

# County of Santa Clara

## Roads and Airports Department Surveillance Use Policy

### Airport Noise and Operations Monitoring System (NOMS)

#### **1. Purpose:**

The purpose of the Noise and Operations Monitoring System (NOMS) is to mitigate noise impacts to the communities surrounding the County airports by monitoring and recording aircraft radio communications to help determine conformance with noise abatement procedures at Reid-Hillview Airport and San Martin Airport.

~~-The current NOMS technology being utilized is the Digital Loggers, Model F24 USB Audio Logger.~~

#### **2. Authorized and Prohibited Uses:**

NOMS ~~may~~shall be used by Roads & Airport personnel to monitor and record aircraft radio communications to help assess conformance with noise abatement procedures at Reid-Hillview Airport and San Martin Airport; to assist staff with the investigation of noise complaints or an incident/accident at one of the airports; and to determine the number of operations (take-offs and landings) at San Martin Airport, which does not have an air traffic control tower. ~~-NOMS and its recordings shall not be used for other non-Airport related purposes.~~

It shall be authorized for Roads & Airport personnel to use NOMS radio recordings, as well as publicly-available flight-tracking information from other sources, to investigate noise and operations complaints and aircraft accidents and incidents.

NOMS and its recordings shall be used in a legal manner, and shall not be used to harass, intimidate, or discriminate against any individual or group. NOMS and its recordings shall not be used for personal or other non-Airport related purposes.

#### **3. Data Collection: ~~Aircraft radio calls~~**

NOMS records audio from aircraft radio communications. Those communications are automatically recorded by a computer recording system. ~~These radio calls, and~~ usually include the aircraft identifier, location, altitude, flight direction, and pilot's intentions. ~~Publically-available flight-tracking information from other sources is often used in conjunction with NOMS radio recordings to assist staff to investigate noise complaints or an incident/accident.~~

#### **4. Data Access:**

Access to the recorded data from the NOMS recording system ~~is~~shall be available to ~~authorized airport~~all Airports Department staff ~~members~~ as an electronic audio file. The Federal Aviation

Administration (FAA) utilizes the data for only specific accident or incident investigations and they do not have direct access to the files.

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#### **5. Data Protection:**

The archived radio recordings ~~are~~shall be stored on a password-protected and secure server- in a secured server room. Day-to-day access to the ~~information is~~ data shall be limited to authorized Airport staff members.

#### **6. Data Retention:**

All data from NOMS ~~is~~shall be archived for at least 180 days and no more than 365 days before being recorded over, ~~unless otherwise authorized to be retained for a longer period of time. Copies~~with the following exceptions: copies of data relating to the investigation of a specific aircraft accident or incident, or a specific administrative or criminal investigation, action, or case, ~~may~~shall be made and retained for a longer period ~~of time~~ as needed for that investigation, action, or case.

#### **7. Public Access:**

Any public requests for NOMS data shall be submitted to the ~~department's~~Department's CPRA (California Public Records Act) Coordinator for handling. ~~Data may~~Reasonable efforts shall be made ~~available to the extent required by~~preserve the data requested until the request has been processed.

If a California Public Records Act request, subpoena, or court order is issued for recorded data, the data shall be made public or deemed exempt from public disclosure pursuant to state or federal law, policy, or County agreement, after consulting. Airports personnel shall consult with the Office of the County Counsel to ensure legal compliance.

#### **8. Third-Party Data Sharing: Access to**

It shall be permitted for NOMS ~~and NOMS~~ data ~~may~~to be provided to law enforcement, the FAA, and National Transportation Safety Board representatives ~~if an individual authorized to access the data believes that the data may show suspicious or illegal activity. Data may be~~ for assistance in specific airport and aircraft accident and incident investigations.

If data is requested by law enforcement, or by a third party seeking compliance with a court order or subpoena. ~~In each of these circumstances,~~ the request shall be reviewed by an authorized Roads & Airport representative or written designee, who shall seek assistance as appropriate from the Office of the County Counsel to ensure legal compliance.

#### **9. Training:**

Department staff members ~~with who are granted~~ access to ~~NOMS and its data shall be made aware~~ the NOMS system shall be trained in data access and data handling procedures. Data access training shall include review of this Surveillance Use Policy.

#### 1.10. Oversight:

~~Department~~ The Department's Executive Managers and the Director/Assistant Director of County Airports shall oversee compliance with this Surveillance Use Policy. Each time the system is accessed it shall be noted in an access log and filed in the Airports Administration. At the end of each fiscal year, the Department's Deputy Director or written designee shall audit all logs for misuse, including failure to comply with this Policy.

Any employee found to have violated ~~the Surveillance Use~~ this Policy ~~may~~ shall be subject to possible discipline. Alleged violations of the Surveillance Use Policy shall be reviewed by the Department Head and ~~or their written~~ designee(s) with the assistance of the Labor Relations Department and the Office of the County Counsel.

Approved as to Form and Legality

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Rob Coelho  
Office of the County Counsel