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# John Wayne Airport General Aviation Improvement Program

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## Questions & Answers

### Is this an expansion of the airport itself?

The County of Orange is not proposing to expand the footprint or physical size of the airport. However, the City believes that some of the changes proposed in the GAIP could increase the number of general aviation jet operations. Operations are defined as aircraft arrivals to, or departures from, an airport.

### What about JetSuiteX? Is there some loophole in how it operates?

JetSuiteX operates out of one of the Fixed Base Operators, the private companies that provide services to the General Aviation community. Though JetSuiteX operates in what has traditionally been General Aviation “territory”, due to the nature of its operations, it is considered a “commercial user” by JWA.

As a commercial user, JetSuiteX is subject to the terms of the 1985 JWA Settlement Agreement and subsequent amendments. Meaning, among other things, its passengers are counted toward the limit on Million Annual Passengers and its flights must abide by the noise limits and commercial air carrier curfew.

JetSuiteX is the first commercial air carrier that the County Board of Supervisors has permitted to operate out of a Fixed Base Operator. The Board approved this location in the spring of 2018. All other commercial air carriers operate out of the main terminal.

### How does John Wayne Airport define commercial user?

The John Wayne Airport Access Plan defines commercial user as follows (emphasis added by the City):

“... any person conducting aircraft operations at JWA for the purpose of carrying passengers, freight, or cargo where such operations: (i) are operated in support of, advertised, or otherwise **made available to members of the public** by any means for commercial air transportation purposes, and members of the public may travel or ship Commercial Cargo on the flights; (ii) the **flights are scheduled** to occur, or are represented as occurring (or available) **at specified times and days**; and (iii) the person conducts, or proposes to operate, departures at JWA **at a frequency greater than two (2) times per week during any consecutive three (3) week period.**

## **Since there's no "loophole", why does the City care where JetSuiteX is located at John Wayne Airport?**

Some have questioned why the City cares where JetSuiteX operates, particularly since the aircraft it uses are generally smaller and quieter than most of the commercial aircraft in the JWA fleet. The City wants JetSuiteX's operations moved to the main terminal for reasons related to safety, security and accountability.

It is considered a commercial user and as such, it should operate among the airport's other commercial users – the main terminal. The City is very concerned about commercial operations "encroaching" into an area of the airport that has traditionally been used by General Aviation. There are gates available in the main terminal.

In addition, the City has safety and security concerns related to the screening of commercial passengers at a Fixed Base Operator rather than in the main terminal. While Federal regulations allow it, the City believes all commercial passengers should be screened in the main terminal.

## **What about the "Ubers" in the Sky?**

There are other companies that operate what some dub "Ubers in the sky" because they sell available seats on chartered or private aircraft. However, they aren't available to the general public and they don't fly a regular schedule. Thus, they don't meet the definition of commercial user.

## **Can the City renegotiate the 1985 JWA Settlement Agreement to obtain more protections?**

The federal government approved the Airport Noise and Capacity Act of 1990 (ANCA), five years after our agreement was in place. ANCA made it virtually impossible for local governments or airport operators to place further restrictions on aircraft noise, capacity and operations. Fortunately, the limits at JWA as set forth in the 1985 settlement agreement were "grandfathered" under ANCA, and the federal government has allowed the restrictions to remain in place.

We understand that many in our community would like to see changes. However, due to ANCA, no further restrictions can be placed on JWA operations.



**Are General Aviation jets allowed to fly 24/7?**

Yes, as long as they meet the noise limits set forth in the JWA General Aviation Ordinance (GANO). Unlike the *time-based*, commercial air carrier curfew that prevents commercial flights from arriving or departing JWA during a set period of time nightly, the General Aviation “curfew” is *noise-level* based. These levels vary by day and night. Please see the chart below.

Noise Monitoring Station (NMS)	Noise Limits	
	Daytime	Nighttime*
NMS 1S	102.5 dB SENEL	87.5 dB SENEL
NMS 2S	101.8 dB SENEL	87.6 dB SENEL
NMS 3S	101.1 dB SENEL	86.7 dB SENEL
NMS 4S		86.7 dB SENEL
NMS 5S		86.7 dB SENEL
NMS 6S		86.7 dB SENEL
NMS 7S		86.7 dB SENEL
NMS 8N		86.9 dB SENEL
NMS 9N		86.9 dB SENEL
NMS 10N		86.9 dB SENEL

\*For arrivals occurring between 11 p.m. and 7 a.m. Monday – Saturday and 11 p.m. to 8 a.m. Sunday; Departures occurring between 10 p.m. and 7 a.m. Monday – Saturday and 10 p.m. and 8 a.m. Sunday.