

Transcript of remarks from Mayor McKeown and Councilmember Himmelrich to FAA on July 8, 2015

Mayor Kevin McKeown's Remarks

"For the record, my name is Kevin McKeown, and I am the Mayor of Santa Monica, California. I've served on our City Council for seventeen years, and am well familiar with the history of issues surrounding Santa Monica Airport, located on land we own in the southeast corner of our city.

As Mayor, my primary responsibility is to protect the health, safety, and welfare of the residents of Santa Monica. I also am concerned for the impacts of SMO on surrounding communities. Besides protecting our residents, I must also protect our resources.

I'm here today because Santa Monica Airport endangers both our residents and our resources. What was once a grass landing strip in the midst of beanfields is now often described as "an aircraft carrier in a sea of homes." The exceptionally close proximity of the runway and residents' homes presents unacceptable safety risks.

Just last week a City pact with the FAA called "the 1984 Agreement" expired, and brought many decades of history to a head. We acknowledge the long and rich history of Santa Monica Airport. In 1924, the first successful round-the-world flight left from Santa Monica. In World War Two, Douglas Aircraft brought 44,000 jobs to Santa Monica.

When Douglas asked permission after the war, though, to build and fly jet aircraft at SMO, the city said no -- and willingly saw Douglas move to Long Beach rather than intensify airport operations. Our history since then has been one of trying to reduce airport impacts, while jet operations grew, and the jets flying in and out of SMO exceeded the design limits of the runway.

To bring us back to safety, please recognize that Santa Monica Airport's runways do not meet even minimum FAA safety standards. This airport could not be built under today's rules. There is no buffer at the end of the runways. There is no space for EMAS beds or clear safety zones.

A number of fatal aircraft accidents and near catastrophes prove that the danger is absolute and real. In 2007 we passed a local ordinance to keep faster class C and D jets from using our runways, based in part on knowledge that current FAA rules would not allow building so short a runway for an airport serving Cs and Ds. What happened is emblematic of the FAA's handling of our very legitimate safety concerns: You, the FAA, went to court and enjoined Santa Monica against protecting our own residents.

In the fall of 2013 I personally witnessed a column of black smoke rising from our airport. A jet had run off the runway while landing, crashing and burning into structures and taking the lives of residents. We felt immediate need to clarify our ability to control the use of land that we own, and again went to court seeking relief. You again opposed our attempts to protect residents. That case is now pending in the Ninth Circuit Court of Appeals.

So far I've spoken mostly of the direct physical safety threats to my own city's residents, but of course SMO's impacts don't stop at our city limits. Congressional Representatives Lieu and

Bass called this meeting because their constituents, like mine, demand relief from Santa Monica Airport.

For instance, the emissions of ultrafine particulates from jet fuel, and lead from avgas, spread far outside Santa Monica's own borders. UCLA scientists who have studied the impacts of aircraft emissions from SMO tell us the airport must be closed to protect public health.

We have incontrovertible data showing that aircraft operations are the source of pollutants. When we repaved the airport runway in 2010, a West LA resident eader and I asked the South Coast Air Quality Management District to take readings. Without SMO aircraft, ultrafine particle pollution in the vicinity went down by a factor of 12 to 17. That's not 12 to 17 percent - that's 12 to 17 times the pollution when SMO is operating.

Aircraft operations from Santa Monica, located amidst dense residential neighborhoods, rain not only pollution but unacceptable levels of noise l many thousands of households. Such noise is far from just an annoyance. Medical evidence shows that intermittent loud noise at this level and intensity is a trigger for significant stress, making it a real health threat.

When Santa Monica residents complain about safety, health, and welfare issues, they naturally come to me and their city government. But so do those living near Santa Monica Airport, but outside of our city limits. Because we are the operator of the airport, they expect us to solve their problems, even though you, the FAA, will not let us. Some of those residents from Venice and Mar Vista are here today, joining Santa Monica in petitioning for relief.

With the expiration of the 1984 Agreement, Santa Monica now demands that you stop evading responsibility for the airport. All complaints and even lawsuits have been directed at Santa Monica, but it is you, the FAA, who have kept us from responding to legitimate concerns.

We elected officials in Santa Monica, and our staff, have patiently attempted to work with your agency for many years. At every turn, you have blocked our attempts to guarantee our residents and our neighbors what they deserve: safety, clean air, good health, and protection from an outmoded, unsafe facility that degrades their quality of life.

You have been respectful... you have shared your time... but you have offered no solutions, and no relief. One of the airport neighbors here today has sued the City of Santa Monica over airport impacts. She did not sue you. As we understand it, the FAA claims it has no legal responsibility for harm done by the airport. You claim the burden is entirely ours. You say we have all the responsibility, but you will yield to us none of the authority.

That is no longer acceptable to me as Mayor, and, more importantly, the voters of Santa Monica are no longer willing to accept the status quo. In November of 2014, our voters overwhelmingly supported a ballot measure for local control over our airport land. At the same time, by a landslide, they rejected a competing measure that would have kept the airport as it is. Their intent is clear, and I want to make our intent clear to you today.

Santa Monica can no longer accept your silence on matters of life and safety. We are no longer willing to let you hide behind the cloak of so-called Part 16 proceedings, which you have used to claim you cannot respond to our concerns today.

We know and you know that it is the FAA that has the authority and power to alleviate our residents' suffering and distress. Despite the City's entreaties over many years, you have refused

to help us. Instead, when we have tried to protect our own residents, you have sued us. You have sided with aviation interests. You have drawn us into Part 16 hearings as way to further delay just adjudication.

The FAA has taken the position that Santa Monica must continue to endure the danger, pollution, and noise that have been clearly documented from numerous sources. The FAA has used all of its power as a federal agency to deny relief to residents, inside Santa Monica and outside our borders. You have deflected lawsuits toward us, toward our City, because we own and operate the airport.

Yes, we do own and operate the airport. And I'm here to let you know that Santa Monica, freed of the 1984 Agreement, is prepared to act on the rights we have as owners of the land and operator of the airport. Fifteen years ago, a Final Agency Decision from you, the FAA, recognized that after the expiration of the 1984 Agreement, the future of Santa Monica Airport becomes a local land use matter.

We are here today one last time to petition our federal government for recognition of our legitimate rights and needs, and for protection against unjustified and unfair treatment. We are asking simply that the FAA formally, definitively recognize our City's rights to control use of the airport land, which we own, and adopt the protective safety, noise, and environmental measures that we already use to protect our people in every other part of our city.

You should not be hiding behind a convenient Part 16 excuse that aviation interests have filed an administrative claim seeking to preserve the status quo at the airport. We hope you will be honest and forthright with the community members who are here today.

As Mayor, with the concurrence of our City Council, based on our voters' approval of local control under overwhelmingly passed ballot measure LC, I am fully prepared to proceed with our new concept plan for the airport land. You should either help us with this process, or forthrightly tell us that you won't. Our city, our residents, and our neighbors pose one simple question: Whose side are you on?

We will fight to protect our residents. The FAA, so far, fights to protect corporate aviation interests. We have no choice but to continue fighting for our land and our residents. We will not be denied. We will not stop. And we truly believe that ultimately, we will prevail. We have come to you here in Washington to make our case, but we will leave to make a new future, for our land and our community."

Councilmember Sue Himmelrich's Remarks

"Thank you Congressmembers Lieu and Bass for arranging this meeting and thank to all of you public officials for your service. I am Sue Himmelrich, Santa Monica's newest Councilmember.

I just ran for office for the first time, and a very wise man who is sitting in this room - Congressman Ted Lieu-said to me that the key to being a public official was to always remember why I did it in the first place.

I am here today to ask you to remember why you took your job in the first place. You could be working for a private company earning more than you make here with better perks, but you choose to be here because you want to serve the people of our country. Not the corporate interests. Not the billionaires who want to continue to fly their multi-million dollar jets in and out of Santa Monica Airport.

You have heard the facts: this airport is surrounded by homes of small children and frail elderly folks like your parents and my parents who lived there before these private jets became a prestige accessory. Over 40 accidents in the last twenty years, many fatal. Ear piercing noise and black ultrafine particulate matter sprayed over the neighborhoods.

Finally, I want to talk about the integrity of government. Before you and even I were born, as part of the war effort, we leased the federal government out land, land that the city has always- and I emphasize always-owned. Again, before we were born, after World War II, the US Government released its leasehold interest. You, the FAA said in 1998 that the city is obligated to operate the airport only...through July 1, 2015. You said it again in 2003. And you said it first in our 1984 contract with you.

Now, you claim we cannot close this threat to the people-let me emphasize this-the people of our city in perpetuity. This is not what you contracted and not what you said. You should honor your contract. It is the right thing to do."

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