



Los Angeles
World Airports

September 11, 2013

David W. Louie, Chair
Los Angeles County Airport Land Use Commission
320 West Temple Street
13th Floor
Los Angeles, CA 90012

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RE: IMPASSE APPEAL BY CITIES OF CULVER CITY AND ONTARIO, AND
COUNTY OF SAN BERNARDINO - (Project No. R2013-00396/Aviation Case No.
201300001)

Dear Chairman Louie:

Over the past several weeks, the Airport Land Use Commission (ALUC) has received a Staff Analysis, a Draft Resolution, and several other communications pertaining to, or attempting to characterize, frequently inaccurately so, the Los Angeles International Airport (LAX) Specific Plan Amendment Study (SPAS).

Los Angeles World Airports (LAWA) has reviewed these written materials, and does not believe that they contain any new issues or topics that are appropriately before the ALUC. Nevertheless, LAWA would like to supplement its responses to the ALUC with:

- (1) clarifications of certain issues contained in Attachment A to this letter; and
- (2) a complete set of the final, public documents relating to SPAS (contained in several DVDs).

It is LAWA's desire to ensure that the ALUC has a complete and corrected record prior to making its decision. Thank you for your consideration on this important matter.

Sincerely,

Diego A. Alvarez
SPAS Program Director

Attachment



ATTACHMENT A

Statements Regarding LAWA's Regionalization Efforts

The ALUC has received a number of letters raising issues related to LAWA regionalization efforts. These issues are not properly before the ALUC. In the context of the Impasse Appeal, the ALUC may only consider whether the City Council's airport planning action is consistent with the purposes of the State Aeronautics Act, which is to "protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses." (Pub. Utilities Code § 21670(a)(2).) Moreover, the issue of regionalization was not raised by the Impasse Appellants – or anyone else – as either a basis for appeal or as the alleged impasse within the 30 day period to submit applications for impasse appeals. (ALUC Review Procedures, Sec. 5.2.2.) As such, it cannot be considered now and is irrelevant to the inquiry of whether the City's airport planning action was consistent with noise and safety considerations set forth in the State Aeronautics Act.

Statements Regarding the Noise and Safety Impacts of Runway Movement

The ALUC's Staff Analysis states that "Runway movement would remain mostly within the present boundary of the airport, but would alter the area affected by noise and safety concerns by the amount the runway are [sic] moved."

To clarify, the runway movement would remain entirely within the present boundary of the airport. The area affected by noise would not be altered by the amount the runway is moved. That is, the noise contour would not move 260' to the north as a result of the runway movement. The majority of the change in the contour would be due to increases in aircraft activity in 2025 under all of the alternatives as compared to baseline (i.e., 2009) conditions. This can be seen in comparing the noise contours associated with Alternative 1 (which are the same as the Staff-Recommended Alternative) in Figure 4.10-1-14 of the SPAS Draft EIR with those in Figure 4.10.1-23, which shows the noise contours in 2025 with no runway movement (Alternative 4).

The comparison can be seen directly in the figure provided on page 27 of the presentation made to the Board of Airport Commissioners on February 5, 2013. When comparing the noise contours in 2025 with movement of the runway 260 feet north (i.e., Alternative 1 and the Staff-Recommended Alternative) to the noise contours associated with no runway movement (i.e., Alternative 4), it can be seen that the noise contour immediately north of the airport would essentially remain unchanged. Changes in the contour would occur further east. However, even to the east, the movement of the contour would not be as great as 260 feet.

Moreover, more significantly impacted residences and population would move out of the noise contour under Alternative 1 and the Staff-Recommended Alternative (in areas to the south) than would move into the contour with the northerly relocation of the contour. This is evidenced in the

noise impact tables presented in Section 4.9 of the SPAS Draft EIR, whereby the number of people in 2025, compared to baseline (2009) conditions, newly-exposed to >65CNEL with relocation of Runway 6L/24R 260 feet north (i.e., Alternative 1 and the Staff-Recommended Alternative) would be 13,445, while the number of people newly-exposed in 2025 to >65CNEL with no runway improvements (Alternative 4) would be 14,691. As such, there would be over one thousand fewer people newly exposed to that significant noise impact with relocation of the runway northward, as proposed under the Staff-Recommended Alternative, than would otherwise occur by leaving the runway configuration in its current configuration. Such is also the case relative to the population in 2025, compared to baseline (2009) conditions, that would experience a >1.5 CNEL increase within the 65 CNEL contour, where such population would be 13,608 under the Alternative 1 and the Staff-Recommended Alternative, but would be 16,661 under Alternative 4 – over 3,000 fewer people would be exposed to that significant impact with relocation of Runway 6L/24R than would otherwise be impacted without runway improvements.

Statements that No Additional Review of the North Runway Improvements is Required

As set forth in CEQA Guidelines section 15168(b)(1), preparation of a programmatic EIR allows for “more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action.” However, an agency is required to conduct further environmental review on later activities if those activities would have effects that were not examined in the program EIR. (CEQA Guidelines § 15168(c)(1).) The SPAS EIR did not analyze individual improvements at a project-level and, specifically, did not analyze construction impacts at a project-level, as indicated in several of the responses to comments within Part II of the Final EIR (i.e., see Responses to Comments SPAS-PC00132-27, SPAS-PC00149-9, and SPAS-PC00160-21).

Thus, LAWA would be required to conduct further review prior to implementation of any individual improvement(s) and, indeed, has always anticipated doing so, as explained in the EIR within Section 2.4 and the introduction of Section 4. In any future EIR, LAWA would be required to identify alternatives that meet most project objectives and reduce the significant effects of the proposed project. (CEQA Guidelines § 15126.6(a) [“An EIR *shall* describe a range of alternatives to the project ...], emphasis added.)

Additionally, it is inaccurate that Public Utilities Code section 21676.5(b) would bar additional review of north airfield improvements, as some letters have suggested. While this code section prohibits further Commission review of certain local agency action, the code section regarding the ALUC’s review of extension or realignment of an existing runway (see Pub. Utilities Code § 21664.5(b)(3)) is “not affected by, and is independent of, any previous action by the local jurisdiction regarding its local plans.” (Caltrans Airport Land Use Planning Handbook [2011] Chapter 6, p. 6-3.) In any event, as stated in LAWA’s August 28, 2013 letter to the ALUC, LAWA intends to bring runway changes before the ALUC for a determination of consistency with the ALUCP.

Statement that "LAWA has failed to meet ALUC standards for things such as the prohibition of above ground storage of more than 10,000 gallons of aviation fuel."

It is not clear what ALUC standard is being referenced in this statement from the Alliance for a Regional Solution to Airport Congestion ("ARSAC"). The Los Angeles County Airport Land Use Compatibility Plan ("ALUCP") does not contain a standard prohibiting the above ground storage of more than 10,000 gallons of aviation fuel. The following policy is included in the ALUCP: "Prohibit above ground storage of more than 100 gallons of flammable liquids or toxic materials on any one net acre in a designated runway protection zone. It is recommended that these materials be stored underground." The SPAS project does not propose the above ground storage of any materials in a designated RPZ.