by Bay Farm Island residents to closely monitor the activities of the Oakland Airport and assess its impact on the local community. Ultimately, this monitoring led to the filing of a lawsuit against the Port of Oakland resulting in a Settlement Agreement which gives CLASS and the City of Alameda direct input on airport planning and more open communication on issues which could affect the airport's neighbors.

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# Agenda – 2023 CLASS Annual Meeting

- Introductions & Acknowledgements
- 1990 ANCA Law Passed by the US Congress and the Settlement Agreement
- Oakland Airport Noise overview
- Night Time Cargo Plane Departures
- Oakland Airport Proposed Expansion Overview
- Oakland Airport Expansion DEIR response [CLASS & Alameda]
- **Summary of the OAK DEIR Expansion Issues**
- OAK 6 departure mid-January 2024 Visualization
- Looking Ahead into 2024
- General Aviation at OAK
- CLASS Community Outreach
- How to file a Noise Complaint
- Volunteer Opportunities with CLASS
- Q & A
- Backup information for the reader
  - MEDEVAC
  - S Field Daily Departures
  - Noise Complaints and Callers

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# Introduction of the CLASS Executive Committee

- Jon Hamilton Bay Isle Pointe
- Matt Pourfarzaneh, Ph.D. Headlands
- Carrolyn Kubota Pointe Ballena
- Tianxi Zheng Normandy
- Jay Seaton Fernside (Alameda Citizen Rep on Noise Forum)
- Barbara Tuleja (Emeritus) Brittany Landing
- Dianne Emery Garden Isle
- Carmen Borg Consultant/Executive Director (SM&W LLP)
- Kristi Bascom Consultant (SM&W LLP)
- Osa Wolff CLASS Attorney (Partner with Shute, Mihaly & Weinberger LLP)

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# Acknowledgements

- Mayor Marilyn Ezzy Ashcraft, Council Members Trish Herrera Spencer (Alameda Elected Rep on Noise Forum) as well as Tracy Jensen, Staff member Brian McGuire, Alameda Planning Director Allan Tai, and the Alameda City Manager Jennifer Ott
- CHBI Master Board Members and Office Staff
- Costa Brava HOA Board President Michael Robles Wong
- The 2,973 homeowners of the CHBI who support CLASS
- 500 Tideway Townhouse Association (Pointe Ballena)
- Fernside HOA (Main island)
- Community of BFI and Alameda for their support and for filing complaints

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# 1990 ANCA Law and the Settlement Agreement 1 of 4 <sup>Pg 6</sup>

## [1990] ANCA (Airport Noise and Capacity Act)

The airport cannot restrict runway access to an aircraft. In 1990 Congress passed the Airport Noise & Capacity Act (ANCA 1990) that made it extremely difficult for airports to initiate curfews or restrict other noise and access restrictions. Any airport receiving federal money agree to have the federal government only regulate noise control.

## [1976] Agreement between OAK and CHBI developer:

Prior to ANCA being signed into law, the developer of what is now the CHBI entered into an agreement with OAK regarding overflights.

## [2000] OAK expansion plans develop into a lawsuit.

The City of Alameda, The Citizens League for Airport Safety and Serenity (CLASS) and Berkeley Keep Jets over the Bay Committee (KJOB) file a lawsuit against OAK surrounding their expansion plans and the impact that this will cause to the neighboring communities.

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# 1990 ANCA Law and the Settlement Agreement 2 of 4 <sup>Pg 7</sup>

OAKLAND, Calif. - Nov. 14, 2001 - Today the Port of Oakland, the City of Alameda, The Citizens League for Airport Safety and Serenity (CLASS) and Berkeley Keep Jets over the Bay Committee (KJOB) announced a significant agreement which partially resolves the controversial issues surrounding expansion of Oakland International Airport.

The Settlement Agreement allows the Port to proceed with its approval plan for:

- Security checkpoint improvements
- Five additional gates in Terminal 2
- Two additional gates in Terminal 1
- A parking structure and a parking lot
- Apron space for parking aircraft
- Relocation of rental car facilities
- An additional curbside lane for arriving and departing passengers

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# 1990 ANCA Law and the Settlement Agreement 3 of 4 <sup>Pg 8</sup>

The Settlement Agreement also:

Establishes restrictions on changes to North Field runways, which could facilitate jet departures over Alameda;

Reconfirms provisions of a 1976 agreement with Alameda preventing jet departures from North Field over Alameda except in emergency circumstances or when Runway 11/29\* is closed for maintenance;

Limits the use of four aircraft parking spaces in the new Apron space to unscheduled passenger flights and a maximum of 20 days of cargo use;

Limits the length of any potential expansion of Runway 11/29\*;

Establishes a permanent committee made of representatives of Alameda, CLASS and KJOB, which will have access to Port planning on Airport projects and the right to meet with Port Commissioners to discuss such projects.

\* Due to magnetic compass variation the South runway is now called 12/30

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.



# 1990 ANCA Law and the Settlement Agreement 4 of 4 <sup>Pg 9</sup>

Phase 1 settlement (Nov 2001) and Phase 2 settlement (October 2022). Settlement agreements provide the tools and procedures CLASS uses to:

Insist on transparency and data sharing; Learn about airport policies and operations; Cultivate relationships and dialog with airport staff; Track trends and noise abatement compliance; and Advocate for the community.

The main benefits of the Settlement Agreements are the Noise Abatement Procedures (NAPs) that were put into place. In particular:

- Preferential Runway Program (keeping noisy jets off the North Field)
- Runway 30 Nighttime Noise Abatement Departure

Port is required to use its good faith, best efforts to ensure that aircraft operations conform with the NAPs.

However, the success of the Port's noise abatement program hinges on gaining pilots' cooperation and the responsibility for gaining pilots' cooperation lies with Port staff.

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# Oakland Airport Noise Overview



A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# Oakland Airport Noise Overview

This is an example of North field departures occurring if and when the main South field runway is closed.



A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# North Field Non-Compliance

Comparison of North Field Departures at Oakland Airport 2022 VS 2023					
Year	Total number of Corporate Jet Departures Airport wide	Total Number of Corporate Jet Departures from North Field	Non-Complaint Departures from North Field	Number of Non-Complaints %	Number of Corporate Jet Departures from North Field Compared to Airport wide %
2022	10,170	2,015	782	<b>%38.8</b>	<b>%19.8</b>
2023	8,845	2,296	800	<b>%34.5</b>	<b>%25.6</b>

Notes:

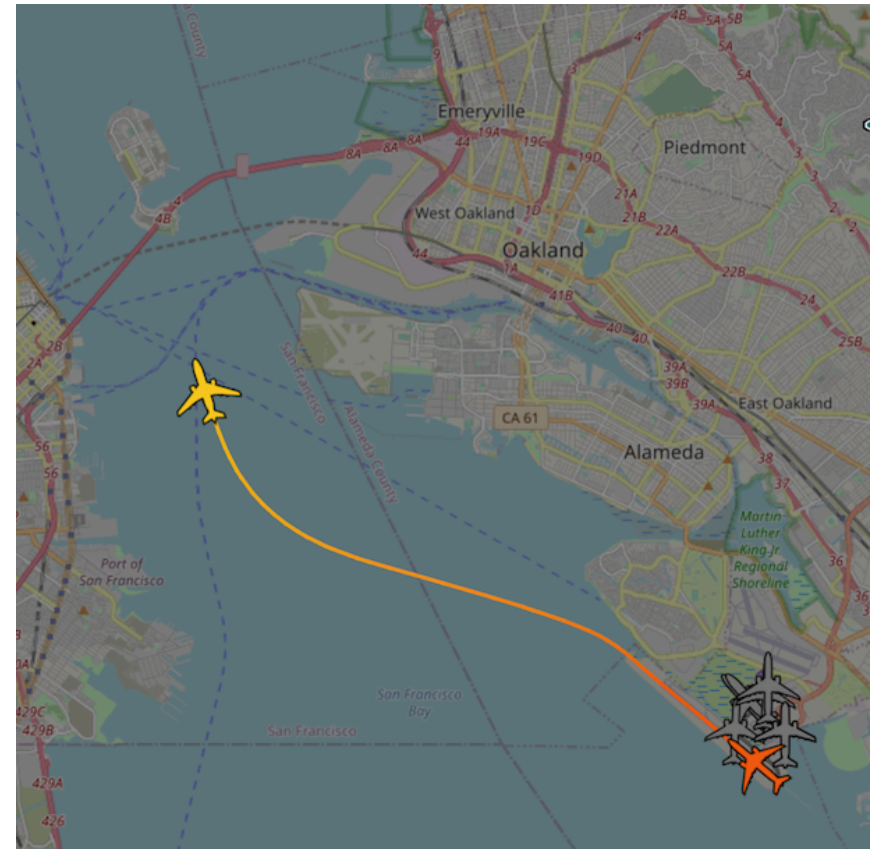
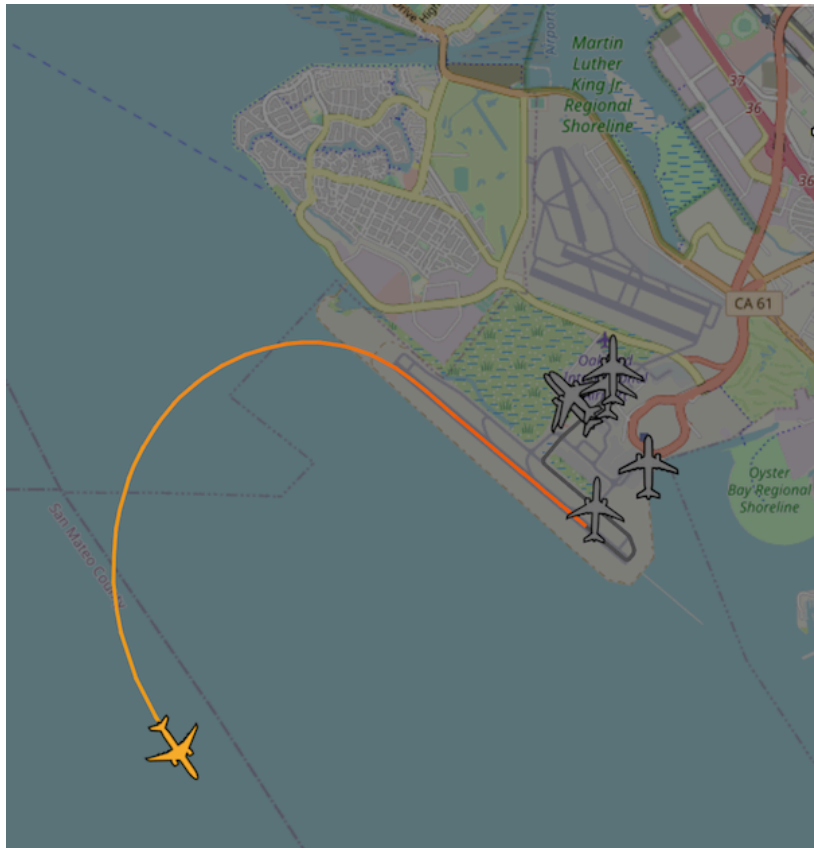
1. The number of Jet departures, from the North field, were higher in 2023 with a lower %. This is mostly because of Taxiway upgrades and thus diverted N field departures were considered compliant.
2. Since the 2023 Q4 data is not yet available, the 2022-Q4 and 2021-Q4 were used as substitute.

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# Night Time Cargo Plane Departures

2:07 AM 767-300  
2:12 AM 767-300  
2:50 AM 767-300  
3:03 AM 757-200

2:16 AM 767-300  
2:49 AM MD-11  
2:55 AM 757-200  
3:41 AM 777-200  
3:45 AM MD-11



Data for Nov 9<sup>th</sup> AM

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# OAK Airport Proposed Expansion Overview

The expansion plans at a high level are:

- Modernize terminals 1 and 2.
- Expand facilities for international aircraft departures and arrivals.
- Reconfigure cargo facilities.
- Reconfigure support facilities.
- Modify parking facilities and roadways.
- Construct a new terminal adding 16 new gates to the existing 29 gates.
- Gates will be made wider to accommodate larger passenger aircraft.

The serious concerns of this expansion at a high level are:

- The expansion will increase the traffic congestion between the N and S field resulting in more N field departures over BFI.
- The added aircraft both in size and volume will increased both the noise and pollutants that fall on BFI and the surrounding area of Alameda.

In General Modernization has little impact, but expansion will impact the community.

NOTE: Federal Government Grant Money Would be Funding these changes

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# CLASS DEIR Response 1 of 4

Note to the reader: OK to Just go ahead to page 21 for the summary

pg 15

- **The Airport's Master Plan Is Near Expiration and Should Be Updated.**
- **The Proposed Project Is Inconsistent with the Airport's Master Plan.**
- **The DEIR Is Misleading Due to Reliance on an Outdated Baseline and Inaccurate Assumptions Regarding Future Air Traffic at OAK.**
  - A. **The DEIR Uses a Baseline that Artificially Understates the Project's Environmental Impacts.**
  - B. **The DEIR's Aviation Forecast Is Inaccurate.**
  - C. **The DEIR's Aviation Forecast Approach Improperly Overstates the No Project Alternative's Impacts.**
  - D. **It Is Simply Common Sense that the Project Would Expand OAK's Operational Capacity.**
  - E. **The DEIR's Flawed Project Description Does Not Permit Meaningful Public Review.**

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# CLASS DEIR Response 2 of 4

- **The DEIR's Analysis and Mitigation of Project-related Impacts Are Inadequate.**
  - A. **The DEIR's Analysis of the Project's Noise Impacts Fails to Satisfy the Requirements of CEQA.**
    - 1. **The DEIR's Analysis of Single Event Noise Is Legally Inadequate**
      - (a) **The DEIR Fails to Analyze Night Awakenings.**
      - (b) **The DEIR Fails to Analyze Classroom Disruptions.**
      - (c) **The DEIR Fails to Analyze Daytime Disruptions to Speech and Other Detrimental Health Impacts of Single Event Noise.**
    - 2. **The DEIR Lacks Suitable Thresholds of Significance for Evaluating the Project's Significant Environmental Impacts.**
    - 3. **Increases in Aircraft Noise Are Inconsistent with the City of Alameda General Plan.**
    - 4. **The DEIR Omits the Noise Abatement Procedures in Place.**
    - 5. **The DEIR Does Not Accurately Analyze Impacts of Increased North Field Operations.**
    - 6. **The DEIR Incorrectly Concludes that Noise Within the Airport Land Use Plan (ALUP) Area Would Not Be Excessive.**
    - 7. **The DEIR Fails to Identify Feasible Measures to Mitigate Significant Operational Noise Impacts.**
    - 8. **The DEIR's Construction Noise Impact Analysis Is Unsubstantiated.**
    - 9. **The DEIR's Analysis of Traffic Noise Is Absent.**



# CLASS DEIR Response 3 of 4

## **B. The DEIR's Analysis of Air Quality and Greenhouse Gas Impacts Is Inadequate.**

- 1. The DEIR Substantially Understates the Severity and Extent of the Project's Air Quality Impacts Because the Document Relies on an Inaccurate Baseline and Aviation Forecast.**
- 2. The DEIR's Analysis of Air Quality Impacts Related to Construction and Operation Emissions Is Inadequate.**
- 3. The DEIR's Health Risk Assessment Fails to Disclose Essential Information and Lacks Substantial Evidence to Support Its Conclusions.**
- 4. The DEIR Fails to Adequately Analyze the Project's Air Quality Impacts Relating to Obstructing Implementation of Applicable Air Quality Plans.**
- 5. The DEIR Fails to Evaluate the Project's Impacts Related to Environmental Justice.**
- 6. The DEIR Fails to Identify Feasible Mitigation for Project- related Significant Air Quality Impacts.**

## **C. The DEIR Fails to Adequately Analyze and Mitigate Significant Project-Related Greenhouse Gas Emissions.**

- 1. The DEIR's Failure to Estimate or Disclose the Project's Operational Emissions Beyond 2038 Is a Serious Flaw.**
- 2. The DEIR Lacks Thresholds of Significance for Evaluating the Project's Significant Impacts Related to Greenhouse Gases.**

# CLASS DEIR Response 4 of 4


3. **The DEIR Fails to Provide a Legally Defensible Analysis of the Project's Conflicts with Applicable Plans, Policies, and Regulations Adopted for the Purpose of Reducing the GHG Emissions.**
  4. **The DEIR Fails to Identify Feasible Mitigation Measures to Minimize Identified Significant Unavoidable Impacts Related to GHG Emissions.**
- D. The DEIR Provides an Inadequate Analysis of the Project's Cumulative Impacts.**
- E. The DEIR's Alternatives Analysis Fails to Comply with CEQA.**
1. **The DEIR Fails to Analyze a Reasonable Range of Alternatives.**
    - (a) **The DEIR Employs Improper and Misguided Criteria to Screen Alternatives from Further Analysis.**
    - (b) **The DEIR Did Not Adequately Evaluate Feasible Alternatives**
  2. **The DEIR Fails to Evaluate a Feasible Alternative that Would Reduce the Project's Significant Impacts.**
  3. **The DEIR Fails to Properly Identify an Environmentally Superior Alternative.**
- **The DEIR Must Be Revised and Recirculated.**

# City of Alameda DEIR Response 1 of 2

- 1) The DEIR's Project Description is Legally Inadequate
- 2) The DEIR's Baseline Assumptions Lack Substantial Evidence.
- 3) The DEIR fails to adequately describe, analyze, and mitigate the Project's reasonably foreseeable and potentially significant adverse environmental effects.
  - A. The DEIR fails to adequately analyze Project noise impacts.
  - B. The DEIR fails to adequately analyze air quality and GHG impacts.
  - C. The DEIR fails to adequately analyze transportation and parking impacts to the City, including from the proposed Maitland Parking Lot.
  - D. The DEIR fails to adequately analyze impacts to safety.
- 4) The DEIR's alternatives analysis is deficient.
  - A. The DEIR fails to analyze an adequate range of Project alternatives.
  - B. The DEIR fails to analyze an environmentally superior alternative.
  - C. The DEIR must be recirculated with a revised alternatives analysis meeting the requirements of CEQA.
- 5) Settlement Agreements  
→ SEE NEXT PAGE FOR MORE ON THIS SECTION

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# City of Alameda DEIR Response 2 of 2

 The City and Port have entered into various settlement agreements and monitoring programs related to community noise and other impacts of OAK over the years. [The City believes those agreements may warrant amendment based on the passage of time and the scope of the Project and overall airport operations.](#) Such amendments can only be accomplished after a full and accurate accounting is made of the Project's significant impacts, mitigation measures and alternatives. At this time, the City believes the DEIR to be inadequate for this purpose, especially in light of its failure to acknowledge the existence of the 1976 Settlement Agreement, the 2001 Amended and Restated Agreement, and the 2002 Phase Two Agreement (collectively the "Settlement Agreements"), as well as the parties' collaborative efforts on the Airport Noise Program.

Consequently, OAK is currently operating under programs that resulted from prior settlement agreements, entered into over 20 years ago. Although those agreements may warrant revisiting, the City seeks confirmation that the Port remains committed to to scrupulous compliance with the Settlement Agreements and all OAK commitments therein, including but not limited to continuing the Airport Noise Program and ongoing stakeholder outreach, as well as advocating on behalf of the airport communities with the Federal Aviation Administration (FAA) to address noise concerns. [The City also requests that the Port provide a forum to meet with community stakeholders to discuss the Project's direct and indirect impacts and ways in which the Port plans to mitigate those impacts before certifying the EIR.](#)



CLASS will discuss these highlighted points with the City

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# Summary of the OAK DEIR Expansion Issues

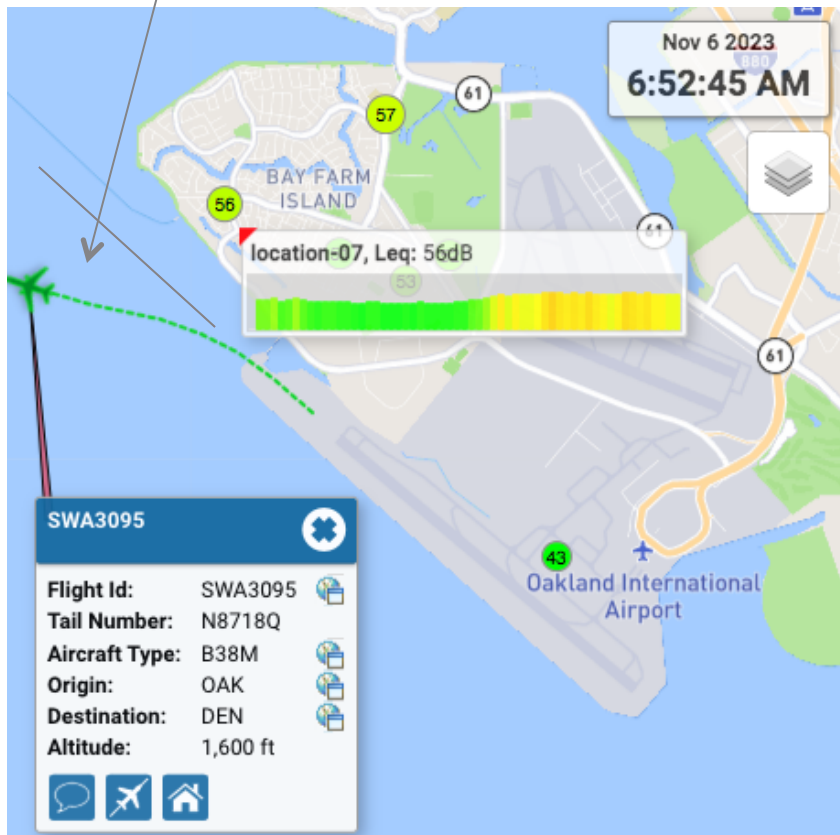
1. The Project Is Inconsistent with the Airport's Own Master Plan (parallel Taxiway B)
2. Baseline is Misleading and Understates the Project's Environmental Impacts
3. Aviation Forecast Is Inaccurate
4. The Noise, Air Quality, Greenhouse Gas, and Cumulative Impact Analyses Are Inadequate
5. The DEIR Fails to Adequately Mitigate the Project's Impacts
6. The DEIR Failed to Analyze Alternatives That Would Minimize Impacts

Please note that the grass roots effort "STOP OAK EXPANSION" group detailed a simple fact that 55% of the flights out of OAK could be done with high speed rail in California once the system is completed.

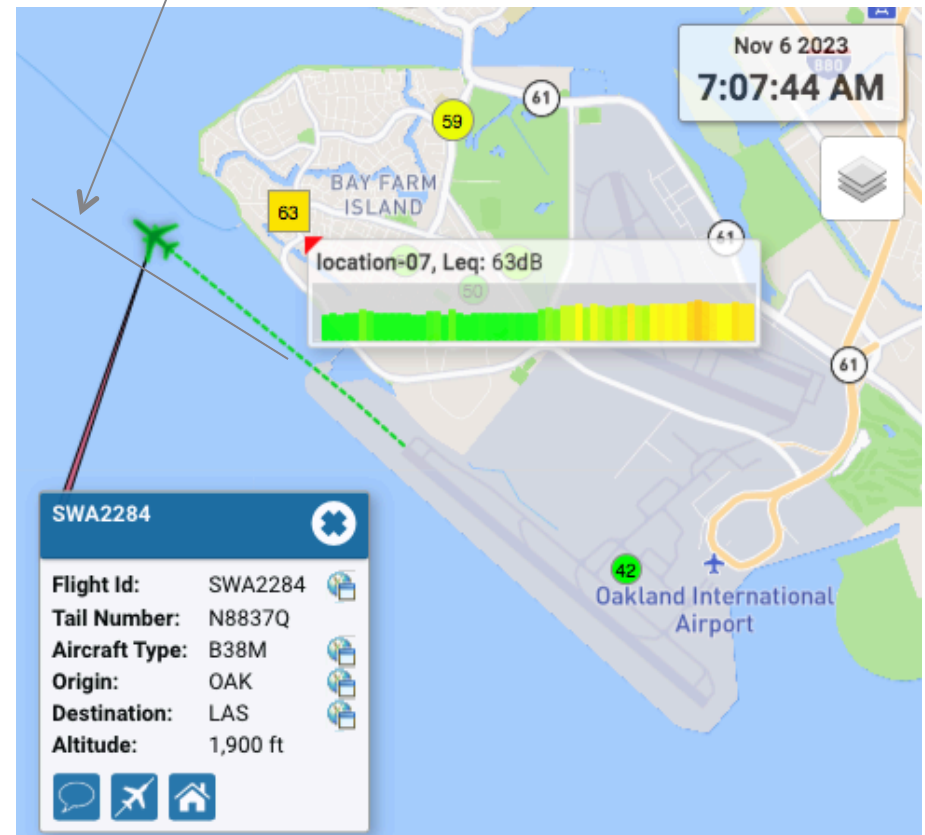
A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# OAK 6 Departure Mid- January 2024 Visualization

Before 7AM planes make about a 30 degree turn



Currently after 7AM planes head straight out. Note the OAK 6 left turn to begin mid January 2024.



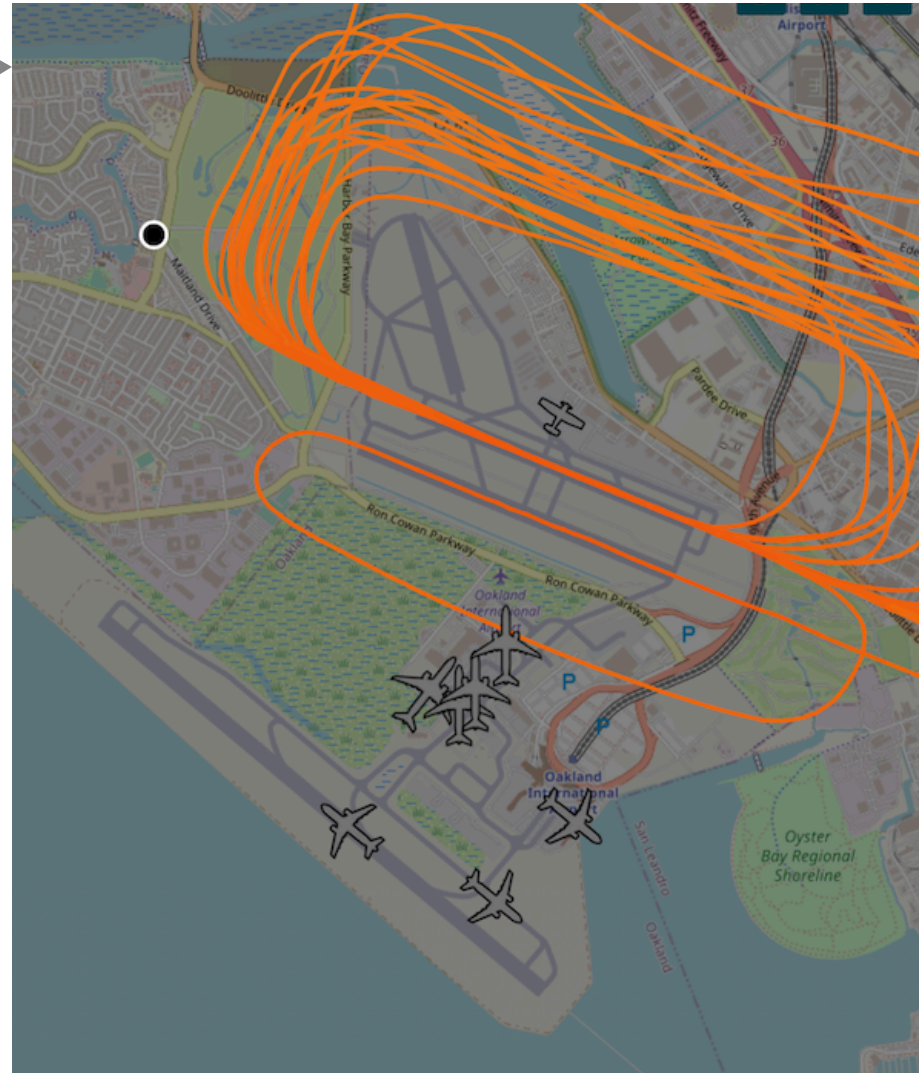
A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

## Looking Ahead into 2024

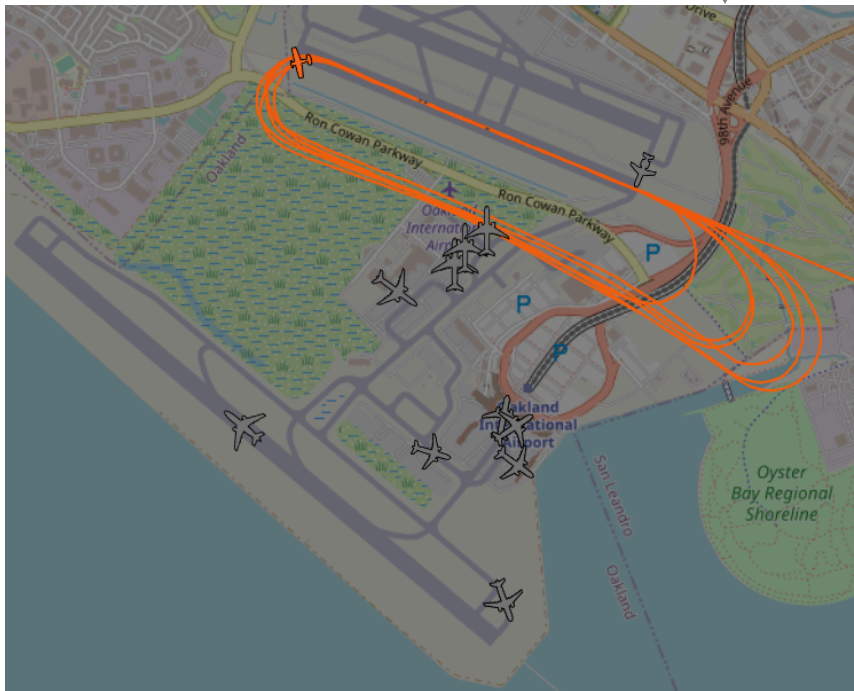
- The FAA has agreed to implement the 6 degree left turn from the South field in January of 2024. This will be the “OAK 6” departure. (See previous page)
- Continued participation in the Noise Forum, North and South field working groups, and the OAK airport stakeholders meetings.
- Continued engagement with CHBI master board monthly meetings and CHBI HOA annual meeting gatherings.
- Continued outreach with the the City of Alameda.
- Expand the number of citizens who officially post noise complaints.
- Be prepared to respond to OAK airport’s next step (option range follows):
  - 1) Realize community concerns and cancel project. (highly unlikely)
  - 2) Realize community concerns and scale back project.
    - Would require Recirculated DEIR to describe project changes and new analyses.
  - 3) Keep same project size and scope.
    - Respond to DEIR comments with additional analyses to properly address impacts.
    - Likely would require a Recirculated DEIR.
  - 4) Keep same project size and scope.
    - Prepare Final EIR with minimal changes or additional information.

# General Aviation at OAK 1 of 2

Private plane from outside OAK doing touch and goes not in accordance with Noise Abatement Procedures. Most commonly seen flight pattern.



Private plane from outside OAK doing touch and goes in recommended pattern



A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.



# General Aviation at OAK 2 of 2

During good weather touch and goes occur nearly 50% of the day time hours. Most planes are not based at OAK. The vast majority of planes are likely using leaded aviation fuel due to cost, availability, and general resistance to the no lead options.

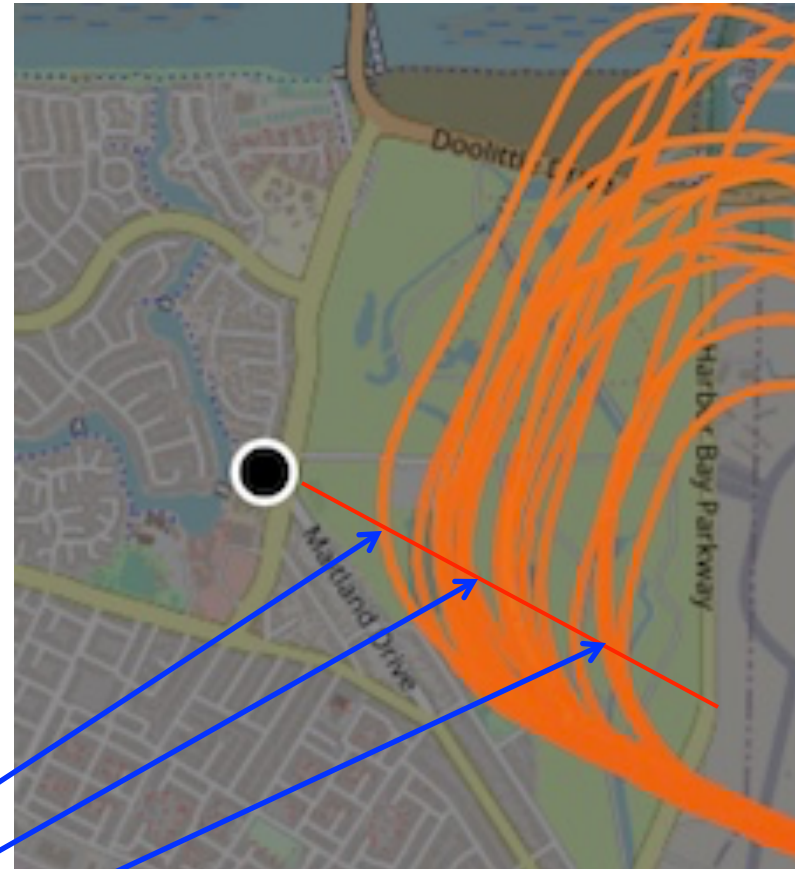
Note: The FAA has eliminated the ability of airports to ban leaded fuel.

Noise readings at black dot  
When plane is at the end of the  
arrow:

74 dBA peak

67 dBA peak

58 dBA peak



A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# CLASS Community Outreach

- Participated in 20 Annual Homeowners Association Meetings and presented updates of CLASS activities.
- Managed social media outreach:
  - Gull's Call Articles
  - NextDoor postings
  - CLASS Website postings
- Engaging with City leaders and staff regarding airport noise issues

# How to File a Noise Complaint

- The number of homeowners on BFI and in Alameda who complain is likely more important than the number of complaints received if only sent in a few people.
- Noise complaints can be by phone call or through your phone internet connection.
- It only takes ½ a minute to submit on your phone.
- See [CLASSalameda.com](http://CLASSalameda.com)

The screenshot shows the 'OAK Compose' app interface on a mobile device. The status bar at the top indicates Verizon service, 6:34 PM, and 95% battery. The app title 'OAK Compose' is displayed in a dark blue header. Below the header is a 'CHOOSE A FLIGHT' button. The form fields are as follows:

- Disturbance date \***: Nov 12, 2023
- Disturbance time \***: 5:49 PM
- Aircraft type**: Jet
- Operation type**: Overflight
- Event type**: Low and Loud
- Would you like us to contact you?**: Yes

The bottom of the screen shows a browser address bar with the URL 'int-app.emsbk.com' and standard mobile navigation icons.

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

## Volunteer Opportunities with CLASS

- Without volunteers, CLASS would cease to exist.
- We need your continued interest and help in doing this important work.
- It's very interesting to learn more about aircraft operations.

Contact CLASS at our website

[CLASSalameda.com](http://CLASSalameda.com)

and send us an email

And we'll set up a meeting with you

Property values and quality of life here in Alameda is at stake

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

# Q & A

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

Back up information for the reader  
 → MEDEVAC Information

Report	Grand Count	runway maint/Runway taxiway maint	rwy30 closure	Lifeguard medical	percent
22Q4	259	3	12	64	26.2
23Q1	291	69	10	54	25.5
23Q2	289	39	28	61	27.5
23Q3	662	454	4	70	34.3
<b>TOTAL</b>	<b>1501</b>	<b>565</b>	<b>54</b>	<b>249</b>	<b>28.2</b>

↑  
 Total N field jet departures in a quarter

↑  
 N field jet departures in a quarter due to runway or taxiway maintenance

↗  
 N field jet departures in a quarter due to S field closure for reasons such as debris on the runways or a disabled plane

↗  
 N field jet departures in a quarter by pilots posting that they are a MEDEVAC flight

↗  
 Percent of jets departing N field that are MEDEVAC after taking out N field departures due to S field and taxiways issues

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

Back up information for the reader  
→ Typical S field departures mid week

Time of Day	Business Jet	Commercial Jet (SWA or others)	Cargo plane (FedEx or UPS)
7AM to 10PM	34	116	11
10PM to 7AM	6	33	21 *

\* About ½ of these depart around 3:00 AM approximately

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.

Back up information for the reader

→ Noise complaints and callers April to Sept 2023

Month	Callers 94502	Complaints 94502	Callers 94501	Complaints 94501
April	25	1010	2	4
May	36	1725	6	23
June	38	1400	6	24
July	36	971	4	9
Aug	56	1340	9	35
Sept	185	5299	15	60

Note: Taxiway maintenance occurred in Sept forcing N field overflights

Can we see 500 discrete callers representing about 10% of the homes in 94502? This will result in improved visibility within the FAA.

A corporation of homeowner associations formed to protect the safety, health & welfare of people living in communities near the Oakland airport.