



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Office of Airports

777 S. Aviation Blvd., Suite 150
El Segundo, CA 90245

February 28, 2020

Joe Simitian
President
Board of Supervisors
County of Santa Clara
70 West Hedding Street
East Wing, 10th Floor
San Jose, CA 95110

RE: Reid Hillview Airport

Dear Supervisor Simitian:

This letter serves as the Federal Aviation Administration's (FAA) response to the County of Santa Clara Roads & Airport Department (County) Director, Harry Freitas' November 8, 2019, letter (County's Letter). Mr. Freitas responded to the FAA's October 18, 2019, letter to the County of Santa Clara Board of Supervisors (Board) regarding ongoing airfield safety conditions at the Reid-Hillview Airport (RHV).

Thank you for your follow up. The FAA has concerns regarding several statements contained in the County's letter and the resultant safety philosophy of the Board. Each of the FAA's concerns are discussed below.

RHV Airport Safety Discrepancies

The FAA appreciates the Board's update about its progress in correcting FAA-noted discrepancy items, including a recently completed paving and marking project. The Board's response, however, is deficient because it does not address all of the previously identified discrepancies in the FAA's October 18, 2019, letter. These discrepancies pertain to findings based on airfield inspections conducted by State of California (State) and Federal airport safety inspectors. These findings, characterized in the County's Letter as "perceived discrepancies", represent the judgment and perspective of specially trained State and Federal airport inspectors, representing many years of aviation experience.

As you are aware, the FAA's mission is to provide the safest, most efficient airspace system in the world. One of the ways the FAA ensures a safe and efficient national airport system is through the Airport Improvement Program (AIP), which provides financial assistance to local airport owners, like the County, to address, purchase, or maintain safety related infrastructure. In addition, the FAA is responsible for ensuring airport owners operate and maintain their airports in accordance with Federal grant assurances (AIP Grant Assurances). For example, AIP Grant Assurance 19, *Operation and Maintenance*, requires the County, as the airport owner, to operate and maintain RHV's aeronautical facilities, including airfield pavement, in a safe and serviceable condition, in accordance with the standards set by applicable Federal, State, and local agencies.

The County's Letter appears to downplay the safety concerns brought forth by both the FAA and Caltrans Aeronautics. We think it is inadvisable for the County to substitute its own perceptions of the documented findings in our October 18, 2019, letter. Our findings regarding the current airfield condition at RHV were presented by qualified State and Federal aviation inspectors. Should an aircraft incident or accident occur at RHV, State and Federal inspection findings may call into question your current position that RHV runway and signage conditions do not constitute an airfield safety risk. The FAA strongly reiterates to the Board that the data and correspondence among the County, State and the FAA show that the County has repeatedly been made aware of airfield discrepancies pertaining to airfield safety.

On August 16, 2019, our Lead Airport Certification and Safety Inspector, Ms. Charlotte Jones (Inspector Jones), conducted an airfield inspection at RHV. The FAA recognizes that RHV is not a certificated airport under 14 Code of Federal Regulations (CFR) Part 139; however, airfield marking and signage standards found under FAA Advisory Circulars apply to both Part 139 airports and general aviation airports like RHV. On August 27, 2019, Inspector Jones sent the County a follow-up letter that identified numerous airfield signs that do not meet FAA standards. Inspector Jones identified faded sign panels found throughout the airfield, some of which had delaminated sign faces. She also found non-standard signs on the airfield with an inscription consisting of a single arrow only, and one sign with the inscription PARKING. All of the inspection findings are included in the attached letter.

Records provided by the FAA's Office of Runway Safety (Runway Safety), show that RHV sustained ten (10) Runway Incursions (RI) and five (5) Surface Incidents (SI) between October 1, 2018 and January 18, 2020. Of the 15 events, four Pilot Deviations (three RI's and one SI), Runway Safety determined that the signs and markings control barriers were not successful in preventing runway incursions. It is the FAA's opinion that any runway incursion or safety-related event linked to existing airfield infrastructure deserves careful research and scrutiny to determine if corrective actions may be applied to prevent future unsafe events.

Considering that Runway Safety determined that four previously mentioned RI's and one SI may be linked to RHV signs and markings issues, the FAA seriously questions the County's implication that the State and FAA's identified airfield discrepancies are exaggerated.

Given the recent rash of Runway Incursions, the FAA plans to conduct a Runway Safety Action Team (RSAT) meeting at RHV on March 10, 2020. The purpose of the RSAT is to bring attention to the aforementioned conditions at RHV and seek stakeholder assistance in identifying things the County, State, airport users, and FAA can do to address current risk factors. We look forward to working with the Board in addressing recommendations resulting from this RSAT.

RHV Airport Design Standards

In the County's Letter, Mr. Freitas asserts that nonstandard discrepancies identified from State inspections are safe and acceptable, presumably because they were originally funded and approved by the FAA, several years ago. The FAA agrees that several design standards are different today from when FAA-funded construction projects were completed at RHV. Older airports and airport infrastructure that do not meet all design standards may be considered safe when special procedures are implemented by the airport owner and/or air traffic control, to maintain adequate separation of aircraft and other traffic present on the airfield. In the case of RHV, we believe the County can and should make efforts, whenever practical, to meet current airport design standards by addressing nonstandard discrepancies.

We remind you of the County's obligation to meet AIP Grant Assurance 19, *Operation and Maintenance*. This means the County, as a federally obligated airport sponsor, has to maintain RHV in a safe and serviceable condition and in accordance with applicable State and Federal airport design standards. AIP funding is available to help the County meet these requirements. However, regardless of the chosen funding source, the County is required to comply with all applicable AIP Grant Assurances that are currently in effect.

County Preparation for RHV Closure

Mr. Freitas articulated in the County's Letter that the Board has not made a decision on whether to close RHV. However, on December 4, 2018, the Board passed an update to the Business Plan for County Airports, directing County administration to perform 11 items of work, including the adoption of a policy statement that the County would no longer apply for Federal AIP grants for RHV. The FAA believes that the Board's December 2018 actions, along with your recently announced plans to host community workshops to explore the community's vision on the possibilities for the RHV site, show intent by the Board to close RHV after 2031. As stated in previous letters, the FAA does not support the closure of RHV.

Potential Community Impacts Should RHV Close

In Federal Fiscal Year (FY) 2019 (October 1, 2018 through September 30, 2019), 197,215 total flight operations occurred at RHV. This represents an increase of about 14% over the previous FY. Should RHV close, where will these operations go? The Board suggests that San Martin Airport (E16) can accommodate these displaced users; however, the FAA's October 18, 2019 letter clearly explains that E16 does not have the facilities to support the displaced tenants and will not be a viable option should RHV close. Other airports in the area with an Airport Traffic Control Tower (ATCT) include Norman Y. Mineta San Jose International Airport (SJC), Palo Alto Airport (PAO), San Carlos Airport (SQL), San Francisco International Airport (SFO), Livermore Airport (LVK), and Hayward Executive Airport (HWD).

The FAA is interested in reviewing the Board's analysis showing how the 197,215 aircraft operations currently at RHV will be accommodated if RHV were to close. Today, RHV serves an important role as a reliever airport to SJC and SFO. In other words, RHV serves a substantial number of student pilots and users with smaller and slower aircraft, thereby providing an airport for users who would otherwise operate out of larger airports like SJC and SFO. As an important reliever airport, RHV helps the FAA prevent the comingling of small, slow aircraft with large, faster aircraft like corporate jets and commercial airliners, thereby ensuring safer operations for all aviation users, including the travelling public. We think the community should fully understand how the closure of RHV will impact operations at larger, busy airports like SJC and SFO, particularly since other small airports like PAO, SQL, LVK, and HWD may have limited space to accommodate users who would be displaced from RHV if it were to close. In addition, given the airspace constraints in the Bay Area, closing RHV may introduce noise and other potential environmental impacts to neighboring communities as the comingling of small, slower aircraft and commercial jets at busy airports like SJC or SFO could trigger a need for establishing new routes.

In closing, the FAA looks forward to working with the Board to resolve existing safety issues at RHV. We will follow up with the Board after the RSAT meeting on March 10, 2020, to obtain an action plan for addressing recommendations brought forth from that meeting. The FAA strongly encourages the Board to abandon plans for closure of RHV and to consider the adverse impacts to neighboring communities should your actions result in the displacement of 197,215 aircraft operations currently utilizing RHV.

If you have questions regarding this letter, please contact Brian Armstrong, FAA Manager, Safety and Standards Branch, at (424) 405-7303 or Laurie Suttmeier, FAA Manager, San Francisco Airports District Office, at (650) 827-7600.

Sincerely,



Mark A. McClardy
Director, Office of Airports
Western-Pacific Region

Enclosures: August 27, 2019 letter from FAA Inspector Charlotte Jones to County

cc: Mike Wasserman, County of Santa Clara, Supervisor, District 1
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