



Minutes

- Date:** December 3, 2008
- Location:** GTAA Administration Building, 3111 Convair Drive, Pearson Rooms A & B
- Chair:** Toby Lennox, Vice President, Corporate Affairs and Communications
- Attendees:** Paul Clarke, City of Toronto Resident Maja Prentice, City of Mississauga Councillor
 Dante DiGiulio, City of Mississauga Resident Tina Rizzuto-Willan, City of Mississauga Resident
 Olivia Gondek, alternate for City of Toronto Councillor Rob Ford John Sprovieri, City of Brampton Councillor
 Brad Green, City of Brampton Resident Gordon Stewart, City of Mississauga Resident
 Larry Perlman, City of Toronto Resident
- Regrets:** Sue McFadden, City of Mississauga Councillor
 Richard Poersch, City of Brampton Resident
- Technical Members:** GTAA: Diana Dolezal, George Thackray, Eric Tolton Transport Canada: Clifford Frank, Robbi Jordan
 NAV Canada: S. Ghobrial, John Golden, Dave Mastel Christina Lo, Staff Representative, City of Brampton
- Secretariat:** I. Hawrylyshyn, N. Lucivero, K. Stefanazzi
- Also Present:** Patricia Barboza, GTAA Kevin Ackroyd, Federal Express
 Francine Donaldson, GTAA S. Asotra, Resident
 Derek Gray, GTAA L. Balmer, Resident
 Aleem Kanji, GTAA A. DiPasquale, Resident
 Wil MacMillan, GTAA S. Fleming, Resident
 Keith Medenblik, GTAA B. Rutherford, Morningstar Air Express
 Cynthia Woods, GTAA
- Attachments:** CENAC Information Update, February 2008
- Next meeting:** February 18, 2008

Item	Details
1.0	Preliminary Items
1.1	<i>Welcome and Roll Call conducted by I. Hawrylyshyn</i>

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1.2	<p><i>Agenda was approved as presented</i></p> <p>Tina Rizzuto-Willan moved and Brad Green seconded.</p> <p>Agenda item 2.1 will include a presentation from W. MacMillan regarding a new winter operation at Toronto Pearson.</p>
1.3	<p><i>Review and approval of October 1, 2008 meeting minutes</i></p> <p>Gordon Stewart moved and Tina Rizzuto-Willan seconded.</p>
1.4	<p><i>Matters Arising from Previous Minutes</i></p>
1.4.1	<p>October 2008, L. Perlman brought several motions before the committee. These motions were discussed in Section 3.1.</p>
1.4.2	<p>October 2008, Councillor Carlson requested that aircraft noise warning signs be altered in Ward 11. The community submitted a signage design for the committee to review. The GTAA has met with Councillor Carlson and Tina Rizzuto-Willan since that request. Councillor Carlson will request City staff to redesign and present to CENAC for approval.</p>
1.4.3	<p>October 2008, G. Stewart requested that the GTAA have a runway map projected onto the screen at future meetings. A map will be made available at meetings.</p>
1.4.4	<p>June 2008, G. Stewart requested information regarding best practices. GTAA shall review best practices at other airports and provide information in 2009.</p>
1.4.5	<p>June 2008, B. Green requested that T. Lennox meet with the Mayor of Brampton. Mr. Lennox met with the mayor, as requested. This item is closed.</p>
1.4.6	<p>April 2008, R. Poersch inquired about operating extensions and samples. This will be part of the Enforcement Process presentation at the February CENAC meeting.</p>
1.4.7	<p>February 2008, G. Stewart inquired about the violations complaint process. This will be part of the Enforcement Process presentation at the February CENAC meeting.</p>
1.4.8	<p>February 2008, the CENAC sub committee made several recommendations, including that the newly drafted noise brochure be distributed to the CENAC committee for review. The GTAA e-mailed a pdf copy of the noise brochure (final version) and noise management report (in draft) to committee members for review. The annual report will be sent when completed.</p>

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2.0	Regular Items
2.1	<i>Committee Information Update</i>
	<p>W. MacMillan: The GTAA reviewed the viability to change aircraft ground flows that support the Runway 15L and 15R operations in deicing, weather, and other conditions that impact flow. Under such conditions, the new runway configuration will be to land on Runway 15L and depart from Runway 15R. From a noise perspective, this configuration is different from the standard process of landing on Runway 15R and departing from Runway 15L. The new flow reduces taxi delays and runway crossing, which results in improved safety, capacity and efficiency. This is a winter operation which will only be implemented when there is significant backup due to weather and other conditions. The airport will resume departure operations on Runway 15L as soon as it is safe to do so.</p> <p>Councillor Prentice questioned why more arrivals are on Runway 33L than on Runway 33R, as she was under the impression that aircraft arrivals were to be equally divided between these two runways.</p> <p>W. MacMillan: Runway 33L was constructed primarily as an arrival runway as opposed to a departure runway to minimize noise impacts and therefore predominant use is for arrivals on Runway 33L and departures on Runway 33R.</p>
3.0	Discussion Items
3.1	<i>Decisions on Motions from Larry Perlman</i>
3.1.1	Motion #1: third party legal opinion regarding land lease & powers of NMC
	<p>Section 8.12.02 of the GTAA's Ground Lease states "...the mitigation of noise emanating from aircraft...is a part of the mandate of a noise management committee..." Section 8.12.03 states that "the tenant shall be responsible for dealing with and shall, in accordance with its powers deal with any noise complaints and for determining the need for and undertaking noise monitoring related to aircraft operations within a distance of ten (10) nautical miles..."</p> <p>In addition, the terms of reference state the "advisory" capacity, "consultative communication", "forum for discussion", "make recommendations" and "advise" role of the committee NO LESS THAN SIX times, while the Ground Lease does not refer to the advisory role (or anything similar) of the committee AT ALL.</p> <p>In addition, the committee has not voluntarily relinquished any powers to the GTAA – the advisory role of the committee was ASSUMED from the commencement of the Land Lease.</p>

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Therefore, MOTION to seek a third-party legal opinion, paid for by the GTAA, to determine what powers (if any) the committee has in mitigating aircraft noise and instructing the GTAA on noise-related issues. RECORDED VOTE REQUESTED.

October 28 Response from GTAA

GTAA Recommendation: A legal opinion would be unnecessary and not helpful for several reasons. It is the GTAA's view that CENAC can only act in an advisory capacity to the GTAA and that there is nothing in the Ground Lease that suggests or mandates otherwise. Section 8.02.01 of the Ground Lease requires that the GTAA "alone and not in partnership with any other person" manage, operate and develop the airport in accordance with the terms of the Lease. Sections 8.11 and 8.12 of the Ground Lease provide that it is the GTAA which is required to deal with issues of noise and that this duty and responsibility cannot, in light of Section 8.02.01 of the Ground Lease be delegated to any other party.

However, regardless of the Terms of the Ground Lease, it should also be noted that all noise advisory committees established pursuant to the standard Ground Lease at airports across the country act in an advisory capacity only. This reflects the impracticality of assigning responsibility for airport operations to another body. The GTAA, for example, regularly attempts to balance out the demands for airport operations and the resulting noise produced by such operations against competing budgetary demands such as airport capital expenditures and operating and maintenance costs. The GTAA must do so on limited resources and thus must be in a position to manage all aspects of the airport. To delegate elements of airport operations to another body who need not respect or be informed of the management of other aspects of managing the airport would be irresponsible.

CENAC Meeting Ruling for motion #1: This motion did not have a seconder.

3.1.2 Motion #2, officially state CENAC's position regarding added FEDEX night flights

The expanded night flights by FEDEX was brought before CENAC in April and was considered a "done deal", despite opposition by members of CENAC.

In addition, no vote was taken concerning the added flights. Past committees have also voiced opposition regarding the FEDEX night flights overall.

Therefore, MOTION to put to a vote CENAC's disapproval of added night flights AND FEDEX night flights in general. RECORDED VOTE REQUESTED.

In the event that the majority of CENAC members are against the added flights and/or FEDEX night flights overall, a FURTHER MOTION to write a letter to the CEO of the GTAA and GTAA Board of Directors demanding the cancellation of the FEDEX agreement as soon as contractually possible. RECORDED VOTE REQUESTED.

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October 28 Response from GTAA

GTAA Recommendation: Night operations at Toronto Pearson Airport are a reality, and have been so since prior to the GTAA assuming the management, operation and development of the Airport itself. At present, there are some 12,000 operations during the restricted hours in any given year. These operations are comprised of scheduled operations, extensions and many operations that are not controlled by the GTAA, including Medivac, police and weather and mechanical diversions. Included in the night flight budget are cargo operations. These operations are an integral part of the region's economy, as the community becomes more and more reliant upon just-in-time deliveries and the shipment of valuable goods, merchandise and documents by air. The GTAA has taken a responsible approach to the initiation of the flights by FedEx and its operator Morningstar through implementation of specified procedures to mitigate noise impact. Morningstar has proven to be a responsible and effective operator and has complied with the requirements established by the GTAA and discussed with the CENAC Committee.

The GTAA takes no position with respect to the additional motion concerning a letter to the Board of Directors. The members of CENAC should be aware that the minutes of the CENAC are already provided to the members of the Board of Directors, so the Board is well aware of the proceedings of the committee and the issues before it. In addition, noise and the management of noise is the responsibility of the Environment, Health and Safety Committee of the Board of Directors. A committee of the Board of Directors, the Environment, Health and Safety Committee receives regular briefings on environmental and noise issues as part of its mandate.

Discussion ensued on November 18 (Councillor Prentice)

Motion 2: What is the number of flights allowed within the GTAA night flight budget. Do the FedEx flights fit into this budget? (Councillor Prentice)

GTAA Response to discussion on November 18

The annual budget is based upon an October 31 year end. The number of flights allowed for the year ended October 31 was 12,529, while the allowable budget for this period was 12,948 flights. All flights that are flown in the restricted hours are included in the calculation of the budget. Therefore, the FedEx flights are included in the calculation to determine compliance with the budget.

CENAC Meeting Ruling for motion #2: This motion did not have a seconder.

3.1.3 Motion #3, designation of CENAC co-chair

An ad-hoc sub-committee recommended the designation of a Co-Chair in order to represent the needs of community members and keep up-to-date on various issues brought up between CENAC meetings. The current CENAC chair was not in favour

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and the issue was put aside.

Therefore, MOTION to designate a Co-Chair of CENAC, with roles and powers to be determined at a later date. RECORDED VOTE REQUESTED.

October 28 Response from GTAA

GTAA Recommendation: The GTAA does not see the need for a co-chair, especially one whose role is undefined. The traditional role for a “co-chair” is to ensure that one individual is always available to chair a meeting. The concept of a “dual role” for chairs is certainly unusual and is likely to be a complicating factor in the conduct of the committee’s business. The GTAA has managed the chair of the CENAC for many years and is looking for ways to enhance the effectiveness of the committee. The GTAA’s role in chairing the committee is derived from the fact that the GTAA is the operator of the airport and therefore responsible for the management of noise and the handling of noise complaints. Therefore a chair other than a GTAA representative particularly given the points raised in No. 1 would have no authority to dictate tasks to members or make decisions on behalf of the GTAA.

Discussion ensued on November 18 (Councillor Prentice)

Motion 3: My understanding is that any member of CENAC can contact the Chair and request an item be placed on the Committee Agenda. Is this correct? Has any member in the term of your Chairmanship contacted you to add items to Agendas? If so, who?

GTAA Response to discussion on November 18

Your understanding is correct. The Terms of Reference under Procedures/Operations state that “Items of discussion should be submitted to the Chair prior to the meeting” therefore any member of CENAC can contact the Chair to request that an item be added to the Agenda. In the time that I have been Chair—i.e. since May of 2007—the Resolutions that we are currently considering are the only items that have been formally added to the Agenda at the request of members. As you are aware, however, items to be included at future meetings are often discussed at meetings of CENAC, so, to some extent, the Agenda is developed in a collaborative fashion

CENAC Meeting Ruling for motion #3: This motion did not have a seconder.

3.1.4 Motion #4, use technology and GTAA resources for better communication

GTAA news does not utilize technology in the most efficient manner. A person looking for information must either contact GTAA or go on the website (i.e., no “push” technology). In addition, EAairport membership for CENAC members cannot be used effectively due to unresolved technical problems.

Therefore, MOTION to get GTAA technical staff to design an email notification service to push news to individuals by subscription. RECORDED VOTE REQUESTED. In addition, MOTION to put EAairports on technical priority list. RECORDED VOTE

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REQUESTED.

October 28 Response from GTAA

GTAA Recommendation: The GTAA does not have an objection to this resolution. We ask for the committee's patience in these matters. The GTAA is currently undertaking a complete review of the GTAA's web presence. The committee's views on this will be brought to the attention of the GTAA's IT&T department who will be asked to respond to the committee's suggestions in this regard.

Discussion ensued on November 9 and 18 (Tina Rizzuto-Willan and Councillor Prentice)

Motion 4: What is the timing involved in the GTAA IT&T Recommendations?

GTAA Response to discussions on November 9 and 18

The GTAA is about to undertake a complete review and analysis of its web presence. This review is of both our internal and external web presence. This is a significant undertaking and therefore it would be premature to give any precise schedule at this point. It is my view that we have not taken advantage of the tools available through an enhanced web presence. I invite the CENAC to assist in determining their own requirements for providing information, discussion and other interaction over the Web.

December 3 CENAC Meeting

The GTAA is currently reviewing the GTAA web presence and will survey best practices at other airports. The GTAA is requesting CENAC input.

CENAC Meeting Ruling for motion #4: This motion did not have a seconder.

3.1.5 Motion #5, increase the number of CENAC meetings

Increase CENAC Meetings To Ten Meetings Per Year, suspend members' voting privileges if they miss two meetings in a row, suspend membership if five meetings missed within one year, and require Councillor members to attend meetings a minimum of five times per year if using alternates.

Many CENAC members have not taken their role seriously, with many choosing not to attend at all. Sending a letter to the community's City Council is not sufficient. Therefore, MOTION to do the above. RECORDED VOTE REQUESTED.

October 28 Response from GTAA

GTAA Recommendation: The GTAA sees no merit in doubling the number of committee meetings. It is not clear that there is a need to increase the number of meetings of the committee. Moreover, the GTAA is concerned that, with this level of commitment over time participation in the committee by committee members may decrease. Reduced attendance is not unreasonable as the demands on the time of the committee members could be onerous if the number of meetings were doubled. At

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present, the GTAA hosts 15 consultative committee meetings a year— comprised of CENAC, the Community Consultative Committee and the Consultative Committee on Taxicabs and Limousines. We would be reluctant to extend these resources to accommodate more meetings when it is far from clear that these additional meetings would provide value.

With respect to discipline for non-attendance, the GTAA has in the past referred non-attendance of members to their respective nominating councils. We will continue to do so, but we would not be in favour of suspending membership or truncating voting rights. The technical awareness required by members is cumulative and not quickly replaceable.

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T. Lennox indicated that the GTAA will adhere to the terms of reference, inform the committee when councilors miss two consecutive meetings, and report CENAC attendance at every meeting.

Councillor Prentice indicated that the regular meeting schedule has been sufficient for CENAC to manage business and address important issues. G. Stewart outlined that there is great disparity in the background knowledge of new CENAC members and suggested that the GTAA develop a training program for new members. T. Lennox agreed to adopt this suggestion.

CENAC Meeting Ruling for motion #5: This motion did not have a seconder.

3.1.6 Motion #6, immediately reinstate early turns procedure expansion

The cancellation of the ETP expansion was made without the authorization of CENAC. In fact, it was clear, since the June 2008 CENAC meeting, that noise issues can be resolved OUTSIDE CENAC's authority.

Therefore, MOTION to reinstate ETP Expansion immediately and continue program for the one year trial period. CENAC will provide evaluation of program and decide on its long-term viability. RECORDED VOTE REQUESTED.

October 28 Response from GTAA

GTAA Recommendation: The GTAA does not support this recommendation. As mentioned earlier, the GTAA does not require the authorization of CENAC to make an operational decision as CENAC plays an advisory role to the GTAA. Moreover CENAC had instructed the GTAA to monitor noise complaints derived from the ETP expansion. The GTAA did so. In our view the public reaction to the ETP does not warrant the reinstatement of the trial. Moreover, preliminary data from the trial suggests that the emissions savings do not, at the present time, warrant the additional noise impact. Of more concern to the GTAA is the underlying suggestion that it should be the policy of the GTAA that the noise produced by aircraft be spread over a larger area. It is not

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clear why this would be of any benefit to the GTAA or to the public. In practice, this approach would likely be unsafe and operationally impractical.

CENAC Meeting Ruling for motion #6: This motion did not have a seconder.

3.1.7	Motion #7, suspension of all environmental issues until noise issues are resolved
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Although welcomed by most CENAC members, the additional environmental responsibilities have become a distraction. In addition, given the lack of time to discuss the FEDEX and ETP issues within CENAC's timetable, it may make more sense at this time to suspend any discussion of environmental issues until ALL noise-related issues are dealt with.

Therefore, MOTION to temporarily suspend all environmental issues for the time being. RECORDED VOTE REQUESTED.

October 28 Response from GTAA

GTAA Recommendation: The GTAA does not support this recommendation for several reasons. Firstly, as has been discussed, there is an inevitable interconnection between noise and the environment through emissions. Therefore, the two issues are inextricably linked. Secondly, further regulation of aviation's impact on the environment is also inevitable and it will be crucial for the GTAA and the community to have a forum for informed debate and discussion on this matter. Finally, it is not clear that the agenda of CENAC is too crowded to deal with noise and environment issues, to the extent that the two issue areas can be distinguished one from the other. The agenda of the committee is flexible and can accommodate the priorities of the committee from time to time. It would be unfortunate, at this juncture, to send a message that environmental issues are not of importance to the committee.

CENAC Meeting Ruling for motion #7: This motion did not have a seconder.

3.1.8	Motion #8, cancellation of the Lufthansa cargo flights
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MOTION to cancel the Lufthansa Cargo contract immediately, based on the GTAA's disregard for considering the noise impact of the flights and not bringing the contract before CENAC (the committee mandated by the GTAA to mitigate noise issues) prior to its approval. Recorded vote requested.

October 28 Response from GTAA

GTAA Recommendation: The GTAA is not required to bring commercial agreements to the CENAC for prior approval. To do so would change the nature and role of the CENAC which, for reasons discussed above, would be impractical and ineffective. As discussed with the CENAC, we sincerely regret not being able to bring this matter to the CENAC prior to commencement of operations. Again, night operations are an inevitable part of the operation of the airport. Approximately 12,000 operations occur

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during the restricted hours on an annual basis. The GTAA makes every attempt to ensure that these operations are conducted in a safe and responsible manner, balancing the operational and economic need for these operations with their noise and environmental impact.

Discussion ensued on November 18 (Councillor Prentice)

Motion 8: Do the Lufthansa Cargo flights fit within the GTAA's night flight budget?

GTAA Response to discussion on November 18

As mentioned above, all flights within the restricted hours are counted against the budget set by Transport Canada. Therefore, the Lufthansa flights are included in the calculation.

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J. Sprovieri suggested that the CENAC motion to strongly recommend the GTAA to encourage Fedex to use quieter, more modern aircraft.

The GTAA has indicated to Fedex on numerous occasions that the hushkitted 727 used for this flight is too noisy. Fedex is in the process of converting their fleet to a much quieter 757; however, the present availability of aircraft does not make it possible with purchase of new 757 aircraft about two years away. The GTAA allowed this operation because Fedex is one of Pearson's most responsible operators, meets all GTAA requirements, and has intentions to convert its fleet to a quieter aircraft within an acceptable time while still serving the needs of the public.

D. Dolezal: from January until November 2008, Morningstar operated almost 1000 aircraft movements that have generated 118 complaints, which consisted of 56 complainants.

G. Stewart: The Fedex flights were thoroughly discussed at the time the contract was agreed to. We understand the airport's mandate and the night flight provisions. Those things are being carried out. The CENAC does not make airport operating decisions; we're here to make recommendations.

CENAC Meeting Ruling for motion #8: This motion did not have a seconder.

3.1.9 Motion #9, letter to GTAA business and marketing group

MOTION to have the Noise Management Office send a letter to the GTAA's Marketing and Business Development Group, reminding them that contracts with a significant noise impact (especially night flights) go through CENAC prior to approval. Recorded vote requested.

October 28 Response from GTAA

GTAA Recommendation: Given the position expressed in the previous motion, further response is not required. There is, however, an implication that issues of noise do not

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attract sufficient attention in all departments at the GTAA. I can assure the committee that this is not the case and that noise impacts form part of the deliberations of all relevant departments at the GTAA. In this instance, it is worth recalling that the current Vice President of Marketing and Business Development was the former chair of the Noise Management Committee and is therefore intimately aware of the noise impacts of operations at Pearson Airport.

CENAC Meeting Ruling for motion #9: This motion did not have a seconder.

3.1.10 Motion #10, confidentiality agreement

MOTION to require all voting CENAC members sign a confidentiality agreement when discussing any "in camera" issues before the committee. Recorded vote requested.

October 28 Response from GTAA

GTAA Recommendation: CENAC already has the means to conduct any affairs as required in camera and we would not support further extension of these procedures through the use of confidentiality agreements. The committee members may wish to seriously consider whether the signing of a confidentiality agreement would be in their best interests. We assume that the intent is to permit the discussion of commercially sensitive matters before the committee. There are several realities which would make confidentiality agreements impractical. Firstly, the GTAA is often bound by confidentiality agreements or undertakings to third parties who may wish to operate at the airport. These third parties would not permit the extension of the obligation of confidentiality to parties who are not party to the commercial arrangement. In addition, there is a concern about the enforcement of such agreements. The GTAA would have to have some recourse if the agreement was breached. Each member of the committee would have to assess whether it would be willing to take on such a risk and the associated liability.

CENAC Meeting Ruling for motion #10: This motion did not have a seconder.

3.1.11 Motion #11, list of upcoming contracts

MOTION to have the CENAC Chair provide a list of upcoming contracts, with significant noise impact on the surrounding communities, to this committee prior to each meeting (to be discussed "in camera"). Recorded vote requested.

October 28 Response from GTAA

GTAA Recommendation: The GTAA will endeavour to provide the committee with GTAA plans with respect to airport operations that might have noise implications. The committee will appreciate that there are circumstances where we are not able to discuss certain developments. Again, however, the GTAA will attempt always to balance the needs of the community for air service and the impact that such operations can have on

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the community. Striking that balance will be of singular importance for the GTAA and that may mean that operations at night within the defined budget will be permitted, if they can be done in a responsible, effective and economically beneficial manner.

Discussion ensued on November 9 (Tina Rizutto-Willan)

Motion 11: Could you please expand and explain the following quote "...there are circumstances where we are not able to discuss certain developments."

GTAA Response to the discussion on November 9

Air carriers, cargo operators and other commercial ventures at the airport will from time to time insist upon confidentiality when discussing possible plans for operations or commercial developments at Pearson. This can be for many reasons, but are usually for competitive or for regulatory reasons. For example, we may be involved in discussions with an air carrier for potential operations to Toronto, but we are required to maintain those discussions confidential, as the required bilateral agreements that would permit the operation have not taken place. In addition, an operator may be looking at a number of options that may or may not include Toronto. From time to time, in these circumstances, the operator would request that we keep our discussions confidential in order to maximize their advantage. I would stress, however, that the GTAA always seeks to strike a balance between the needs of the community for air service and the impact that such service has on the community. This objective is not eroded by the need for confidentiality in certain circumstances.

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T. Rizzuto-Willan: Can the GTAA confidentiality agreement include members of the CENAC? T. Lennox: Terms of confidentiality agreements often do not allow discussions with anyone who is not a member of the corporation. In addition, upon signing a confidentiality agreement, signers take on liability.

CENAC Meeting Ruling for motion #11: This motion did not have a seconder.

3.1.12 Motion #12, GTAA financial information

MOTION to have the CENAC Chair provide the committee with a summary financial position of the GTAA on a quarterly basis, including its liquidity position and changes in flight volumes caused by the recent impact of higher fuel costs, lower landing fees and lower cargo fees. Recorded vote requested.

October 28 Response from GTAA

GTAA Recommendation: As a reporting issuer, the GTAA makes public disclosure of our financial performance on a quarterly basis. The GTAA financial statements and Management Discussion and Analysis are available on line at www.sedar.com. We will notify the committee of the filing of such filings as they happen.

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T. Lennox: Financial statements are available publicly via SEDAR and GTAA.com.

CENAC Meeting Ruling for motion #12: This motion did not have a seconder.

3.1.13 Motion #13, night flights

The extended Fedex night flights, suspension of the ETP expansion and (now the) Lufthansa night flights are SERIOUS issues that need to be addressed by this committee, IMMEDIATELY (not October 1st). From my perspective, the GTAA has circumvented the role of this committee and allowed major noise-related decisions to be made WITHOUT input from CENAC. In the meantime, the August 11th meeting, being labelled an informal meeting by the GTAA (despite being called a "supplementary" meeting from Kim's email and a "special" meeting from my first emails to you) did not allow for a series of motions to be voted on, thus delaying necessary decisions required to define this committee's role. This approach seems, from my perspective again, to be "passive-aggressive" in nature and that is not your style Toby. City Councils do not meet until early to mid-September -- please reconsider your October 1 meeting date and include times prior to September as well. If the problem is solely from the GTAA, please see (2) below.

October 28 Response from GTAA

GTAA Response: It is not clear what is being requested, or if this is a motion. We have addressed the issue of FedEx and ETP under Motions 2 and 6 above, and made reference to additional meetings under Motion 5 above.

CENAC Meeting Ruling for motion #13: This motion did not have a seconder.

3.1.14 Motion #14, GTAA CEO requested to chair the CENAC meetings

The CEO of the GTAA is the Chair of this committee, you are his designate. In light of the issues coming forward I would strongly recommend you allow him the opportunity to come forward and chair the next meeting(s), until things settle down.

October 28 Response from GTAA

GTAA Response: The GTAA is of the view that the present arrangements with respect to the chair of the committee are sufficient. The CEO has specifically designated the Chair as his representative and he is fully aware of the proceedings of the CENAC meetings. There is the suggestion that either the views of the CEO of the GTAA are different from those of the Chair, or that the member of the committee is not satisfied with the responses from the Chair and is of the impression that more will be gained by circumventing the Chair to speak to the CEO. I can assure the committee that the views of the CEO and the Chair on issues of noise are one and the same and that the member

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of the committee will not receive a different answer from the CEO than the Chair.

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The GTAA CEO is kept apprised of the CENAC meeting outcomes.

CENAC Meeting Ruling for motion #14: This motion did not have a seconder.

3.1.15 Motion #15, advisory role of the CENAC

Both Councillor and Brad (Gordon indirectly) stated that the Ground Lease defines our role as advisory only. Brad read from the terms of reference to make his point, while Councillor Prentice pointed to her copy of the Ground Lease and quoted a (verbal) legal opinion from Mississauga's City Solicitor to make her point. From my perspective, you appear to be "on the fence" — would you please get off the proverbial fence, go deep into the Ground Lease (which you helped draw up) and report on ALL sections of the Ground Lease that literally define this committee's role.

October 28 Response from GTAA

GTAA Response: Please see Motion 1 above. At no time has the GTAA "been on the fence" about the issue of the role of the committee and the proposed abdication of our responsibility.

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The terms of reference clearly state that the CENAC is an advisory committee.

CENAC Meeting Ruling for motion #15: This motion did not have a seconder.

3.1.16 Motion #16, director's liability

Tina brought up an interesting issue at the end of the August 11th meeting -- Director's liability. From my perspective, she was addressing any potential legal liability that may come from our roles on the committee (except yours of course, being that you are an employee of the GTAA). Would you please contact the GTAA Solicitor and define our potential liability in the event that we are, 1. an advisory committee and, 2. if we are given powers to make decisions above and beyond an advisory role. If there is any potential liability, will the GTAA's insurance policy include the coverage of legal fees?

October 28 Response from GTAA

GTAA Response: The GTAA's legal counsel can only give legal advice to the GTAA. He is prevented by the rules of the Law Society of Ontario from providing legal advice to anyone who is not employed by the GTAA. It stands to reason however, that the more the committee has authority over the operations of the airport, the more the committee members would be held liable for the consequences of those operations. At present, in their advisory capacity, the committee members cannot be held responsible if the GTAA chooses to disregard the advice of the committee. I am familiar with the

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GTAA insurance policies, and at present there is no coverage for any party who is exposed to liability who is not a director or officer of the GTAA.

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GTAA lawyers cannot provide legal advice to CENAC members because they are not GTAA employees. The CENAC is an advisory body; if CENAC members take on decision-making powers, they will also take on liability.

Discussion regarding City Councillor Representation

T. Lennox met with the mayor of Brampton to discuss representation on the CENAC. The mayor of Brampton agreed that Brampton's representation on the CENAC is an issue, and will make every effort to ensure attendance.

CENAC Meeting Ruling for motion #16: This motion did not have a seconder.

3.1.17 Motion #17, ETP expansion statistics

Councillor Spovieri has stated clearly that he does not want to be on this committee any longer, while Rob Ford has been openly critical of this committee's purpose. In both cases, their membership is defined by the obligation to their roles as Councillor, rather than an interest in the committee itself. While I respect their decisions to continue as voting members, does the committee really want them? Would you please provide us with the letter sent to John Spovieri and/or Brampton City Council discussing John's lack of participation in the committee and any correspondence the GTAA received dealing with Barbara Hall's resignation from the committee.

October 28 Response from GTAA

GTAA Response: This matter has been discussed with the Mayor of Brampton. It is the GTAA's view that representation from the Cities of Mississauga, Brampton and Toronto is essential to the proper functioning of the committee. It is not for the GTAA to dictate to these municipalities who they choose or the manner in which their nominee participates in the committee's proceedings.

Discussion ensued on November 18 (Councillor Prentice)

When did Barbara Hall sit on the CENAC Committee? I've been on since its inception and never recall her being appointed by Toronto or any municipality. Could this possibly be an error in the Motion? Possibly Mr. Perlman is referring to Councillor Suzanne Hall from Toronto.

GTAA Response to discussion on November 18

Barbara Hall has not been on the CENAC or its predecessor, the Noise Management Committee during the time the GTAA has managed the Airport. Barbara Hall was first elected City Councillor in 1985, and was Mayor from 1994-1997. As she was Mayor when the GTAA took over in 1996, she could not have been a member of a committee at

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the GTAA. The Airport was operated by Transport Canada prior to 1996. It is possible that she was involved in the airport prior to 1996, but the GTAA does not have access to records of the Tri-Municipal Committee. As we understand it, Barbara Hall represented a downtown Toronto riding. Prior to the amalgamation of the City of Toronto, Etobicoke councilors sat on the committee. Therefore, while it is possible that she was involved in a committee at the Airport, it was not while the GTAA has managed the Airport.

CENAC Meeting Ruling for motion #17: This motion did not have a seconder.
[Secretariat Note: The requested information was provided in the December 2008 CENAC Update.]

3.1.18 Motion #18, future contracts with noise/environmental impact

At the August 11th meeting, Eric brought up an interesting point regarding the "suspension" of the ETP expansion. By suspending the program, it allows for the affected residents of Brampton to understand regular aircraft noise coming into their communities (ie. prior to the ETP expansion), so that when the ETP expansion is reinstated at a later date the potential complaints are defined ONLY by the incremental noise. At the same time, you brought up the point that complaints were rising significantly per week prior to the suspension. Therefore, would you please provide this committee with an analysis of the complaints, the location of the complainants (preferably on a map), the noise volumes and decibel readings, and how many dealt SPECIFICALLY with the ETP expansion. This should not be difficult, as the Technical Noise Management Committee must have put this information together to decide on the suspension of the ETP expansion.

October 28 Response from GTAA

GTAA Response: We can provide this information.

Discussion ensued November 9 (Tina Rizutto-Willan)

Could we have the number of complaints associated with the ETP for December?

GTAA Response to discussion on November 9

Yes. This information was previously included in an Information Update, but we can review this information at the next CENAC.

CENAC Meeting Ruling for motion #18: This motion did not have a seconder.

3.1.19 Motion #19, contracts signed

Will you please ensure that there will be no further contracts signed from now until the next formal meeting of this committee with a serious noise or environmental impact? In addition, will you please tell us now if there are ANY confidentiality agreements in

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place at this time that have an effect on the role of this committee? I should not have to make these requests, but the Lufthansa contract was a slap in the face to this committee (from my perspective, of course).

October 28 Response from GTAA

GTAA Response: As discussed under Motion 11, the GTAA cannot and will not discuss commercial arrangements, or potential commercial arrangements with the committee. In addition, while the GTAA regrets that we were not able to inform the committee about the Lufthansa flights, it was not intended as a personal slight to any individual member of the committee.

CENAC Meeting Ruling for motion #19: This motion did not have a seconder.

3.1.20 Motion #20, responding to the media

Finally, the media attention from Rogers and the Brampton Guardian put the GTAA and this committee in the spotlight recently. Perhaps you could tell us how, in the future, you will inform us when this committee is referenced in the media and how you, as the Chair, will respond to any serious misinformation. Remember, in the August 11th meeting you stated that the Brampton Mayor did not contact you (or anyone above you) to set up a meeting, despite quotes in the Brampton newspaper. At a minimum, I would expect a letter to the editor and/or correction printed in the newspaper. The alternative would be to allow ANY member to speak up for this committee, a recipe for disaster (Richard's letter was his opinion, not that of the committee). Will you be preparing any statement regarding the suspension/reinstatement of the ETP expansion (outside the poorly-worded press release adjustment on the GTAA website) and put it out to the media in the form of an advertisement and/or interview with the Brampton Guardian reporter?

October 28 Response from GTAA

GTAA Response: The intent of this comment is unclear. On the one hand, the GTAA has endeavoured to correct misstatements in the press. Indeed, this is something that we do on a regular basis. Whether the media elects to refer to or to print the GTAA's position is their own decision. We have made contact with the Brampton Guardian and other media outlets to discuss the noise issue and the GTAA's approach to the issue. I can report to the committee on the outcome of these discussions. On the other hand, it seems that there is a suggestion that members of the committee cannot speak on their own behalf, or that the committee must have a unified view before anyone person speaks to the media. The GTAA would not recommend that we take this type of action.

Discussion ensued on November 18 (Councillor Prentice)

Motion 19: My understanding is that it is part of our responsibility as members of CENAC to communicate issues and our comments regarding our role to the

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	community. Is this correct? GTAA Response to discussion on November 18 Yes. It is our view that the role of the committee members is to both represent the views of the public, but also to provide information to the public to the extent possible. December 3 CENAC Meeting L. Perlman: When the early turn was cancelled, a new press release was not published. Instead, a March press release was edited. B. Green: A story was published in the Brampton Guardian. T. Lennox will review what the GTAA published. CENAC Meeting Ruling for motion #20: This motion did not have a seconder.
3.1.21	Motion of non-confidence L. Perlman initiated discussion of non-confidence in the CENAC chair. He expressed concern that the chair is not allocating adequate time and staff to CENAC matters. Several members commented in support of the chair. CENAC Meeting Ruling for motion of non-confidence: This motion did not have a seconder.
3.2	<i>Enforcement Presentation: Deferred</i>
4.0	Correspondence Items
4.1	<i>CENAC Committee E-mails</i>
4.2	<i>Noise Management Report</i> Councillor Prentice noted that on page 3 of the noise management report, "in 2007 the target set was {and then showed a <blank>}." This <blank> should be completed.
4.3	<i>Noise Brochure</i> The GTAA distributed the noise brochure to the CENAC members via e-mail.
5.0	Update from Committee Members: Deferred
6.0	Public Comments S. Fleming commented that GTAA noise management office staff are unfailingly helpful and knowledgeable and respond politely, patiently, and professionally to his questions. He reviewed the explanations that the noise complaints staff have provided

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him with respect to his noise complaints on various occasions. He also criticized the GTAA's methods for recording noise complaints, in particular: the two hour rule.

S. Fleming made two requests:

1. Provide the GTAA protocol or template used to catalog noise complaints.
2. Honour the values espoused in the 2007 annual report, especially the value of transparency.

S. Fleming indicated that on November 19, he phoned in to register a noise complaint and was told Mr. Lennox had slapped the two hour rule on him and that only one complaint would be considered every two hours. Anything beyond this would be ignored. He inferred that a gag order was applied to him because he had met with a Brampton Guardian reporter. He expressed concern that the process is a seemingly haphazard way of collecting data which precludes any meaningful statistical analyses, and invites the manipulation of those data.

T. Lennox requested clarification of the accusation to the committee that he had slapped a two hour restriction and asked GTAA Operations personnel if he had ordered such a restriction and further that they clarify the noise complaint collection process.

W. MacMillan, D. Dolezal and G. Thackray confirmed that Mr. Lennox had not inflicted such a restriction.

E. Tolton, Director of Airside Operations, indicated that the two hour stipulation is not a new method for collecting noise data. The GTAA has been using the same method of collecting noise data as was used previously under Transport Canada. It was not something that was cooked up to mitigate any complaints from specific individuals. The GTAA does not ask residents to report on the number of individual aircraft that fly on a specific route because the GTAA keeps records of this data. Instead, the GTAA endeavors to determine what operations impact residents.

T. Lennox indicated that he has never ever and would not attempt to muzzle a member of the public.

S. Fleming indicated that he would not withdraw the comment and that he did not manufacture it. It came from a member of the noise office and he would not divulge who that is.

T. Lennox: Unless it's divulged, I can assure the committee and members of the public that that is not something I would do.

A discussion ensued as to whether the CENAC chair has a conflict of interest with voting rights on the CENAC. The GTAA clarified that, as per the terms of reference, the

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CENAC chair does not have a vote except in order to break a tie (see *Terms of Reference*).

S. Fleming: The decibel readings for South Fletcher's are higher than about 90 per cent of any of those sensors.

Councillor Prentice: The noise monitor statistics published in the GTAA 2007 noise management report clarify that the decibel levels in the south Fletcher community are not as high as the noise levels in other communities. Noise complaints in the south Fletcher neighborhood are coming primarily from one source; therefore, it would appear that there is a heightened noise sensitivity.

Councillor Sprovieri requested the GTAA compare 2007 flight paths with 2008 flight paths over S. Fleming's home. At a previous meeting, it was mentioned that newer aircraft are able to turn sooner than they could turn previously.

D. Dolezal reviewed departure flight tracks off Runways 24L and 24R for 2007 and 2008 and concluded that operations and flight tracks were similar for both years.

S. Asotra asked what members of the community could do to express noise concerns. Councillor Prentice encouraged him and his neighbours to call members of the CENAC. S. Asotra indicated he would encourage his neighbors to call the airport.

A. DiPasquale expressed concerns regarding increased aircraft noise and flight frequency in his neighborhood, at Highways 10 and 407.

E. Tolton: Aircraft movements have changed 10-12 per cent. Runway 23 previously had limited operations due to construction. Last year Runway 23 operated normally. Aircraft are now flying to new destinations.

T. Lennox and Councillor Prentice encouraged residents to review the GTAA Noise Management Report to obtain statistical information regarding noise.

7.0 Adjournment

For additional information, please contact Kim Stefanazzi at (416) 776-3941.

Copies: All invitees listed in Attendees and Regrets sections above.