



# JWA Settlement Agreement (and MOU) Extension and Amendment



**Newport Beach Aviation Committee  
Monday, March 25, 2013**

# Settlement Agreement

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- ▶ Four parties (County, City, SPON, AWG)
- ▶ First entered into in 1985
- ▶ Extended in 2003 (current agreement)
  - ▶ Went to 10.3 MAP, then 10.8 MAP
  - ▶ Allowed for Terminal C and parking expansion
- ▶ Expires in 2015 (curfew in 2020)
- ▶ “Grandfathered in” under ANCA (generally)



# About ANCA

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- ▶ 1990 Airport Noise and Capacity Act (ANCA):
  - ▶ FAA review and approval required of any noise or access restrictions on Stage 3 (quieter) aircraft.
  - ▶ FAA review and approval not required of:
    - ▶ Agreements in effect prior to 1990 (such as the 1985 Settlement Agreement); or
    - ▶ Amendments to existing agreements *that do not further reduce/limit aircraft operations or affect aircraft safety.*



# About the Proposed Project

*Proposed Terms of a Settlement Agreement Amendment after  
CEQA Process*

# Noise-Based Curfew

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## Existing

- ▶ No Departures:
  - ▶ Before 7:00 a.m. M-Sat
  - ▶ Before 8:00 a.m. Sundays
  - ▶ After 10:00 p.m. (7 days)
- ▶ No Arrivals
  - ▶ Before 7:00 a.m. M-Sat
  - ▶ Before 8:00 a.m. Sundays
  - ▶ After 11:00 p.m. (7 days)
- ▶ Expires 12-31-2020

## Proposed

- ▶ No Departures:
    - ▶ Before 7:00 a.m. M-Sat
    - ▶ Before 8:00 a.m. Sundays
    - ▶ After 10:00 p.m. (7 days)
  - ▶ No Arrivals
    - ▶ Before 7:00 a.m. M-Sat
    - ▶ Before 8:00 a.m. Sundays
    - ▶ After 11:00 p.m. (7 days)
  - ▶ Expires 12-31-2035
- 



# MAP

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## Existing

- ▶ To December 31, 2015
  - ▶ 10,800,000 passengers
- ▶ Expires 12-31-2015

## Proposed

- ▶ To December 31, 2020
    - ▶ 10,800,000 passengers
  - ▶ To December 31, 2025
    - ▶ 11,800,000 passengers
  - ▶ To December 31, 2030
    - ▶ If 11.21 MAP not reached in 2021-2025: 12,200,000
    - ▶ If 11.21 MAP reached in 2021-2025: 12,500,000
  - ▶ Expires 12-31-2030
- 



# Class A ADDs

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## Existing

- ▶ To December 31, 2015
  - ▶ 85 Class A ADDs +
  - ▶ 4 Cargo ADDs
- ▶ Expires 12-31-2015

## Proposed

- ▶ To December 31, 2020
  - ▶ 85 Class A ADDs +
  - ▶ 4 Cargo ADDs
- ▶ To December 31, 2030
  - ▶ 95 Class A ADDs +
  - ▶ 4 Cargo ADDs
- ▶ Expires 12-31-2030



# Loading Bridges (not gates)

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## Existing

- ▶ To December 31, 2015
  - ▶ 20 Loading Bridges
- ▶ Expires 12-31-2015

## Proposed

- ▶ To December 31, 2020
  - ▶ 20 Loading Bridges
- ▶ Expires 12-31-2020







## What's Next?

*Next Steps with the MOU and Proposed Project*

# What's Next?

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- ▶ Approval of MOU by City, SPON, AWG, OC Board
- ▶ CEQA process – EIR
  - ▶ Public Review
  - ▶ Analyses of proposed project, alternatives
  - ▶ Selection of a proposed project, Final EIR approval by OC Board of Supervisors
- ▶ Seek FAA letter – exemption from ANCA
- ▶ Preferred project memorialized in Court Stipulation
  - ▶ US District Court, Central District
- ▶ Protections go into effect.





# Negotiations Setting

# Critical Facts

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- ▶ The agreement expires
- ▶ There are four parties
- ▶ All parties do NOT have the same interest
- ▶ All parties must agree on the outcome
- ▶ ANCA
- ▶ Others are paying attention

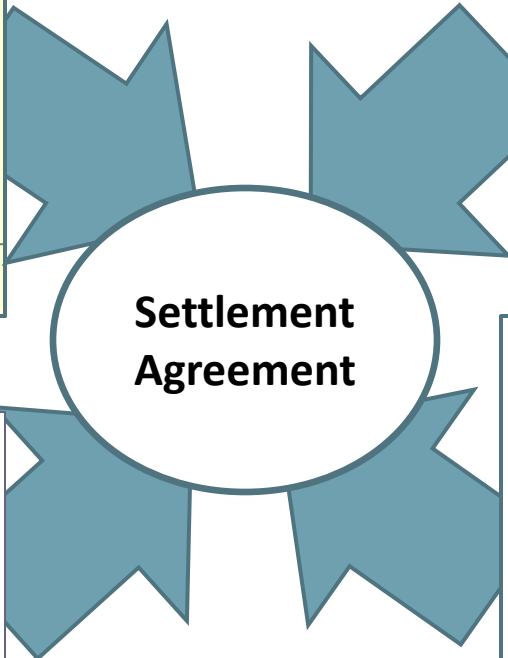




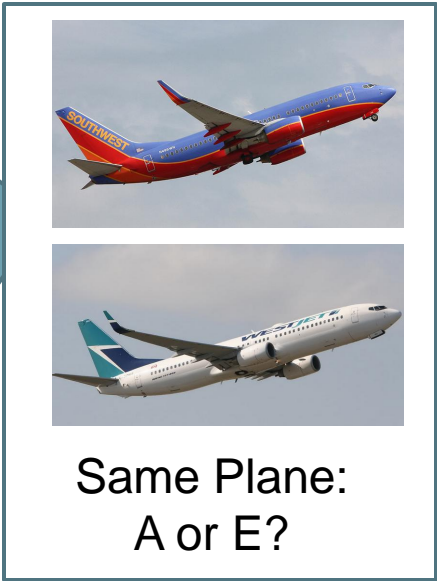
# Important Things to Understand

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Load Factors & MAP



Class A  
ADD =  
Certainty



# About Passenger Load Factors

Higher passenger load factors =  
*more passengers fly in the same or fewer number of planes*

Load factors are increasing – nationally and at JWA

Sources:  
JWA, RITA

Year	Domestic Load Factor	JWA Load Factor
2000	71.22%	
2001	69.15%	
2002	70.37%	66.60%
2003	72.68%	70.30%
2004	74.46%	73.20%
2005	77.16%	74.90%
2006	79.11%	74.10%
2007	79.87%	74.20%
2008	79.74%	73.00%
2009	81.06%	74.00%
2010	82.18%	76.60%
2011	82.87%	78.00%
2012	83.53%	79.50%







**Example:** Southwest Airlines 737-700 (137-141 seats)

- ▶ In 2003: MAP CAP of 10.8 would = 154 flights/day
- ▶ In 2012: MAP CAP of 10.8 would = 127 flights/day

*Above is a general example only. SW flew at 82.1% passenger load factor in 3Q 2012*



# Trends that Help Us

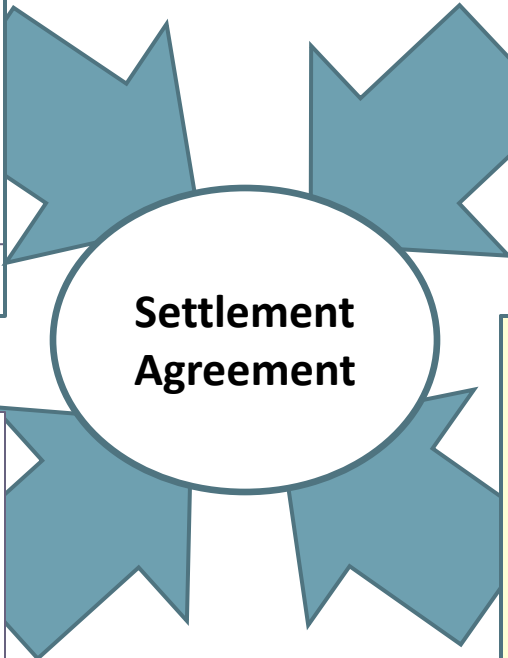
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- ▶ A fuller flight:
  - ▶ Same MAP = fewer #s of flights
  - ▶ More MAP = same or fewer #s of flights



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Load Factors & MAP



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# About Noise: Classes of Flights

Class A v Class E

There is no longer a “Class AA” flight definition

# Noise Monitors at JWA

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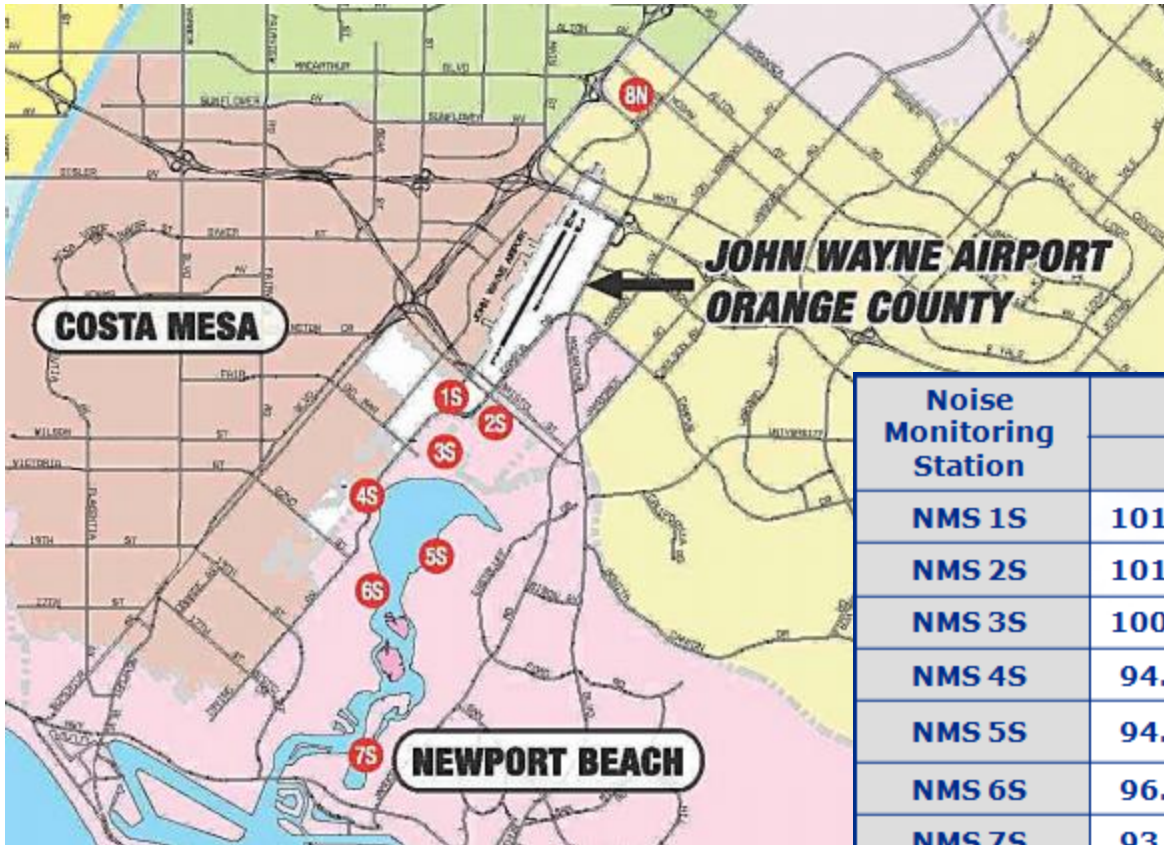


*Noise Monitoring Station #5 - Eastbluff*

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# NMS Locations, Class A & E Thresholds



Noise Monitoring Station	Commercial Aircraft	
	Class A	Class E
NMS 1S	101.8 dB SENEL	93.5 dB SENEL
NMS 2S	101.1 dB SENEL	93.0 dB SENEL
NMS 3S	100.7 dB SENEL	89.7 dB SENEL
NMS 4S	94.1 dB SENEL	86.0 dB SENEL
NMS 5S	94.6 dB SENEL	86.6 dB SENEL
NMS 6S	96.1 dB SENEL	86.6 dB SENEL
NMS 7S	93.0 dB SENEL	86.0 dB SENEL
NMS 8N		
NMS 9N		
NMS 10N		

## Quick Definitions

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### ▶ **SENEL**

- ▶ Single-Event Noise Equivalent Level
- ▶ Literally, a single event

### ▶ **CNEL**

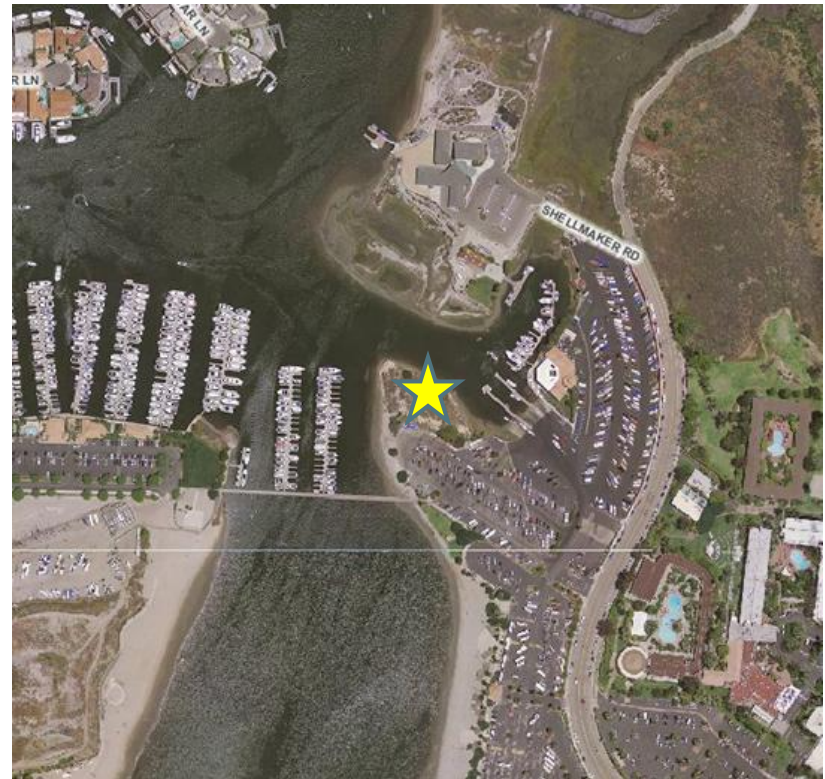
- ▶ Community Noise Equivalent Level
- ▶ Multiple events over a period



# Class A, Class E

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- ▶ Designations for specific flights, not types of planes
- ▶ Unique to JWA and the Settlement Agreement
- ▶ Class A = the loudest flights
  - ▶ Must be able to get past Station #7 at less than 93 dB SENEL
- ▶ Class E = “E” stands for Exempt flights
  - ▶ Must be able to get past Station #7 at less than 86 dB SENEL



*Noise Monitoring Station #7*

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# Same Plane – but one's an A, one's an E

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Southwest Boeing 737-700

100 passengers

Destination: Oakland

Less fuel

Less luggage

Class E



Westjet Boeing 737-700

130 passengers

Destination: Calgary

More fuel

More luggage

Class A (likely)

*But some Class As can fly out below  
the Class E dB threshold*

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## Trends in Noise

*The loudest flights today  
were the quietest flights 10-15 years ago (a good trend)*

## Trends in Noise - 1995

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Airline	Type of Aircraft	1995		
		NMS 5	NMS 6	NMS 7
Southwest Airlines	737-300	87.2	87.1	83.8
American Airlines	MD 80	92.3	93.7	90.6
American Airlines	757	85.5	85.5	82.8
<i>NMS Limits (in dB SENEL)</i>		94.6	96.1	93



## Trends in Noise - 2011

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Airline	Type of Aircraft	2011		
		NMS 5	NMS 6	NMS 7
Southwest Airlines	737-700	81.1	82.2	79.9
American Airlines	737-800	87.7	88.8	85.3
American Airlines	757	86.2	87.9	84.2
<i>NMS Limits (in dB SENEL)</i>		94.6	96.1	93



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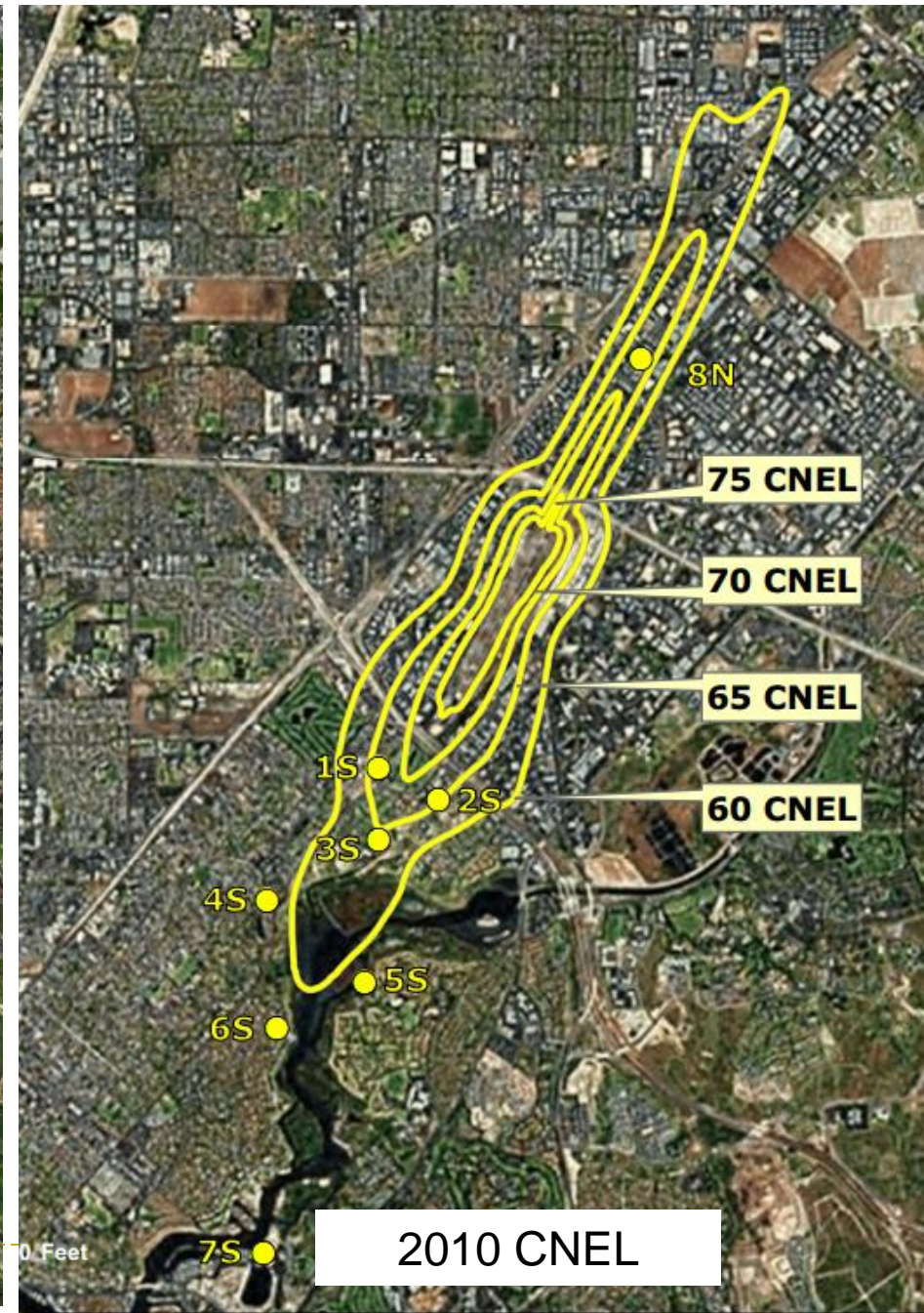
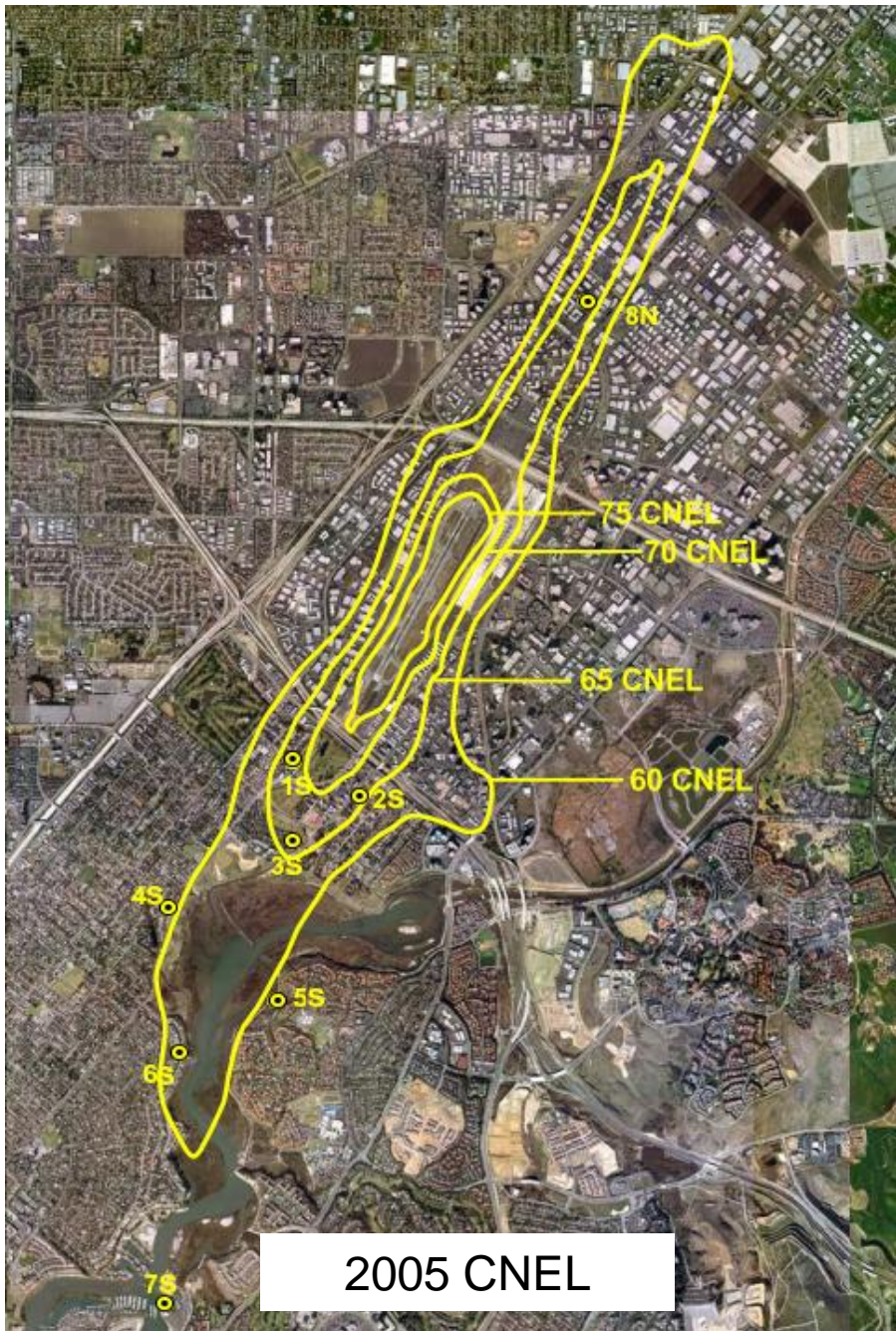
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Load Factors & MAP



Airport Trends

**Settlement Agreement**

**Class A  
ADD =  
Certainty**



Same Plane:  
A or E?





# As, Es and Airport Access Planning

Class A slots are highly desirable.

Class Es less so.

# More about As and Es

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- ▶ **Class A:**
  - ▶ Important to carriers even if they don't use them
    - ▶ Gives them certainty, flexibility
  - ▶ Allocated via JWA's Access Plan
- ▶ **Class E (Exempt)**
  - ▶ Southwest is most common user of Es
  - ▶ Not capped – but
- ▶ **The MAP CAP is a cap on Es + As**



# Current Access Plan (through 2015)

Air Carrier	Class A ADDs
Air Canada	3
Alaska	8
American	14
Continental	9
Delta	14
Frontier	3
New Entrant #1	3
New Entrant #2	3
Mesa	2
Southwest	4
United	11
US Airways	9
County Control	2
<i>Total Class As</i>	85

- ▶ Even as 85 Class As allocated, not all 85 used.
  - ▶ 81.94 Class A ADDs used in 2012
  - ▶ Up from 78.15 in 2011
  - ▶ High:
    - ▶ 2007 with 84.65 Class A ADDs
  - ▶ Low:
    - ▶ 2009, with 75.65 Class A ADDs



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Load Factors & MAP



Airport Trends

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Same Plane:  
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# Airport Issues and Trends

*Economic ups and downs, ANCA, more  
ANCA: the 1990 Airport Noise and Capacity Act*

## Long Term Trend at JWA

Year	Actual MAP	% Change
2000	7,772,801	
2001	7,324,557	-5.8%
2002	7,903,066	7.9%
2003	8,535,130	8.0%
2004	9,272,394	8.6%
2005	9,627,172	3.8%
2006	9,613,540	-0.1%
2007	9,979,699	3.8%
2008	8,989,603	-9.9%
2009	8,705,199	-3.2%
2010	8,663,452	-0.5%
2011	8,609,008	-0.6%
2012	8,857,944	2.9%





# Recent Trend at JWA

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- ▶ Moderate growth in 2012 (2.9%↑ to 8.86 MAP)
  - ▶ New carriers (InterJet, West Jet, Air Tran)
  - ▶ New destinations (21 total)
    - Mexico - Guadalajara, Mexico City, Cabo San Lucas
    - Canada – Vancouver BC, Calgary
  - ▶ Better economy
- ▶ Historic business v. recreation mix
  - ▶ Was 60% Business, 40% Recreational (2007)
  - ▶ Now 46-47% Business
- ▶ Growth high near end of 2012, into 2013
  - ▶ Jan '13 YOY = 9.7% ↑
  - ▶ Feb '13 YOY = 6.5% ↑



# Trends at JWA – Feb 2013

## John Wayne Airport Monthly Airport Statistics - February 2013

	February 2013	February 2012	% Change	Year-to-Date 2013	Year-to-Date 2012	% Change
<b>Total Passengers</b>	653,118	613,201	6.5%	1,351,355	1,249,774	8.1%
Enplaned Passengers	324,972	304,735	6.6%	672,516	621,938	8.1%
Deplaned Passengers	328,146	308,466	6.4%	678,839	627,836	8.1%

### International Statistics<sup>3</sup> (included in totals above)

	February 2013	February 2012	% Change	Year-to-Date 2013	Year-to-Date 2012	% Change
<b>Total Passengers</b>	21,772	6,055	259.6%	51,835	11,641	345.3%
Enplaned Passengers	10,652	2,863	272.1%	24,674	5,683	334.2%
Deplaned Passengers	11,120	3,192	248.4%	27,161	5,958	355.9%



# What the FAA's TAF Says

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Year	FAA TAF Passengers	Proposed Project Passengers
2020	10,240,048	10,800,000
2021	10,471,080	11,800,000
2025	11,448,720	11,800,000
2026	11,707,128	12,200,000
2030	12,800,000	12,200,000
2031	13,089,676	Not addressed

*NOTE: 12.2 M depends on threshold*

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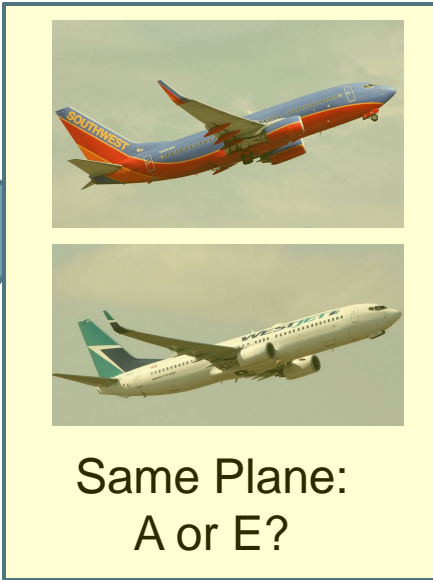
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Load Factors & MAP



**Settlement Agreement**

**Class A  
ADD =  
Certainty**



# Possible Concerns - Curfew

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## Concern

- ▶ Haven't heard any.

## Comments

- ▶ We cannot forget how important the curfew is.



# Comparing Airports

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San Diego Int'l

**SAN DIEGO**  
**International Airport**



AIRPORT MASTER PLAN  
SAN DIEGO INTERNATIONAL AIRPORT

JWA-OC



# Comparing Airports

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## San Diego (SAN)

- ▶ 16.9 MAP (2011)
- ▶ Sunday March 24, 2013
  - ▶ Departures 6-8 a.m. - 109
    - ▶ 66 between 6 and 7 a.m.
    - ▶ 43 between 7 and 8 a.m.
  - ▶ Departures 10-Mid – 15
  - ▶ Arrivals – 10-11 p.m. - 20

## John Wayne (SNA)

- ▶ 8.6 MAP (2011)
- ▶ Sunday March 24, 2013
  - ▶ Departures 6-8 a.m. – 0
    - ▶ 0 between 6 and 7 a.m.
    - ▶ 0 between 7 and 8 a.m.
  - ▶ Departures 10-Mid – 0
  - ▶ Arrivals – 10-11 p.m. - 0



# Without the curfew

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## San Diego (SAN)

- ▶ 16.9 MAP (2011)
- ▶ 80 more departures
  - ▶ 65 between 7 and 8 a.m.
  - ▶ 15 between 10 and Mid.
- ▶ 29,200 flights/year
- ▶ 112 passengers/flight
  - ▶ 3.27 million people
  - ▶ 6.5 MAP

## John Wayne (SNA)

- ▶ 8.6 MAP (2011)
- ▶ 40 more departures
  - ▶ 30 between 7 and 8 a.m.
  - ▶ 10 between 10 and Mid
- ▶ 14,600 flights/year
- ▶ 112 passengers/flight
  - ▶ ↑ 1.64 million people
  - ▶ ↑ 3.27 MAP





# Possible Concerns - MAP

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## Concern

- ▶ MAP growth too high

## Comments

- ▶ Term of agreement – 5 or 15 years?
  - ▶ More years = more MAP
- ▶ Four parties to SA
  - ▶ One party can end it.
- ▶ TAF/ANCA
- ▶ Load Factors ↑



# Possible Concerns – Class A ADDs

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## Concern

- ▶ JWA doesn't need new Class A ADDs yet.

## Comments

- ▶ Start in 2021
- ▶ Noise levels falling
  - ▶ Newer planes quieter
- ▶ Tradeoff:
  - ▶ Carriers: flexibility and certainty
  - ▶ Us: curfew to 2035




## MAP and ADD Relationships are Changing

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<b>ADDs</b>	<b>2011</b>	<b>2012</b>	<b>% Change</b>
<b>Class A</b>	78.16	74.91	-4.16%
<b>Class E</b>	35.31	38.91	10.20%
<i>Total ADDs</i>	113.47	113.82	0.31%
<b>MAP</b>	8.61	8.86	2.90%
<b>MAP CAP</b>	10.8	10.8	N/A

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# For questions or more information

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- ▶ City Manager's Office

- ▶ [dkiff@newportbeachca.gov](mailto:dkiff@newportbeachca.gov)
- ▶ 949-644-3001

- ▶ City Attorney's Office

- ▶ [aharp@newportbeachca.gov](mailto:aharp@newportbeachca.gov)
- ▶ 949-644-3131

