



MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

FROM: DENNIS McLEAN, DIRECTOR OF FINANCE & INFORMATION TECHNOLOGY

DATE: SEPTEMBER 7, 2010

SUBJECT: POTENTIAL IMPACT RESULTING FROM PROPOSED CLASS C AIRSPACE DESIGNATION SURROUNDING LONG BEACH AIRPORT

REVIEWED: CAROLYN LEHR, CITY MANAGER

RECOMMENDATION

- 1) Receive and file Potential Impact Statement of the Federal Aviation Administration's proposal to establish Class C Airspace around Long Beach Airport and Revise Orange County (SNA) Class C Airspace prepared by Williams Aviation Consultants;
- 2) Approve the attached draft public comment letter to the Federal Aviation Administration for signature by the Mayor; and
- 3) Authorize Staff, with the assistance of Williams Aviation Consultants, to file a technical comments letter expressing the City's concerns to the FAA regarding the proposed airspace change on or before September 21, 2010.

EXECUTIVE SUMMARY:

The FAA is considering establishing a significantly more restrictive airspace surrounding Long Beach Airport ("LGB") based upon reported concerns about safety. It has been reported that JetBlue Airlines has requested the change due to the frequency of traffic collision avoidance alerts it's experiencing. The FAA's proposed LGB Class C airspace would be about 3 times larger than the existing Class D airspace.

While passenger safety is of the upmost importance, the City Council, Staff, and the City's aviation consultants are extremely concerned about the "unintended consequences" that could be experienced by the City and neighboring South Bay coastal communities,

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including:

- 1) Increased safety risks resulting from a greater number of general aviation ("GA") aircraft flights compressed in flight areas;
- 2) Environmental impacts, especially increased aircraft noise and air pollution from piston-powered and turboprop aircraft;
- 3) Increase of GA aircraft flights across the entire PV Peninsula, as well neighborhoods in Redondo Beach, Hermosa Beach, Torrance and San Pedro; and
- 4) Increased workload of FAA traffic controllers, possibly impairing passenger flight safety.

Staff has attached the Proposed LGB Airspace Change to Class C Designation Question & Answer public information document to provide an overview of the airspace issues.

Update and Significant Observations by Staff

Since the presentation at the last City Council meeting, Staff has developed a broader understanding of the FAA's proposed LGB airspace change and offers the following observations:

Potential for Increased Air Safety Risks for General Aviation Aircraft

It appears as though there would be an increase of air safety risks directly caused by the FAA's proposed air space change, if implemented, especially for general aviation pilots, that may be more significant than initially expected. WAC has asserted that it appears as though the proposed air space change needs significantly greater analysis of air safety conflicts by the FAA.

No Evidence of the Performance of an Environmental Review by the FAA

It does not appear as though the FAA has not even conducted an environmental review – a first step to consider whether or not an environmental impact study is necessary prior to implementing the proposed air space change.

No Published Support by FAA for Proposed Air Space Change

The process for the FAA's Proposed LGB Airspace Change to Class C Designation appears to lack any published reports and other information supporting the basis for the change, before and during the public comment period that ends September 21, 2010. After an exhaustive search by both Staff and the WAC, the only evidence found was a seven slide Powerpoint presentation that was used during the public meetings in June 2010 and the posting for the public meetings in the Federal Register. Staff asked FAA staff if other information was available and was directed to the Powerpoint presentation, the only information available.

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SBCCOG Board Action – Comment Letter to FAA

At its meeting on August 26, 2010, the Board of Directors of the South Bay Cities Council of Governments (“SBCCOG”) voted to send a comment letter to the FAA under the signature of its Board President.

Collaboration with Neighboring Cities

Staff expects to share the attached Potential Impact Statement published by Williams Aviation Consultants, the attached draft public comment letter, Questions and Answer public information document, as well as this staff report and any other appropriate information with our neighboring cities to facilitate their comments to the FAA. Staff will provide an oral update about the collaborative process with our neighboring South Bay cities to provide the FAA with comments that hopefully will lead to a better safety solution.

Attached Draft Rancho Palos Verdes Public Comment Letter to FAA

Staff has attached a draft public comment letter addressed to the FAA that would be signed by the Mayor for consideration by the City Council. WAC, the City’s aviation consultant has advised Staff that a “technical comments” letter should be separately filed by the City’s legal counsel with the FAA prior to September 21, 2010. The technical comments would provide the legal basis for the City to challenge the appropriateness of the airspace change, if the FAA elects to proceed with rulemaking. WAC and staff will work closely in the development of the technical comment letter.

Staff has attached the Potential Impact Statement prepared by Williams Aviation Consultants (“WAC”).

Several highlights from WAC’s Potential Impact Statement follow:

“Our primary concern is that the FAA will determine this airspace change to be routine and in accordance with its’ normal policy of declaring such changes to be “categorically Exempted” from any significant environmental review. Based on our initial analysis, we believe significant potential exists for impacts that have not been anticipated or analyzed by the FAA. These “Unintended Consequences” have potential significant adverse impact on the residents of the City of Rancho Palos Verdes and other neighboring communities in the south bay.”

“The FAA proposes to establish Class C airspace over and around Long Beach Airport (LGB). It has been widely circulated that the impetus for this airspace change was a request from Jet Blue Airlines. The request was generated by safety concerns associated with the number of Traffic Alert and Collision Avoidance System (TCAS) warnings Jet Blue aircraft were receiving on departure from LGB. The number and severity of these alerts is unknown. The FAA has not provided any data which would substantiate the need for this change.”

“Of particular concern is the potential impact to aircraft utilizing the published “Mini Route” over LAX (**Figure 5**). Aircraft exiting the Mini Route southbound would be

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required to contact ATC immediately upon leaving the route and obtain a rapid clearance to enter Class C airspace or divert south or southwest bound to avoid inadvertent entry into the Class C airspace. This will place the majority of these aircraft west of the route currently used. The magnitude of the traffic and the distance west of normal is unknown.”

“Our primary concern is that the FAA will determine this airspace change to be routine and in accordance with its’ normal policy of declaring such changes to be “categorically Exempted” from any significant environmental review. Based on our initial analysis, we believe significant potential exists for impacts that have not been anticipated or analyzed by the FAA. These “Unintended Consequences” have potential significant adverse impact on the residents of the City of Rancho Palos Verdes and other neighboring south bay communities. They include:

- 1) Increased safety risks resulting from a greater number of general aviation (“GA”) aircraft flights compressed in flight areas;
- 2) Environmental impacts, especially increased aircraft noise and air pollution from piston-powered and turboprop aircraft;
- 3) Increase of GA aircraft flights across the entire PV Peninsula, as well neighborhoods in Redondo Beach, Hermosa Beach, Torrance and San Pedro; and
- 4) Increased workload of FAA traffic controllers, possibly impairing passenger flight safety.

Why would there be “unintended consequences”?

- 1) Today, GA pilots merely advise the LGB tower when entering its Class D airspace.
- 2) With the change, pilots would be required to obtain authorization from air traffic controllers prior to entering the FAA’s proposed Class C airspace. Because controllers must manage passenger traffic as a priority during peak periods, GA pilots may not obtain authorization timely and divert their flight around or over the PV Peninsula, as well as neighboring communities.
- 3) The same controllers who manage passenger flights for the entire southern CA region, including LAX, San Diego’s airport, John Wayne Airport and Burbank, would now take on responsibility for tracking GA aircraft flying within the FAA’s extended LGB Class C airspace.

What would happen as a result of the proposed change?

- 1) Flight instructional aircraft from schools based at Hawthorne Airport, Compton Airport and Zamperini Field (Torrance) would likely move from the LA/Long Beach harbor “practice and instructional area” (a major portion of which would become restrictive Class C airspace) to the entire Palos Verdes coastline.

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- 2) A greater number of general aviation aircraft departing from Zamperini Field (Torrance) will avoid the Class C airspace:
 - a) Departing west, turning south along the entire Palos Verdes coastline, over neighborhoods in Redondo Beach, Torrance (Torrance Beach), Palos Verdes Estates and Rancho Palos Verdes; or
 - b) Departing west, turning 180 degrees right and flying along the northeastern and eastern edges of the Palos Verdes Peninsula over and near neighborhoods along the Western Avenue corridor, including Rolling Hills, Rolling Hills Estates, Lomita, San Pedro and Rancho Palos Verdes; or
 - c) Across the Palos Verdes Peninsula.

- 3) A greater number of general aviation aircraft currently flying over coastal southern California using the Mini-Route and visual flight rules ("VFR") will divert around the Class C airspace, instead flying:
 - a) Along the entire Palos Verdes coastline, over neighborhoods in Hermosa Beach, Redondo Beach, Torrance (Torrance Beach), Palos Verdes Estates and Rancho Palos Verdes; or
 - b) Along the northeastern and eastern edges of the Palos Verdes Peninsula over and near neighborhoods along the Western Avenue corridor, including Rolling Hills, Rolling Hills Estates, Lomita, San Pedro and Rancho Palos Verdes; or
 - c) Across the Palos Verdes Peninsula.

BACKGROUND AND DISCUSSION:

Overview of Proposed LGB Airspace Change

The airspace surrounding LGB is currently classified as Class D. Generally, a Class D airspace designation requires aircraft, including (non-commercial) general aviation aircraft, to merely communicate with the LGB airport control tower prior to entering its designated Class D airspace. Generally, LGB control tower would refuse entry into the LGB airspace only when it would be unsafe (i.e. unsafe proximity with a passenger flight, an unsafe number of aircraft in the airspace). If the LGB airspace is changed to Class C, the air traffic control ("ATC") responsibility will be transferred to SCT, located in San Diego. SCT is responsible for managing all air traffic in Southern California, including passenger and freight aircraft being served by the following airports: LAX, San Diego, John Wayne Airport, Ontario and Burbank. Any aircraft wishing to enter the LGB airspace must contact SCT for authorization prior to entering Class C airspace. Concerns have been raised that because SCT is not increasing staffing to manage the additional aircraft entering the LGB airspace; aircraft may be directed to hold (not enter the LGB airspace) while SCT controllers manage passenger flights, especially during peak passenger and freight traffic periods. Concerns have been raised that air safety may be impaired.

If the FAA ultimately decides to change LGB to a Class C airport, all aircraft that enters its

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airspace will also be required to have a Mode C transponder to send radio signals to SCT. The Mode C transponder will enable flight tracking by SCT on its radar. Staff understands that most general aviation aircraft throughout southern California airspace is already equipped with transponders. However, staff has been advised by several knowledgeable aircraft advocates that some locally-based aircraft do not have transponders; thus, would be prohibited from entering the proposed LGB Class C airspace.

The Los Angeles basin is considered one of the most complex airspaces to manage air traffic in the country. The commercial aircraft industry segment (i.e. passenger airlines and freight carriers) might be expected to support the airspace change citing improved air safety, especially passenger safety. The general aviation aircraft community (i.e. flight schools, flying clubs and small businesses) is generally opposed to the proposed airspace change. Both the commercial aircraft industry segment and the general aviation community generally agree that a review and revision of the airspace in the entire LA Basin is warranted. The FAA began such a project that appears to have stalled at this time.

In its staff report, dated August 17th, Staff cited that there is a potential impact on the quality of life of the City's residents and tourism community (i.e. Terranea Resort and Trump National) that may result from an increase of aircraft noise and the risks resulting from aircraft compression – more general aviation aircraft flying in a defined area. Of course, maintaining air flight safety in Southern California is of the utmost importance. The recommendation led to the City's retention of Williams Aviation Consultants ("WAC"), one of the country's prominent aviation consulting firms. WAC has submitted its Potential Impact Statement (attached hereto) and has begun further technical analysis and research (described later herein).

FAA Rulemaking Process - Public and Technical Comments

Based upon preliminary inquiries with the FAA, the public meetings serve to gather facts and public comments pursuant to the regulatory process that could possibly lead to an airspace change surrounding LGB. The FAA will consider the comments prior to making a decision whether to move forward with the proposed LGB airspace change. If the FAA decides to move forward, the process will include the issuance of a Notice of Proposed Rulemaking, followed by a public comment process prior to a final decision to change the LGB airspace. The process could take up to a couple years before any rulemaking is finalized.

At our request, the FAA has agreed to extend the public comment deadline to September 21, 2010. Staff has attached a draft public comment letter addressed to the FAA that would be signed by the Mayor for consideration by the City Council. WAC, the City's aviation consultant has advised Staff that a "technical comments" letter should be separately filed by the City's legal counsel with the FAA prior to September 21, 2010. The technical comments would provide the legal basis to for the City to challenge the appropriateness of the airspace change, if the FAA elects to proceed with rulemaking. WAC and staff will work closely in the development of the technical comment letter.

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Public Comments Encourages by Residents and the Entire South Bay Community Prior to September 21, 2010

Anyone outside of the City that is interested in providing the FAA with comments may wish to do so on or before September 21, 2010. Residents of the City may provide comments directly to the City (preferably to the attention of Dennis McLean, Director of Finance & Information Technology via email to faaairspace@rpv.com) or directly to the FAA. Staff will attach all written comments received by the public to its public comment letter. Comments provided directly to the FAA should be in triplicate and mailed to:

Clark Desing, Operations support Group, AJV-W2
Western Service Area, Air traffic Organization
Federal Aviation Administration
1601 Lind Avenue, SW
Renton, WA 98057

Based upon the advice of the City's aviation consultant, public comments should also be sent concurrently to:

William C. Withycombe
Western-Pacific Region Regional Administrator
Federal Aviation Administration
P.O. Box 92007
Los Angeles, CA 90009-2007

Staff expects to provide additional information using the Aircraft Noise listserver group and the City's website as additional information becomes available.

Coordination With Neighboring Peninsula Cities

Staff provided an overview regarding the proposed LGB airspace change to the City Managers of the Palos Verdes Peninsula cities several weeks ago. The cities of Redondo Beach and Torrance have expressed an interest as well. Two of the cities do not have a Council meeting scheduled prior to the (extended) September 21, 2010 comment deadline set by the FAA.

Staff expects to share the attached Potential Impact Statement published by Williams Aviation Consultants, the attached draft public comment letter, Questions and Answer public information document, as well as this staff report and any other appropriate information with our neighboring cities to facilitate their comments to the FAA. All four Peninsula cities may wish to enter into an agreement in the event further opposition action is required beyond the September 21, 2010 comment deadline.

FISCAL IMPACT

The City Council approved an adjustment in the FY10-11 budget for the City Manager's

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program in the amount of \$15,000 on August 17, 2010 to pay for the cost of additional professional services for the preparation of the attached Potential Impact Statement and the filing of technical comments to the FAA. If neighboring cities participate, the City would be the lead agency; therefore, the total amount paid would be recorded as an expenditure and reimbursements collected from the neighboring cities would be recorded as revenue in accordance with generally accepted accounting practices. Staff will provide an oral update regarding the possible cost sharing for the work performed by WAC.

In the event the FAA decides to work together to develop an alternative solution with Staff and its advisors or if the FAA proceeds with the change of the LGB airspace, Staff will return and present the City Council with an overview, options and a possible request for a budget adjustment for services beyond the scope of services provided by WAC through September 21st, the comment period deadline.

ATTACHMENTS:

Potential Impact Statement prepared by Williams Aviation Consultants

Draft Rancho Palos Verdes Public Comment Letter to FAA

Proposed LGB Airspace Change to Class C Designation Question & Answer public information document