

# EARLY SPRING 2019 UPDATE

## All Things Aviation:



### **John Wayne Airport General Aviation Improvement Program**

Since the proposed John Wayne Airport General Aviation Improvement Program (GAIP) is currently being considered, and many people have asked about the project on numerous occasions, the majority of this update will focus on the GAIP.

#### *County's Proposal to Modernize General Aviation Facilities*

As noted in previous Aviation Updates, John Wayne Airport (JWA) is proposing to modernize its general aviation facilities with the release of its Draft Environmental Impact Report (DEIR) 627. Many of you have posed questions and voiced concerns about the project. One of the lingering questions is whether or not the City has been aware of, or had made its residents aware of, this project before the release of the Draft EIR 627. The answer is yes.

#### *City Tracks the Process*

The City has been aware of this project and, even prior to the release date of the DEIR, undertook a variety of actions. The City began tracking this proposal as early as March 2017. City representatives attended the project's initial scoping meeting on April 12, 2017 and also provided a detailed comment letter concerning the Notice of Preparation for the JWA GAIP. In addition, this item was also a subject of the April 2017 Aviation Update by the City as well as a subject of

discussion before the City's Aviation Committee on at least two separate occasions. It's also been vetted with different community groups. The issues of noise and air quality were key items for discussion and comment.

Moreover, when the actual draft environmental report for the GAIP was released on or about September 4, 2018, the City began its detailed review of the document. City representatives also attended the public meeting regarding the document on September 26, 2018 and briefed community groups on the DEIR on numerous occasions. The DEIR was a discussion item at the City Aviation Committee Meeting on November 4, 2018 and again on March 4, 2019. The City also participated in a meeting with the County and community representatives on November 14, 2018. The foregoing resulted in the City's detailed comments on the Draft EIR, which you can access on the City's website at:

<https://www.newportbeachca.gov/gaip>

What follows are a series of questions and answers intended to provide you more information on the GAIP.

### **Questions Concerning the Project**

Q. Can you briefly describe the alternatives presented in the GAIP DEIR?

A. There are a number of alternatives<sup>1</sup>. While the document goes into a detailed analysis of the same, the alternatives discussed as possibilities are:

Four (4) final layouts have been presented to the County for consideration. The alternatives are defined below by the number and location of Fixed Base Operators (FBOs)<sup>2</sup>. They are:

1. Proposed Project – Two (2) full-service FBOs (Northwest and Northeast)
2. Alternative 1 – Three (3) full-service FBOs (Northwest, Northeast, and Southeast)
3. Alternative 2 – Two (2) full-service FBOs (Northeast and Southeast)

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<sup>1</sup> See Appendix B of the GAIP for a more thorough explanation; the above is providing a general overview only. Under the GAIP, there are no proposed changes to the existing airfield runways, passenger terminal complex, fuel storage facilities, or to Martin Aviation/Lyon Air Museum.

<sup>2</sup> *Full Service Fixed Base Operator (FBO)* – A commercial business that provides a wide range of aeronautical and support services to general aviation pilots, flight crews, and passengers. There are currently two (2) full service FBOs with conventional *community hangars* at JWA and both facilities are located on the east side of the airfield.



Here is better description of the possible five (5) alternatives:

**No Project**

- Two existing full-service FBOs and two existing limited FBOs
- No GA terminal/General Aviation Facility (GAF)<sup>3</sup>
- No correction of existing non-standard design
- Currently, approximately 49.75 GA/Jet Departures per day<sup>4</sup> and in 2026, an estimated 52.46 GA/Jet Departures per day
- In 2026, an estimated 201,000 GA operations per year and 505 based aircraft

**Proposed Project**

- Two full-service FBOs - one Eastside and one Westside
- One limited service FBO and one existing limited service FBO
- New GA/GAF terminal at FBO
- Correction of four existing non-standard design features
- In 2026, an estimated 55.34 GA/Jet Departures per day<sup>5</sup>; 167,900 GA operations per year<sup>6</sup> and 354 based aircraft

**Alternative 1**

- Three full-service FBOs - two Eastside and one Westside
- One limited service FBO and one existing limited service FBO
- New GA/GAF terminal at FBO
- Correction of four existing non-standard design features
- In 2026, an estimated 56.71 GA/Jet Departures per day; 168,600 GA operations per year and 356 based aircraft

**Alternative 2**

- Two full-service FBOs - both Eastside
- One limited service FBO and one existing limited service FBO
- New GA/GAF terminal at FBO

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<sup>3</sup> The GA makes reference to the potential General Aviation Terminal which might be contained within a possible FBO; the GAF is a general aviation aircraft screening facility for Customs and Border Protection, Department of Homeland Security, for international general aviation arrivals also contained within an FBO.

<sup>4</sup> Based upon the 3<sup>rd</sup> Qtr. Of 2018, JWA Quarterly Noise Reports

<sup>5</sup> Based upon the DEIR 627, information and tables 5-3, pg. 5-9.

<sup>6</sup> Based upon the DEIR 627, information and tables including but not limited to Table 1-1, pg. 1-6 and Table 5-3, pg. 5-9.

- Correction of non-standard design features
- In 2026, an estimated 54.65 GA/Jet Departures per day and 169,400 GA operations per year and 361 based aircraft

**Alternative 3**

- Two existing, full-service FBOs
- Two existing limited FBOs
- No GA Terminal/GAF
- Correction of existing non-standard design
- In 2026, an estimated 49.8 GA/Jet Departures per day
- In 2026, an estimated 197,600 GA operations per year and 490 based aircraft

Q. Are there currently General Aviation Jets<sup>7</sup> (GA/Jets) departing from JWA?

A. Yes.

Q. Approximately how many GA/Jets depart per day?

A. Based upon the reports from JWA for the third quarter of 2018 for the there were an average of 49.75 General Aviation Jet Departures (GAJD).

Q. Are GA/Jets subject to a curfew?

A. Yes. It is a noise-based curfew and is spelled out as follows:

No person shall operate any general aviation aircraft at night<sup>8</sup> at John Wayne

Airport if it generates a SENEL level at any of the following respective noise monitoring stations, either on takeoff or landing, which is greater than the following SENEL values at each Noise Monitoring Station (“NMS”) [the following are for departure only] is:

NMS 1S 87.5 dB;  
 NMS 2S 87.6 dB;  
 NMS 3S 86.7 dB;  
 NMS 4S 86.7 dB;  
 NMS 5S 86.7 dB;  
 NMS 6S 86.7 dB;  
 NMS 7S 86.7 dB.

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<sup>7</sup> Not to be confused with commercial jet operations.

<sup>8</sup> At night is defined as: between the hours of 10:00 p.m. and 7:00 a.m. (8:00 a.m. on Sundays) (local time), as measured at any John Wayne Airport noise monitoring station, and arrivals between the hours of 11:00 p.m. and 7:00 a.m. (8:00 a.m. on Sundays) (local time), as measured at any John Wayne Airport noise monitoring station.

Q. Are GA/Jets currently operating at the airport during nighttime hours?

A. Yes.

Q. How many currently operate during the nighttime hours?

A. Figures were computed for one week during each of the quarters in 2017.

Below is the *weekly average* for GA jet departures and arrivals during the nighttime hours for the operation type; Departures Mon-Sat 10 p.m. to 7 a.m., Sun 10 p.m. to 8 a.m., and arrivals Mon-Sat 11 p.m. to 7 a.m., Sun 11 p.m. to 8 a.m.. Based upon the foregoing, the estimated average nighttime general aviation jet operations totaled 12 per week, which consisted of 5 arrivals and 7 departures, on average, for the week's time period.

Q. Does the potential introduction of additional commercial charter operations mean that those possible additions would be included in the capacity limits of the John Wayne Settlement Agreement as enforced and consistent with the JWA Phase 2 Commercial Access Plan?

A. Possibly yes. But, it depends upon whether or not the operations meet the definition of regularly scheduled commercial use. As noted in the DEIR "Regularly scheduled commercial charter operators have approached the County, expressing their interest in initiating regularly scheduled air service at the Airport. Regularly scheduled commercial charter operations require an allocation of passenger capacity prior to the initiation of service consistent with the provisions of the JWA Phase 2 Commercial Airline Access Plan (Access Plan). The County approved an allocation of capacity for the proposed initiation of service for JetSuiteX in late 2017 for its operations beginning in mid-2018." In the foregoing instance, those passengers are included in the MAP Cap.

Below is the definition from the Access Plan:

#### **2.40 REGULARLY SCHEDULED COMMERCIAL USER**

*Regularly Scheduled Commercial User* means any person conducting aircraft operations at *JWA* for the purpose of carrying passengers, freight, or cargo where such operations: (i) are operated in support of, advertised, or otherwise made available to members of the public by any means for commercial air transportation purposes, and members of the public may travel or ship *Commercial Cargo* on the flights;(ii) the flights are scheduled to occur, or are represented as occurring (or available) at specified times and days; and (iii) the person conducts, or proposes to operate, departures at *JWA* at a frequency greater than two (2) times per week during any consecutive three (3) week period.

**2.26 MAP LIMITATION**

".....that *Regularly Scheduled Commercial Users* operating at *JWA* shall not serve more than 10.8 *MAP* in any *Plan Year* through December 31, 2020,...."

Q. Assume for the moment that the County chose not to go through with the currently proposed GAIP, would that remove the GA/Jets from operation at the airport?

A. No. According to DEIR 627, the number of GA/Jets operations would increase, irrespective of the adoption of the DEIR 627. In the most recent reports, the GA/Jets per day are 49.75. The DEIR projects an additional 4+ GAJDs over what would occur irrespective of an adoption of the DEIR. The actual projected GAJDs without any project in 2026 are 52.46 GAJDs<sup>9</sup>. If there is an adoption of the Proposed Project the projected GAJDs for GA/Jets would be 55.34; alternative No. 1 the project GAJDs in 2026 is 56.71 GAJDs and if alternative No. 2 were adopted the number of GAJDs for GA/Jets would be 54.65 GAJDs; and Alternative No. 3 the GAJDs for GA/Jets would be 49.8.

Q. Could you provide a comparison of the GA/Jets Measured Average Single Event Noise Exposure Levels and the Commercial Measured Average Single Event Noise Exposure Levels?

A. Yes. See below, this is just one quarter’s comparison and an *arbitrary* comparison of the GA/Jets and some of the commercial carriers at Noise Monitors 5-7. For a complete review of the same, see the JWA Airport Website which contains a history of noise for each quarter.

Carrier Noise Monitors Readings at NMS5-7

	NMS5	NMS6	NMS7
GA/Jets	82.3dB	83.6dB	81.8dB
SWest-E	84.5dB	85.3dB	81.8dB
SWest-A-737	85.4dB	86.0dB	82.7dB
Skywest <sup>10</sup>	80.9dB	81.7dB	79.5dB

<sup>9</sup> These are projections or forecasts only. You can check the math and the document yourself by reviewing the Appendix to the Draft EIR, at Appendix H, Table 15, Page 69; as well as the previous mentioned tables; see the EIR at: <https://www.ocair.com/deir627>

<sup>10</sup> Skywest, the commuter allocation, is just one of the commuter operators, like JetSuiteX at the airport.

Q: What is the next step in the environmental process review?

A: The County is required to respond to the comments submitted by the various parties and entities. At that point, the environmental document will be put before the Orange County Board of Supervisors for review and/or potential action. It should be remembered that DEIR 627 is required to merely study the alternatives and weigh the respective environmental impacts in accordance with the California Environmental Quality Act, etc.

Q: How long would the process take if the Board of Supervisors initiates the alternatives?

A: It would take as many as seven years and include as many as 15 separate phases. That is the reason for the reference of the year 2026 throughout the document.

Q: In many of the alternatives there is a proposal for a general aviation terminal, is this separate and apart from the proposed FBOs?

A: No. The GA terminal would be contained within the potential FBO. What is

Q: the size of a proposed FBO?

A: It is broken down into three components totaling approximately 28,000 sq. ft., which consists of a 21,653 FBO terminal; 3,953 sq.ft. GA terminal; 1,952 sq. ft. GAF. Although each of the full-service FBOs may not include all of the same services. The full-service FBOs have been sized such that the GAF and general aviation terminal could be accommodated at any of the full-service FBOs. However, it is assumed that these facilities would be part of one of the full-service FBOs. The other FBOs would be able to utilize the facilities.

#### **JWA Monthly Statistics - December and Year End**

Airline passenger traffic at John Wayne Airport decreased in December 2018 as compared with December 2017. In December 2018, the Airport served 828,070 passengers, a decrease of 7.9% when compared with the December 2017 passenger traffic count of 899,451.

Commercial aircraft operations decreased 2.4% and commuter aircraft

operations increased 530.6% when compared with December 2017 levels. The airport served 10.66 Million Air Passengers (MAP) in 2018 as opposed to 10.42 MAP in 2017. The JWA Settlement Agreement currently allows 10.8 MAP through December 31, 2020. The number of Average Daily Departures (ADD) for 2018 were 128.30 ADDs vs. 124.48 ADDs in 2017. As noted above there was large increase in commuter operations, which are the Class E departures for the purpose of the JWA Settlement Agreement (lower noise thresholds). By way of an example in the last quarterly report, third quarter of 2018, for JWA, the number of Class E departures, which includes commuter operations equated to 48.64 ADDs by comparison the third quarter of 2017, the number of Class E departures was 41.36 ADDs.

### **STAYY Procedure**

The relatively new, two-turn departure procedure, whereby commercial carriers follow the contour of the Upper Newport Bay as they depart has been utilized almost exclusively by Southwest Airlines on flights east of Las Vegas. Now two other carriers have been utilizing this departure - Delta and United Airlines. The City is monitoring the flights and will hopefully have some meaningful data regarding the procedure in the coming months.

### **So Who Controls What?<sup>11</sup>**

Many have questioned when it comes to noise abatement, who actually is in control. Generally speaking, the Federal Government has the authority and responsibility to control aircraft noise by the regulation of source emissions, by flight operational procedures, and by management of the air traffic control system and navigable airspace in ways that minimize noise impact on residential areas, consistent with the highest standards of safety. Airport proprietors are primarily responsible for planning and implementing action designed to reduce the effect of noise on residents of the surrounding area. Such actions include optimal site location, improvements in airport design, noise abatement ground procedures, land acquisition, and restrictions on airport use that are reasonable, non-arbitrary and do not unjustly discriminate against any user,

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<sup>11</sup> This question is asked continuously so it appears once again.

impede the federal interest in safety and management of the air navigation system, or unreasonably interfere with interstate or foreign commerce. While airports can mitigate through different measures, any change is subject to the Airport Noise and Capacity Act<sup>12</sup>(ANCA) of 1990 whereby actions can not be taken that further limit or restrict airport access. Currently at JWA, what is enforceable is grandfathered pursuant to ANCA, anything else is purely voluntary. Meanwhile state and local governments and planning agencies are to provide for land use planning and development, zoning, and housing regulation that will limit the uses of land near airports to purposes compatible with airport operations. The entire subject is extremely complex with major legal and political implications. For an extensive statement of the foregoing you are directed to the City's A-17, Airport Policy which you can access online at:

[www.newportbeachca.gov/government/city-council/council-policy-manual](http://www.newportbeachca.gov/government/city-council/council-policy-manual).

### **Regional Demand Being Met in Ontario**

Recently named the fastest growing airport in the United States, Ontario International Airport (ONT) recorded double-digit growth in passenger volume in November 2018. The number of passengers who traveled through ONT in November was more than 456,000, an increase of 11.2% over the same month last year. Nearly 432,000 were domestic passengers and more than 24,000 were international travelers. Domestic travel was nearly 8% higher while international passenger volume increased more than 142%. From January through November, ONT welcomed more than 4.6 million customers, nearly 13% more than the first 11 months of last year. The number of domestic and international travelers grew by more than 11% and 61%, respectively. Ontario is on pace to receive more than 5 million passengers this year, the highest level since 2008.<sup>13</sup>

Meanwhile, several airlines have already announced plans for new Ontario service in 2019. United Airlines said will launch new daily service to Houston in June. Delta Airlines previously announced daily nonstop service to its Atlanta hub beginning in April while Southwest Airlines will offer four flights a day to San Francisco starting in

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<sup>12</sup> 49 U.S.C. 47521 *et seq.*

<sup>13</sup> In 2018 ONT reached 5.12 MAP.

June. Southwest will also add one flight Monday through Friday to Denver.

Local airport officials cheered the announcement by Southwest Airlines that the carrier will launch new flights to San Francisco and expand existing service to Denver from ONT. Moreover according to the initial schedule, Southwest will operate four daily roundtrips between ONT and San Francisco International Airport (SFO) beginning June 9, 2019. Flights will depart ONT at 8:00 a.m., 3:20 p.m., 5:25 p.m. and 8:00 p.m. with arrivals at 7:25 a.m., 10:15 a.m., 12:35 p.m. and 7:05 p.m. Southwest will also add a third daily flight to Denver International Airport (DEN) effective June 9, 2019, departing ONT at 10:45 a.m. with a return flight arriving at 3:40 p.m. The new service will operate Monday through Friday. Southwest currently serves DEN from ONT with daily, nonstop departures at 6:20 a.m. and 3:40 p.m. local time.

### **Questions about the Airport or Operations**

This is a friendly reminder that if you have any questions about John Wayne Airport and its departures and/or operations do not hesitate to contact the City Manager's Office at 949-644-3001.

If you wish to lodge a complaint about noise with the FAA, the City's link on its website is:

<http://www.newportbeachca.gov/trending/nextgen-departure-concerns>