



## Aviation Update - September 7, 2019

### General Aviation Improvement Program (GAIP) - Request for Proposals Process

#### Background

On June 25, the Orange County Board of Supervisors (Board) certified the Environmental Impact Report for the GAIP and approved a plan with two full-service FBOs, one new and one existing limited-service FBO, a general aviation terminal, and an optional general aviation facility (GAF) with operational hours of 5 a.m. to 12 a.m. The most important thing the Board did as part of the approval was to adopt Supervisor Steel's proposal to impose a land use limitation and lease restrictions on certain parcels at the airport so that more than 50 percent of the airport area will continue to be available to light or small general aviation, which the County defined as planes with a wingspan under 49 feet or weighing under 12,500 lbs. Under this plan, light general aviation gains at least an additional 3.5 acres of space at John Wayne Airport (JWA) over what it has to use as of today.

It is important to note that the hours of the GAF do not change any of the regulations related to the curfew or the general aviation noise ordinance. While the City is asking the Board to impose further limitations on the GAF hours, it is very unlikely that the GAF would be open from 5 a.m. to midnight, even if the Board does not adjust the hours. It is equally important to note that Customs and Border Patrol would ultimately determine the GAF's hours of operation.

#### Current Activity

The draft Request for Proposals (RFP) for Fixed Base Operators will be considered by the Board of Supervisors on [Tuesday, September 10](#). The winning proposals will dictate how the area of the airport set aside for general aviation is ultimately built out. Once the Board approves the RFP document, the RFP process will open shortly thereafter. During the ensuing six to nine months, the County will select the FBOs that will build and operate the general aviation facilities.

The Mayor sent a [letter to the Board](#) on September 4, asking for several changes to the RFP document in order to ensure that the area the Board set aside for light general aviation remains that way for years to come.

The letter asked the Board to:

1. Remove the confidentiality clause that says all proposals will remain confidential / not accessible to the public until the Board approves the leases next year. (**Update:** On September 6, County staff [issued two memos](#) with proposed changes to the confidentiality clause that would allow the release of certain documents for public review much earlier in the RFP process.)
2. Further restrict the GAF hours. The City wants the GAF hours to mirror the commercial curfew hours, at a minimum.

3. Modify the RFP to allow the respondents to propose an Annual Ground Rent and Annual Building Rent for the small general aviation uses that will allow the maximum number of individual hangers, tie-downs, sunshades and T-hangers. (**Update:** After further evaluation, we now believe the best solution is to ask the Board to match the rents for the areas set aside for light general aviation on the east and west sides.)
4. Allow a community representative to serve on the proposal review panel.

The Mayor's letter also relayed the City's support for the So Cal Pilots' request for the insertion of specific language into the RFP requiring individual hangars, in specific sizes, to ensure the mix of light general aviation storage remains as it exists today. The So Cal Pilots' specifically requested – *“In the area dedicated to ‘light general aviation’ specify your plan and commitment for maintaining the existing balance of individual hangar widths of 40’ (76%), 50’ (15%), and 60’ (9%) respectively. This excludes maintenance hangars in the Limited Service FBO parcel.”*

The City helped to convey the request to County officials. We believe it is equally important to have a rent structure in place that supports the intended use of the area dedicated for small GA aircraft and incentivizes the FBOs to build smaller, individual hangars for light GA.

The County did incorporate a questionnaire proposers will be required to complete. Portions of it will elicit information that will show how or if their proposals address our areas of concern. But, questions aren't requirements, and there's no weighting in the scoring process that would favor small GA and community-friendly plan elements. Again, the City believes the RFP must provide financial incentives to ensure the FBOs construct facilities that supports small general aviation, like propeller planes.

We believe nothing is final until the Board approves the lease agreements with the FBOs next year. If the Board doesn't include our requested modifications in the RFP, we will spend the next six months working directly with the FBOs and communicating with the County. We will oppose any proposal that does not support our community's best interests.

Please know the challenge remains the same as it has for decades. This is the County's airport and the County has many competing voices competing for its attention. We are relentless in our efforts to make sure our voice is heard above the others. Know that the Board has been open to working with us and we credit that to the relationships we've established and the involvement of the Newport Beach community in the GAIP this year.

## **2020 Plan Year – Airport Capacity Allocations**

At its August 21 meeting, the JWA Airport Commission reviewed and ultimately approved the staff report outlining the proposed John Wayne Airport Capacity Allocations for the 2020 Plan Year (2020 Capacity Allocations). We were encouraged by a discussion in the staff report on the recommended allocation of passenger capacity for commuter carriers. It wasn't the capacity numbers themselves, but rather the JWA staff recommendation for JetSuiteX that we found interesting. It's important to note that JetSuiteX is referred to as Delux in the staff report. JetSuiteX flights are operated by Delux.

You may recall that the City of Newport Beach has repeatedly expressed safety, security and accountability concerns over JetSuiteX operating at ACI Jet, which is located in an area of the airport that had been traditionally set aside by general aviation. We want to see JetSuiteX moved to the Thomas F. Riley Main Terminal, where all other commercial operations are based.

In the 2020 Capacity Allocations, JWA staff is recommending that JetSuiteX/Delux only be allowed to continue to operate at ACI Jet if its operations fall within the 2019 Plan Year operations levels, which equaled about 95,000 passengers. However, as proposed by JWA, if JetSuiteX/Delux wants to increase its passenger allocation, it must move its entire operation to the main terminal. If this occurs, JWA would allow JetSuiteX to provide operations for up to 200,000 passengers in the 2020 Plan Year. The bottom line - if the air carrier wants to grow its operation (and it appears it does as it asked JWA for a 2020 allocation of just over 293,600 passengers), it can only do so if it moves to the airport's main terminal.

While this doesn't require JetSuiteX to immediately move its operations to the commercial area of the airport, we do see this as a first step in the right direction and feel it shows JWA staff hears our concerns. We have expressed our support for this recommendation to the County. The item will be on the consent calendar for the Sept. 10 Board of Supervisors [Agenda](#).

### **Aviation Committee Meeting Schedule**

The City's Aviation Committee will meet at 5:30 p.m. in the Community Room of City Hall on the following dates:

Monday, September 23  
Monday, October 28  
Monday, November 18  
Monday, December 16

You are welcome to join us for any or all of the meetings and you can find more information about the committee at [newportbeachca.gov/aviation](http://newportbeachca.gov/aviation).