

**Boston Overflight Noise Study (BONS)
BOS/TAC Meeting**

MEETING SUMMARY

June 8, 2006

Attendance:

BOS/TAC Members:

Joseph Davies (FAA Air Traffic), Joseph Bellabona (FAA), Steve Kelley (FAA ETSU), Gail Lattrell (FAA Airports), Gary Hufnagle (FAA), Jim Peters (FAA), Tina Gatewood (FAA ATO), Betty Desrosiers (Massport), Flavio Leo (Massport), Frank Iacovino (Massport), Rod Hobson (Cohasset), Steve Lathrop (Hull), Maura Zlody (Boston Environmental Department), Sandra Kunz (Braintree), John Stewart (South End), Dick Morrison (Chelsea), Bob D'Amico (City of Boston Mayor's Office), Ralph Dormitzer (Cohasset), Jerry Falbo (Winthrop), Bob Driscoll (Winthrop)

Project Consultant (PC) Team:

Greg Wellman (Ricondo & Associates, Inc.), Dennis Burke (Ricondo & Associates, Inc.), Stephen Smith (Ricondo & Associates, Inc.), Robert Varoni (ARTS), John Williams (Ricondo & Associates, Inc.), Roger Odegard (Wyle Laboratories), Scott Hamwey (Planners Collaborative)

Independent Consultant (IC) Team:

Berta Fernandez (Landrum & Brown, Inc.), Jon Woodward (Landrum & Brown, Inc.), Bud Riebel (Landrum & Brown, Inc.), Rob Adams (Landrum & Brown), Stan Matthews (Crown Consulting, Inc.)

1. Introductions

Greg Wellman opened the meeting. Most attendees had been at the June 7 meeting as well, so there were no introductions.

2. Review Phase II Work Plan

G. Wellman presented a list of the key issues identified by the CAC at last Thursday's meeting (June 1st): PRAS, ground noise, INM usage, management/coordination, arrivals on 4L/4R, implementation, fairness/environmental justice, CAC decision-making, and a new project title.

Steve Lathrop suggested the addition of accuracy and the need to relate microphone measurements to INM calculations. G. Wellman suggested that this issue could be addressed as part of a noise protocol and said that this could be discussed today.

Bob Driscoll emphasized that the ground noise issue should include all kinds of ground noise.

Maura Zlody asked how Phase II implementation monitoring will work. She said there was a process for Phase I but not Phase II. G. Wellman said that this could be discussed as part of implementation.

Steve Kelley said that he understands the concern about implementation process. He suggested that perhaps some concerns could be put aside with an intro. He said that the Phase II scoping document is driving the timeline and that there is a need to obligate the Phase II funding. If 30 more days are needed to refine the Phase I alternatives, that's fine, but he said he'd be up front about the things that FAA cannot change. He added that the Superior Court decision is being handled independently from this document. Gail Lattrell said that FAA Legal will be giving a written decision and will articulate it to Jerry Falbo. S. Kelley agreed that there is no sense in expending energy at this meeting on the Superior Court decision language associated with the consultant's statement of work. He went on to say that supplemental and approved metrics are key. There needs to be a discussion and clarity about what people agree on and on what the study can use. He concluded by saying that they don't know what the long-term future of funding looks like and that they need to get this done and obligate the funding in this fiscal year.

Bob D'Amico asked when Phase II will begin. S. Kelley replied that it has already begun. The EIS portion will officially begin when the notice of intent is published by FAA. G. Lattrell added that Massport has money earmarked for Phase II. Flavio Leo said that after there is agreement on scope, the contract documents will need to be amended so that payments can be continued.

Ralph Dormitzer said that it is essential that the needs of the communities get served; otherwise there is no point in doing Phase II as it would be just a gesture without an outcome. He said that a ruling from a legal representative of FAA regarding the Superior Court will not suffice here and that jurisdiction over the matter rests with the Superior Court. This jurisdiction is over the implementation phase even if not over the EIS specifically. He said that unless this is recognized there is always the option that FAA could be brought to court. G. Lattrell assured the group that the matter will be resolved and put into writing before stating that she did not believe it was appropriate to discuss the matter in this forum regarding the consultants' statement of work. R. Dormitzer added that he would not accept the legal opinion from an FAA attorney. F. Leo said that Massport also has expressed concern with the language and does not support including that language. All parties understood the concerns. FAA repeated that no one representing the FAA at this meeting can decide or resolve the matter. FAA legal will draft an opinion outlining concerns.

G. Wellman distributed the preamble from the scope. All attendees took a few minutes to review the preamble. G. Wellman said that it was intended to respond to some of the concerns raised by the CAC last week. He asked for comments from the group on the preamble.

R. Dormitzer cited the 4th paragraph, 4th line, asking what "prominently involved" meant. He said that before the term "consensus" was used. At the bottom of the page it identifies a CAC role in "review and comment." R. Dormitzer asked if that was all their role was intended to be. He said he was speaking for the entire CAC in saying that the role should be much greater. Steve Lathrop said that the preamble describes a

very top-down process with the FAA and consultants making decisions and then presenting the results to the CAC for their review and comment quarterly. He said this wasn't a format that contemplates iterative interaction or initiative on the part of the CAC. He suggested that perhaps FAA did not think it could afford to provide privileged access to the CAC without doing so for the broader public. S. Kelley said that this absolutely was a concern. He went on to say that under NEPA, when federal decisions are made that have environmental impacts, there is a federal responsibility. This is where the 51% share of the vote concept comes into play. S. Kelley added that FAA's role in this process will be to ensure that all (general public) voices are heard.

S. Kelley asked what the group meant by "consensus" and whether there was a process for achieving consensus. R. Dormitzer said that it was broad agreement in the room. You know you don't have consensus when there is clearly strong disagreement in the room.

Jonathan Stewart described the preamble as well written but extremely legalistic. He recommended that there be something written that simply describes the what, who, how and when in two or three paragraphs.

G. Wellman distributed the Phase II process flowchart handout. The group reviewed it. This reflects a work flow process with stakeholder participation. It does not indicated a decision-making process.

Dick Morrison asked where BOSTAC was on the flowchart. G. Wellman explained that in Phase II BOSTAC disappears and the CAC becomes the primary stakeholder. D. Morrison asked if there would be continued opportunities for dialogue with the FAA and consultants, or if the interaction would consist only of presentations. He emphasized how helpful the direct contact with FAA has been. G. Wellman said that the purpose was simply to open up the process to the larger CAC since there is a need to be as transparent as possible, and avoid potential criticisms that arose during Phase 1.

R. Dormitzer said that the outlying communities should be invited to join the CAC. He also said he hoped the increased transparency did not result in people entering the process at the nth hour and objecting to decisions that have been the result of a long and involved process.

M. Zlody asked whether it wasn't possible that any alternative can have negative impacts with future growth at the airport. S. Kelley said that FAA has to go back and make sure that outreach was appropriate and that they consider future growth.

M. Zlody asked about consensus versus unanimity. She wanted to know what the group would do when there are strong objections. S. Kelley suggested that there needs to be a process tailored to the needs of everyone. FAA would not proceed with a noise abatement that the group did not agree to. Working with the CAC instead of BOSTAC is both an opportunity and a challenge. In particular, S. Kelley said it

would be logistically challenging. He emphasized, however, that FAA needs to make sure that they are not just designing something just for the people that show up in this room. G. Lattrell added that the fear being expressed in the room was unnecessary, and that through both the planning study and the NEPA process, everyone's goal is noise abatement.

M. Zlody said that if PRAS is not an FAA issue, then it could be another legal issue because the ROD includes it. She asked, if the Tower would have to implement it, why FAA doesn't want PRAS to be one of its issues. S. Kelley replied that every airport has a different system for runway assignment, which is primarily developed by the airport sponsor. Preferential runway use for noise abatement does not fall under FAA responsibility, but the FAA will work with the airport sponsor based on what is submitted as long as it does not impact the FAA's mission. He added that FAA needs to look at the results of PRAS, not PRAS itself. F. Leo said that the group has to decide if there will be a PRAS or something else in the future, as work progresses on the alternatives analysis.

S. Lathrop repeated S. Kelley's comment that FAA wouldn't move forward without an agreement. However, S. Lathrop added, BOSTAC is disappearing, so the group may no longer have the same opportunities to exchange information with FAA and the consultants. That interaction has led to many people changing their minds about what can or cannot be done. S. Lathrop said he was concerned about the practical consequences of removing that process and having the meeting at night with less access to the decision-makers in order to accommodate less-committed people. S. Lathrop added that he has always been a proponent of stronger ties between the BOSTAC and CAC but questions the decision to change the current process. Berta Fernandez asked if there would be flexibility for the group to design the new process. G. Wellman explained other non-BOSTAC CAC member concerns related to information sharing. Second, attendance in Phase 1 has not necessarily reflected all stakeholders (e.g. users). Third, Phase 2 involves the NEPA process, and the general public needs to be invited. This is where the notion of online, facilitated dialogue will assist.

F. Leo said that, as a practical matter, the BOSTAC has been an open forum and that no one was prevented from attending. The same people will probably attend even if it is opened up to a broader group. He agreed that there needed to be more outreach to CAC communities but he thought that the group could still hold meetings. G. Wellman agreed, but said that there should also be other mediums such as online sessions. He said there would be quarterly meetings. S. Kelley said the CAC was created outside of this process, and how they wish to represent themselves to this group is their decision. However, he added, what gets shared at these meetings must be made public. B. Fernandez said that a format should be created that allows the Phase I-type of meetings to continue.

J. Stewart said that nowhere in the preamble does it say that "the CAC is going to recommend noise abatement..." It should say so clearly.

Betty Desrosiers asked whether there were not federal requirements for outreach beyond BOSTAC. S. Kelley said there were, and that is why he refers to FAA legal requirements they must meet as part of the NEPA process. He emphasized the need to do outreach.

Bob Driscoll said he was confused about BOSTAC disappearing and also concerned about the 51% comment. He cited page 27 of the ROD as saying that FAA, Massport, and the CAC would work jointly. He said that he thought that FAA could reject proposals only because of safety or security, and that even in these cases they need to justify the results to the group. B. Driscoll added that it would be the same people attending no matter how the process was structured, and suggested that towns like Needham and Milton were never going to get involved. He also said that information must be disseminated in more formats than just computers, because not everyone has them. G. Wellman agreed and explained that they were not suggesting a shift in medium, but were instead adding new ones. He went on to say that the outreach strategy has not been developed yet, and that that strategy is one of the first steps to be taken in Phase II. The outreach plan is just in a skeletal form now.

R. Dormitzer stated that in order to proceed with further discussion, questions regarding the project decision-making process needs to be addressed. R. Dormitzer asked that the following four questions be addressed, and G. Wellman wrote them on the white board at the front of the room:

- What is the decision process?
- Who is at the meetings?
- When are the meetings?
- What issues will be worked on with CAC input?

To that list, B. Fernandez and S. Lathrop added two additional questions. They were, respectively:

- Who will lead the meetings?
- What is the real time communications protocol?

R. Dormitzer suggested that the group attempt to answer these questions now. Although G. Wellman expressed doubt that the group could accomplish that at this meeting, R. Dormitzer said that the group should at least make an attempt. S. Kelley said that the first question (what is the decision process?) was an example of the challenge because the process will depend on the decision. R. Dormitzer said that he didn't deny that FAA has certain prerogatives based on legal requirements.

S. Kelley said that the ROD stated that the scope will be developed collaboratively, and he asked what would be done if they don't achieve consensus. He said that Tina Gatewood and he have been broadening the NEPA outreach process and they've been able to mitigate push back by presenting information in real time on the website to the

general public, not just CAC. R. Dormitzer said that for safety and operational efficiency he agrees. S. Kelley said that they have had big discussions on all alternatives screening because they couldn't just shoot things down without explaining why.

S. Lathrop said that BOSTAC is proposed to disappear, but S. Kelley still wants CAC involved. He wanted to know how this would happen. S. Kelley replied that industry involvement needs to happen in this process and that they are just opening the door wider. B. Fernandez asked which elements CAC would be involved in. G. Wellman replied that it would be elements 4, 5 and 6. B. Fernandez asked if the group will be able to define alternatives and provide feedback. S. Kelley said that up through step 7 which is where NEPA kicks in and there begins to be some pullback for legal reasons.

G. Wellman suggested that the group discuss roles. In Phase I the CAC was the primary decision-maker. R. Dormitzer said that they should first go through the list on the whiteboard. G. Wellman replied that there were some things they don't know the answer to yet, to which R. Dormitzer suggested they talk about those things to at least reach an understanding.

S. Kelley said that it is G. Lattrell and his job to make sure that FAA people are here. He said that some of what R. Dormitzer is looking for is already in there, but right now the group is only reviewing the preamble. He suggested that the best thing to do might be to go through R. Dormitzer's list.

G. Wellman recommend moving the first point down to the end, since it is the most complicated and begin by addressing "what issues will CAC be involved in the decision-making". He said **the CAC would be involved in the scope, the alternative definition and evaluation, and recommendations to Massport of alternatives for implementation.**

F. Leo said that it is important that it is not just the CAC, but the CAC and the general public.

John Woodward said that there were more items that **CAC must be involved in, including the study area definition and the baseline noise.**

S. Kelley and S. Lathrop had a discussion about the use of approved tools. Steve Smith said that the CAC can be part of the decision process, but that FAA has to pick the protocol for NEPA. S. Lathrop asked if NEPA forbids certain metrics. Gary Huffnagle said that NEPA does prevent the use of metrics if they are not approved by the FAA AEE group in Washington. S. Smith reminded the group that they are talking about the scope of services today. He said that a discussion of metrics has already been added to the scope related to the noise protocol task. J. Woodward said that they can still seek AEE approval for supplemental metrics (such as INM outputs other than DNL). He added that they did not seek approval for supplemental metrics in Phase I because they were not required to. S. Lathrop asked why, if this is not

entirely an EIS process, do they need approval. S. Smith said that anything that is part of the decision-making process on alternatives needs to go into the EIS, therefore the metrics would need approval. G. Wellman agreed to **add the choice of metrics, the development of the noise protocol, and R. Dormitzer’s suggestion for the sponsor’s purpose and need to the list of decisions CAC will be involved in.** He added that there was a lot of discussion about the baseline two years ago and they are still having them today. S. Lathrop asked that **the line “includes but may not be limited to” above the list of decisions CAC will be involved in.**

**CONSENSUS REACHED ON BULLET 4, AS REFLECTED ABOVE
RELATED TO WHAT ISSUES WILL INVOLVE CAC COLLABORATION.**

R. Dormitzer suggested they move on to the question of who will be in the meetings. J. Stewart requested that the group not be negative about Phase I. S. Kelley agreed that the public should not be equivalent to the CAC, because the ROD specifically mentions CAC as a participant in this analysis. R. Dormitzer said that he would hope that if something comes out of left field from a public comment that this group will have an opportunity to discuss it again. J. Williams drew this table on the whiteboard:

<u>BOS/TAC Meetings</u>	<u>NEPA</u>
Users	FAA
Massport	PC
CAC (reps)	
FAA	
PC/IC	
General public	

J. Woodward asked if CAC meetings are publicly advertised and opened to entire public, would that satisfy FAA. S. Kelley said that yes it would satisfy FAA. B. Driscoll said that the ROD established the CAC as the representative group. CAC then designated BOSTAC. He asked if having Channel 2 broadcast the meeting would be an effective way to communicate to the public. Concerns related to the length of meetings were discussed if video media was used.

B. Fernandez said that in order for efficiency, there needs to be some limited representation of the public. The NEPA process takes care of the problems with that approach by requiring outreach to the broader public. Therefore, the CAC should be allowed to determine participation in BOS/TAC. F. Leo emphasized the need to get involvement up front to prevent the "other proposed alternative" problem cited by R. Dormitzer earlier. M. Zlody said that creative ideas on outreach are important, and asked for S. Kelley to reply to unique comments as referred to by R. Dormitzer. S. Kelley said that they will balance recommendations. If a unique recommendation is reasonable and alternatives analysis is ongoing, then they have to accept it. He added that once the decision is made to go to noise modeling, then it is too late for new recommendations.

S. Kelley questioned whether there was a need for the vertical line in the table separating the two processes, saying that there is no specific cutoff point. F. Leo asked G. Wellman to remove the second heading, which he did [*the right column has been crossed out to reflect this*].

G. Wellman said that he was concerned that the group was thinking about meetings and said that it should instead focus on milestones. He said that those types of milestones meetings will still occur. However, he suggested that input must be more frequent, which is why he has suggested the internet and other formats.

Jerry Falbo asked why there can't be one or two public meetings. G. Wellman replied that there can be, just not at a single place in time. There will be frequent opportunities for input. J. Falbo said there could be a public meeting every time there is a milestone. G. Wellman agreed. B. Driscoll mentioned that Massport had two well-publicized meetings for runway 14/32. John Williams said that the difference is that the CAC meetings being discussed don't normally exist in the NEPA process. S. Lathrop said that the ROD gave legitimacy to the CAC, even if NEPA does not. So the group does need to determine where the ROD process ends and the NEPA process begins. S. Kelley said that the ROD has guaranteed CAC participation, but no one has been excluded. G. Lattrell explained that they began a non-traditional process because of the ROD. B. D'Amico said that this is not new, as it has been done in other runway noise studies for the past 20 years. D. Morrison asked if it is fair to say that the CAC is a party to consensus in these meetings and not the public. S. Kelley agreed as long as the FAA maintains legal NEPA requirements.

G. Wellman asked the group what the CAC is. R. Dormitzer defined it as being sanctioned by Massport to represent the impacted communities around Logan. F. Leo said that there are other organizations that Massport deals with as well. He said there is no formal recognition with Massport of the CAC.

CONSENSUS REACHED ON BULLET 2, AS REFLECTED ABOVE

S. Kelley suggested that they set aside time to address what needs to be addressed at this meeting. G. Wellman said that after today's meeting, the consultant teams would work with Massport and FAA to develop budgets, etc. R. Dormitzer said they would like the opportunity to review the final version of the scope. G. Wellman said they need to develop a common understanding of the specific aspects of Phase II.

In response to the question of who will lead meetings, G. Wellman said **it would be the PC.**

CONSENSUS REACHED ON BULLET 5, AS REFLECTED ABOVE

G. Wellman said the answer to the question about when the meetings will take place will come out of the start of Phase II. J. Falbo asked about the possibility of

scheduling more meetings in the early evening. G. Lattrell said that a mix of meetings between day and night has been discussed.

S. Kelley asked where meetings would be held. He suggested it be a consistent place. G. Wellman offered that he liked the current space at EPA's offices.

J. Stewart said that when meetings are held it is important that sufficient time be built in for the creation of documents and for the review of those materials in advance by the CAC. He also recommended time be set aside for the CAC to discuss among themselves prior to the meeting date.

J. Williams said that the schedule should be more milestone driven. R. Dormitzer disagreed, saying that all parties need to be in the room in order to even understand the material. S. Lathrop suggested that they consider a "forced" schedule and then adjust for milestones. He said that scheduling in advance makes it easier to ensure attendance. S. Kelley agreed that quarterly meetings with others added as necessary is a good approach. J. Williams suggested that after the reviewing the project schedule, the Team would be able to initially look at a meeting schedule that is fairly regular, with individual meetings scheduled a week earlier or later than a "regular pattern" to match milestones in the process.

CONSENSUS REACHED ON BULLET 3: Quarterly meetings with possible adjustments to address milestones.

G. Wellman asked the group to consider the first bullet—what is the decision process? He said that he believes it is a collaborative process and that it depends on the issue being discussed. R. Dormitzer said that in the study's scope the term used was "jointly."

D. Morrison asked what the objective criteria were. G. Wellman said that the protocol still needs to be developed. S. Lathrop offered a two-part answer. He said that the screening criteria should be ones that the group will have input on, and that the CAC will need to sort out controversial choices. As a result, S. Lathrop said that the CAC needs criteria to decide what they want to tell FAA. S. Kelley asked what an acceptable level of tradeoff was. He said that the CAC needs their own views about how to settle this issue, and that its not a topic for the entire group. S. Kelley said that **the objective criteria should be in the scope of work as something the IC will assist CAC in.** G. Wellman added that to the list of issues presented at the outset of the meeting.

Joe Davies said that the CAC needs a process by which they will offer their support, or not. Massport will set the thresholds for accepting those recommendations. FAA has a statutory responsibility. J. Davies said that if the CAC doesn't like something, they should not forward it to Massport, and it in turn will not be forwarded to FAA.

F. Leo said that DRUNK will be getting additional overflights. Therefore, he would want additional outreach to that community. B. Driscoll cited page 27 of the ROD as saying that “noise abatement proposals...and will not adversely affect other communities”. S. Kelley said that “adversely” is a legal term and they need to understand its meaning here. T. Gatewood said that it is a NEPA term and that projects can have adverse effects if impacts cannot be mitigated.

B. Desrosiers said that there should be a concerted effort to involve other communities in this process. G. Lattrell suggested that perhaps they could do outreach that incorporates alternatives. Sandra Kunz said that the CAC can't do any more outreach to communities because there is no money to do so and they have already tried. S. Lathrop said that if FAA reaches out to communities that are identified as affected by changes. Let them know they are free to join the CAC, and they are welcome to comment otherwise. Jim Peters said that the FAA Office of Communication has resources to do this. They would be willing to do a road show and outreach to local newspapers. F. Leo said that this should be incorporated into an outreach strategy and they need to catalog it so that people know that we made the effort.

D. Morrison and S. Smith discussed the best way to handle an online protocol. G. Wellman asked what people's sense of the broader CAC's use of the internet is. M. Zlody said that the percentage of people with access to the internet in Massachusetts is 60% to 70%, and would be higher in metro Boston. This number does not include library use. G. Wellman asked if the group was talking about hard copies for everyone involved and asked them how to define “everyone”. F. Leo said that he prefers summary graphics/documents, with the understanding the substance behind it will be in the eventual document. F. Leo and G. Wellman discussed the CD from the Phase I document that S. Smith did and the effectiveness of the presentation materials from yesterday's meeting. D. Morrison said that executive summaries were a good way to communicate. M. Zlody emphasized the helpfulness of color renderings for certain graphics. S. Kelley agreed that black and white renderings don't work, citing his experience from the New York project.

M. Zlody said that the locations for meetings should be equipped with conference call systems.

G. Wellman said that **“decision-making framework” has been added to the list of issues that the CAC will be involved in** during the communications protocol task from bullet 4.

S. Lathrop said that the group needs to focus on noticing when a decision has been made. He asked if it was simply the tacit shaking of heads. He suggested that decisions need to be put in a form that memorializes the decision.

J. Falbo said that the ROD says that Massport and the CAC are to develop alternatives and where Massport and the CAC disagree, FAA serves as the facilitator.

S. Kelley said that this doesn't work with the NEPA process, where the FAA becomes the decision-maker. J. Falbo said that if FAA sees something in the pre-NEPA process that would be a problem with NEPA, that's one thing. Otherwise, his understanding is that FAA is the facilitator.

F. Leo said that Phase I was a brainstorming process that was open. Now the study is entering a transition phase to a NEPA process. He asked how they should handle the transition from brainstorming to a more structured process. S. Kelley said that the ROD doesn't delineate between Phase I and II. The ROD is also silent on the NEPA process. J. Falbo asked the group not to let NEPA dominate everyone's thinking now. He said if it comes up in response to a particular problem, so be it.

T. Gatewood said that any actions/alternatives identified that go through Massport to FAA have to go through NEPA. Therefore, NEPA has to be a part of the process now. Once alternatives have been identified, Phase I ends and Phase II (environmental) begins. T. Gatewood said it is not possible to just put NEPA on the shelf. J. Falbo agreed.

J. Davies discussed the 51% vote. He explained that he is at the end of the food chain and will or will not tell 150 controllers to move flights onto a different procedure. At the final moment, FAA has 51% by law in terms of safety and efficiency. J. Davies said that it has to be clear that FAA has that final authority and it can't abdicate it.

T. Gatewood said that FAA is the ultimate decision-maker because NEPA kicks in as the result of a federal action. She emphasized that CAC and Massport do have the responsibility for selecting alternatives. F. Leo said you want NEPA sensitivity early because you don't want good alternatives shut down by a lawsuit.

R. Dormitzer asked what the decision making process is—collaboration, consensus, joint, or just clear notation of a decision. He requested **a special callout in the meeting summary when the group has reached consensus**. S. Lathrop suggested that absent notation of a decision in a meeting, no decision has been made. M. Zlody agreed and said this would assist them in not having to go back over things after consensus has already been reached at a prior meeting. S. Kelley asked if there was a request being made for formal minutes, which would be a change from what has been done previously. G. Wellman said that they have always done meeting summaries rather than minutes. He said that this issue could be addressed by calling out decisions more clearly.

CONSENSUS REACHED ON BULLET 1, AS REFLECTED ABOVE

R. Dormitzer asked that the consultants look at what has been created on all of these lists and consider how the scope document should be changed to reflect this. G. Wellman replied that **elements 1 and 2 (project management, public outreach/coordination) will need to be modified to reflect the agreements reached at this meeting**.

J. Falbo repeated his question from earlier regarding the Superior Court case. He wanted to know why FAA Legal is involved. T. Gatewood replied that FAA Legal has concerns because FAA has to take ownership of this document and it needs to meet FAA's legal requirements. F. Leo reiterated that Massport did not support that view. J. Falbo said that he doesn't want to take more time on this issue.

S. Kelley said the consultants will make changes and review the entire document for consistency. He said the BOSTAC/CAC relationship will need to be resolved before the close of the meeting. R. Dormitzer said he thought there was agreement that the **CAC members will decide how or how not to designate CAC members to participate. Regardless of that decision, the CAC will not exclude any CAC members** or the general public **from attending**. S. Kelley said that they did not need to add the general public in the document, because there is a federal responsibility to do so anyway.

S. Kelley asked if the process flowchart should remain in the document. J. Davies said the only problem with it is that it suggests a concurrency that does not exist. G. Wellman said that there is no timeline on the flowchart.

S. Lathrop called attention to Section 5.3.3 (page 32) and noted various specific alternate metrics. Number 8 is altitude at selected gridpoints. He said this introduced an element of ambiguity as only rarely will a plane fly directly over a gridpoint. S. Lathrop suggested distance rather than altitude was the preferred metric for this issue and asked why the point of closest approach was not used. S. Smith explained the rationale for including the metric. The intention for this subtask was to provide PCA for the same grids identified in Phase 1 (total of four grids within Hull). The scope does not call for conducting such an analysis for the entire study area. The analysis would be limited to a limited number of points, no more than what was conducted for Phase 1. The point of closest approach includes distance and altitude. He suggested that S. Lathrop could let them know if they needed the information for a particular gridpoint. S. Lathrop said that it should be changed to "altitude/point of closest approach from selected gridpoints".

R. Dormitzer said that the BOSTAC could not be changed to the CAC because BOSTAC is made up of FAA, Massport, and CAC with consultant support. He suggested leaving the BOSTAC name in the scope. S. Kelley said it was better to talk about an expanded BOSTAC (open to larger CAC membership). B. Fernandez said that "CAC meetings" should be changed to "technical advisory meetings". S. Lathrop said that everyone endorses expanded access to experts.

J. Falbo asked about the centerfield taxiway's status in the baseline. S. Smith said that it was in the "future, no action" baseline. J. Falbo said that the FAA had finished the taxiway study. G. Lattrell said that the technical work is done, and the report is available on the internet. J. Falbo said that he is assuming if it is approved it will be built. S. Smith repeated that it is in the "future, no action" line for the year it is built,

if the FAA decides to proceed with the project. B. Driscoll said that there needs to be an independent study of the taxiway, not an FAA study. S. Smith said that they will apply assumptions on the taxiway in the noise analysis. They will not just inherit noise assumptions, but will inherit operations plans for the taxiway for the future No Action scenario. J. Falbo said that the taxiway was absolutely a closed process. All they want is the freedom to test the assumptions of the taxiway. He said that he knows FAA received a 31-page denunciation of the project.

F. Leo said that he thought they came to an agreement that if FAA approved centerfield taxiway, that it would go into the noise baseline. Frank Iacovino said that one of the results of the study is that they are modeling the results of the taxiway. They are not assumptions. B. Desrosiers said Phase 2 involves modeling the noise for all taxiways at Logan, whereas the taxiway study only focused on the north end. She said the key thing is that the alternatives rejected in the FAA study on the taxiway will not be reevaluated in Phase 2. There was a concensus related to the previous statement between Massport and CAC during the CAC meeting June 1st.

J. Falbo asked if the FAA recommendation was going through NEPA, EIS, etc. G. Lattrell said that there is a 30 day comment period. J. Falbo said that if anyone comments on problems, then they should bring that information back to this group. S. Kelley suggested that they should be brought back only if they are accepted. J. Falbo asked why there needed to be an “if”. J. Falbo said that he is concerned that noise conclusions on centerfield taxiway are incorrect. He said that since the scope says “results from previous studies will be included” he doesn’t want this to be a barrier to the group using different results.

J. Woodward said that [FAA Order] 1051.E requires any model measuring noise to be approved by AEE. If the center taxiway used something other than INM, we need to hold that to protocols. He said they need to be sure its gone through the approval process.

G. Wellman asked if they had come to a decision on J. Falbo’s issue. S. Kelley said there was nothing that directly impacts the scope of work above what has been discussed in previous meetings.

G. Wellman asked how the group would define BOSTAC. D. Morrison said it was CAC, FAA, and Massport. S. Kelley asked, if the group is broadened to include others (such as industry), how would they get involved. F. Leo said we can keep trying to get the industry reps here. J. Woodward said that the BOSTAC is FAA, CAC, Massport, ALPA and the regionals per the 2004 Phase I scope. G. Wellman emphasized the term “users” rather than one entity such as ALPA. There are several groups who make up users of the Airport. S. Kelley said that the document should clearly define that the CAC will select its own attendees. Massport will invite users, and FAA will bring the necessary technical experts.

G. Wellman said that they were considering **changing the name of the study for Phase II from BONS to BLANS (Boston Logan Airport Noise Study)** to remove the emphasis on overflight noise.

M. Zlody asked what happened after monitoring and implementation. She said implementation support appears to have been taken out because there was no money. S. Kelley said that implementation would be a separate review that would be funded differently. He agreed that there needs to be implementation and follow-up, but he said FAA thought that it would be better to have that as a separate grant and phase of work. M. Zlody said that if alternatives are implemented, they should be successful. She said she was concerned that when things are implemented that don't work, that the government isn't always good at fixing mistakes. She voiced concern that there wasn't money for this "Phase III". S. Kelley replied that they can't stop doing it because they don't like it. He said it has to go through a formal process.

M. Zlody said that it has been ten years on runway 27 and that has yet to be resolved. She asked how the issues of not following procedures or flyability are to be addressed. S. Kelley said that having all of this in the scope still won't guarantee compliance. J. Falbo said that they would have to depend on FAA and Massport to enforce compliance, but wouldn't want to place that burden on them. He said it would be better to have PC or IC on hand during implementation. He said if they run out of money that's one thing, and they can try to get more. He said he advocates keeping the page 82 language. T. Gatewood said that it would commit FAA to an expenditure of funds in the future. They are not able to legally do that until those funds have been appropriated. It should be included in ROD.

G. Huffnagle said that they can't scope out the implementation plan now because they don't know what they'll be implementing. J. Falbo said that something has to be put in that mandates that money will be found to evaluate implementation. S. Kelley said that FAA will commit to a ROD recommendation to do followup monitoring. J. Falbo said they don't want another lawsuit and that FAA should just commit to the money.

J. Davies said that the Runway 27 process has taught them that you need to be extremely careful about creating expectations through words on a page. He said the reality is that they haven't been able to get the pilots to do the Runway 27 procedure. Its not a railroad in the sky.

S. Lathrop observed that there seems to be a commitment to implementing RODs, but that everyone he talks to says that they are not enforceable. For example, he said that you wouldn't continue to implement something that is shown to be a safety hazard.

R. Dormitzer said that there is a precedent from when the project was divided into Phase I and II. The discussion was around what language committed FAA to Phase II. He said there was very specific language where everyone agreed that there would be a Phase II. R. Dormitzer suggested using the same language and substituting Phase III or IIA for II. G. Wellman said the language in question is in the introduction from

Phase I. He said that **similar language can be added to the introduction for Phase II, and there will be a commitment in the Phase II document itself.** T. Gatewood said **one word that can't appear is "obligate"**.

S. Lathrop called attention to page 22, section 5.2.3, on baseline modeling (lines 785-794). He noted that they included a specific runway configuration and asked why that configuration was selected. He said he had specific questions on some of them that he feels should be discussed. Denny Burke said that the configuration was chosen as a result of direct dealings with J. Davies and his reply that these were the configurations they would use. He added that there is nothing on procedures yet. F. Iacovino said that they come from the airport and are the most commonly used. S. Lathrop asked if that was a sufficient set of configurations. On 33 departure/27 arrivals, he asked if they have contemplated intersection departures on 33. He also asked if there were airport capacity increased implied here. F. Iacovino said there were no capacity increases planned at this time. B. D'Amico said that intersection departures would violate the noise rules. He said that 15R is the only one allowed by jet aircraft for take off.

S. Lathrop said that there needs to be an analysis of air speeds at departure. He said some of the data suggest speeds above limit at the low altitudes. G. Wellman said that those were averages on everything up to 10,000 feet. S. Smith added that the data are from departure to departure fix, which is beyond the shoreline crossing. S. Lathrop thought it might be relevant to Phase II because they could throttle them down. D. Burke said they would check it out, but said that the Tower would know anyway due to separation minimums. J. Woodward said that speed is addressed in the model.

F. Iacovino and S. Smith discussed the potential of AEE bundling INM. F. Iacovino said that with PRAS, they will target a couple alternatives and wrap them into PRAS evaluation. G. Wellman said that a cumulative analysis will be done with PRAS.

S. Lathrop asked how the group would address followup comments where they would respond to his own earlier comments. S. Kelley said that all comments received would be responded to with either rejected/accepted/further discussion. The information will be provided in a Word document with comments logged in the scope itself. He said they have a commitment to move forward.

S. Lathrop asked about statistical analysis and QA/QC. S. Kelley said it was an appropriate question, but he didn't know how to price that. S. Smith stated this would be discussed as part of developing the noise protocol.

R. Dormitzer asked what would happen if this scope costs more than FAA and Massport are willing to spend. S. Kelley said if it came in twice as expensive, then they will have to come back together to decide. G. Wellman said they would put together a draft budget over the next week.

G. Huffnagle said another way to go about it is to use interim products. S. Kelley said that at the end of next week they will be sending the scope back out electronically.