



CITY OF NEWPORT BEACH AVIATION COMMITTEE AGENDA

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

Monday, May 16, 2022 - 5:00 PM

Aviation Committee Members:

**Council Member Diane Dixon, Chair
Council Member Noah Blom, Vice Chair**

**Nancy Alston - SPON Representative
Elizabeth Braley - District 3
Jeffrey Cole - District 6
Roger Ham - Newport Coast Representative
Julie Johnson - CAANP Representative
Anthony Khoury - AWG Representative
Stephen Livingston - General Aviation
Hugh Logan - District 7
Sharon Ray - District 2
Ron Rubino - District 4
Jack Stranberg - Member At Large
Cameron Verdi - District 5
Vacant - District 1**

Staff Members:

**Grace K. Leung, City Manager
Tara Finnigan, Assistant City Manager
Aaron Harp, City Attorney
Shirley Oborny, Executive Assistant to the City Manager**

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 public can submit questions and comments in writing for the Aviation Committee to consider by sending them by email to Aviation@newportbeachca.gov by Monday, May 16, 2022 at 10 a.m. to give the Aviation Committee time to consider your comments. All emails will be made part of the record.

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.

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.

I. **CALL MEETING TO ORDER**

II. **ROLL CALL**

III. **APPROVAL OF MINUTES**

[Draft Minutes - April 18, 2022](#)

[Public Comment - Jim Mosher](#)

IV. **CHAIR'S ANNOUNCEMENTS**

V. **CURRENT BUSINESS**

a. Oral Reports

1. Kevin Karpe, Diverse Vector Aviation, will provide an update on the projects he is working on for the City of Newport Beach.
2. Tara Finnigan, Assistant City Manager, will share updates from the City's government relations consultants, Channon Hanna of Carpi & Clay and Cori Takkinen of Townsend and Associates.
3. Tara Finnigan, Assistant City Manager, will discuss the 2022 Aviation Noise and Emissions Symposium that was held from May 1-3 at UC Davis.
4. Mel Beale, Airport Working Group, will provide an update on items related to the commercial airline noise mitigation workshop.
5. Aviation Committee 2022 Priorities - Progress Updates. Individual members or Ad Hoc Committees that have met or otherwise studied their respective priority will provide progress updates.

[Public Comment - Jim Mosher](#)

VI. **PUBLIC COMMENTS ON NON-AGENDA ITEMS AND ITEMS FOR FUTURE**

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Aviation Committee, and items for future agendas. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Aviation Committee has the discretion to extend or shorten the speakers' time limit on agenda or non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

VII. **NEXT MEETING - June 20, 2022**

VIII. **ADJOURNMENT**



CITY OF NEWPORT BEACH
MINUTES of the
AVIATION COMMITTEE
(draft until approved by the Committee)

**MEETING DATE & LOCATION: Monday, April 18, 2022, 5 p.m., Civic Center
Community Room, 100 Civic Center Drive, Newport Beach, CA 92660**

ATTENDANCE:

Committee membership:

Council Member Diane Dixon, Chair
Council Member Noah Blom, Vice Chair (absent)
Nancy Alston – SPON Representative
Elizabeth Braley – District 3 (arrived at 5:02 p.m.)
Jeffrey Cole – District 6
Roger Ham – Newport Coast representative (absent, excused)
Julie Johnson – CAANP representative
Anthony Khoury – AWG representative
Stephen Livingston – General Aviation
Hugh Logan – District 7
Sharon Ray – District 2
Ron Rubino – District 4 (arrived at 5:17 p.m.)
Jack Stranberg – Member at Large
Cameron Verdi – District 5
VACANT – District 1

Staff: City Manager Grace K. Leung, Assistant City Manager Tara Finnigan, City Attorney Aaron Harp, and Executive Assistant to the City Manager Shirley Oborny

I. CALL MEETING TO ORDER

Chair Diane Dixon called the meeting to order at 5 p.m.

II. ROLL CALL

Vice Chair Blom was absent, and Committee Member Ham had an excused absence. Committee Member Braley and Committee Member Rubino were announced absent during the roll call, but arrived late.

III. APPROVAL OF MINUTES

Motion to approve the minutes of the February 28, 2022, meeting as presented was made by Committee Member Logan and seconded by Committee Member Cole. The motion carried unanimously with Committee Member Khoury abstaining.

IV. CURRENT BUSINESS

A. Oral Reports

1. Kevin Karpe, Diverse Vector Aviation, will provide an update on the projects he is working on for the City of Newport Beach.

Kevin Karpe provided an update on the general aviation voluntary traffic pattern procedure. JWA staff helped the City get a graphic reviewed and approved by the Federal Aviation Administration (FAA). He also worked on resident inquiries related to noise and safety, and analysis on work requested by the City. He and City Manager Grace Leung worked with the Airport Working Group (AWG) on the airline workshop items.

2. Tara Finnigan, Assistant City Manager, will share updates from the City's government relations consultants Channon Hanna of Carpi & Clay and Cori Takkinen of Townsend & Associates

Assistant City Manager Tara Finnigan said Ms. Hanna reported on submitting the City's language request for the Fiscal Year (FY) 2023 appropriations process to Rep. Steel, Senator Feinstein and Senator Padilla. The language is similar to the proposed language submitted last year. The request was for language in the report attached to the Transportation, Housing and Urban Development bill that would require FAA to report to the Committee how it plans to engage with local communities that are not participating in roundtables and are proposing noise solutions that do not require local coordination through roundtables.

As a follow up to the March hearing on aviation noise, Ms. Hanna had a meeting with the House Aviation Subcommittee staff to discuss some of our broader concerns about FAA coordination and communication with cities like Newport Beach. Channon is also working on trying to connect with other local communities who may also have concerns about the FAA ombudsman and lack of engagement from FAA.

Billy Nolen was appointed acting FAA Administrator. He previously served as FAA's Associate Administrator for Aviation Safety. Before joining the FAA, he worked for several airlines and Airlines for America.

In response to Chair Dixon, Assistant City Manager Finnigan explained that staff asked Ms. Hanna to attend the next meeting with an update on the 2018 reauthorization and the components of the bill the City has tracked.

Assistant City Manager Finnigan gave Cori Takkinen's report on government relations activities related to the County of Orange. The City of Newport Beach sent a couple of letters to the Board of Supervisors. Copies were provided. One letter was sent to the full Board and pertains to the rent concerns that have been raised by the So Cal Pilots / the small general aviation community. The second was addressed to Supervisors Bartlett and Foley, as they comprise the Board Ad Hoc that is overseeing the recruitment of the new airport director. The letter asks the County to choose a new director that prioritizes community engagement. The City received a reply from the Board Ad Hoc and copies of that letter were also provided. The Board is close to announcing the new airport director. Ms. Takkinen will contact the new director about meeting with Newport Beach.

The County is very close to launching the voluntary Fly Friendly program for General Aviation. The County is just awaiting final approval from the FAA on a voluntary departure procedure before the Fly Friendly program is officially unveiled.

Committee Member Ray suggested they should meet with members of the Board of Supervisors when the new Airport Director starts.

3. General Aviation Voluntary Traffic Pattern Procedure – Tara Finnigan, Assistant City Manager, will provide an update on the City's and John Wayne Airport's efforts to address noise concerns raised by Bayview Terrace residents.

Assistant City Manager Finnigan provided an update on the status of the general aviation voluntary traffic pattern procedure. This issue pertains to the complaints received from Bay View Terrace and Bay View Heights residents. Those neighborhoods noticed an uptick in general aviation traffic about a year ago which was confirmed by the City. The City reached out to the FAA. JWA confirmed the uptick and also contacted the FAA which has now signed off general aviation voluntary traffic pattern procedure. A copy of the letter and graphic that was sent by JWA to over 100 general aviation contacts was provided to the Committee (see attached).

4. Grace Leung, City Manager, will provide an update on the air carrier meetings.

City Manager Grace Leung reported that over the past several years, the City and the Airport Working Group (AWG) worked directly with the airlines to develop a relationship. They specifically targeted United, Southwest, and American. United has done a lot of technical work with the simulator runs with AWG and Mel Beale. That data was reviewed with Georgia Tech to look at optimal departure procedures that would bring down the noise decibels.

In response to Chair Dixon's question about a target date, City Manager Leung stated that they were meeting with internal operations people later in the month to discuss test runs and get a commitment. Changing a departure procedure specific to JWA to benefit our city is quite significant. Southwest has invited Committee Member Stranberg and Mel Beale to its headquarters in Dallas to do simulation runs in early May. Some Southwest executives were also coming to town and scheduled a meeting with her the next week. Progress has been slow but meaningful. Mr. Karpe told the Committee that this type of relationship is unprecedented.

Mr. Karpe stated that many cities would like to have this type of cooperation with the airlines. It is key that the program is voluntary, and he was pleased with the level of cooperation.

City Manager Grace Leung stated that most airlines were on Noise Abatement Departure Procedure 1 (NADP 1). The STAYY has been adopted by several airlines with more to come. Committee Member Stranberg has focused on the fleet transition and scheduling.

Chair Dixon thought these incremental steps are very significant and should be communicated via the website.

Committee Member Stranberg thought it was significant that Southwest invited them to its corporate offices. AWG will work on the simulation, and he would meet with the Vice President of Network Planning to promote high technology equipment at JWA, specifically the MAX because of its reliability, lower fuel consumption, and engines. Southwest has been receptive to discussions. Frontier offered to buy Spirit but now Jet Blue has offered to buy Spirit for \$3.6 billion. Many things are up in the air and there are antitrust issues that must be sorted out.

Committee Member Johnson thanked JWA staff for their extra work related to the Fly Friendly Program. She noted the voluntary noise abatement procedure proposed as part of the Fly Friendly program. She is concerned about pollution and the community's health. Fly Friendly also has a tool kit and she wanted to know how they would communicate that to the pilots and the community.

Dennis Bress, resident of Balboa Island, thanked the Committee. He stated his concerns about Alaska's noise levels and suggested Mr. Karpe reach out to its flight operations department. He suggested the airport's Access and Noise Office (ANO) should be asked to produce departure information weekly, broken down by class. He also wanted the ANO to show the cumulative noise through Noise Monitors 1 through 7. Finally, he suggested the City stream and record meetings for the public.

Michael Lev, resident of Newport Beach, stated that he understood his home is under a flight path and recognized the importance of the airport to the economy. Airplane noise is a problem, so he wanted to thank the Committee for its work and ask them to continue to try to mitigate the noise. They know when it is 7 a.m. due to the noise and are regularly interrupted while attempting to enjoy their yard.

Chair Dixon welcomed Mr. Lev and encouraged him to follow the Aviation Committee's work as the Committee is committed to addressing noise and quality of life issues.

Jim Mosher, resident of Newport Beach, indicated he had two questions about the City's effort to develop its noise abatement procedure for commercial flights. First, in the 1990s the FAA required air carriers to abandon steep takeoffs and standardize noise abatement procedures for each aircraft. He believed they were only supposed to have two procedures for each aircraft nationwide. Based on that, he asked if the FAA was no longer concerned about only having two procedures per aircraft. Secondly, at the last Aviation Committee meeting, Committee Member Verdi raised a question about airlines fuel consumption. Years ago, the Committee was told that it was the airlines' primary concern and any change which would require extra cost would be a nonstarter. He asked if the airlines were now willing to sacrifice cost for community quality of life.

Alan Guenther, resident of Newport Beach, thanked Committee Member Ray for her work. He indicated that he had tracked the Alaska flights for the past five days and had the data. In Class C airspace Alaska average speed was 231 knots. He noted that he had brought the issue to the Committee's attention three months prior and encouraged the Committee to contact Alaska. Delta operates the quietest aircraft out of JWA. He encouraged the Committee to send a letter and then stated he was pleased they had done so. He asked if the Committee was changing the procedure that it had voted on.

Mr. Guenther stated that he was by the Lido Theater and American Airlines 737 flew over very low. He checked flight radar and saw that it was a missed approach but noted that it was extremely quiet. If the departure is changing, this should be considered as an option.

Joe August, resident of Newport Beach, thanked the Committee for its work and noted that JWA put out a quarterly noise report. He read a paragraph from the current report aloud regarding noise complaints. Data should be the basis of the work. City Manager Leung spoke at a community meeting a few years ago and promised that the City was committed to a data driven solution. He said speed is a big factor in noise and should be the number one concern. Fly Friendly should break down noise as a category of aircraft. He said general aviation jets are 25% of the Class A departures and represent 60% of the noise. They should study Class A noise, Class E noise, commuter noise, and GA noise. Fly Friendly is only for corporate jets and Class A makes the large noise footprint.

Mr. Karpe discussed FAR 91.117. If an aircraft exceeds the stated speed, Paragraph D states the pilot could do so if operationally required. He said Flight Radar 24 is an accurate program which he also uses in his analyses of aircraft speeds. The FAA adjudicates speed issues and forwards them to the Flight Standards District Office, which is located in Long Beach.

Assistant City Manager Finnigan explained that the information provided by Mr. Bress and Mr. August had been sent to the FAA Regional Administrators Office along with an invitation to speak to the Aviation Committee.

Committee Member Johnson thought it would be helpful to understand how the FAA Regional Administrators Office handled such things.

In response to Chair Dixon's question about the status of discussions with Alaska, City Manager Leung explained that Alaska was participating in the workshop discussions but didn't want to lead them. The City and AWG have a relationship with Lynae Craig who has been involved in the discussions for at least two years. Alaska is not currently doing any trials, but Ms. Leung was hopeful that with more data, the City could encourage them to do so.

City Manager Leung indicated Ms. Craig would be at the Aviation Noise Symposium at University of California, Davis. In response to Chair Dixon's question about setting up a meeting, City Manager Leung indicated that she would reach out and try to set that up. In response to Mr. Mosher, she indicated that generally the FAA and the air carriers wanted more standardization. If the air carriers are supportive of a variation, it would be more compelling to the FAA.

Chair Dixon stated that the air carriers remained concerned about fuel costs.

In response to Mr. Guenther, Chair Dixon stated that the Aviation Committee's departure procedure has not been revised.

B. Aviation Committee Assignments for 2022

1. Receive and File the 2022 Committee Assignments
2. Approve the formation of the Standard Instrument Departures Monitoring, Communication Content, Educational Programming, and Government Relations Plan Review Ad Hoc Committees.

Assistant City Manager Finnigan stated that the Aviation Committee adopted its priorities for the calendar year at its previous meeting. They looked at the work and whenever possible left Committee Members in their 2021 assignments. They are ready to start work and those committees with items to report would do so at the regular Aviation Committee meetings.

Chair Dixon explained that in 2021 they established objectives to work towards and the assignments were given to monitor progress against the stated goals. She welcomed the new Aviation Committee members to the committee process.

Assistant City Manager Finnigan stated that Mr. Rubino had an idea that became an objective about better education on the Settlement Agreement.

Committee Member Ray asked if sustainability could be added to the priorities. JWA has a sustainability effort underway. Assistant City Manager Finnigan noted that they planned to revisit that later in the year. At the request of Committee Member Johnson, they will add advocating for an ultra-fine particulate matter measurement to the Federal lobbying efforts.

Committee Member Ray explained that JWA was working through a number of things but on the general aviation side; there are many sustainability issues. They want to maintain the best standards during the two-year major construction process.

Chair Dixon suggested the Aviation Committee invite someone from JWA to provide a construction update. Assistant City Manager Finnigan agreed that was a good idea as a year had passed since the last time they spoke of the construction schedule.

Committee Member Verdi suggested a subcommittee to work on the Settlement Agreement in preparation for 2030. City Attorney Aaron Harp suggested that they start that subcommittee in 2023 as negotiations would start in 2025 for 2030.

Dennis Bress again requested that the Aviation Committee meetings be streamed and recorded. He hoped the Committee could get the morning departures to depart to the north as much as possible. He said the City must hold the County accountable for the operation of the airport. The quarterly report showed 139,590 complaints.

Mr. Bress wanted to know who was in charge of or could take on the responsibility of auditing the ANO.

Assistant City Manager Finnigan explained that the committee assignments were based on the priorities adopted at the last meeting.

Mr. Mosher requested clarity for the committee assignees about the end goal of each committee. He asked if the committees were supposed to work independently as advisors to the main Aviation Committee. Assistant City Manager Finnigan explained that each committee would meet with staff to discuss their objectives and then report in public to the full Aviation Committee.

V. PUBLIC COMMENT'S ON NON-AGENDA ITEMS AND ITEMS FOR FUTURE AGENDAS

Mr. August commented on Mr. Karpe's remarks on aircraft speed. He said he spoke to the Director of TRACON and the FAA Regional Ombudsman and without administrative approval no pilot can exceed Class A airspeed limitations.

Gary Shank explained he was a retired Delta pilot, an aircraft owner at Orange County, and the Vice President of the SoCal Pilots Association. The So Cal Pilots worked with the Committee on the general aviation project. He said now there is a bait and switch happening. The original plan was to go by the FAA definition of light general aviation, but a word was changed from "and" to "or" and so the definition changed. An aircraft that was either of those but not both could not fit into the area. The rates for hangers almost doubled and tie downs almost tripled. Taxes were raised from 312% to 585% more than they were. He argued that was constructive eviction for light general aviation and as those airplanes leave, they will be replaced by more jets. He asked the Committee to go to the County Supervisors and request that they honor the original agreement of "and" and reduce the rates to something that was more inline with other airports.

Chair Dixon noted that the City sent a letter to the Board of Supervisors.

Mr. Shank said they had met with some of the Supervisors and would continue to do so. He wanted to make the consequences of the rate hike understood.

Committee Member Alston feels that what has happened is not what had been promised and expressed concern it is undoing what former Supervisor Steel did.

Sue Dvorak stated that Supervisor Foley was aware of the situation and was concerned about the SoCal Pilots and GA. The Supervisor will host a forum for the community and the small plane pilots.

Natalie Lauren advised the Committee that there were several weather transmitters offline and noted her concerns related to recent plane crashes. She took water samples and asked if there was protocol on what JWA tested. Specifically, she was concerned about PM 2.5 and PM 0.1. There are nano-particles and tropospheric dust, and she does a lot of private research. She asked if the Aviation Committee focused on or monitored the pollution.

Jim Mosher had three suggestions for future. He suggested the Committee review the effectiveness of the Dashboard and its contents. Second, the AANO publishes a quarterly noise report and asked for suggestions to improve the report so that would be a good agenda item for the Committee as a whole. He also suggested a field trip to determine if the noise improvements were something that would be recognized by the public as an improvement.

Linda Kensey, resident of Balboa Island, stated that she had brought up an issue at a previous meeting and had not received a response. She attended the meeting at the airport about the General Aviation Improvement Program (GAIP) in progress. A categorical exclusion meant it would take 6 to 9 months to study and an Environmental Assessment would take a year. They are planning to do the categorical exclusion. She said there should be an Environmental Assessment on the GAIP.

Dennis Bress said the departures over Balboa Island are low, fast, and loud, with thrusting from 140 to 270. Flying high, slow, and quiet yielded dispersion of the particulate matter. He explained how the ANO counted noise events and noted that 15,000 excluded events from the quarterly report was a problem. He said the City should ask the County to do a feasibility study on how to get people to the Anaheim Regional Transportation Intermodal Center (ARTIC).

Alan Guenther repeated that he was unclear if the departure procedure had changed. Mr. Karpe stated that there was no change to the departure procedure. Any change would have to return to the Committee for approval.

Chair Dixon responded to Mr. Mosher's comment about the Dashboard and thought that the Committee could review it.

City Attorney Harp stated that the approving body determines the appropriate environmental review related to the requested approval. There was an Environmental Impact Report done on the GAIP.

Chair Dixon stated that they sent a letter to the County and Supervisor Foley was paying attention to the issue. They are supportive of the small aircraft pilots.

Committee Member Alston said every member of the Committee should read the airport's quarterly reports. She thanked Eric Freed for making the reports easy to find on the JWA website.

Assistant City Manager Finnigan stated that Committee Members could subscribe to receive the Quarterly reports. Committee Member Alston suggested that they have the reports on the back table for the public at meetings.

In response to Chair Dixon, Nick Gaskins said that there were 139,000 noise complaints made by a total of 150 people. The airport is aware of the problem and that is why they participate in the Aviation Committee meetings and have the Settlement Agreement. One person submitted 3,000 complaints in one day.

In response to Chair Dixon's question about how they respond to 130,000 complaints Mr. Gaskins explained that before "the button" the airport responded to every complaint. At that point there were about 2,500 total complaints a year. Currently they take the first complaint from an individual day and respond to that one. The airport was unable to respond to 3,000 complaints from one person in a day. Most of the complaints are related to permitted noise. If it was not permitted they would go through the process and issue a violation. The commercial carriers have no violations since 2004.

Mr. Gaskins indicated the Committee had done great work and had a good relationship with the airport.

Chair Dixon appreciated the collaborative effort under the constraints of Federal law and indicated that the Committee is doing everything possible to reduce noise and improve the quality of life. She thanked Mr. Gaskins and the airport for their work and cooperation.

Committee Member Alston stated that she reported a violation the prior year and one recently. The first call was a violation and resulted in a fine. The other day her home shook and it turned out to be a military plane which is beyond the purview of the Committee. People should feel free to complain.

Committee Member Verdi commented that the Committee sensed the frustration in the room but reminded everyone that the City does not have a lot of leverage. Based on that they have to use collaborative ways to create change, which was difficult to accept. The City needs to continue to build relationships with people who can create change. There are voluntary noise abatement programs and air carriers have shareholders they were responsible to. He appreciated JWA staff attending meetings and noted the City had an opportunity to solidify a good relationship with the new Airport Director. He also understood the frustration with Alaska. Collaboration will get the City better buy in and results.

Committee Member Braley stated that it was important to get accurate data.

Committee Member Livingston said that a speaker had asked about National Environmental Policy Act (NEPA) and he did not believe the question was addressed. The only information he had received on that was through a Freedom of Information Act (FOIA) request to the airport.

Committee Member Cole requested that streaming meetings be added to a future agenda. Chair Dixon replied that if the Aviation Committee meeting was streamed then every public meeting hosted by the City would need to be and that cost and staff time was a factor. Assistant City Manager Finnigan explained the staff necessary to stream meetings and stated that although hybrid meetings seemed simple they are not. City Council and the City Manager would have to determine what level of investment to make.

VI. NEXT MEETING – May 16, 2022

VII. ADJOURNMENT

Chair Dixon adjourned the meeting at 6:39 p.m.



CITY OF NEWPORT BEACH
100 Civic Center Drive
Newport Beach, California 92660
949 644-3004 | 949 644-3039 FAX
newportbeachca.gov

Mayor

Kevin Muldoon

Mayor Pro Tem

Noah Blom

Council Members

Brad Avery

Joy Brenner

Diane Brooks Dixon

Marshall "Duffy" Duffield

Will O'Neill

March 29, 2022

Chairman Doug Chaffee
and Members of the Orange County Board of Supervisors
333 W. Santa Ana Blvd.
Santa Ana, CA 92701

RE: General Aviation at John Wayne Airport

Chairman Chaffee and Members of the Board:

Throughout the County of Orange's study, development, and ultimately, its approval of its General Aviation Improvement Program (GAIP), the City of Newport Beach (City) repeatedly relayed to the Board of Supervisors (Board) the City's strong support of the long-term preservation of small general aviation at John Wayne Airport (JWA). The City sought a project that maintained the then current "GA mix", meaning, one that kept the ratio of small general aviation aircraft (single and twin engine) and general aviation jets that existed in 2019.

The City strongly advocated for and appreciated the Board's approval of land use restrictions that would preserve the majority of space available for the parking and storage of the smaller, quieter general aviation aircraft, believing that this action would maintain the strong presence of small general aviation at JWA for decades to come.

It has been brought to our attention, however, that the rapid and marked increase in general aviation rents now in place - before construction of the GAIP has even started - has sparked great concern among members of the local chapter of the Southern California Pilots Association (SoCal Pilots) and owners of small general aviation aircraft based at JWA. They assert that the rents will lead to a marked reduction in small GA at JWA. The City realizes that under the GAIP, the pilots are tenants of the Fixed Base Operators (FBOs) and not the County of Orange (County). However, we understand the SoCal Pilot's concern that the increase in rent to the FBOs by the County is now being passed through to the airport's general aviation tenants.

The City believes the Board's approval of the GAIP was done so with the express intent of preserving small general aviation at JWA. Therefore, on behalf of the City of Newport Beach, I strongly encourage you to direct your staff to work with the FBOs, So Cal Pilots, and members of the small general aviation community to resolve these rent concerns.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kevin Muldoon', with a stylized flourish extending to the right.

Kevin Muldoon
Mayor

cc: City Council Members



CITY OF NEWPORT BEACH
100 Civic Center Drive
Newport Beach, California 92660
949 644-3004 | 949 644-3039 FAX
newportbeachca.gov

March 29, 2022

Mayor

Kevin Muldoon

Mayor Pro Tem

Noah Blom

Council Members

Brad Avery

Joy Brenner

Diane Brooks Dixon

Marshall "Duffy" Duffield

Will O'Neill

Supervisor Katrina Foley
Orange County Board of Supervisors
333 W. Santa Ana Blvd.
Santa Ana, CA 92701

Supervisor Lisa Bartlett
Orange County Board of Supervisors
333 W. Santa Ana Blvd.
Santa Ana, CA 92701

RE: John Wayne Airport Director

Dear Supervisor Foley and Supervisor Bartlett,

On behalf of the City of Newport Beach, I respectfully request that the Board of Supervisors select a new John Wayne Airport (JWA) Director that is committed to working with, communicating with, and partnering with, the City of Newport Beach and other communities surrounding the airport.

While we recognize and understand that JWA is owned and operated by the County of Orange, the impact of the airport is felt in our city as Newport Beach is located directly underneath the flight path. We ask that you continue to value our community as an important stakeholder in the airport. We have appreciated the recent efforts by JWA staff to conduct proactive community outreach to ensure that the residents of our community, and other communities, are educated on changes and updates at the airport. We hope this will continue with whomever is selected as the new JWA Director.

As you consider the applicants for JWA Director, we ask that you prioritize someone that values open communication, respects the surrounding community, and wants to work in partnership with all residents of Orange County. We urge you to select an individual that will find value in continuing the work that the current JWA team has done to provide a forum where the community can ask questions and have a voice.

Thank you for your consideration.

Sincerely,

Kevin Muldoon
Mayor

cc: City Council Members



JOHN WAYNE
AIRPORT
ORANGE COUNTY

April 5, 2022

Dear General Aviation partner:

John Wayne Airport (JWA) is surrounded by noise-sensitive areas. Through the City of Newport Beach and an increase in resident aircraft noise complaints, JWA was made aware of increased General Aviation (GA) propeller traffic pattern activity over the Bayview Terrace/Heights neighborhoods near the Back Bay. As a solution, JWA proposed a graphic to the FAA that asks GA pilots to turn left at or before Highway 73 voluntarily – thus avoiding these neighborhoods – when using the traffic pattern. We are pleased to inform you that the FAA has approved the proposed voluntary procedure and graphic.

The voluntary Visual Flight Rules (VFR) traffic pattern procedure was designed to provide a departure flight path that, to the extent possible, avoids residential areas and reduces the impact of aircraft operations on the community. Please note, this noise abatement procedure should be used only when consistent with the safe operation of aircraft.

Your cooperation in minimizing noise in these areas by adhering to the preferred flight track is greatly appreciated. We recognize the value of working with our Airport community and ask for your support in actively sharing and reminding all Airport users of the importance of following noise abatement procedures and the value of positive community relations.

Please reference the attached graphic for the voluntary VFR traffic pattern procedure.

Sincerely,

Rick Francis
Interim Airport Director

Attachment – KSNA General Aviation Voluntary Noise Abatement VFR Traffic Pattern
Procedure for Runway 20L Graphic

Richard Francis
Interim Airport Director

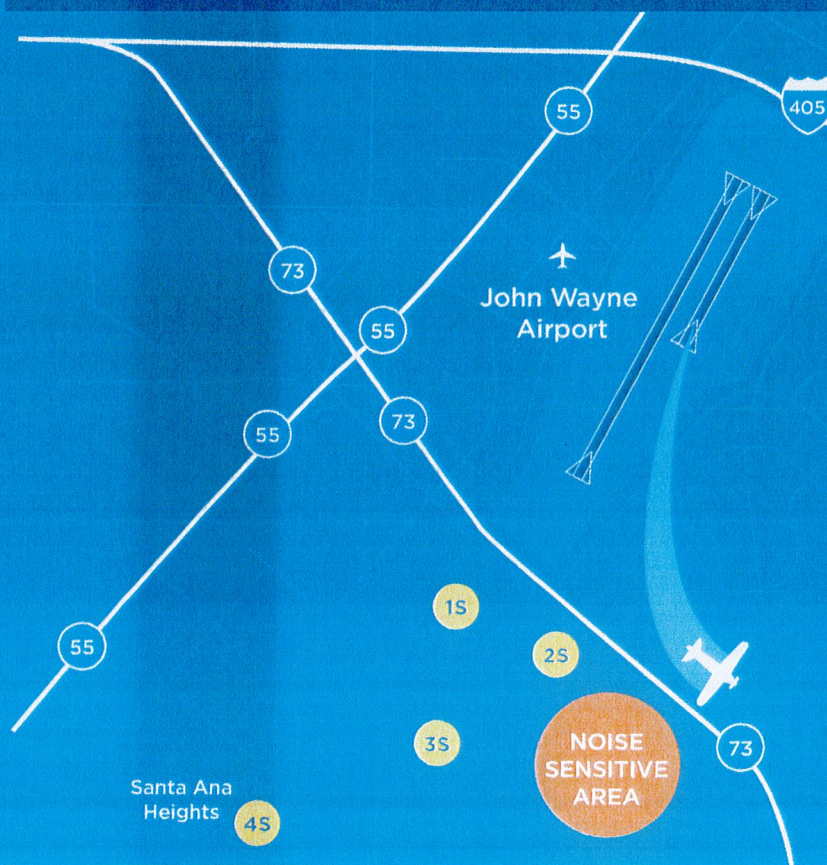
(949) 252-5171
(949) 252-5178 FAX
www.ocair.com

3160 Airway Avenue
Costa Mesa, CA
92626-4608

General Aviation Voluntary Traffic Pattern Procedure (April 2022)

Pilots flying KSNA's Runway 20L traffic pattern are encouraged to voluntarily turn left at or before Highway 73 to help minimize noise impacts over the Newport Back Bay communities.

KSNA General Aviation Voluntary Noise Abatement VFR Pattern Procedure for Runway 20L



For Aircraft Departing Runway 20L:

- On Departure: Turn 15° left at departure end of runway to avoid the aircraft departing the larger runway.
- Once on the 15° offset upwind, unless an aircraft has not reached 500' AGL, or received Air Traffic Control instructions to the contrary, turn left crosswind before reaching Highway 73 to avoid overflying residential area south of the highway (highlighted in orange).

This noise abatement procedure should be used only when consistent with the safe operation of aircraft

For information regarding JWA's general aviation noise abatement program, please visit www.ocair.com/business/general-aviation/pilot-information/noise-abatement.

You may also contact the Access and Noise Office at (949) 252-5185 or jwaano@ocair.com.

JOHN WAYNE AIRPORT
ORANGE COUNTY



May 16, 2022, Aviation Committee Comments

The following comments regarding the Newport Beach [Aviation Committee](#) meeting agenda are from:
Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229)

Item III. Draft Minutes - February 28, 2022

The draft minutes as presented contain the irregularities noted below as ~~strikeout~~ underline changes to the passages shown in *italics*. The Committee may wish to consider correcting them before approval.

Page 3, paragraph 1, sentences 2 and 5: “*This issue pertains to the complaints received from ~~Bay-View~~ Bayview Terrace and ~~Bay-View~~ Bayview Heights residents. ... JWA confirmed the uptick and also contacted the FAA which has now signed off on the general aviation voluntary traffic pattern procedure.*”

Page 4, paragraph 6, sentence 6: “*He said general aviation jets are 25% of the Class A departures ~~and that~~ represent 60% of the noise.*” [? – I’m pretty sure the comment was meant to suggest the Fly Friendly program was pursuing the smaller of the two problems – and not that GA produces more noise than Class A’s.]

Page 5, paragraph 1, sentence 1: “*In response to Chair Dixon’s question about the status of discussions with Alaska, City Manager Leung explained that Alaska was participating in the workshop discussions but didn’t want to ~~lead them be an early adopter of proposed changes.~~*” [As I recall, this was not a comment about leading meetings, but rather that as to adopting departure procedure changes, Alaska preferred to be “a follower rather than a leader.”]

Page 5, paragraph 2, sentence 1: “*City Manager Leung indicated Ms. Craig would be at the Aviation Noise Symposium at the University of California, Davis.*”

Page 6, Item V, paragraph 1, sentence 2: “*He said he spoke to the Director of TRACON and the FAA Regional Ombudsman and without administrative approval no pilot can exceed Class ~~A-C~~ A-C airspeed limitations.*” [? – I believe the dispute was about the regulations in Class C airspace, such as that around JWA]

Page 6, Item V, paragraph 2, sentences 6 and 8: “*The rates for ~~hangers~~ hangars almost doubled and tie downs almost tripled ... He asked the Committee to go to the County Supervisors and request that they honor the original agreement of “and” and reduce the rates to something that was more ~~inline~~ in line with other airports*”

Page 7, paragraph 1, sentence 1: “*Jim Mosher had three suggestions for future agendas.*”

Page 7, paragraph 3, sentence 1: “*Dennis Bress said the departures over Balboa Island are low, fast, and loud, with thrusting from 140 to 270 knots.*”

Page 8, paragraph 6, sentence 1: “*Committee Member Livingston said that a speaker had asked about the National Environmental Policy Act (NEPA) and he did not believe the question was addressed.*”

Item V. CURRENT BUSINESS: a. Oral Reports

In the absence of any background information, such as a staff report, it is difficult to comment on oral reports before one knows what will be said. As a result, I am submitting my comments, below, as “non-agenda” since I don’t know how, or if, they relate to the announced topics.

Why are the agendas of Aviation Committee meetings always posted at the last possible moment, and almost always without any advance information for discussion?

Item VI. PUBLIC COMMENTS ON NON-AGENDA ITEMS AND ITEMS FOR FUTURE (AGENDAS)**JWA News**

Few members of the public normally attend the airport’s state-required [Quarterly Noise Meetings](#). Fewer still normally show up for the twice-weekly meetings of the [County Airport Commission](#).

Nonetheless, interesting tidbits of information sometimes show up at both.

For example, at the most recent (May 4) Airport Commission meeting, those present learned:

1. Sun Country Airlines, which [began operations](#) out of JWA last May, has already withdrawn, and is no longer [listed](#) as a commercial carrier serving the airport.
2. The County appears poised to appoint [Charlene Reynolds](#), formerly an [Assistant Director](#) in Phoenix, and still more recently, [Commercial Operations Manager](#) at Houston International, as the new Airport Director for JWA. That she is likely to start on June 6 is confirmed by [Item 94](#) on the Board of Supervisor’s [May 24, 2022, agenda](#). Agreement among the Supervisors on this selection was most likely reached in closed session discussions on [April 12 \(Item SCS4\)](#), and it is arguable if this now-almost-certain choice [should have been](#) announced more formally at that time, rather than presented as “[no reportable action](#)” and spread by rumor.
3. JWA staff has verified the [press release](#) announcing the shipping company Aeroterm has purchased warehouses on seven acres of land at 2990 and 3000 Airway Avenue on the east side of the airport, with an expectation of using the special [gate](#) they have providing direct access to the runway to expand cargo operations out of JWA. The warehouse at 3000 Airway is in fact [already used](#) by several commercial passenger carriers for staging air cargo they fly in conjunction with their passenger service.

JWA staff says Aeroterm will not be allowed to expand interactions with the runway (via what is designated as an “Emergency Staging Area”) beyond the existing uses, but the fact that the airport operations have already expanded in this way, outside the nominal airfield boundary, is disturbing (see Cooperative Agreement with City of Costa Mesa, below).

In separate news, the [Access and Noise Office](#) has made known to some that it has added news of its own activities (such as posting new reports) to the menu of JWA e-subscription

topics regarding which interested parties can receive text or email notification about. The [notification service is accessed here](#).

Presumably, this will include reminders of the Quarterly Noise Meetings, and notice of the posting of new [Noise Abatement Quarterly Reports](#). However, since the announcement, several things have been added to the ANO website without notice, including the [Annual CNEL Noise Contours for 2021](#) and the [Detailed Noise Event Reports](#) for March.

The City might want to consider instituting a system to similarly notify interested parties of when new information from JWA has been received and processed, such as updates to the City's [JWA Dashboard](#), which occur at unpredictable intervals.

Cooperative Agreement with City of Costa Mesa

As indicated above, the revelation that several commercial passenger carriers have been operating supplemental cargo operations out of facilities on Airway Avenue directly connected to the airfield has raised some alarm bells.



The concern is that this appears to represent an expansion of direct airport operations outside the airport's official boundary.

Although the City's [Council Policy A-17](#), which the Aviation Committee oversees, objects only to expansion of the runway, at a [joint meeting of councils in 2008](#), our City signed a [Memorandum of Understanding on John Wayne Airport](#) with the City of Costa Mesa.

Among the understandings, was a commitment to work collaboratively to fight expansion not only of the runway, but also to "*Oppose any expansion of JWA beyond its current (2008) boundary footprint.*"

It would seem wise for the Committee to familiarize itself with this document, as well as to investigate the history of air cargo terminals effectively being allowed outside the official perimeter.

The City may also wish to review the provision in the MOU agreeing that “*a designated representative of the City of Costa Mesa attend the monthly Aviation Committee meeting of the City of Newport Beach with full membership on the Committee.*”

Although a Costa Mesa representative did attend the Aviation Committee meetings for a while, this promise appears to have been forgotten in subsequent revisions to the enabling resolution, as perhaps the entire MOU has been forgotten.

At a minimum, the 2008 MOU should be added, under “Agreements,” to the Committee’s online posting of [Documents and Resources](#).

Air Cargo Curfew

Although most Newport Beach residents are well aware that the regularly-scheduled commercial passenger carriers are restricted in their hours of operation – generally being allowed to depart only between 7:00 a.m. and 10 p.m. and having to arrive by 11:00 p.m., I suspect few are aware the commercial cargo carriers operate under a much more restrictive “curfew.”

Section 2.33 on pages 2-14 through 15 of the Access Plan limits the commercial cargo operators to a much more restricted window. Under, commercial cargo carriers are currently allowed on the tarmac only between 4:00 p.m. and 7:45 p.m. (with 3:45 p.m. being allowed to start ground staging). If they, or their equipment, is on the field outside those hours it is regarded as a curfew violation and reported as such in the Curfew Reports posted twice a year.

Runway Expansion

At the [May 5 Wake Up! Newport event](#), our District 5 County Supervisor, Lisa Bartlett, said a possible solution to the JWA noise problem would be a 500 foot extension of the runway, which would allow new, larger (and heavier?), but quieter, jets to carry more passengers in a single load (see [video at 42.15](#)).

It would seem wise for the Committee to investigate exactly what these larger but quieter jets that the Supervisor is speaking of are.

And also, since most commercial operations at the airport are currently operating well below their Settlement Agreement allowed maximum noise levels, whether a longer runway would also allow older, noisier models to operate, potentially bringing the noise exposure back up to those maximum levels.

I suspect we would hear that ANCA would not allow the airport to restrict use of a longer runway to particular, quieter models.

Settlement Agreement Compliance – Average Daily Departures

At the last Aviation Committee meeting I suggested the Committee might want to review JWA's [Noise Abatement Quarterly Reports](#) and make suggestions for their improvement.

A separate annual "Settlement Agreement Compliance" report, or such a section within the quarterly reports, may be a good supplement to them, for I recently pointed that it was difficult for the public to tell from the reports (or any other airport reporting) how JWA was doing on the Class A Average Daily Departures limit, and was told that information was available in Table 6 of the Quarterly Reports.

For clarity, among the [key provisions of the Settlement Agreement](#) was a limit of 85 Class A passenger departures and 4 Class A cargo departures a day, which limits increased to 95+4 on January 1, 2021 (note: for historical context, in 1985 only 39 per day of these potentially noisier aircraft were allowed).

Table 6 of the Quarterly Reports does, indeed, list the total departures by each type of regulated Class A aircraft. However, to determine whether those numbers are in compliance with the Settlement Agreement limited annual average daily departures, members of the public have to add together some 30+ departure totals in each of four quarterly reports and then divide the total of the 120 or so numbers by the number of days in the year.

The result for the most recent pandemic-impacted year is something like this (without attempting to separate passenger from cargo):

Class A departures in QNRs for 2021:							
Q1	Q2	Q3	Q4	Totals			
5177	6173	7473	7727	26550	<- Class A departures		
90	91	92	92	365	<- days		
58	68	81	84	73	<- ADD		

Although only the annual average is regulated, the fourth quarter of 2021, when projected as an annual rate, was approaching the pre-2021 limit.

I wrote "potentially noisier" above because some of what JWA allocates as "Class A" departures are flown by aircraft which might meet the standard for "Class E," for which there is no limit on the number of departures, but only on the total number of passengers in the year.

Nonetheless, the carriers could request using aircraft up to the Class A noise limits, and JWA would be compelled to grant substantially more allocations than it was required to grant in 1985.

CNEL Reporting

I think it is widely acknowledged that there is no single metric that accurately, or even adequately, conveys the impact of airport noise.

One of the most widely used, but likely poorly understood, is the "Community Noise Equivalent Level" as [defined](#) in Title 21, Division 2.5, Chapter 6 ("[Noise Standards](#)") of the California Code

of Regulations, which is the document requiring the publication of the Quarterly Noise Reports by JWA and all other California airports with noise impacts.

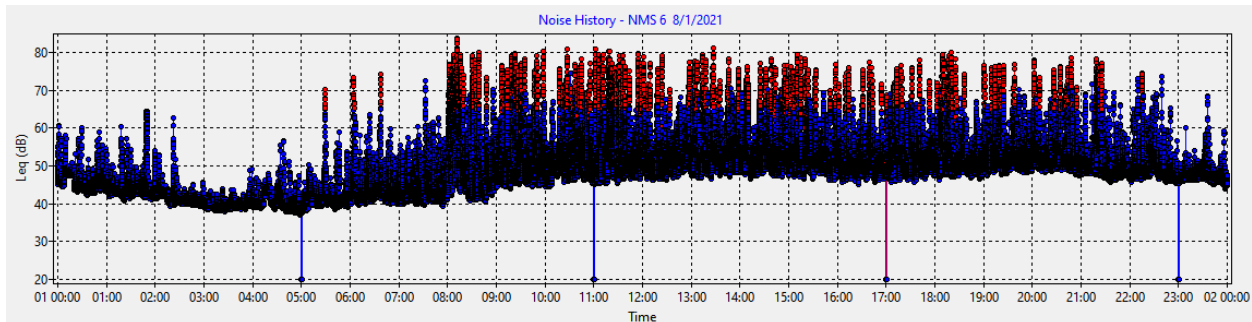
Given the importance attached to it, it would seem reasonable for the Aviation Committee to devote a study session to it: what is intended to represent, what is being reported and how, and what the levels are in Newport Beach. Equally important would be to understand what is reported, in accordance with Title 21, as the airport's "Noise Impact Area" – which according to Figure 2 on page 3 of the [most recent Quarterly Report](#) for the last three months of 2021, affects less than 8 people in a total of 3 dwelling units.

JWA also posts an annual CNEL Contour showing the noise levels in areas where no monitors exist. It would be important to understand how that is derived, as well, for according to the expert from HMMH at one of the Quarterly Noise Meetings, it is computed based on all activity at JWA – yet curiously shows no bulge to the east in the unmonitored areas where many small planes, some noisy, depart.

Basically, CNEL is intended to represent an average noise level for the day, with a 3X (4.77 dB) penalty for noise occurring during the evening hours of 7:00 p.m. to 10 p.m., and a 10X (10.0 dB) penalty for noise during the nighttime hours of 10 p.m. to 7:00 a.m.

For those unfamiliar with CNEL, it is important to realize that what JWA is reporting is not the total noise exposure at the monitoring stations, but rather only what it deems to be airport-related noise. And even that is being systematically under-reported at most stations, although not necessarily by large amounts.

A day's noise curve of second-by-second data looks like this example from the NMS 6 microphone in Dover Shores on August 1, 2021, with spikes above 65 dB for more than 10 seconds highlighted in red:



JWA reports the CNEL based not on all the noise, but rather only on the red points that appear related to the overflight of an aircraft (whether from JWA or elsewhere), as opposed to community background noise events, and even then, (as the Committee heard in an earlier presentation) some of the aircraft-related spikes are not included as a result of suspected "contamination" from other noise sources (such as a loud car, lawn mower, or a bird perched close to the microphone). The points that *are* used to compute the CNEL are those, and only those, listed in JWA's [Detailed Noise Event Reports](#).

Although, as best as can be gauged, the reported CNEL's at the individual noise stations are precisely consistent with the posted noise contours, at most stations it is evident that the

aircraft-related CNEL is being systematically underreported (although not necessarily by a large amount) for a number of reasons. Among them:

1. No correction is being applied for the events not counted due to contamination.
2. Even for uncontaminated events, the points above 65 dB may be only the tip of the noise iceberg, so the contribution from the points below 65 dB is being ignored.
3. Some aircraft-related events stay entirely below 65 dB, so their contribution is not being included at all.
4. Airport-related noise not directly the result of the fly-by of a microphone is also not being included. That includes such things as the blasts for thrust reversal on landing, which can someday be heard at a considerable distance, as well as the revving up of engines before takeoff, which can be heard from the south even when the departure may be to the north.

In addition to potential problems of that sort, some airports, but not JWA, attempt to report the relative contributions of aircraft and community noise, so that their neighbors have a better concept of how many of the noise spikes visible in the daily curve shown above are related to aviation and how their impact compares to that of those from other sources we are exposed to.

The following table, prepared by me, is a first stab at providing that analysis by applying the CNEL weightings to: (1) the full noise curve (not just the spikes) for the day shown above and one other day; (2) all the spikes, whether deemed aircraft-related by JWA, or not; and (3) just the spikes reported by JWA in its Detailed Noise Event Reports.

August 1, 2021 data	NMS:	1S	2S	3S	4S	5S	6S	7S	8N	9N	10N
	Noise from all sources:	67.8	65.1	66.9	61.6	60.8	61.4	59.7	69.0	61.1	59.7
	All 65 dB/10 sec events:	67.5	64.3	66.6	59.5	59.1	59.6	55.7	68.4	44.6	57.4
	JWA ANO reported:	67.4	64.1	66.6	59.0	58.9	59.5	54.8	68.0	39.3	57.1
August 30, 2021 data	NMS:	1S	2S	3S	4S	5S	6S	7S	8N	9N	10N
	Noise from all sources:	67.7	68.1	66.8	61.7	60.6	61.7	58.4	68.9	62.1	60.4
	All 65 dB/10 sec events:	67.4	67.2	66.5	60.4	59.2	60.4	55.5	67.9	49.4	57.8
	JWA ANO reported:	67.3	66.3	66.4	60.1	58.8	60.2	55.1	67.7	40.7	57.3

This could be further broken down into noise from Class A, Class E and GA flights, by evening or curfew hour flights, and numerous other possibilities.

In any event, from the analysis as presented, it appears that at the close-in monitors, the aircraft-related noise spikes account for a very substantial portion of resident's total daily noise exposure (at least as described by the CNEL metric).

The most notable exception is NMS 9, which is north of the runway and well off the normal arrival path. Most of the CNEL there comes from sources other than spikes over 65 dB, and even of those spikes, most (at least according to JWA) are produced by sources other than aircraft.

City Aviation Activities Updates

What has become of the City's [Monthly Newsletter Reports](#)?

For many of the years the City contracted with Tom Edwards there was a monthly "All Things Aviation" report, although its posting became quite sporadic toward the end.

In 2019, it was replaced by the ["Aviation Activities Updates" newsletters](#), which have appeared at irregular intervals since (with the most recent being in February, although the first link, above, makes it appear nothing has been posted for nearly a year).

Is there any plan for these to be produced and posted at some regular, predictable interval?