

FAA Community Engagement or Community *DIS*-Engagement?

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The FAA reviewed its “steady progress” on community engagement at the NextGen Advisory Committee (NAC) meeting on 3/18/21. Subsequently NAC member Brad Pierce, also President of N.O.I.S.E (National Organization to Insure a Sound-Controlled Environment) suggested at the 6/21/21 NAC meeting that two or three meetings be held with aviation industry stakeholders between now and the next NAC meeting in October to better understand community engagement on aviation noise, discuss what has worked at specific airports regarding community engagement, overarching policies on the issue, and how stakeholders can partner on solutions to aircraft noise impacts.

The FAA’s efforts for community engagement continue to fail at addressing the goals of communities who are currently or potentially harmed by aviation operations, i.e., to mitigate existing impacts and to avoid future harm. Community engagement must be timely, provide full disclosure, and allow meaningful input and consideration before FAA decisions are made. Communities impacted by noise and other pollutants from aviation must be sufficiently included as legitimate stakeholders versus the current non-representation or under-representation.

In the spirit of community engagement and to encourage a “meaningful dialogue” and outcomes, we urge Mr. Pierce and the NAC to include in their meetings an adequate number of representatives who are residents and/or elected officials from communities that are directly impacted by aviation operations across the country, including but not limited to Metroplexes and single sites.

During the meetings, the following fundamental issues in the FAA’s community engagement process to date need to be addressed:

1. The term “Community” is ambiguous and must be defined to avoid misunderstandings. We propose that the term “Community(ies)” be used exclusively to refer to residents who are directly impacted by noise and other pollutants due to aviation, and/or their duly elected or appointed representatives. Under our definition, e.g., an Airport operator would no longer be considered a Community representative by the FAA.
2. Information shared by the FAA on aviation impacts frequently omits, obscures, and otherwise fails to disclose the true aviation impacts to people on the ground.
3. Too little, too late -- aviation impacted communities are involved too late in the design process for their concerns and unique knowledge of the affected areas to be taken into account; instead the communities are only allowed to “participate[d] in participation”.¹
4. In the few cases where the FAA has considered community proposals, it has often not acted in good faith. Specifically, the FAA has often failed to disclose the ground rules, refused to share critical information, made unilateral decisions such as implementing something different and/or counter to what was recommended, and/or has been inconsistent in its positions and community engagement process.
5. Community engagement should not have the goal of “...achieving community understanding and acceptance...”² and superfluous activities that do not foster meaningful dialog to address

¹<https://organizingengagement.org/models/ladder-of-citizen-participation/>

²PBN Blueprint Community Outreach Task Group Report, June 2016 (page 5)

community concerns. Rather it should have the goal of obtaining and then acting on meaningful input from impacted communities for designing procedures and determining operations that minimize harm to people under the flight paths.

6. Affected communities are either excluded from participation or granted an insufficient degree of influence in the process. Community representation in procedure and operation discussions and input on policy decisions is "...largely or entirely tokenistic [sic]: citizens are merely involved only to demonstrate that they were involved"³ or vastly under-represented so they have no voice.
7. FAA's community engagement structure and strategy actually foster community *disengagement* and suppress input from one of the most important stakeholder groups, specifically the communities impacted by noise and other pollutants from aviation.

Supporting Evidence

1. **The term "community" is ambiguous and must be defined to avoid misunderstandings. We propose that the term "community" be used exclusively to refer to residents who are directly impacted by noise and other pollutants from aviation activities, and/or their duly elected or appointed representatives. Under our definition, e.g., an Airport operator would no longer be considered a Community representative by the FAA.**

The term "community" is often misused to placate and imply to residents negatively impacted by aviation that they will be sufficiently represented. Unless a legitimate representative of potentially impacted residents is a member of the Full Working Group which determines procedure design, it will be impossible to achieve or claim meaningful community engagement. FAA's NextGen Advisory Committee (NAC) has 30 industry members and only one member associated with the community. This is grossly insufficient and unbalanced.

2. **Information shared by the FAA on aviation impacts frequently omits, obscures, and otherwise fails to disclose the true aviation impacts to people on the ground.**
 - The FAA provides insufficient information on the full impacts of proposed changes and the details of the changes. Communities that may be impacted by pollutants from aviation activities need full and comprehensible disclosure on predicted, cumulative impacts (such as noise levels, increase in operations, higher aircraft concentration or frequency) all the way to the airport, and the details of the changes (such as changes in altitude, speed, headings, ground track, endpoints, waypoints, and vectoring instructions), including the implications for aircraft configurations (e.g., locations along the flight path where flaps, slats, and landing gear are expected to be deployed as well as expected level of thrust).
 - The FAA uses inadequate processes, tools, and metrics to evaluate changes in the NextGen environment. Methods used yield incomplete and therefore misleading results, and are not auditable. Impacts are not assessed in communities far from airports that nonetheless experience impacts. Cumulative impacts of traffic from multiple airports are not considered.
 - Communities want full disclosure of the true aviation impacts to people on the ground and action to mitigate those harms. They do not want the incomplete information they get today in high production and expensive formats under the guise of "education." The community does not want messaging; it wants information that accurately reflects impacts to people on the ground and a voice in the decision process.

³<https://organizingengagement.org/models/ladder-of-citizen-participation/>

3. **Too little, too late--aviation impacted communities are involved too late in the design process for their concerns and unique knowledge of the affected areas to be taken into account; instead the communities are only allowed to “participate[d] in participation”.**
 - All areas newly impacted by NextGen had virtually no prior aviation noise impacts in their communities and were caught unawares given that their locations are far from the airport(s). A community engagement process for these communities did not exist when the changes were made and is still insufficient.
 - In October 2014, the NAC approved a Task Group Report with the recommendation, “For PBN projects involving airspace procedure changes at or near airports, community concerns should be considered during the PBN development process.”⁵ Six years later, the FAA has still not acted on this recommendation.
 - The FAA limits some Roundtables to submit a maximum of 3 procedure-related questions per meeting and to do so 45 days in advance.⁶ The FAA in many cases is *not ready to present* responses to the questions despite the 45-day notification, especially if the procedure change has not been posted on the IFP Gateway. Furthermore, asking only 3 questions on a procedure under development is difficult. Roundtables cannot get additional information outside of the original three questions unless they submit another round of questions 45 days in advance. Roundtables typically meet every 2-3 months. Thus it is virtually impossible to collaborate with the FAA through Roundtable Forums in this timeframe.

4. **In the few cases where the FAA has considered community proposals, it has often not acted in good faith. Specifically, the FAA has often failed to disclose the ground rules, refused to share critical information, made unilateral decisions such as implementing something different and/or counter to what was recommended, and/or been inconsistent in its positions and community engagement process.**
 - On September 27, 2016, the FAA entered into a Memorandum of Understanding (MOU) with the Massachusetts Port Authority to “[seek] reductions to overflight noise impacts of aircraft operations at Boston Logan International Airport (BOS) that result from the FAA's implementation of NexGen precision-based navigation (PBN) procedures including RNAV.”⁷ This was a twelve- to eighteen-month study to help communities around Logan airport but also communities nationwide who are harshly impacted by PBN procedures. Communities were told that the study would consider “flight track dispersion” along with other “potential uses of PBN for reducing noise” such as “noise preferred arrival and departure routes,”⁸ e.g., over the water or highways. Five years later, on June 24, 2021, communities learned that PBN will not be used for dispersing planes at Logan. The only procedures that will be considered for FAA approval are ones that simply move waypoints and ones that fly over water that could be used during low volume periods, but none that disperse planes.
 - The FAA refuses to share information with communities in a timely fashion even though the FAA participates in Roundtable meetings. The FAA has actively blocked community communication; for example, the FAA Western Regional Administrator prohibited the SFO Airport proprietor (designated by the FAA as the community representative) from sharing information on the Big

⁴Ibid.

⁵Blueprint for Success to Implementing Performance Based Navigation, Report of the NAC in Response to a Tasking from The Federal Aviation Administration, October 2014, Approved by the NextGen Advisory Committee (page 17)

⁶Santa Clara/Santa Cruz Roundtable (SCSC RT), CA

⁷<http://massportcac.org/wp-content/uploads/2016/09/FULLY-EXECUTED-FAA-RNAV-MOU-LL-29632-1.pdf>

⁸<http://www.massport.com/media/1960/rnav-meeting-materials-022217.pdf> (page 30)

Sur Overlay procedure after the June 4-5, 2019 Full Working Group meeting, which discussed the details of the new procedure. As a result, the community had to submit FOIA requests, which were completed but heavily redacted. This lack of transparency and refusal to disclose important information is a common complaint of communities around the country.

- At times, the FAA implements an airspace procedure change that runs counter to the intent of the community input and/or its original request. There must be an engagement process and/or recourse to address this serious disconnect. For example, for the PIRAT procedure (NorCal Metroplex), the FAA claimed in the CATEX⁹ that the procedure change was a “Community Request,” even though the FAA implemented something notably different than what was requested and without transparency or consultation with either the potentially affected communities or the originally requesting entity. The FAA later admitted that PIRAT was not a community request. However, the FAA did not rescind the new procedure despite the increased noise impacts that the change caused.
 - The FAA is inconsistent in getting approvals from communities for changes that have been requested. Sometimes the FAA requires a Roundtable’s approval before implementing the FAA proposed solution; other times it does not. For example, the FAA asked the SFO Roundtable to approve the NIITE HUSSH procedure change proposed by the FAA. On the other hand, the FAA never consulted the community or Roundtable to approve the new PIRAT procedure. It is unclear what approval process the FAA will follow on the upcoming Big Sur Overlay procedure, which was a community request; We hope that the FAA will seek community approval given that FOIA-obtained information shows that the proposed procedure is not what elected officials recommended and asked for.
- 5. Community engagement should not have the goal of “...achieving community understanding and acceptance...”¹⁰ and superfluous activities that do not foster meaningful dialog to address community concerns. Rather it should have the goal of obtaining and then acting on meaningful input from communities for designing procedures and determining operations that minimize harm to people under the flight paths.**
- The FAA asserts on its website that it is “committed to inform and involve the public, engage with communities and give meaningful consideration to community concerns and views as we make aviation decisions that affect them.”¹¹ This should indeed be the goal of community engagement, but the 6/2016 NAC Task Group Report contradicts that goal, stating that: “Outreach should have the goal of achieving community understanding and acceptance/advocacy of the goal of the PBN procedure effort.”¹² Communities want engagement with the FAA to mitigate existing aviation impacts and avoid future harm, not for the purpose of understanding and accepting the PBN procedure effort and the FAA’s previously made decisions.
 - The FAA measures the success of its community engagement efforts by how many people attended its public workshops or made public comments on the National Register, or by the number of activities created such as Airport Outreach Briefings and Public Workshops. These are not legitimate measures of meaningful engagement. Instead, the FAA should confirm whether information was fully disclosed, impacted residents were sufficiently represented, engagement was timely to influence decisions, and the community concerns were documented and

⁹Correspondence: 2020-03-06 Letter from SCSC Roundtable to FAA regarding Follow-up Questions on PIRAT TWO presentation, <https://scscroundtable.org/correspondence/>

¹⁰PBN Blueprint Community Outreach Task Group Report, June 2016 (page 3)

¹¹FAA Community Involvement website, retrieved June 29, 2021, https://www.faa.gov/air_traffic/community_involvement/

¹²PBN Blueprint Community Outreach Task Group Report, June 2016 (page 5)

addressed in the design process. Current community engagement efforts are “...still a sham since it offers no assurance that citizen concerns and ideas will be taken into account.”¹³

6. Affected communities are either excluded from participation or granted an insufficient degree of influence in the process. Community representation in procedure and operation discussions and input on policy decisions is “...largely or entirely tokenistic [sic]: citizens are merely involved only to demonstrate that they were involved”¹⁴ or vastly under-represented so they have no voice.

- Unfortunately, the FAA’s track record severely underrepresents the public as an empowered stakeholder. For example, the NAC Task Group for PBN Blueprint Community Outreach, June 2016 had a single community representative, whereas industry, the FAA and other stakeholders held all of the other 49 seats including 4 Airlines for America (A4A) representatives.
- The recent FAA report responding to Section 176 of the FAA Reauthorization Act of 2018¹⁵ (which mandated a review of the FAA’s community involvement practices for NextGen) was particularly concerning, as the input for the report was based on a survey of the ATO organization and did not include input from key community stakeholders such as the public and grassroots advocates or their elected representatives. The report’s conclusion was disappointing, as the lessons learned and improvement in community involvement practices fail to address the concerns of aviation impacted communities; instead the report recommends generic actions such as “ensure policy and guidance are up-to-date” and “develop additional training.”
- Pseudo-participatory programs¹⁶ are public relations vehicles which allow the FAA to claim the community was considered. In reality only some stakeholders are considered and benefit from participating; the public who are directly impacted by aviation operations and their elected officials are often denied power and are deliberately excluded or severely underrepresented.

7. FAA’s community engagement structure and strategy actually foster community disengagement and suppress input from one of the most important stakeholder groups, specifically the communities impacted by noise and other pollutants from aviation.

- The FAA policy for its Noise Portal is that “The FAA will not respond to the same general complaint or inquiry from the same individual more than once. The same general complaint or inquiry is one that does not differ in general principal [sic] from a previous complaint, and that would generate the same FAA response.”¹⁷ This policy is analogous to someone being assaulted daily, but only being able to report the assault to the police once. It is complaint suppression and it guarantees that the number of complaints about NextGen noise will decline, while the impact on residents remains the same or even potentially increases.
- The NAC Task Group Report, June 2016 statement “Evolving the ground-based navigation structure to a satellite-based system throughout the country has the potential to raise the issue of who is exposed and the level of their exposure--at every location where PBN procedures are being implemented”¹⁸ shows that NAC has been fully aware of the problem for several years. Impacted communities need the FAA to fix the problem. The FAA’s new community structure and strategy seems to deflect, delay, and diminish the problem. It does not appear to address the 7

¹³<https://organizingengagement.org/models/ladder-of-citizen-participation/>

¹⁴Ibid.

¹⁵https://www.faa.gov/about/plans_reports/congress/media/Community_Involvement_in_NextGen_Projects_PL_115-254_Sec176.pdf

¹⁶<https://organizingengagement.org/models/ladder-of-citizen-participation/>

¹⁷Retrieved June 29, 2021, <https://noise.faa.gov/noise/pages/noise.html>

¹⁸PBN Blueprint Community Outreach Task Group Report, June 2016 (page 3)

fundamental issues with FAA's community engagement process previously stated, nor does it address the goals of the communities harmed by aviation operations: to mitigate existing impacts and to avoid future harm.