

# Van Nuys Airport (VNY) Noisier Aircraft Phaseout Ordinance & Part 161 Study Status Report



Presentation to Board of Airport Commissioners  
May 4, 2009

# Primary Project Objective

Reduce aircraft noise impacts on areas near VNY, particularly the impacts on residential areas

BOAC directed LAWA to do this through a dual track approach via the “grandfathered” Noisier Aircraft Phaseout Ordinance and the Part 161 Study

# Legal Framework

- **The Airport Noise and Capacity Act of 1990 (ANCA)**
  - Federal Aviation Regulations Part 161
  - ANCA’s “Grandfathering” Provision

# **VNY Noisier Aircraft Phaseout Ordinance**

- First proposed by BOAC: June 13, 1990
- ANCA enacted by Congress: November 5, 1990
- Reintroduced by BOAC: April 17, 2006
- BOAC directed LAWA pursue “Dual-Track” process to eliminate Stage 2 aircraft: July 17, 2006
- BOAC approved several amendments to draft ordinance: August 20, 2007
- Environmental review initiated: November 2007
- Environmental review completed: April 2009

## **Preferred Alternative (Alt 2) – Including Stage 3 & 4 Aircraft Exemption**

- Environmental review determined 2007 draft ordinance (Exhibit C) would regulate Stage 3 aircraft
  - Part 161 study and FAA approval would be needed to implement draft ordinance
- FAA determined that including the Stage 3 and 4 exemptions (Alt 2) “would ensure the proposed phaseout is grandfathered”

# Current Board Action

## Staff Recommendation for BOAC

- BOAC to Review and Consider the Final EIR and adopt the Board Report
- BOAC to Recommend to City Council to:
  - Certify the Final Environmental Impact Report (FEIR)
  - Adopt the CEQA Findings
  - Adopt the Statement of Overriding Considerations
  - Adopt the Van Nuys Airport Noisier Aircraft Phaseout Ordinance (under Alternative 2/Exhibit B)
- BOAC Authorize LAWA to:
  - Transmit FEIR, Board Report, Findings, Statement of Overriding Considerations, and the Ordinances to City Council for action

# Final Environmental Impact Report Findings

- Impacts determined to be less than significant
  - All environmental resource areas except Air Quality
  - No Noise-related significant impacts
- Air Quality Impacts determined to be significant
  - Shifting 0.3 flights per day to CMA: Within Ventura County Air Pollution Control District which is a non-attainment area for NO<sub>x</sub>
  - Shifting 0.7 flights per day to WJF: Within Mojave Desert Air Basin which is a non-attainment area for ozone and Particulate Matter

# Final Environmental Impact Report Responses to Comments

- Aircraft Operations Diverted to other area airports:
  - would cause noise problems
  - are underestimated
- ANCA grandfathering invalid
- Stage 3 and 4 Exemption should not be included

# **Statement of Overriding Considerations**

## **(Do the benefits outweigh the environmental impacts)**

- Reduces Overall Noise Levels for Residents Surrounding VNY
- Creates incentives for Replacement or Modification (Hushkitting) of Aircraft
  - Estimated that 1,619 of the 1,989 Operations in 2014
- Reduces the Number of Residential Units Within the modeled 65 dB CNEL Noise Contour

**Conclusion: Anticipated benefits to the neighboring VNY residents outweigh the adverse environmental impacts**

# Timeline for Phaseout Implementation

2009 - 85 dBA (No affected operations)

2011 - 83 dBA (7 annual operations affected)

Sabre 1

2014 - 80 dBA (1,989 annual operations affected)

Lear 24, 25, 28, GII, GIII, H25A

2016 - 77 dBA (1,886 annual operations affected)

Falcon 20, Sabre 2

# VNY PART 161 STUDY STATUS UPDATE

## **Status of VNY Part 161 Study**

- BOAC approved HMMH contract: March 2005
- Study kick-off: June 2005
- Contract amended and extended due to additional scope of work items added: April 2008
- Detailed benefit and cost analyses largely complete
- Preparation of draft applications underway

# **VNY Part 161 Study Proposed Restrictions**

1. Incentives / disincentives in rental rates
2. Incentives / disincentives in landing fees
3. Mandatory Fly Friendly Program with fines
4. Maximum 77 dBA daytime noise limit
5. Limit number of based Stage 3 jets
6. Non-emergency jet and helicopter curfew
7. Cap or phase out helicopter fleet
8. Phase out Stage 2 aircraft in shortest possible time via Part 161 study
9. Extend existing curfew to 9 am on Saturdays, Sundays, and holidays

# Submittal of Applications to FAA

<b>Application</b>	<b>Draft to LAWA</b>	<b>BOAC Review</b>	<b>FAA Submittal</b>
Stage 1 & 2 Aircraft	2Q 2009	3Q 2009	4Q 2009
Curfew Items	3Q 2009	4Q 2009	4Q '09 or 1Q '10
Helicopter	3Q 2009	4Q 2009	4Q '09 or 1Q '10
Fly Friendly w/Fines	3Q 2009	4Q 2009	4Q '09 or 1Q '10
Stage 3 Cap	3Q 2009	4Q 2009	4Q '09 or 1Q '10

## **VNY Part 161 Financial Details**

- Overall project costs to date : \$3,357,000
- Contract budget authority remaining: \$1,623,000

### **Estimated Costs to Complete the Studies**

- Stage 1 & 2: \$860,000
- Curfew: \$200,000
- Helicopters: \$200,000
- Fly Friendly: \$175,000
- Stage 3 Jets: \$150,000

Note: These costs do not include staff time and costs associated with outside counsel

# Questions?



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