

City Council Can Curb Aircraft Lead From Poisoning Our Children

Letter to the Editor, Santa Monica Daily Press | 28 March 2022

Santa Monica's failure to curb children's lead poisoning by toxic avgas emissions deeply troubles me.

The 2021 Santa Clara Leaded Aviation Gasoline Exposure Risk study demonstrates that children living near the Reed–Hillview Airport have toxic levels of lead in their blood. Lead levels matching those found in kids damaged by Flint, Michigan's infamously contaminated water supply.

Yet, the City staff is now renegotiating Atlantic Aviation's lease to permit selling leaded avgas from the City's aging underground fuel tanks – at odds with the City Council's November direction “to cease all storage, distribution, and sale of leaded fuel from equipment and storage tanks owned and operated by the City of Santa Monica ... on or before April 1, 2022.”

During the January Airport commission meeting after discovering that City staff intended to continue Atlantic Aviation's sale of leaded avgas from City tanks, I spoke of my misgivings and our obligations to the City Council and to residents during “Item 7) Commissioner Items.”

The January meeting minutes so sanitized my comments, that I objected and provided this lightly edited meeting transcript to the Airport staff to correct those minutes.

“Commissioner Schmitz stated that he sold his home located one mile from the Airport close to the departure path. He disclosed to prospective buyers that Airport noise and pollution caused health risks and harmed the quality of life [based on his knowledge as an Airport Commissioner] – as required by law. [and thereby reduced the property value].

If he still lived in Sunset Park with his grandchildren, he would be screaming to the City Council about lead particles and the unconscionable damage that Santa Monica is knowingly inflicting on kids who live nearby. He implores each commissioner to do the only right ethical thing and continue trying to get the Council to stop this [abomination].”

Before the February meeting, I reviewed the Consent Decree, the complete FAA Grant Obligations document, and the Staff Report to the City Council. The Staff Report:

- Contains factual errors, misinformation, and irrelevant material
- Includes false FAA information claiming that the FAA is trying to curb leaded avgas use. In fact, the FAA has been making these false claims for decades, while the EPA has abdicated its responsibility for regulating avgas lead emissions for almost 20 years
- Misleadingly implies that the City risks non-frivolous lawsuits should it cease enabling the sale of leaded avgas

- Failed to show that the Consent Degree's Grant Obligations warrant Staff's assertions

When questioned, the Deputy City Attorney claimed the threat of lawsuits was real but cited "ongoing contractual negotiations that he could not discuss." He further refused to provide specific actual or hypothetical examples of lawsuits that might justify reversing the City Council's directions to Staff.

To be fair, the City Attorney must provide legal advice to the City Council and City Manager but is not obligated to consider harms to children living next to the Airport which follow from that advice.

In stark contrast, the City Council has: 1) a "duty of care", 2) legal requirements to direct policies that protect residents, and 3) and the moral obligation to prevent toxic poisoning of children from:

- known
- serious
- and easily avoidable permanent damage

To shirk these duties behind a veil of "ongoing contractual negotiations" would be grossly derelict and hypocritical for this City which prides itself as progressive, caring, and environmentally responsible.

I plead for transparency. And I beg the City Council to protect our children and the good reputation of Santa Monica. I believe that the present City Council cares about the health and welfare of residents and will address this peril in transparent and moral ways.

The City Council should now direct the City Manager to stop enabling Atlantic Aviation's sale of leaded avgas.

- Joseph Schmitz, PhD, Airport Commission Member

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