



## CITY OF NEWPORT BEACH AVIATION COMMITTEE AGENDA

Community Room, 100 Civic Center Drive  
Newport Beach, CA 92660

Monday, October 30, 2017 - 4:00 PM

***Aviation Committee Members:***

Council Member Jeff Herdman, Chair  
Council Member Brad Avery, Vice Chair

Tom Anderson  
Steve Byers  
Jeffrey Cole  
David Cook  
Jim Dunlap  
Vicki Frank  
Roger Ham  
Patti Janssen  
Tony Khoury  
Barbara Lichman  
Tom Meng  
Kay Mortenson  
Bonnie O'Neil  
Karen Rhyne  
Melinda Seely  
Tim Stoaks  
Warren Wimer  
John Youngblood

***Staff Members:***

Dave Kiff, City Manager  
Aaron Harp, City Attorney

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The Aviation Committee meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Aviation Committee agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Committee and items not on the agenda but are within the subject matter jurisdiction of the Aviation Committee. The Chair may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact Shirley Oborny, Executive Assistant to the City Manager, at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 644-3001 or [soborny@newportbeachca.gov](mailto:soborny@newportbeachca.gov).

**NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT**

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the City Manager's Office 24 hours prior to the scheduled meeting.

**1. CALL MEETING TO ORDER**

*Jeff Herdman*

**2. SELF INTRODUCTIONS**

**3. APPROVAL OF MINUTES**

Minutes - July 24 2017

**4. CURRENT BUSINESS**

- (a) *Results of recent altitude review by County of Orange*
- (b) *Presentation and discussion of current issues (NextGen, Settlement Agreement, direction by the City Council from September 26, 2017, more)*
  - 1. *Update of the 2008 ARTS study*
  - 2. *Additional noise studies*
  - 3. *Assistance in Washington DC*
- (c) *Consideration of a “Fly Quiet” reward program*
- (d) *Ways to improve communication (all)*
- (e) *Other*

**5. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

**6. ITEMS FOR THE NEXT/OTHER UPCOMING MEETING AGENDA**

**7. SET THE NEXT MEETING**

**8. ADJOURNMENT**

# City of Newport Beach



## MINUTES of the COUNCIL/CITIZENS AVIATION COMMITTEE (**draft** until approved by the Committee)

MEETING DATE & LOCATION: **Monday, July 24, 2017**, at the Newport Beach Civic Center (100 Civic Center Drive, NB), City Council Chambers.

### ATTENDANCE:

- Committee membership:

Jeff Herdman	Council Representative	present
Brad Avery	Council Representative	not present
Vacant	Council Representative	
Kay Mortenson	District #1	not present
Warren Wimer	District #1 (alt)	present
Vacant	District #2	
Gerald Scarboro	District #2 (alt)	present
Tom Anderson	District #3	not present
Bonnie O'Neil	District #3 (alt)	present
Tom Meng	District #4	present
David Cook	District #4 (alt)	not present
Vicki Frank	District #5	not present
Walt Richardson	District #5 (alt)	not present
Vacant	District #6	
Vacant	District #6 (alt)	
Jim Dunlap	District #7	present
Karen Rhyne	District #7 (alt)	present
Dave Kiff	City Manager	present
Aaron Harp	City Attorney	present
Melinda Seely	SPON/Air Fair Rep.	present
Tony Khoury	AWG Representative	present
Tom Naughton	AWG Representative	present
Roger Ham	Newport Coast Rep	present
John Youngblood	General Aviation Rep	not present

- JWA Representatives present: Nikolas Gaskins
- City representatives present: Tom Edwards, Carol Jacobs, Shirley Oborny
- Others present:

Edwin Broderick	Carolyn Jerger	Lee Pearl
Lynn Cathcart	Marsha Kendall	Sally Peterson
Larry and Jen Copeland	Michele Monda	John and Michele Sciarra
Adrienne & Torben Frederiksen	Jim Mosher	
Jackie Hall	Jan and Dave New	
Jo Carol Hunter	Craig Page	

## **1. Call Meeting to Order**

Chairman Herdman called the meeting to order at 4 p.m.

## **2. Self-Introductions**

## **3. Approval of the Minutes.**

The minutes from the November 21, 2016, Aviation Committee meeting were approved with Committee Members Herdman, O'Neil and Rhyne abstaining.

## **4. Updates/Current Business**

### **(a) FAA/MetroPlex/Next Gen Update (Dave Kiff, Tom Edwards)**

Mr. Kiff held a moment of silence in honor of long-time committee member Eleanor Todd, District 2 Representative, who recently passed away. She was a former pilot and longtime docent at JWA.

Mr. Kiff said since the last meeting, the FAA has implemented the MetroPlex plan. At JWA, this occurred for half of the flights on March 2, 2017 (flights going to the east of Las Vegas going on a path called the PIGGN). The other half of flights (HHERO and FINNZ) went to a new path at the end of April 2017. In May 2017, the first half of flights from March (PIGPN) were switched again a little to the west.

Mr. Kiff said the City is not entirely happy with the new routes and there could be a better opportunity to split the upper bay "Narrows." That would minimize the impacts on residents to the west and to the east. He said he, Mr. Edwards and Mr. Gaskins are discussing the situation with the FAA on a regular basis. The FAA controls this entirely. We all need to be consistent and cooperative about what we want. We have a good relationship with the FAA and to date they have been working with us.

Discussion ensued.

In response to Ms. O'Neil's concern with planes departing at a lower altitude, Mr. Edwards explained that they are allowed to depart at a lower altitude as long as they meet the noise standards.

Ms. Seely suggested the airlines might be willing to work with the City to make a small adjustment in their departure altitude.

Mr. Edwards said the studies going back to 2007 show a shift in flight paths in terms of east and west but the altitudes are similar in recent years. Mr. Kiff said they would check to see if there is information available prior to 2007.

Mr. Meng cautioned that pulling back hard at take-off could increase noise for the Santa Ana Heights neighborhood. Discussion ensued.

Several attendees stated they are witnessing planes flying lower and hearing more noise lately than they did in the past. In response, Mr. Kiff reminded everyone about the Settlement Agreement that does not allow for the Noise Monitoring Stations' decibel limits to decrease as planes get quieter. The Federal Airport Noise and Capacity Act (ANCA) does not allow a locality to place restrictions on noise absent what is in our own Settlement Agreement. We could ask the carriers to help us but they are not required to. Some good news is that Boeing and Airbus are building planes (the B737MAX and the Airbus 320neo) that are quieter, emit less pollutants and are more fuel efficient.

Mr. Sciarra complained about the increase in the number of flights, the increased pollutants and his belief that the penalty should be higher for violations. In response, Mr. Gaskins explained the differences in the penalties for commercial aircraft violations vs. private aircraft violations; commercial aircraft violations are based on quarterly averages per series of aircraft whereas private aircraft are based on single violations. Discussion ensued.

Mr. Edwards added that general aviation is not part of the Settlement Agreement and he feels that is where a lot of the noise is coming from.

A member from the public feels the community should pursue seeking help from the airlines to throttle back. She heard from pilots that it's not dangerous and the pollutants are dispersed higher into the air as a result. Mr. Gaskins cautioned that when we start asking for changes, we can be held liable for anything that happens. Mr. Kiff said that it may be more appropriate for that kind of request to come from the community. The City has already sued the FAA on NextGen based in part on the environmental assessment because it felt that the EA's analysis of noise, air quality, greenhouse gases (and more) was inadequate. In addition, he recently followed up with the EPA about aircraft emissions and at this time it doesn't seem like they are interested in additional regulations on air carriers.

In response to Mr. Mosher's request for records of altitude change, Mr. Kiff said he would work to get updated information.

**(b) John Wayne Airport Information / Operational Updates (Nick Gaskins)**

Mr. Gaskins gave an update on flight decreases and increases with different carriers. He reported a new version of Volans, a local flight tracking app, that will be launched in the near future. It's delayed by 60 minutes for accuracy and security.

Mr. Gaskins and Mr. Kiff answered questions about noise monitoring stations equipment, airlines' requests for changes to their allocations, flight curfews, reports available for the public, etc.

Mr. Edwards reported that Ontario Airport is doing much better (in 2017 compared to 2016), as is Long Beach Airport.

#### **5. Public Comments on Non-Agenda items**

In response to Mr. Mosher, Mr. Kiff explained that the issue of the definition of Commuter Air Carrier being changed from 70 to 76 seats was pulled from the Board of Supervisors' agenda for tomorrow because SPON has not had a chance to respond. Mr. Gaskins said Commuter Air Carrier is defined in the Commuter Access Plan as an airline.

Mr. Pearl feels the community should know what the long-term effects of the seat configuration will be. Mr. Kiff said the County may look at the issue in about six months.

#### **6. Set the next meeting**

The next meeting was tentatively set for September 25, 2017 (since changed because of quorum issues to October 30, 2017).

#### **7. Adjournment**

The meeting was adjourned at 5:15 p.m.

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