

*PRIVILEGED AND CONFIDENTIAL*

**APPENDIX OF EXHIBITS TO REPORT OF  
INVESTIGATION OF DISPLAY OF FLIGHT PATH  
CHART AT PUBLIC HEARINGS ON SEPTEMBER 8  
AND 22, 2004 BEFORE THE MARCH JOINT POWERS  
AUTHORITY  
[VOLUME 1 OF 5 VOLUMES]**

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**January 30, 2006**

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**Prepared for the March Inland Port Airport Authority**

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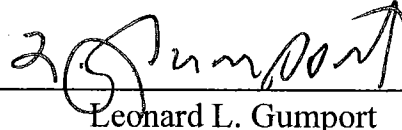
Gumport|Reitman hereby submits volume one of the appendix (consisting of five volumes) to the report of the investigation of the display of a flight path map at public hearings on September 8 and 22, 2004 before the March Joint Powers Authority.

DATED: January 30, 2006

Respectfully submitted,

GUMPORT | REITMAN

By: \_\_\_\_\_



Leonard L. Gumport

Special Counsel to March Inland Port  
Airport Authority

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2	Flight path map prepared by Gregory Diodati of March Globalport and provided by him to Daniel Fairbanks of March Joint Powers Authority ("March JPA") in or about August 2004 (and used by Fairbanks to prepare Exhibits 35 (and 49)) for display at public hearings of March JPA Commission on September 8 and 22, 2004)
3	9/20/04 email from Mary K. Stracke of Best Best & Krieger LLP ("BBK") to <a href="mailto:nmiller@hmmh.com">nmiller@hmmh.com</a> of Harris Miller Miller & Hanson ("HMMH") (cc: John Nelson of Best Best & Krieger) re March JPA - second map, with attached flight path map
4	SKYES Eight Departure Route Description for March ARB (KRIV) in Riverside County, California - standard instrument departure route description as published in Department of Defense ("DOD") Flight Information Publication re Radar Departure Route Description, effective 9/30/04 [A copy of the SKYES Eight Departure Route Description is included in Interview Ex. No. 10 used at witness interviews in Appendix Volume 5.]
5	Departure Flight Tracks Chart prepared by Mead & Hunt in 4/05 [This document is the same as Interview Ex. No. 5 used at witness interviews in Appendix Volume 5.]
6	Draft Chart prepared by Mead & Hunt in 8/05 [This document is the same as Interview Ex. No. 13 used at witness interviews in Appendix Volume 5.]
7	Federal Interagency Committee on Aviation Noise ("FICAN") article entitled "Effects of Aviation Noise on Awakenings from Sleep", dated 6/97 [internet-retrieved]
8	<u>Berkeley Keep Jets Over The Bay Committee v. Board of Port Commissioners</u> , 91 CalApp.4th 1344 (2001) - California decision re utility of SENEL study in aviation noise litigation
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20	8/6/04 HMMH CNEL Study - HMMH memorandum from Gene Reindel, Bob Mentzer, Sarika Gupya to Greg Diodati (cc: Scott Barker, Dan Fairbanks) [This document is the same as Interview Ex. No. 11 used at witness interviews in Appendix Volume 5.]
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64	9/30/04 HMMH SENEL Study - memorandum from Gene Reindel, Bob Mentzer, Nick Miller to Greg Diodati re March ARB SENEL Contours, with attachments [This document is the same as Interview Ex. No. 8 used at witness interviews in Appendix Volume 5.]
65	BBK invoice for the period 10/1/04 through 10/31/04 [This document is the same as Interview Ex. No. 17 used at witness interviews in Appendix Volume 5.]

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67	10/1/04 email from John Nelson of BBK to Michelle Ouellette of BBK with thread, with attachment re proposed language for 10/1/04 letter [This document is the same as Interview Ex. No. 15 used at witness interviews in Appendix Volume 5.]
68	10/1/04 letter from Gregory Diodati to Dan Fairbanks re March ARB Single Event Noise Analysis, with attached HMMH SENEL study dated 9/30/04 [This document is the same as Interview Ex. No. 3 used at witness interviews in Appendix Volume 5.]
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70	10/1/04 "Response to Comments on Mitigated Negative Declaration"
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72	March Joint Powers Authority - Mitigated Negative Declaration
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76	11/5/04 Daily Bulletin article entitled "Group sues to block hub" [internet-retrieved]
77	10/21/04 letter from Barrington A.S. Daltrey, Esq. to March Joint Powers Authority re Mitigated Negative Declaration
78	Petition/Complaint for Writ of Mandamus, Taxpayer Relief, Injunctive Relief and Declaratory Relief, filed 11/5/04 in Superior Court of California, County of Riverside Case No. RIC 420990, captioned <u>Center for Community Action and Environmental Justice v. March Joint Powers Authority, etc.</u>
79	12/11/04 Press-Enterprise article entitled "DHL picks March ARB" [internet-retrieved]

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85	Ruling on Submitted Matter, filed 3/22/05 in Superior Court of California, County of Riverside Case No. RIC 420990, captioned <u>Center for Community Action and Environmental Justice v. March Joint Powers Authority, etc.</u>
86	Draft Settlement Agreement re Superior Court of California, County of Riverside Case No. RIC 420990, captioned <u>Center for Community Action and Environmental Justice v. March Joint Powers Authority, etc.</u>
87	Judgment Denying Petition for Writ of Mandate, filed 5/2/05 in Superior Court of California, County of Riverside Case No. RIC 420990, captioned <u>Center for Community Action and Environmental Justice v. March Joint Powers Authority, etc.</u>
88	9/27/05 Press-Enterprise article entitled "Flight map called misleading" [internet-retrieved]
89	9/28/05 Press-Enterprise article entitled "Officials to press flight map changes" [internet-retrieved]
90	9/28/05 letter from March JPA Commissioner Frank Shiavone to Greg Diodati and Ben Shearer re DHL operations out of March Air Reserve Base
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