

Surrey Airspace Task Force
Request for Action document
prepared for
Meeting with Members of Parliament
7 April 2009

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1. Background

In May 2007, major airspace changes were implemented in north and south Surrey that caused commercial aircraft to fly over previously quiet but densely populated areas resulting in a substantial increase in noise. Nav Canada made this decision for the commercial benefit of the airlines and YVR while the burden is borne by the residents of Surrey whose quality of life has been materially damaged. Under current legislation, no Canadian community is safeguarded against such a drastic increase in aircraft noise.

Nav Canada's decision was made without (i) notice to affected residents, (ii) affording an opportunity for public discussion, (iii) due and proper consideration of environmental and social impacts, or (iv) full and fair consideration of available alternatives. There is no process by which Canadians can have input into Nav Canada's processes and decisions which, as in this case, can have profound social, health and economic impacts.

The roles of Nav Canada, YVR and Transport Canada in this regard are blurred and there is no clear delineation of responsibilities. As a result, citizens voicing concerns about the airspace changes have discovered that there is no specific body to which complaints can be made. These organizations say the issues being raised by the residents are not part of their mandate and to direct their complaints elsewhere.

The Lower Mainland Local Government Association (LMLGA) and the Union of British Columbia Municipalities (UBCM) have endorsed resolutions calling upon the Federal Government to revisit the legislative framework of Nav Canada to ensure that proper consultation takes place with affected communities and residents; and to ensure that environmental impact studies take place prior to any airspace changes. See Attachment 3 for complete text of resolution.

2. Action taken to date

In reaction to the quantum jump in aircraft noise, the south Surrey Citizens Against Aircraft Noise (SCAANS) was formed in September 2007. Several hundred residents of the south Surrey area banded together to address the Nav Canada changes. This group is very active in the community and continues to work to bring about changes that will improve the community's quality of life.

After much protest in south Surrey, Nav Canada made an adjustment which eliminated some arriving planes from flying directly over certain sections of south Surrey. This was a step in the right direction. However, Nav Canada was not obligated to take into account any of the complaints made by residents. It was mostly as a result of the sheer numbers of complaints, the resulting bad

publicity and intervention by the local MP, Russ Hiebert, that any correction to the changes was made.

North Surrey residents were also affected by a significant increase in aircraft noise after May 2007. Concerned citizens in north Surrey banded together to form CAPS (Calm and Peaceful Skies) to address the flight changes that impacted the specific communities of Fleetwood and Guildford. Prior to May 2007, these neighbourhoods were peaceful with few aircraft flying overhead.

Both SCAANS and CAPS are still very active in their respective communities, acting as a voice for those who are adversely affected by the ongoing noise.

The mayor of Surrey, in reaction to the strong negative outpouring from Surrey's residents, formed the Nav Canada Working Group, now renamed the Surrey Airspace Task Force (SATF) to identify possible solutions. The Task Force, composed of residents from CAPS and SCAANS, city councillors and staff are continuing to meet to find ways to bring about change with Nav Canada and the Vancouver Airport Authority.

The city of Surrey, in response to residents' complaints, also valiantly tried to find ways to work with Nav Canada to mitigate the noise. The city contracted a well-respected airspace consultant who proposed a range of technical and reasonable options for Nav Canada to consider¹.

All proposed options were rejected by Nav Canada outright, without any discussion or compromise.

Mayor Watts of Surrey, at the suggestion of the SATF, has spearheaded a multi-city effort to investigate ways to improve the quality of life for those affected by aircraft noise. It is recognized by all that the airport is an important component of economic well-being of the region. However, this needs to be weighed against the effects it has on our local citizens. Other jurisdictions, notably Seattle (SeaTac), take a much more proactive approach to incorporating local citizens' concerns regarding health, social and environmental impacts into its operations.

Delta residents, like those in Surrey, were also affected by the air space changes that Nav Canada introduced unilaterally in May 2007. The adjustments that Nav Canada made in February 2008 only reduced the noise marginally and Delta residents are still very upset by the dramatic increase in aircraft noise that they experienced since May 2007.

¹ Report on AIRCRAFT NOISE MITIGATION OPTIONS For the City of Surrey - 22 April 2008

3. Current situation

Surrey

Both SCAANS and CAPS have, as recently as December 2008, tried to engage Nav Canada in a dialogue, with the goal of working towards some solutions and compromise. The technical reasons for the increase in noise are different for north and south Surrey. However, Nav Canada's reaction to both communities' efforts to find ways to mitigate the noise was the same, one of complete refusal to look at or consider any suggestions put forward by these communities.

Richmond

The Richmond Airport Noise Citizens Advisory Task Force was created in mid 2008.

Public meetings were held in January and February 2009, soliciting public concerns. The mandate of the task force is to identify public concerns and to recommend to Richmond city council what actions the city, the Vancouver Airport Authority or others might do to address them. The work is still ongoing and the task force is expected to provide a list of recommendations to Richmond City Council by June 2009.

Delta

In the spring of 2008, a citizens' group called AANOID (Against Aircraft Noise in Delta) was formed to be the voice for the residents of Delta. Some AANOID members are still contacting Nav Canada, YVR and the Corporation of Delta describing disruptive air traffic noise incidents in hopes of receiving help on this issue. Little hope has been offered that noise will actually be mitigated and, as of March 2009, the noise continues to increase unabated.

4. Immediate Action

4.1 *YVR Night time/ Early morning flights*

YVR determines the schedule of arriving and departing aircraft. Since the introduction of the May 2007 airspace changes, there has been a dramatic increase in air traffic, both arrivals and departures, during "quiet" hours (ie. 11pm - 7 am).

Although Nav Canada is responsible for the routes that these aircraft take, it is YVR's scheduling that allows for the occurrence of night time flights in the first place.

However, the city of Surrey recognizes that avoiding noise in one community may impact another and sees that there needs to be a lower mainland approach to this issue.

Richmond is included in the current YVR noise abatement procedures which apply to a 10 nautical mile radius around the airport². These procedures encourage, when possible, the routing of aircraft away from Richmond, westward, out over the water, during the night time period, 11pm – 7 am. However, this results in eastbound aircraft routinely crossing south Surrey (and Delta) during night time hours. For example, on 11 August from 11:04pm until 12:01am, there were 6 departing and 1 arriving aircraft routing over south Surrey.

Recognizing that the airspace around YVR is complicated by the terrain and the number of other airports, the only possible way to give all communities a respite from aircraft noise is to cease night time operations.

MPs' Action: We request that night time flights are curtailed unless they can be routed away from densely populated areas. Stop the issuing of blanket “prior approval” for YVR night time flights and begin the effort to eliminate all night time flights (except for emergencies).

4.2 Hushkitted 727s

Although still allowed to fly in other jurisdictions, the hushkitted 727s are exceedingly noisy and just barely meet Chapter III requirements. These aircraft should not be allowed to fly over densely populated areas. As special air controller procedures may not be possible for specific aircraft types, then these hushkitted 727 aircraft should be restricted in flying from/to YVR.

MPs Action: Curtail hushkitted 727s.

4.3 Lobbying efforts

YVR and Transport Canada recommended that Nav Canada properly consult the affected communities regarding potential noise problems prior to even starting the original planning process. This is confirmed by various sources³ within Nav Canada and documents obtained from Transport Canada⁴. Those same sources within Nav Canada have indicated that Nav Canada senior management made the decision to not consult with the affected municipalities and “to take their

² The area is defined as that area between the south arm of the Fraser River and the north shore of Burrard Inlet and from Point Gray to the eastern boundary of the Vancouver Control Zone.

³ As reported in the Review of Nav Canada Response to the City of Surrey Recommendations regarding Noise Mitigation Options, pg.7, section 5.1

⁴ Documents obtained in response to a Freedom of Information request by Legal Services, City of Surrey

lumps” after the fact. There are indications this same process may be followed elsewhere in places such as Toronto.

We ask that the Lower Mainland MPs meet with Transport Minister Baird as a delegation, to stress that the Nav Canada airspace change was the first of Nav Canada’s “revisions” which unfairly affected our communities. As new airspace studies are currently underway in the Windsor–Toronto–Montreal corridor, some communities in southern Ontario and Quebec will be similarly adversely affected in the future.

MPs action: Lobby Transport Minister.

5. Middle term

5.1 Noise abatement issues

By the installation of noise monitoring terminals in south and north Surrey, YVR has implicitly extended the area that is being monitored for noise.

MPs action: Begin the process to formally extend the YVR noise abatement area to include south & north Surrey.

Much more can be done to mitigate aircraft noise from departures for communities bordering the airport and those that are beyond YVR’s current mandated 10 nautical miles. There are many examples of other jurisdictions employing proactive policies with respect to noise. Noise abatement procedures, such as those at Seattle International Airport (SeaTac) show how it is possible to minimize the noise for surrounding communities, by establishing flight corridors for departing aircraft (see Attachment 8 – SEATAC noise abatement procedures).

Noise abatement rules in other jurisdictions consider communities that are not adjacent to the airport. An example of a night time restriction at SeaTac is the following:

“When flying north over the Sound, the aircraft must reach an altitude of 10,000 feet or a point 20 NM from the Airport before turning east. When turning west, aircraft must reach the 20 NM point at or above 10,000 feet before starting their turn.”

This rule exists so that densely populated areas that may be some distance from the airport are not subjected to overflights at “quiet” times. Other rules exist to minimize noise during busier, daytime hours. Rules such as these must be introduced at YVR so that Surrey will not have to experience the excessive overflights from departures that they do now.

MPs Action: Lobby YVR on the SATF's behalf to work to establish specific corridors for departures to confine departing aircraft to the narrowest flight path possible.

5.2 Replace the Noise Management Committee (NMC) with a New Structure

Currently, there is no accountability or transparency with the current form of the NMC.

The Noise Management Committee structure should be replaced with a new "citizens" committee which would allow for a more progressive and inclusive relationship among the local municipalities and the airport. The current Noise Management Committee's mandate is to discuss noise management issues created by the airport. This new committee should be composed of all stakeholders, which includes representation from cities of the lower mainland, YVR, Nav Canada and Transport Canada. However, unlike the current arrangement, this new committee would be independent of YVR, operating at arm's length and its mandate would extend to environmental concerns, including noise pollution, and encompass all interested cities of the lower mainland. This committee would better reflect the needs and concerns of the local population.

MPs' action: Modify the YVR lease agreement with Transport Canada so that a "new" committee is created, such as a regional airport task force, which would consider the environment, including noise pollution, within its mandate. (Reference: SeaTac noise committee)

6. Long term

6.1 Legislation

Most of the Minister's powers, in respect to aviation, are set by the Aeronautics Act. One of the things that the Act allows is the creation of regulations and that is from where the authority for the Canadian Aviation Regulations comes. NAV CANADA's authority comes from the *Civil Air Navigation Services Commercialization Act* R.S.C. 1996 (CANSCA). Both of the acts were created by the Parliament of Canada and thus can be amended by Parliament. So, in effect, the Minister is allowed to do whatever Parliament says he can do (within the confines of the Constitution Act and Charter of Rights and Freedoms).

As stated in the consultant's report prepared for the city of Surrey:

"In addition to considering the concerns of all communities, as should have been done before, regulations and practices need to be established to prevent

further situations as has occurred in Surrey and Delta. The changes of 2007 by their own account work well for Nav Canada, however, the same can not be said for some of Nav Canada's paying customers, and the communities and public which YVR serves."⁵

Since the residents of Surrey learned that the current legislation, the *Civil Air Navigation Services Commercialization Act*, does not allow for community involvement in any form, it became and has been a priority for SCAANS, CAPS and others to have this legislation modified.

It has been more than a decade since the creation of Nav Canada and the consequences of the May 2007 airspace changes illustrate that a review of this legislation is long overdue. Much more is known now regarding the potential health issues as a result of noise. More must be done, here locally within the lower mainland, as well as in other parts of Canada to provide for community input and to enhance the liveability of the region.

That is why SCAANS' initiated a petition for presentation to the House of Commons (see Attachment 2) calling upon our Federal Government to modify the CANSCA. The modified legislation must give communities that are affected by airspace changes made by Nav Canada the same level of participation as other stakeholders (such as airlines, airports, etc).

As noise was not considered in the original airspace study, the communities which are now adversely affected by these changes, are requesting that the air routes prior to May 2007 be restored until such time that Nav Canada can conduct a new aeronautical study and review the existing arrivals to determine if a revised flight track configuration and vertical profile would reduce noise exposure to the surrounding communities.

MPs action: Restore the pre May 2007 airspace routings until a new aeronautical study can be undertaken.

As shown in Attachment 3, the UBCM has also called upon the Federal Government to revisit the legislative framework of Nav Canada to ensure that proper consultation takes place with affected communities and residents; and to ensure that environmental impact studies take place prior to any airspace changes.

In CANSCA, which establishes the authority of Nav Canada, there is no statutory provision that requires Nav Canada to undertake an environmental assessment, including noise studies, before implementing changes to flight paths. This is in contrast to Australian regulations, which require that environmental aspects be

⁵ Report on AIRCRAFT NOISE MITIGATION OPTIONS for the City of Surrey – 22 April 2008, page 22, section 16

considered and assessed in flight path design. Noise is considered an environmental factor.

To ensure that environmental impacts are given proper consideration in Canadian flight path design, CANSCA should be amended and a regulation be introduced, to clearly establish that an environmental assessment must be undertaken prior to any changes in flight paths. A framework such as exists with the current Australian Civil Aviation Safety Regulations (CASR)⁶ might be an option worth considering (see Attachment 12 for excerpts). The proposed legislative changes are in Attachment 4.

MPs action: Support the creation of a new regulation to mandate that Nav Canada carry out an environmental assessment when there is a change to air routes.

MPs action: Modify the CANSCA to include communities as stakeholders.

While the Aeronautics Act grants the powers to the Minister, most of the day-to-day regulation of aviation in Canada is done through the Canadian Aviation Regulations (CARs). Creation and amendment of the CARs is done through the Canadian Aviation Regulation Advisory Council (CARAC).

Transport Canada sets and enforces the regulations and standards under which civil aviation is conducted in Canada. Many of these regulations and standards are directly adopted or derived from those recommended by the International Civil Aviation Organization (ICAO). The focus of the regulations and standards is on safety. Transport Canada monitors civil aviation for compliance with these regulations and standards and, where deviations are found, the Department is supposed to take appropriate action. However, this rarely, if ever, happens.

When the Government of Canada stopped operating airlines, airports (with a few exceptions) and the air traffic control/air navigation system too much power was ceded to these organizations. Beyond what is prescribed by regulation, Transport Canada now has limited involvement in the non-safety day-to-day operation of these entities.

As a result, Transport Canada had limited involvement in the airspace changes that were designed and implemented by NAV CANADA. The changed routes were designed in accordance with the regulations and standards that currently exist and, as such, Transport Canada could neither legally reject these changes at the time they were made, nor legally order NAV CANADA to revise them now.

This is what needs to be changed.

⁶ Reference: <http://www.casa.gov.au/oar/environment/index.htm>

Transport Canada ought to have the authority to intervene when proper environmental assessments are not carried out by Nav Canada. New regulations can be created to allow for this.

MPs action: Support the creation of a new regulation to allow for Transport Canada's intervention to ensure that proper environmental assessments are done.

In addition, an independent body should be created to oversee Nav Canada and YVR with the power to review and stop, if necessary, the implementation of any airspace changes. One option is to appoint an ombudsman to perform this role. Another is to create an independent, quasi-judicial body to oversee Nav Canada and YVR.

MPs action: Create an entity to allow for community participation in Nav Canada and YVR.

7. Summary

The Minister of Transport's office has stated that, when it comes to aircraft noise, "a balance must be achieved among the needs of all stakeholders, including those using the airport and those living in neighbouring communities⁷". Communities in Montreal, Surrey, Delta, Richmond and even Vancouver want that the current imbalance in favour of YVR, Nav Canada and Transport Canada be corrected. We are looking to our members of parliament to take some action collectively on our behalf. We want these agencies brought under control by having a committee of MPs review the acts established by previous governments and to have meaningful and effective community involvement with these organizations before they make any changes that so drastically affected our communities.

Organizations like YVR, Nav Canada and Transport Canada are not interested in solving the complaints affecting our communities because they are not obligated to do so. The lack of willingness on the part of Nav Canada to engage in meaningful discussions with the affected communities are highlighted in the Review of Nav Canada Response (attachment 11). Since the Federal Government privatized all airports and Nav Canada, they act with impunity and turn a deaf ear to citizens' complaints. The reason for their behaviour is because the federal government gave them too much power without any accountability to the citizens of Canada.

⁷ Correspondence between Special Assistant - Ontario and Western Canada of Minister of Transport and a south Surrey resident, 2 Nov 2007.

MPs Action Items List

MPs' Action: We request that night time flights are curtailed unless they can be routed away from densely populated areas. Stop the issuing of blanket "prior approval" for YVR night time flights and begin the effort to eliminate all night time flights (except for emergencies).

MPs Action: Curtail hushkitted 727s.

MPs action: Lobby Transport Minister

MPs action: Begin the process to formally extend the YVR noise abatement area to include south & north Surrey.

MPs Action: Lobby YVR on the SATF's behalf to work to establish specific corridors for departures to confine departing aircraft to the narrowest flight path possible.

MPs action: Modify the YVR lease agreement with Transport Canada to allow the creation of a "new" committee, such as a regional airport task force which would also consider environment, including noise pollution, within its mandate. (Reference: SeaTac noise committee)

MPs action: Restore the pre May 2007 airspace routings until a new aeronautical study can be undertaken

MPs action: Support the creation of a new regulation to mandate that Nav Canada carry out an environmental assessment when there is a change to air routes.

MPs action: Modify the CANSCA to include communities as stakeholders.

MPs action: Support the creation of a new regulation to allow for Transport Canada's intervention to ensure that proper environmental assessments are done.

MPs action: Create an entity to allow for community participation in Nav Canada and YVR.

Attachment 1

What happened in south Surrey

Prior to May 2007, aircraft arriving from the south or southeast took a “direct approach” to YVR, flying up over the Peach Arch Border crossing and followed Highway 99 towards the Alex Fraser Bridge. This routing has been in effect for decades (see attachment 5 and below).

By and large, south Surrey had very few overflights of any kind prior to May 2007.

When the May 2007 new route changes were implemented, a new downwind structure was introduced

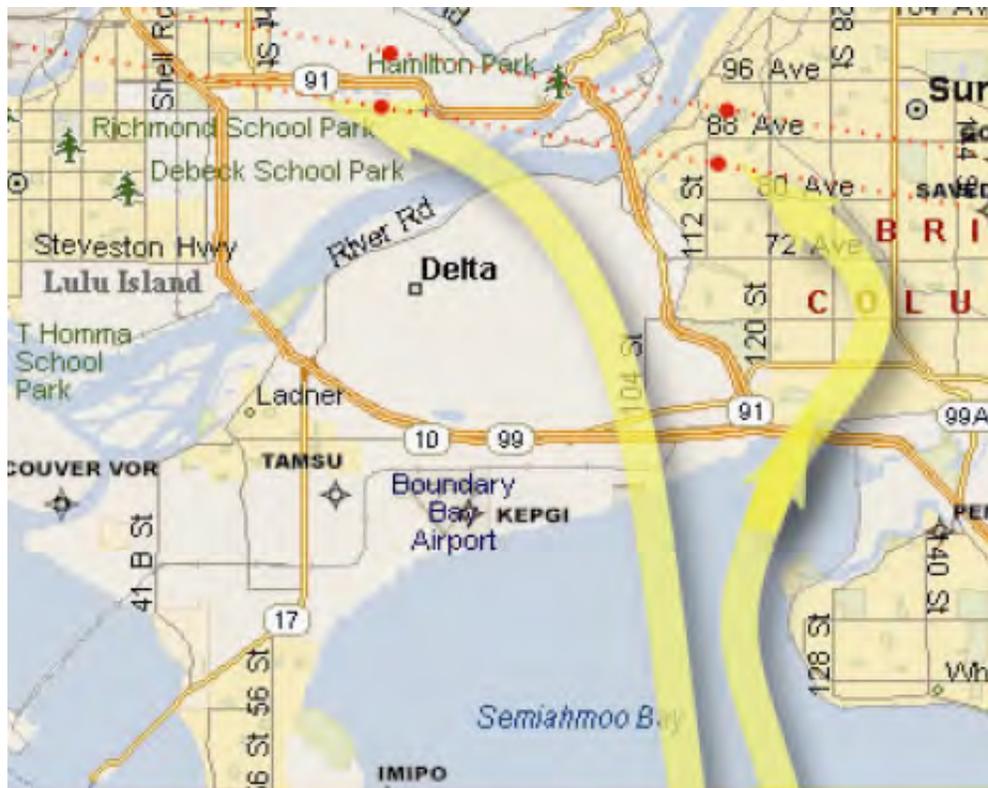
Now the aircraft have been shifted west, flying north over or near the Semiahmoo peninsula. Some are turned to fly in an “s” pattern, and some take a direct approach into YVR from any point along this standardized routing. Routinely, arriving aircraft are passing directly over Crescent Beach (during the day and night) as well as other parts of south Surrey.



The diagrams above depict the general changes to the Runway 26L/R arrival paths as a result of the downwind configuration. Where arrivals from the south previously tracked largely over the agricultural areas south and west of Langley, they are now required to turn 180° over South Surrey towards the Fleetwood and Guilford areas. The increased manoeuvring increases the time exposed and increases the aircraft generated noise.

Even after the Nav Canada changes introduced in February 2008, there are still many instances of aircraft flying directly over parts of the western tip of the Semiahmoo peninsula, which prior to May 2007, had only infrequent aircraft traffic passing overhead (see Attachment 10 for post February 2008 radar track data).

As a result of the changes in arrivals, many eastbound departures taking off over the water, which previously would fly north of the Semiahmoo peninsula (on a east-west axis), are now taking a route which has them flying along the centre of the peninsula (eg. parallel with 24 Avenue).



What happened in north Surrey

The 10 May 2007 flight path changes experienced in north Surrey were not initially acknowledged by Nav Canada who claimed that there were no changes in either arriving or departing aircraft over the communities of Fleetwood and Guildford.

In NAV Canada's 90 Day Review document there is not one reference regarding the major day time and night time airspace changes it implemented in north Surrey.

Only upon speaking out and investigation by residents of the affected communities was it determined that the aircraft arrival and departure patterns had changed significantly causing a drastic and noticeable shift in aircraft traffic and noise over this previously quiet community.

In north Surrey, prior to May 2007, arriving aircraft were being guided (vectored) by air traffic control to a waypoint HEDDE, or flew to the waypoint NEWTON before turning to approach YVR (see attachment 6).

After NAV Canada's airspace changes, a new waypoint GOREG was introduced to replace the waypoint HEDDE. Now aircraft arriving from the North and North East are flying to a waypoint GOREG. As a result Nav Canada has shifted the planes to fly over the Fleetwood and Guildford neighbourhoods. This has created a "funnel" effect where the planes are converging over this densely populated area in north Surrey as they approach YVR. NAV Canada's change has resulted in arriving North and North East traffic being moved approximately 7-9 km to the East. And this has effectively put these communities directly underneath the extended centre-line for planes arriving at YVR on the north parallel runway.

Residents in north Surrey are also impacted by night time/early morning flights. For example, on 18 February 2009, there were 7 night time flights between 11:00 - 11:30pm, and as recently as 5 March 2009, between 04:30am and 6:00am, there were 9 planes flying over north Surrey.

In addition, the 7-9 km traffic shift to the East (the redirection of planes from HEDDE to GOREG) has a domino effect. It appears to have had a substantial impact on the small private planes routes. These planes have to now fly over a new, corridor like area, and on low altitudes in order not to interfere with commercial traffic. Some residents are now exposed to constant noise from departures, arrivals and small planes noise, frequently at the same time.

Attachment 2

PETITION TO THE Government of Canada

WHEREAS:

1. In May 2007, major airspace changes were implemented in the Vancouver area that caused commercial aircraft to fly over previously quiet but densely populated areas resulting in a substantial increase in noise. Nav Canada, a private sector company that operates Canada's civil air navigation system, made this decision for the commercial benefit of the airlines and YVR while the burden is borne by the residents of Surrey and White Rock whose quality of life has been materially damaged. No Canadian community is safeguarded against such a drastic increase in aircraft noise.

2. Nav Canada's decision was made without (i) notice to affected residents, (ii) affording an opportunity for public discussion, (iii) due and proper consideration of environmental and social impacts, or (iv) full and fair consideration of available alternatives. There is no process by which Canadians can have input into Nav Canada's processes and decisions which, as in this case, can have profound social, health and economic impacts.

3. The Lower Mainland Local Government Association (LMLGA) has endorsed resolutions calling upon the Federal Government to revisit the legislative framework of Nav Canada to ensure that proper consultation takes place with affected communities and residents; and to ensure that environmental impact studies take place prior to any airspace changes.

We, the undersigned, residents of the Cities of Surrey and White Rock, British Columbia,

request the Government of Canada

To

1. Direct Nav Canada to redo its YVR airspace redesign and in doing so to,

- provide effective public notice of any proposed major airspace changes,
- provide full public disclosure of the reasons for the proposed change,
- arrange for comprehensive, independent studies to assess the impacts of the proposed change in all relevant areas including environmental (including noise), social, health and economic,
- disclose all reasonable alternatives to the proposed change,
- consult with all affected stakeholders (including communities) and conduct public hearings,
- publish its findings and the reasons for any decision,
- present and defend those findings before an independent quasi-judicial body, and

2. Modify the CANSCA to enshrine the foregoing in legislation so that **public notification, community consultation and an independent environmental assessment** are vital components whenever flight path (airspace) changes are made anywhere in Canada.

Attachment 3

UBCM resolution

Full text of UBCM (**Union of BC Municipalities**) 2008 resolution

B111 NAV CANADA CONSULTATION Surrey

WHEREAS the Aeronautical Study's changes implemented by Nav Canada on May 7, 2007 have negatively impacted many residents in the Lower Mainland;

AND WHEREAS the impacted communities and residents were not consulted during the Aeronautical Study;

AND WHEREAS Nav Canada's governance model does not require consultation with communities or affected municipalities where air traffic changes take place;

AND WHEREAS there is not currently a requirement for an environmental impact study to take place when considering airspace changes;

AND WHEREAS the Minister of Transportation will only exert authority on issues concerning air safety:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities (UBCM) call upon the federal government to revisit the legislative framework of Nav Canada to ensure that proper consultation takes place with affected communities and residents;

AND BE IT FURTHER RESOLVED that the UBCM call upon the federal government to ensure that environmental impact studies take place prior to any airspace changes.

ENDORSED BY the Lower Mainland Local Government Association & Union of BC Municipalities

Attachment 4

Proposed Amendments to Civil Air Navigation Services Commercialization Act

PLANNING AND MANAGEMENT OF AIRSPACE

Corporation may plan and manage airspace

13. Subject to the Governor in Council's right under the *Aeronautics Act* to make regulations respecting the classification and use of airspace and the control and use of aerial routes and subject to an assessment of environmental impacts, including noise pollution on populated and environmentally sensitive areas, the Corporation has the right to plan and manage Canadian airspaces and any other airspace in respect of which Canada has responsibility for the provision of air traffic control services, other than airspace under the control of a person acting under the authority of the Minister of National Defence.

CHANGING SERVICES AND CLOSING FACILITIES

Notice of changes

15. (1) Where the Corporation proposes to do anything mentioned in *section 13 and section 14* and, in the opinion of the Board of Directors of the Corporation acting reasonably and in good faith, the proposal is likely to affect in a significant group of users or the inhabitants of a municipality or regional district, the Corporation shall give notice of the proposal in accordance with this section.

Contents of notice

(2) The notice must

- (a) set out the particulars of the proposal, and
- (b) specify that persons interested in making representations in writing to the Corporation about the proposal may do so by writing to the address set out in the notice.

How notice is to be given

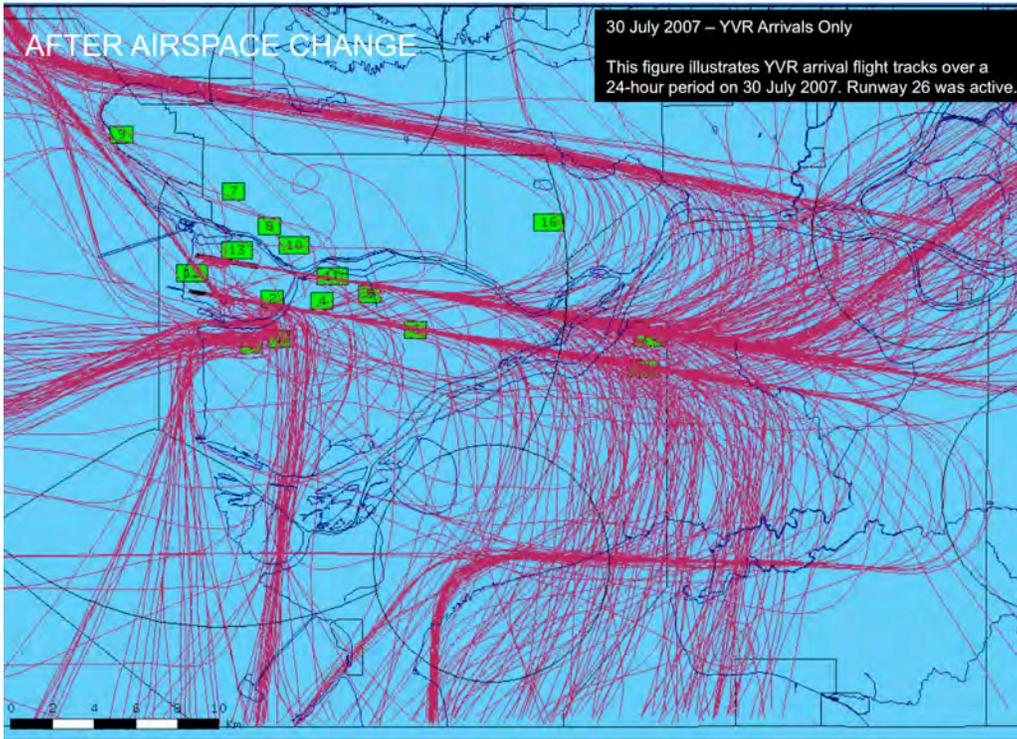
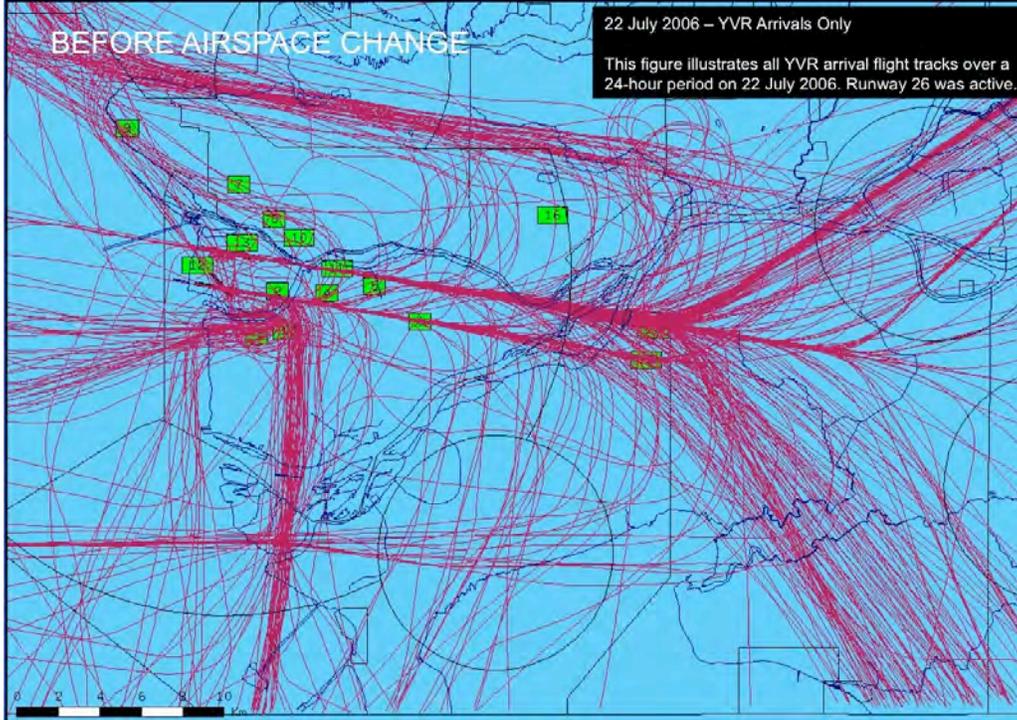
(3) The Corporation shall send, by mail or by electronic means, a copy of the notice to

- (a) representative organizations of users whose members will, in the opinion of the Corporation, be affected by the proposal,
- (b) any municipality or regional district whose inhabitants are affected by the proposal, and

(c) every user and other person who has, at least 10 days before, notified the Corporation of their desire to receive notice or announcements under this Act, and, after having done so, the Corporation shall post an electronic version of the notice in a location that is generally accessible to persons who have access to what is commonly referred to as the internet.

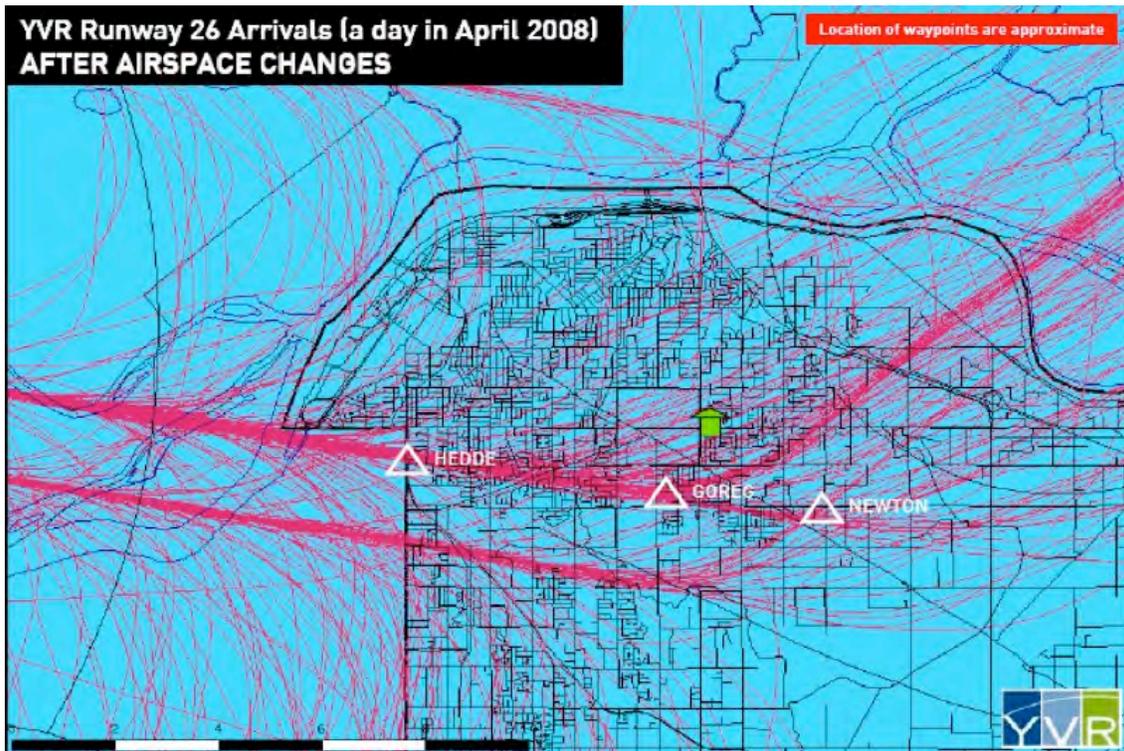
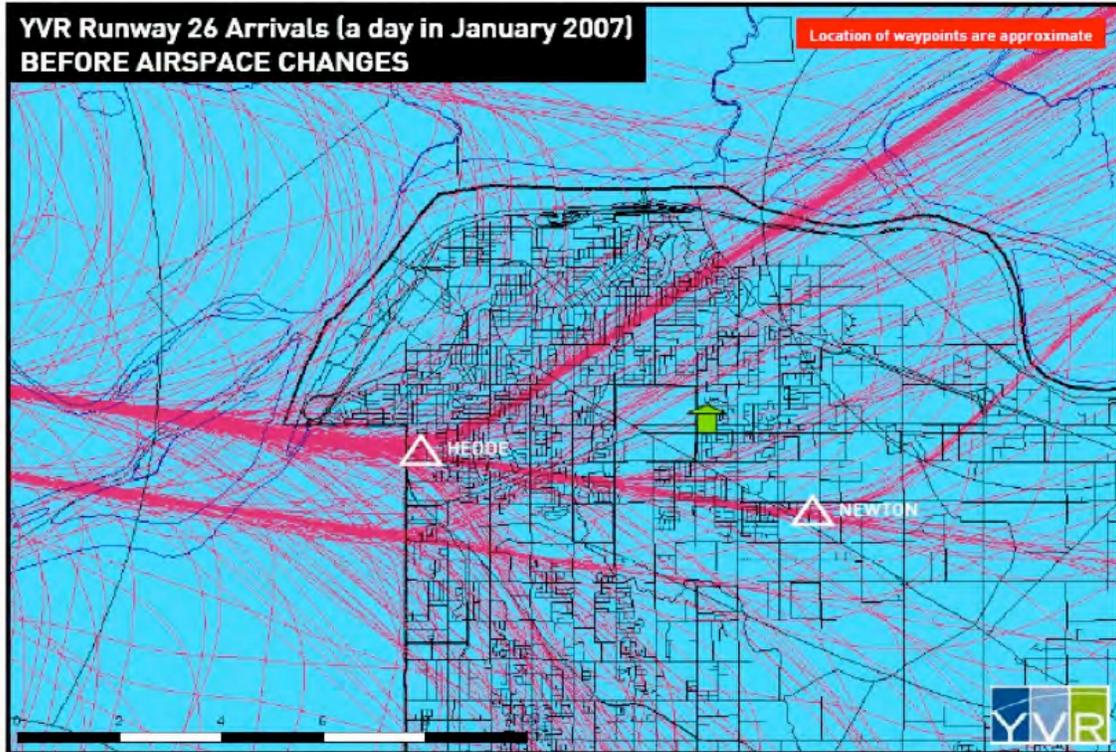
Attachment 5

Radar tracks before and after 10 May 2007 – south Surrey



Attachment 6

Radar Tracks before & after 10 May 2007 north Surrey



Attachment 7

Dates of Significant Events

10 May 2007 – Introduction of the new "GRIZZ" STAR and changes to waypoints

29 June 2007 – First article to appear in Peach Arch News about the reason for the sudden increase in airplane noise

4 September 2007 – Nav Canada meets with 10 South Surrey community representatives

10 September 2007 – Nav Canada delegation appear before Surrey City Council

14 September 2007 – Nav Canada institutes new visual route for arrivals on a trial basis

24 September 2007 – Nav Canada announced new visual route via press release

25 September 2007 – Town Hall Meeting at the Ocean Park Community Association attended by over 200 people

September 2007 – SCAANS (South Surrey Citizens' Against Aircraft Noise) was formed to represent concerns of south Surrey

October 2007 – "Letter of concern" signed by 297 south Surrey residents sent to Prime Minister Harper

8 January 2008 – Nav Canada issued its 90 Day Review document

14 January 2008 – Surrey City Council hears from Nav Canada representatives about the revised visual and STAR routes

February 2008 NAV Canada Working Group was formed by Mayor Watts (to be renamed in Nov 2008 as the Surrey Airspace Task Force (SATF))

14 February 2008 – Publication of the visual route (formalizing what was only on a trial basis) and the revised "GRIZZ" STAR

July 2008 Nav Canada meets with Surrey mayor and delegation, rejecting all recommendations put forward by Surrey

04 September 2008, CAPS (Calm and Peaceful Skies), a North Surrey citizens' group was formed

October 2008 Radar tracks become publically available

05 December 2008 NAV Canada and YVR meet with CAPS and a group of North Surrey community leaders in MP Nina Grewal's constituency office.

05 December 2008 Nav Canada and YVR meets with SCAANS

Attachment 8

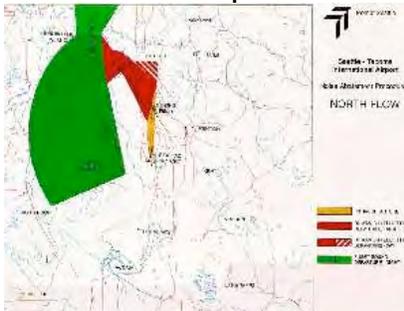
SeaTac Noise Abatement Procedures Program

What are noise abatement procedures?

Noise Abatement Procedures are specific headings and altitudes for airplanes to fly in order to minimize noise impacts. Over the years, Noise Abatement Procedures were established by the Federal Aviation Administration (FAA) in cooperation with the Port and local communities. These procedures were designed to minimize jet overflights of residential neighborhoods by taking advantage of existing geographical and compatible land use conditions where possible. The Duwamish Industrial Area, Elliott Bay and Puget Sound provide some opportunities for aircraft to over-fly non-residential areas to the north of Sea-Tac Airport. The attached maps depict the Noise Abatement Procedures that are used to the maximum extent possible, air traffic conditions permitting. These maps are not intended to show actual flight tracks, only the corridors that are monitored for arrival and departure noise abatement procedures. These are not all the flight corridors, only those specifically related to noise.

North Flow

North Flow map



The North Flow map shows the corridors used when jet aircraft depart Sea-Tac to the north. The Initial Departure Corridor, shown in yellow, is intended to confine departing aircraft to the narrowest flight path possible. During the busier daytime hours, currently 6:00 a.m. to 10:00 p.m., aircraft will proceed from the Initial Departure Corridor into the Duwamish/Elliott Bay Corridor. This is the solid and hashed red colored area, from which aircraft may turn east or west. If traffic conditions allow when turning west, the airplanes are directed over Elliott Bay. Before starting their turn to the east, jets first fly eight nautical miles (NM) north and reach an altitude of 4,000 feet.

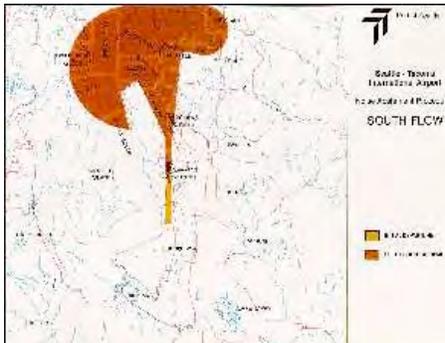
During the less busy night time hours, currently 10:00 p.m. to 6:00 a.m., jet aircraft are directed over the solid red colored area of the Duwamish/Elliott Bay Corridor and proceed west. Once out of Elliott Bay, the aircraft are turned north

or south in the green colored areas, which are designated as the Puget Sound Departure. Jets remain over Puget Sound until reaching a specific altitude or distance from the Airport before turning east or west over the shoreline.

When flying north over the Sound, the aircraft must reach an altitude of 10,000 feet or a point 20 NM from the Airport before turning east. When turning west, aircraft must reach the 20 NM point at or above 10,000 feet before starting their turn.

When heading south, the aircraft must remain west of the shoreline until crossing the SEA 220-degree radial before starting a turn to the east. (This area is depicted by the straight edge portions of the dark green section on the map.)

South Flow



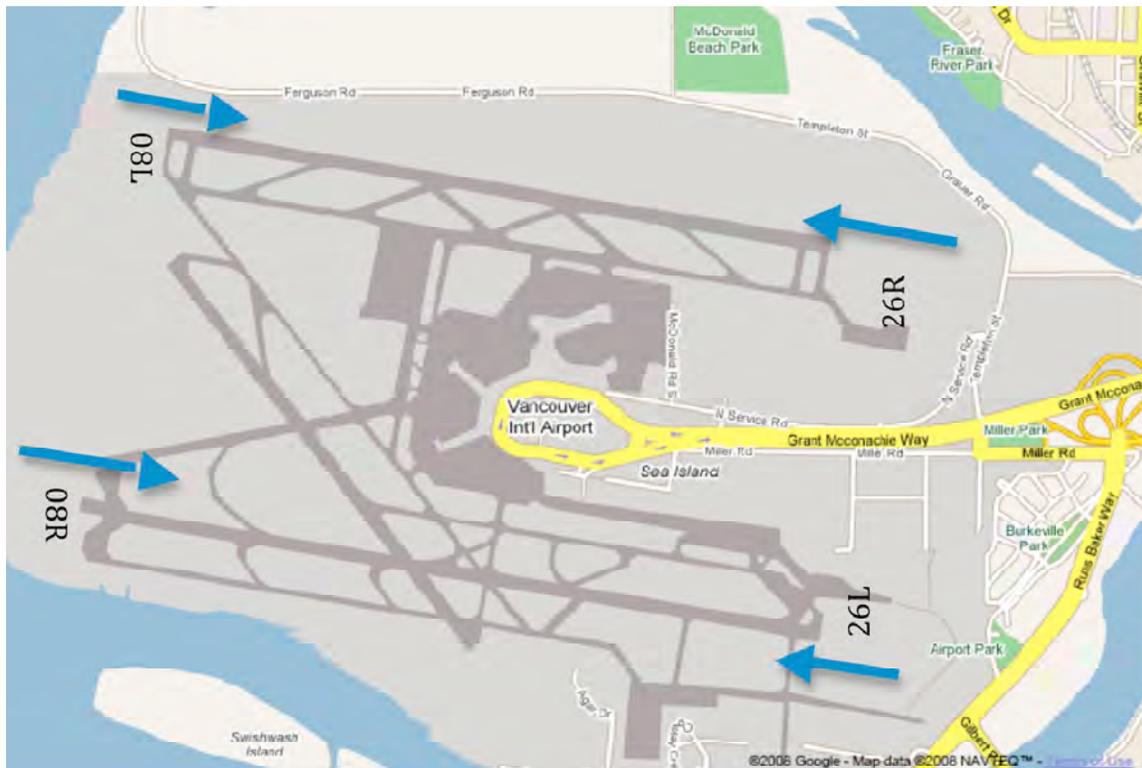
The South Flow map shows corridors used by aircraft arriving from the north over the city of Seattle and departing to the south. The large orange colored area is the Puget Sound Arrival. The objective of this procedure is to have jet aircraft fly over or to the north of Elliott Bay. The yellow colored area south of the Airport is the Initial Departure Corridor, which is intended to confine departing jets to the narrowest flight path possible. Aircraft remain in this corridor until they are 5 NM from the Airport at an altitude of 3,000 feet. Once out of the initial departure corridor they can either continue south or start a turn to the east or west.

Attachment 9

Runway 26/Runway 8 operations

Runway 26 departures – aircraft take off to the west (out to sea)
Runway 26 arrivals – aircraft land to the west

Runway 8 departures – aircraft take off to the east
Runway 8 arrivals – aircraft land to the east



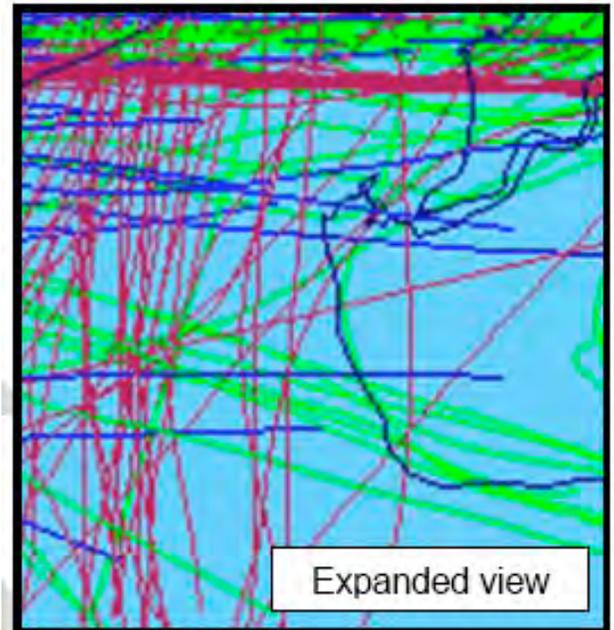
Attachment 10

Traffic over Semihamoo Peninsula

The April 14th track sampling below is subsequent to the February 14 2008 revisions made by Nav Canada in an attempt to reduce the noise concerns. This illustrates clearly that arrivals (in red) and departures (in blue) continue to overfly the peninsula.



YVR Traffic – April 14, 2008



Attachment 11

Review of Nav Canada Response to the City of Surrey Recommendations regarding Noise Mitigation Options October 2008

Summary

Services (ATS) and aircraft flight patterns is an extremely complicated matter, made more so by the challenging local conditions. For this reason a cooperative approach bringing all areas of expertise together with local stakeholders, including affected communities, was felt desirable. Unfortunately, Nav Canada expressed an unwillingness to participate in the process at the time. As a result, the original study aeronautical study did not consult the local communities, and the previous City of Surrey report could not include Nav Canada's valuable input.

It is the desire of all affected communities, including the City of Surrey and its citizens, and the other affected parties to work cooperatively and constructively to reach workable solutions to the issues discussed. It is realized by all reasonable parties that not every perceived problem can be resolved to everyone's full satisfaction. There are, however, always options to any problem. The will to address the problems and find reasonable compromises and solutions depends on the willingness to work towards those solutions.

Given the lack of a real demonstrated commitment to actively work with the local communities, all indications are that Nav Canada will continue with a policy that is perceived as contrary to what was stated in their July 2008 written response to "take a balanced approach that is sensitive to the impact of aviation noise on residents of the area" and a have a "willingness to make changes".

How the company conducts its business and operations is entirely its own prerogative. It is the author's opinion that Nav Canada is currently operating totally within its legal ability to manage the country's airspace and that there are currently no current legal mechanisms to require it to do otherwise. The decision to not consult local communities was the decision of Nav Canada senior management. Any decision whether or not to conduct further studies and implement operational revisions is also theirs. The ultimate responsibility therefore rests entirely with them.

Attachment 12

Australian Government Civil Aviation Safety Authority (CASA)

Office of Airspace Regulation (OAR)

Environmental aspects of airspace changes

Introduction

Under both the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and the Civil Aviation Act 1988, the OAR is required to ensure that proposed changes to airspace adequately consider environmental implications. In order to achieve this, the OAR considers environmental implications and environmental business risk at each stage of the airspace change decision making process.

Section 9A of the Civil Aviation Act states that:

CASA must exercise its powers and perform its functions in a manner that ensures that, as far as is practicable, the environment is protected from:

- * the effects of the operation and use of aircraft; and
- * the effects associated with the operation and use of aircraft.

Assessment of Environmental Implications

Factors that are considered within the scope of environmental assessment include, but are not limited to, **aircraft noise**, privacy and visual intrusion, vibration, emissions, interactions with wildlife, impact on people and communities, threatened species, migratory species, Ramsar wetlands, Commonwealth marine environment, World Heritage properties, National Heritage Places and National Parks.