

## August 2015 Update- All things Aviation:



If you'd like additional information, please contact Newport Beach City Manager Dave Kiff at [dkiff@newportbeachca.gov](mailto:dkiff@newportbeachca.gov).

### **JWA -July**

Airline passenger traffic at John Wayne Airport increased in July 2015 when compared to July 2014. In July 2015, the Airport served 927,934 passengers, an increase of +10.8% when compared with the July 2014 passenger traffic count of 837,702. Commercial aircraft operations increased +5.9%, while commuter aircraft operations decreased -6.6% when compared to July 2014 levels. ADDs for July were 121.77 vs. 115.65 a year ago. International passengers again saw an increase of +24.7% for the month vs. a year ago. International also accounted for 5 ADDs of the total ADDs for the month of July. Year to date passenger levels overall are +5.8% ahead of last year and the airport for the first six months is at 5.72 MAP.

### *County Monitoring of the Monitors*

At the Aviation Committee meeting on August 6, a presentation was made regarding the results of the side-by-side noise test of the noise monitors at the airport conducted by the County. To reiterate a bit of what was determined, the side-by-side test was conducted over a three month period at noise monitors 8, 1, 2 and 3. The testing is a result of the newly installed, i.e. 2015, noise monitoring system installed by Bridge Net International, Inc. for the replacement of John Wayne Airport's aircraft noise and operations monitoring system (including field hardware and software). The old system was installed in 1997. The results of the side-by-side test have been released by the

County. It was determined that "...the side-by-side comparison yielded a difference in energy average single-event noise levels for specific aircraft at each tested measurement site of 0.3 to 0.9 dB, with higher average noise levels measured on the new system...." To expand upon the foregoing, the side-by-side testing tested the old noise monitor system against the newly installed at the exact locations and the identical flights for both systems. The new noise monitor system registered higher average noise levels at each of the side-by-side tests. Put another way, "...each measurement site tested has a reported difference in energy average sound levels from the same aircraft events...."

#### No Change in the Actual Energy Noise Levels

First of all as concluded by the tests and the information provided, the actual average energy sound levels at both monitors (the "old" and the "new") were the same, however each measurement reported a difference between the old and the new. The actual energy noise level did not change. The different measurement of the noise levels is what has precipitated the proposed changes at the different noise monitors. At the presentation, there was discussion regarding the Airport Noise and Capacity Act ("ANCA"). Because there were a number of questions regarding ANCA and why it was important in the determination by the County to recommend the modifications to the noise energy levels "as measured" at the noise monitoring stations the following information is also provided:

#### ANCA

Because the actual noise energy levels are the same but the measurements are different, the change is necessitated so that air carriers and/or the FAA can not say that operations have been reduced or limited at the airport. It all boils down to this portion of ANCA: "...(4) a subsequent amendment<sup>1</sup> to an airport noise or access agreement or restriction in effect on November 5, 1990, that does not reduce or limit aircraft operations or affect aircraft safety;..."

The foregoing provision, the so called grandfathered provision, dealt specifically with JWA and the Settlement Agreement. The JWA Settlement Agreement, implemented in 1985, was put in place by JWA, the City of Newport Beach, Airport Working Group and SPON and arose from litigation between the parties. The JWA settlement agreement

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<sup>1</sup> The JWA Settlement Agreement was entered into on or about 1985, i.e., prior to the 1990 date.

in its broadest sense dealt with the abilities of local communities to deal with the issue of airports and their surrounding environs. The FAA and the airlines did not particularly like this concept and as a result ANCA was born. In response to the growing aircraft noise problem, Congress passed ANCA. ANCA is significant because it shifts authority for noise abatement away from local governments and airport proprietors and grants the Federal Aviation Administration (FAA) authority on all noise restrictions on aircraft. While ANCA allows a comprehensive statute that created uniform procedures for enacting airport noise restrictions, not one airport noise restriction has become fully effective under ANCA. The bottom line is that attempts to improve the human environment in airport communities have been unsuccessful.

Accordingly the need to modify the measurement readings of the noise levels at the respective noise monitoring stations, otherwise, an airline might claim that while the actual energy noise level remains the same, the new noise monitor reading results in potentially a higher reading of what was previously an allowable reading and departure but with the new reading may not be considered an allowable departure. The foregoing could be interpreted as “reducing or limiting aircraft operations” a violation of ANCA which could therefore potentially pose a threat to the existing JWA Settlement Agreement which limits to the extent it can the operations at JWA pursuant to its grandfathered status in accordance with ANCA.

*ADDS- JWA*

A recent question was raised regarding the number of daily departures at JWA, including the number of ADDs for General Aviation Jets. According here are some numbers for the period April 1, 2013- March 31, 2014 and April 1, 2014- March 31, 2015, as follows:

Period	ADDs Commercial A&E	ADDsGen Jets	Total ADDs
4/1/13- 3/31/14	113.60 ADDs	34.10 ADDs	147.71 ADDs
4/1/14-3/31/15	111.31 ADDs	36.02 ADDs	147.43 ADDs

### *Recent Complaints- Follow-Up*

In response to the recent complaints regarding departures being too far west over the Bay, after the renumbering of the Runways<sup>2</sup>, i.e., post September 18, 2014, JWA has forwarded the information to the FAA and every indication so far is that this will be addressed and remedied. No indication has been given so far as regards a time line. A brief but by no means complete description of what occurred is that when the Runways were renumbered, i.e. 19R became 20 R, the heading of that Runway which was previously 194 degrees was corrected to 196 degrees. Under the pre- September 18, 2014 departures, the departure was as an example- 194 to left heading 175 but now reads 196 to 177, whereas it should have been redesigned to read instead to 196 of 175. As a result, the departures were pushed to the west, by approximately two (2) degrees and thus the complaints from people in Westcliff, Newport Heights, Lido Isle and portions of the Peninsula etc. As stated above the FAA has acknowledged the problem but has not committed time wise as to when the matter will be fixed<sup>3</sup>.

However, the data so far available, pursuant to the MetroPlex<sup>4</sup>, indicates that as far as the MUSEL, to become the FINZZ and the CHANL to become the HAYLO, the headings will now read 196 to 175 and 196 to 173 respectively. According to the FAA website, the HAYLO and FINZZ will be implemented on or about November 10, 2016, again that is by no means a guaranty. This information changes, it would appear constantly.

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<sup>2</sup> On September 18, 2014 JWA's 5,700-foot air carrier commercial service runway became 2L-20R and the 2,887-foot general aviation runway became 2R-20L. For a further discussion see the September 2014 Aviation Update.

<sup>3</sup> By no means a guaranty by the FAA.

<sup>4</sup> In addition all three major commercial departures (including the STREL which will become the PIGGN) will utilize the STREL waypoint; however, none of the three major commercial departures will utilize the current TOING waypoint. Also see comments regarding MetroPlex below. The PIGGN to be published on or about May 21, 2016.

## *MetroPlex Environmental Assessment Update*

The City along with the County met again with the FAA and representatives of the airlines on August 12, 2015, in an effort to obtain additional information regarding the proposed redesign of airspace in Southern California. As you may recall the FAA has released an Environmental Assessment (EA) for the SoCal OAPM, and extended the comment period on the EA to September 8, 2015. The City and County are trying to ascertain the extent of the proposed changes to flight paths to determine their full effect upon the communities surrounding the airport. Again for those of you who have not followed the MetroPlex redesign and wish to review the EA and/or make comments you are directed to the web site<sup>5</sup> at:

[http://www.metroplexenvironmental.com/socal\\_metroplex/socal\\_introduction.html](http://www.metroplexenvironmental.com/socal_metroplex/socal_introduction.html)

Of particular interest still remains the City's concern about the proposed changes to the three (3) major commercial standard instrument departure paths and establishing to the extent possible that the proposed changes will not affect new communities in the City.<sup>6</sup> It is still anticipated that the City will be lodging extensive comments regarding the EA, to solidify its understanding of the proposed changes. It is important to note that the willingness of the FAA to meet with the City as well as the other stakeholders demonstrates a major breakthrough in design and planning of airspace, however there is no commitment on behalf of the FAA that this will continue.

Some repeated questions by citizens in the community prompt additional clarification for those of you, who have been following the MetroPlex process.

- Who initiated the proposed changes? The Federal Aviation Administration (FAA) has initiated the redesign of the Southern California airspace, which includes 21 airports in the region.

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<sup>5</sup> For additional detail regarding the background of the MetroPlex see the June 2015 Aviation Update.

<sup>6</sup> The major change is that all three (3) proposed departures will utilize the STREL waypoint and the TOING flyover waypoint appears to have been removed. (See also the above referenced discussion of the recent complaints concerning planes flying over western portions of the City.)

- Why has the FAA implemented the changes? There are, according to the FAA, a variety of reasons: The process is part of the NextGen, which has been mandated by Congress to update or modernize airspace in the United States (this is not just Southern California). The SoCal Project would improve the efficiency of airspace in the Southern California Metroplex by optimizing aircraft arrival and departure procedures;
- What has the FAA concluded? The Project may involve changes in aircraft flight paths and altitudes in certain areas, but would not result in any ground disturbance or increase the number of aircraft operations within the Southern California airspace.
- Does the City necessarily agree with the foregoing? Not necessarily, however the City was not consulted regarding the proposed redesign prior to the release of the Draft Environmental Assessment (EA). It is one of the reasons that the City will be filling comments to the Draft EA as well as the reason for attempting to obtain as much information as possible and participate with the collaborative efforts of the County in the process.
- So I assume that the County, as owner of JWA was consulted regarding the changes proposed in the Draft EA? No, they were not. The FAA did not consider JWA a stakeholder at the time of the study and process of developing the Draft EA.
- So who was consulted in developing the Draft EA? The Airlines.
- If I want to make comments on the Draft EA, what should I do? Again for those of you who have not followed the MetroPlex redesign and wish to review the EA and/or make comments you are directed to the web site<sup>7</sup> at: [http://www.metroplexenvironmental.com/socal\\_metroplex/socal\\_introduction.html](http://www.metroplexenvironmental.com/socal_metroplex/socal_introduction.html)

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<sup>7</sup> For additional detail regarding the background of the MetroPlex see the June 2015 Aviation Update.

The site provides details of the proposed project as well as how you can make your comments to the FAA before the deadline of September 8, 2015, partially reproduced here as well: The FAA encourages interested parties to review the EA, and provide written comments during the public comment period. Written comments will be accepted by the FAA until **September 8, 2015**. The public is invited to comment by mail or email.

Comments can be emailed to:

[9-ANM-SoCalOAPM@faa.gov](mailto:9-ANM-SoCalOAPM@faa.gov)

Comments can be submitted by regular mail to:

SoCal Metroplex EA  
Federal Aviation Administration  
Western Service Center - Operations Support Group  
1601 Lind Avenue SW  
Renton, WA 98057

### **Airports in the Region**

*(The following information regarding the statistics for Airports in the Region is merely reproduced as new information is not currently available)*

#### *LAX- May and June 2015*

LAX saw an increase for June of +3.99% and May of 2015 with an overall passenger increase of +4.54% versus the same periods of last year. Year to date, through June, the airport passenger levels are up +4.77% for the year.

#### *ONT- May and June 2015*

ONT saw another increase overall for the months of May and June versus the same periods last year. June saw an increase of +1.52% with an increase of +3.47% in May. Overall, the airport is up +1.90% for the year.

## *Long Beach*

Long Beach continues to suffer in the Southern California region. May saw the overall passenger numbers decrease by -13.5% for May 2015 vs. last year and -13.9% for June 2015 vs. June 2014. Through June 2015, the airport is showing an overall decrease of -11.6 % vs. 2014 with only 1.22 MAP for 2015.

## **Bob Hope**

A celebration of the return of international clearance services for flights to Southern California was held earlier today at Van Nuys Airport. Before the new U.S. Customs and Border Protection (CBP) facility opened at Van Nuys on May 21, pilots had to fly to Los Angeles International for clearance, then reposition. To use the new facility, operators must pay user fees to Los Angeles World Airports (LAWA), which then pays CBP to cover costs of operating and staffing the new service.

FBO Signature Flight Support advanced about \$225,000 to build the new 1,528-sq-ft facility, which is part of the Signature West FBO. Inside, the new CBP facility includes an interview room, inspection room, office space and security features. The celebration was attended by Maria Sastre, president and COO of Signature Flight Support; LAWA's new executive director Deborah Flint; U.S. members of Congress Tony Cárdenas and Brad Sherman; Los Angeles city councilwoman Nury Martinez; and Anne Maricich, CBP acting director of field operations. Local operators and pilots are happy to see international clearance services return to Van Nuys, eight years after it was removed from local airports. "We're pretty fired up about that," said Jason Middleton, CEO of Camarillo-based charter operator Silver Air, which flies international trips in large-cabin Gulfstreams.

## **LAX and ONT Announce Settlement of their Litigation**

Los Angeles is poised to "begin a process" to give up control of L.A./Ontario International Airport for the first time in nearly five decades, culminating a five-year legal battle between L.A. and Ontario. Los Angeles will transfer ownership of



L.A./Ontario International Airport to an airport authority made up of representatives from San Bernardino, Riverside and Orange counties, sources said Wednesday. Under the terms of the agreement between Los Angeles and Ontario, L.A. and Los Angeles World Airports would be reimbursed for the investments that have been made at ONT, as well as retaining employees. Details are being worked out and are subject to approval of multiple agencies, including but not limited to the FAA; Los Angeles and Ontario City Councils, Board of Airport Commissioners; Ontario International Airport Authority.

ONT in recent years has shown a dramatic decline in passengers and only in the last few months has the airport started to see some better numbers. In 2014, ONT had a total of 4.13 MAP. At one point ONT had expanded with the idea that it could potentially handle 20 MAP. Under the current SCAG prognostications, ONT is predicted to have anywhere between 7.2 MAP to 19 MAP. ONT has 1700 acres and two (2) runways of 10,200 and 12,197 ft.<sup>8</sup>

ONT will now have to deal with:

- ✓ Timing of the transition, as it will take at least a year for final approvals and then once implemented will have to determine how to independently own and operate an airport without LAX oversight, while paying for the right to own the airport;
- ✓ How to attract new airlines or maintain strong relationships to build new routes for the existing airlines;
- ✓ How to attract new passengers to the airport;
- ✓ How to easily deliver passengers to the airport

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<sup>8</sup> By comparison JWA has one commercial runway of 5700 ft. in length and sits on 500.2 acres however this number is actually less than 400 acres, as acknowledged by the County in the 2003 Settlement Agreement: "...less than four hundred (400) acres of which are available for airport operations...."