



August 28, 2013

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

LAX
LA/Ontario
Van Nuys
City of Los Angeles

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:

Eric Garofetti
Mayor

Board of Airport
Commissioners

Michael A. Lawson
President

Valeria C. Velasco
Vice President

Joseph A. Aredas
Robert D. Beyer

Ravi M. Hullister

Raul Perez

Fernando M. Torres-Gil

Gina Marie Lindsey
Executive Director

Los Angeles World Airports (LAWA) appreciates the opportunity to respond to the May 20, 2013 impasse appeal (Appeal) brought by the Cities of Culver City and Ontario, and the County of San Bernardino (Appellants).

The Appeal before you is without merit. Appellants have not identified any impasse. They are, instead, attempting to misuse the impasse appeal process to (a) re-litigate the consistency determination previously made, and (b) prematurely bring the Staff-Recommended alternative before the Airport Land Use Commission (ALUC) for its consideration.

The Los Angeles City Council's April 30, 2013 action on the Specific Plan Amendment Study (SPAS) does not entitle LAWA to implement the so-called "Staff-Recommended Alternative" and does not result in any specific airfield improvements. Instead, it provides a starting point for future planning, design and environmental review. This future review includes evaluation under the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), and the State Aeronautics Act (SAA). The ALUC will have the opportunity to weigh in on land use compatibility issues at the Los Angeles International Airport (LAX) during this future process, as detailed below.

Given the lack of any existing impasse and the improper call for the ALUC to use the impasse appeal process to prematurely review the project, the ALUC must deny the Appeal.

More specifically, the ALUC must deny the Appeal because (1) Appellants have not identified any "impasse" as that term is defined in the ALUC's Review Procedures, and (2) the Los Angeles City Council's April 30, 2013 action on the SPAS was, in any event, consistent with the purposes of the SAA.

I. Scope of Review

A. The ALUC's Role In Resolving Any Impasse is Limited to Review of the Los Angeles City Council's Action on the SPAS for Consistency with the SAA



The ALUC has responsibility “to coordinate the airport planning of public agencies within the County”, and the ALUC may hear appeals when impasses result relative to this planning. (ALUC Review Procedures, Sec. 5.1.1.) The right to submit an impasse appeal to the ALUC arises from “the final decision by the governing body on the airport planning project”, which, in this case, is the Los Angeles City Council’s April 30, 2013 action on the SPAS. (Review Procedures, Sec. 5.2.2.) The City Council’s April 30, 2013 action is, thus, the only subject matter appropriately subject to the ALUC’s review in resolving any impasse related to the SPAS.

B. Background on SPAS and the City’s Actions Related to SPAS

LAWA’s Legal Obligation to Conduct a Specific Plan Amendment Study

The SPAS is a study of potential alternative designs, technologies, and configurations that would provide solutions to the problems that the so-called “Yellow Light Projects” approved in the 2004 LAX Master Plan were designed to address. The study was required by the LAX Specific Plan, as adopted in 2004 and amended in 2007¹, and the LAX Master Plan Stipulated Settlement (Stipulated Settlement), prior to implementation of such Yellow Light Projects.

The SPAS was prepared pursuant to CEQA, and LAWA prepared an Environmental Impact Report (LAX SPAS EIR) which analyzed the environmental effects of the Yellow Light Projects, a total of 17 possible combinations of alternatives to the Yellow Light projects², and the proposed plan amendments identified in the SPAS. The amendments include amendments to the LAX Specific Plan and the City of Los Angeles General Plan, including the LAX Plan.

On February 5, 2013, the LAWA Board of Airport Commissioners (BOAC) certified the LAX SPAS Final EIR and concluded that the SPAS study was complete.

The ALUC’s March 27, 2013 Consistency Determination

On March 27, 2013, the ALUC reviewed proposed LAX Specific Plan and City of Los Angeles General Plan amendments evaluated in the SPAS for consistency with the Airport Land Use Compatibility Plan (ALUCP). These proposed amendments included standardizing definitions and terminology and deleting references to facilities that are no longer being proposed. The City of Los Angeles was required to refer these amendments to the ALUC for review prior to amendment of the Plans, and the ALUC’s review was limited to these proposed amendments, as provided by State law (Pub. Utilities Code § 21676(b).) The ALUC did not review the consistency of specific airport improvements included in the SPAS, because the

¹ LAX Specific Plan (Ordinance No. 176,345), September 29, 2004, as amended by Ordinance No. 179,148, August 24, 2007.

² The EIR analyzed nine alternatives, but the airfield components of Alternatives 1, 2, 5, 6 and 7 could be combined with the ground access components of either Alternative 8 or Alternative 9, and the airfield components of Alternatives 5, 6, and 7 could also be combined with the ground access components of Alternatives 1 and 2, resulting in a possible seventeen combinations of alternatives.

action to approve particular improvements was not ripe for review at that time as further discussed below.

Los Angeles City Council's April 30, 2013 Actions

On April 30, 2013, the City Council certified the LAX SPAS Final EIR³ and voted to:

“Select the staff-recommended alternative as the best alternative to the problems that the Yellow Light Projects were designed to address, subject to future detailed planning, engineering, and project-level review of individual improvements under CEQA and the evaluation and approval of processes of the Federal Aviation Administration (FAA) (emphasis added).”

The Council's action specified that:

“Approval of the staff-recommended alternative would provide the platform from which the specific details of the proposed improvements would be further defined and evaluated in connection with current and future FAA standards.” (emphasis added).

The City Council's April 30th action on the SPAS did not authorize specific airfield improvements. The “selection” of the Staff-Recommended Alternative provides a starting point for future planning, design and environmental review. It did not provide entitlement to implement the Staff-Recommended Alternative either in whole or in part. Prior to implementation, LAWA must further develop the specific elements of the Staff-Recommended Alternative, including more detailed site layouts, construction phasing and sequencing, as well as further refinement of these elements as individual components.

Additionally, LAWA will have to conduct project-level review under CEQA for individual SPAS elements, as well as environmental review under NEPA by or with the Federal Aviation Administration (FAA). This future CEQA and NEPA review will require LAWA to consider alternatives to the individual SPAS elements, including the alternative of not proceeding with the projects, i.e., the “No Project/No Action” Alternative.⁴ For purposes of NEPA, all alternatives will be studied at a co-equal level of analysis. During the NEPA process, the FAA must also make a determination of air quality conformity under the Clean Air Act.

³ In connection with these actions, the City Council also adopted the CEQA Findings, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Plan (MMRP) associated with the SPAS. Attachment A reflects the recorded action by the City of Los Angeles. In addition, the Council also adopted several amendments to the LAX Specific Plan and the City of Los Angeles General Plan, including the LAX Plan, to ensure plan consistency.

⁴ 14 Cal. Code Regs. § 15126.6(e); see 40 C.F.R. § 1502.14; FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Projects* at ¶¶ 706.d, 1007.e (2006).

Prior to any extension or realignment of an existing runway, LAWA would return to the ALUC for review of the proposal for consistency with the ALUCP. (See Pub. Utilities Code § 21664.5; ALUC Review Procedures, Sec. 1.5.1(d).)

Attachment B illustrates the future process with which LAWA and the City will proceed.

C. The ALUC May Not Reopen Its March 27, 2013 Consistency Determination

Appellants would have the ALUC disregard its defined role in resolving an alleged impasse and, instead, reconsider the ALUC's own March 27, 2013 determination that the plan amendments submitted by LAWA for ALUC review are consistent with the ALUCP. Appellants' request, if honored, would have the result of the ALUC serving as the appellate body for its own decisions, an outcome neither contemplated nor authorized by the ALUC's Review Procedures or the SAA. (See ALUC Review Procedures, Sec. 5.5; Pub. Utilities Code § 21670 et seq.)

The ALUC may not, in response to the Appeal or otherwise, re-examine its own March 27, 2013 determination that LAWA's proposed plan amendments are consistent with the ALUCP; it can only evaluate whether the City Council's final action on SPAS is consistent with the purposes of the SAA. These limitations are set forth in Section 5.5 of the ALUC's Review Procedures, which identify the ALUC's possible actions when considering an impasse appeal as follows [emphasis added]:

5.5.1. The ALUC may uphold an appeal if it finds that the information submitted by the appellant and/or presented at the public hearing substantiates that the airport planning proposed by the public agency whose planning led to the appeal is not consistent with the purposes of Article 3.5 of Chapter 4 of the State Aeronautics Act, as set forth in Sections 21670, et seq. of the Public Utilities Code.

5.5.2. The ALUC shall deny an appeal where it finds that the information submitted by the appellant and/or presented at public hearing substantiates that the airport planning proposed by the public agency whose airport planning led to the appeal is consistent with the purposes of Article 3.5 of Chapter 4 of the State Aeronautics Act, as set forth in Sections 21670, et seq. of the Public Utilities Code.

Thus, the ALUC is barred from reopening its original consistency determination and may only assess whether LAWA's airport planning is consistent with the broad statutory purposes of the SAA. Critically, if Appellants cannot show that the planning is inconsistent with the SAA (which they cannot), the ALUC must deny the Appeal.⁵

⁵ Even if Appellants were able to demonstrate inconsistency with the SAA (which they are not), ALUC "may uphold" the appeal but would not be required to do so.

D. The Appeal Fails to Identify an “Impasse” and Must Be Denied

The Appeal focuses exclusively on attacking the ALUC's consistency determination and specifically identifies the alleged “impasse” as a disagreement with the ALUC's March 27, 2013 finding that the SPAS project is consistent with the requirements of the ALUCP. This reflects a fundamental misunderstanding of what forms an “impasse” and misconstrues the ALUC's role in resolving any such impasse. As defined in the ALUC's Review Procedures, an “impasse” is “[a]ny significant unresolved issue between the appellant public agency and the public agency proposing the project regarding proper airport planning as it relates to the project at issue.” [ALUC Review Procedures, p. 2-3.]. Here, Appellants fail to identify any unresolved issues between themselves and the City of Los Angeles regarding proper airport planning as it relates to the SPAS decision by the Los Angeles City Council on April 30, 2013. As such, they have failed to identify an “impasse”, and, on this ground alone, the ALUC must deny the Appeal.

II. Appeal to the ALUC of the City Council's Action on the SPAS Airfield Analysis Is Premature; LAWA Will Return to the ALUC for a Future Consistency Determination When Appropriate

As explained above, the City Council has not yet made any final decision as to the future airfield, terminal, or ground transportation configuration of LAX. Prior to any such decision, LAWA and the City must conduct additional review under CEQA and the National Environmental Policy Act (NEPA). Additionally, in connection with any of the runway changes studied in the SPAS, LAWA intends to bring such changes before the ALUC for a determination of consistency with the ALUCP. (Pub. Utilities Code § 21664.5(b)(3).) The Appeal is therefore premature.

III. LAWA Has Demonstrated an Ongoing Commitment to Regionalization

Although not relevant to the specific configuration of LAX, LAWA would like to address the perception by some members of the public that LAWA has failed to meet commitments to “regionalize” air traffic in Southern California. These assertions are factually inaccurate and fail to recognize the limitations placed on airport sponsors, like LAWA, to control air traffic.

LAWA is firmly committed to the regionalization of air traffic in the Greater Los Angeles region.⁶ **Attachment C** contains a list of actions taken by LAWA to regionalize air traffic to Ontario International Airport (ONT) because of its unique value in the Los Angeles regional airport system. These actions include more than \$500 million in capital improvements, developing marketing partnerships with airlines, encouraging airlines to offer additional service at ONT, reducing operating costs at ONT, and conducting market analysis and research to develop incentives for additional air traffic at ONT. LAWA and executive management of the City of Los Angeles have implemented, and will continue to evaluate appropriate measures

⁶ The federal Airport Noise and Control Act of 1990 (ANCA) and its implementing regulations (14 C.F.R. Part 161) prohibit an airport agency from unilaterally requiring airlines to move from one airport to another, or denying an air carrier access to a specific airport, like LAX.

for additional air traffic at ONT. LAWA and executive management of the City of Los Angeles have implemented, and will continue to evaluate appropriate measures

relative to increased stability and growth of ONT. Such measures are intended to enhance the viability and attractiveness of ONT as a preferred airport for passengers and airlines within the Southern California regional airport system. However, the decision to provide service at ONT is ultimately made by the air carriers.

In part, past projections of a greater dispersion of air traffic in the region were predicated on the anticipation that LAX would reach its practical capacity of 78.9 million annual passengers (MAP) in 2015. Not only has this not occurred, but in fact, LAX is not even close to reaching those numbers. In 2012, LAX served 63.7 million passengers. The combination of a sluggish economy, high fuel prices, and years of losing money have motivated all domestic airlines to reduce seat and service capacity in secondary markets and consolidate in large hub markets in order to reduce business risk and increase pricing power. This is reflected in the fact that as of last year, 30 of the 36 medium hub airports in the U.S. experienced declines in traffic⁷.

Regionalization and the SPAS

As discussed above, the SPAS process involved the identification and evaluation of potential alternative designs, technologies, and configurations for the LAX Master Plan Program that would provide solutions to the problems that the Yellow Light Projects were designed to address. The SPAS process also included identification of potential amendments to the LAX Specific Plan that plan for the modernization and improvement of LAX in a manner that is designed for a practical capacity of 78.9 MAP, which is the same future passenger activity level of the LAX Master Plan and that was incorporated into the SCAG Regional Transportation Plan (RTP) relative to regionalization of commercial air travel. All of the SPAS alternatives maintain the basic design parameters of the LAX Master Plan in planning for a future activity level of 78.9 MAP and allowing for no more than 153 passenger gates. Thus, no Alternative studied in SPAS would increase activity at LAX at the expense of other regional airports.

Further, as a result of the SPAS, BOAC and the City adopted an amendment to Section 7.H of the LAX Specific Plan that would require LAWA to encourage further shifts in passenger and airline activity to other regional airports by conducting a market study and survey of air passengers in the region when passenger activity levels at LAX start to reach the airport's practical capacity.⁸ This amendment will enhance LAWA's ability to anticipate and plan for future increases in aviation activities at LAX and identify appropriate actions to help shift additional growth to other airports in the region, including, in particular, ONT.

⁷ See Attachment C, Medium Hub Airport Traffic Trends.

⁸ The year in which LAX is forecasted to reach 75 MAP.

IV. THERE IS NO MERIT TO THE APPEAL

A. ALUC Review Was Properly Limited to Proposed General Plan and Specific Plan Amendments

Appellants' argument that the ALUC and LAWA impermissibly segmented the SPAS is nothing more than an invitation to reopen the ALUC's March 27, 2013 consistency determination – an action which, as explained above, is barred.

Even if the ALUC were to consider Appellants' argument that the ALUC and LAWA impermissibly segmented the SPAS, Appellants' position has no merit. The only action properly before the ALUC on March 27, 2013 was its review of the proposed amendments to the Los Angeles General Plan and Specific Plan for consistency with the ALUCP. (See Pub. Utilities Code § 21676(b); ALUC Review Procedures, Sec. 1.5.) The SPAS, as explained above, is a study, and BOAC's selection of a preferred alternative did not result in a "comprehensive land use project", as Appellants contend⁹; it is merely an option, subject to future detailed planning, engineering and project-level review, including environmental review under CEQA and the evaluation and approval processes of the FAA. Absent the General Plan and Specific Plan amendments the ALUC previously considered, which were necessary to ensure consistency among planning documents, there is simply nothing about the SPAS at this point that would require ALUC review.¹⁰ The ALUC will have an opportunity to review proposed modifications to LAX's runways after further, project-level review by LAWA, the City, and the FAA under the SAA. (Pub. Utilities Code § 21664.5.) Until that time, nothing is ripe for the ALUC's review.

B. The Council's Action on the SPAS and the Study Itself Are Consistent with the Purposes of the SAA

LAWA's and the City Council's airport planning actions are consistent with the purposes of the SAA and, as such, the ALUC must deny the Appeal. (See ALUC Review Procedures, Sec. 5.5.2 ["The ALUC *shall deny* an appeal where it finds that the information submitted by the appellant and/or presented at public hearing substantiates that the airport planning proposed by the public agency whose airport planning led to the appeal is consistent with the purposes of Article 3.5 of Chapter 4 of the State Aeronautics Act, as set forth in Sections 21670, et seq. of the Public Utilities Code.])

⁹ Appellants also mischaracterize the SPAS as a proposal to modify the LAX Master Plan. This is inaccurate. LAWA has not proposed any modifications to the LAX Master Plan at this time. Therefore, Appellants' attempt to invoke ALUC's review under subsection (c) of Public Utilities Code Section 21676 is not germane. ALUC's review was properly limited to review of the General Plan and Specific Plan amendments pursuant to subsection (b) of Public Utilities Code Section 21676.

¹⁰ The General or Specific Plan Amendments that were before the ALUC pertain primarily to the ground transportation system, the definition of proposed facilities, and administrative consistency.

The SAA's purpose 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. Util. Code § 21670(a)(2).) The SPAS Staff-Recommended Alternative, if implemented, would be consistent with this purpose. Specifically, the proposed reconfiguration of the runways on LAX's north airfield would result in 99.87% of all aircraft operations forecasted to serve LAX in 2025 to be conducted in a standard, uniform fashion; free of restrictions and workarounds that complicate efforts to provide a safe airfield and reduce operational safety. The SPAS EIR also demonstrates that there would be 233 fewer dwellings, and 1,244 fewer people, impacted within the 65 CNEL noise contour of the Staff-Recommended Alternative than under a 2025 scenario that does not include a reconfigured airfield.

C. The ALUC Appropriately Considered Runway Protection Zone ("RPZ") Issues Given the Preliminary Stage of Airfield Analysis

The Appeal makes a series of incorrect legal and factual claims in its argument that the ALUC did not consider the consistency of the SPAS with RPZ-related policies. The Appeal incorrectly concludes that the review of the safety zones associated with the potential airfield improvements was and is ripe for consideration by the ALUC in its consistency review of LAWA's proposed plan amendments. Because more detailed analysis of RPZ and other safety zone issues will be required by the FAA and LAWA before any potential airfield modification can proceed, the ALUC's consistency finding regarding LAWA's proposed plan amendment was the only appropriate and permissible finding at this stage of the planning process. Regardless, prior to any future relocation or extension of runways at LAX, the ALUC will have an opportunity to conduct a consistency determination. Until a decision to move RPZs is made, a determination by the ALUC would be premature.

The Appeal acknowledges FAA's primary and preemptive role in defining and administering RPZ standards, but then asks the ALUC to jump ahead of FAA's consideration of particular changes. The ALUC should reject the Appeal's invitation, which is inconsistent with FAA's, ALUC's and LAWA's roles.¹¹ FAA sets and implements RPZ standards as part of its statutory obligation to ensure aviation safety for both aircraft occupants and persons on the ground. *E.g.*, 49 U.S.C. § 40103; FAA Advisory Circular 150/5300-13A, *Airport Design* (Sept. 28, 2012); FAA, *Interim Guidance Land Uses within a Runway Protection Zone* (Sept. 27, 2012) ("*RPZ Interim Guidance*"). The RPZ is just one of the safety zones and surfaces that FAA considers when approving any modification to airfields, especially in the context of existing airports with existing infrastructure and pre-existing development patterns. FAA also ensures that any runway modifications meet Runway Safety Area, Object Free Area, departure and arrival flight surface and other FAA standards.

¹¹ See also, *Burbank-Glendale-Pasadena Airport Auth. v. City of Los Angeles*, 979 F. 2d 1338, 1341 (9th Cir. 1992) ("Stated simply, a non-proprietor municipality may not exercise its police power to prohibit, delay, or otherwise condition the construction of runways and taxiways at a non-city-owned airport.").

The FAA requires that its expert staff (including local, regional and Headquarters staff in different FAA Divisions) make the determinations regarding RPZ compatibility for any "airfield project," including any "runway shift." (*RPZ Interim Guidance* at 2.) FAA only makes this determination after full consideration of the other airfield and airspace safety zones and surfaces and after a thorough consideration of alternatives, in conjunction with the NEPA process. (*Id.* at 2-3.)

FAA has not yet conducted this analysis for purposes of the airfield elements considered in the SPAS, because LAWA has not completed its project-level planning for airfield changes and has not requested FAA approval or NEPA analysis. Accordingly, it is premature for the ALUC to undertake any detailed RPZ analysis in advance of LAWA's completion of planning and FAA's consideration of RPZ and other safety zone issues.

1. The Appeal's Premise that the Plan Amendments Are "Derived Entirely" from SPAS Runway Elements Is False

The Appeal's statement that "The Plan Amendments evaluated by the ALUC are derived entirely from the Airfield Improvements which include the relocation of Runway 6L/24R 260 northward" is incorrect. The LAX Plan Amendments and LAX Specific Plan Amendments approved by the Los Angeles City Council pertain primarily to the ground transportation system, plan nomenclature, and administrative "clean-up." The boundaries of the Airport Airside area¹² were not amended in either the LAX Plan or LAX Specific Plan, and the precise runway locations are not specified in either plan.

At this point, the potential airfield improvements considered in the SPAS are not definitive. Any airfield changes assessed in SPAS must still undergo additional LAWA planning, CEQA and NEPA review, and FAA analysis of safety and airspace issues. As previously noted, these analyses will all require consideration of alternatives. As noted above, the planning process has yet to reach the point of FAA involvement, including NEPA and airfield/airspace reviews.

2. The SPAS Analysis Thoroughly Considered the RPZ

Even though it is premature for the ALUC to consider RPZ and other airfield issues that are still subject to planning and analysis by LAWA and FAA, it is important to note that the Appeal's suggestion that LAWA is disregarding RPZ issues is false. Even if the RPZ issue were ripe for review, the Appeal's factual assertions are incorrect and could not support the ALUC's grant of the Appeal.

Contrary to the Appeal, substantial evidence supports the initial planning conclusion in the SPAS Final EIR that relocation of Runway 6L/24R 260 feet north, and the associated shift in the RPZ, would not pose a significant safety hazard compared to

¹² Where aircraft are permitted to operate under power and where other airfield support activities may occur. See Section 5 of the LAX Specific Plan.

baseline conditions.¹³ The information and analyses provided in the FEIR provide evidence in support of the Final EIR analysis; the Appeal has provided no substantial evidence or facts to the contrary.

Thus, while the issues relating to the RPZ are not yet ripe for review by the ALUC, LAWA has already developed and disclosed an initial analysis of RPZ issues, which will be supplemented by LAWA and the FAA in the required environmental and planning efforts detailed above.

3. The Appeal's Characterization of RPZ Issues Is Incorrect, Incomplete and Misleading

The Appeal's claim that "LAWA's implementation of the Airfield Improvements will add to the RPZ at least 40 land uses" is factually incorrect and does not accurately reflect the narrative discussion in the Final EIR pertaining to the referenced Table SRA-2.3.7.2-2. As indicated in the Final EIR, the potential airfield improvements would change the composition of land uses within the RPZ for Runway 6L/24R compared to baseline conditions. See FEIR, Part I at 2-117-18.

However, there would not be an addition of "at least 40 land uses," as stated by the Appeal. Instead, there would be a reduction in the number of land use parcels within the RPZ for that runway – from 41 parcels under existing (baseline) conditions to 40 parcels with implementation of the potential Airfield Improvements. That reduction in parcels and change in land uses within the RPZ can be seen in comparing Table 4.7.2-3, Parcels Within RPZ – Baseline Conditions (2010) in Part I of the Final EIR to Table SRA-2.3.7.2-2, Parcels Within RPZ – LAWA Staff-Recommended Alternative in Part II of the Final EIR. Importantly, the Appeal completely disregards the fact that the proposed runway relocation would eliminate all residential uses from the RPZ by shifting the runway away from homes, as well as the vehicle staging area west of Sepulveda Boulevard.

Any findings by the ALUC regarding airfield changes would have been unwarranted and premature, given that the only approvals before the ALUC were the Plan Amendments. The exact nature, extent, and configuration of potential airfield improvements associated with the SPAS Project have not yet been determined and are subject to further analysis and approvals from the FAA and LAWA.

¹³ SPAS Part I FEIR Section 4.7.2, Safety, provides over 80 pages of analysis pertaining to aviation safety, including RPZ impacts. Part II, Section 2.3.7.2, Safety, provides another 13 pages of analysis as part of the SPAS Study. Additionally, there are over a half-dozen detailed responses to comments in Part II of the Final EIR that pertain to the RPZ and incompatible land uses. These include, Responses to Comments SPAS-AL00007-26, SPAS-PC00022-1, SPAS-PC00096-10, SPAS-PC00096-11, SPAS-PC00096-16, SPAS-PC00130-35, SPAS-PC00130-253, and SPAS-PC00130-263. The FEIR also discussed both the standards and processes required under FAA Advisory Circular 150/5300-13A and the RPZ Interim Guidance.

V. The Appellants Do Not Have Standing

As a final matter, LAWA disagrees that the Appellants have standing to bring the Appeal at all. The Appeal recognizes the weakness of the Appellants' standing by devoting almost a full page to the issue at the beginning of the document. The Appeal seeks to read the Los Angeles County ALUC Review Procedures in an unnatural way to reach the conclusion that three jurisdictions with no stake in the RPZ safety issues should be able to prosecute an appeal on those RPZ issues.

Both LAX and the RPZs (both existing and based on the shift considered in the SPAS) the Appeal seeks to put at issue are located within the City of Los Angeles. No property in Culver City, Ontario or San Bernardino County is affected by the current or possible shifted RPZs for Runway 6L/24R – these parties have no land use authority over the RPZs in question. The Appeal makes no claims or assertions how the Appellants would be affected by the changes in RPZs entirely within the City of Los Angeles.

Additionally, Public Utilities Code Section 21670.2(a), which excludes the County of Los Angeles from certain provisions of the SAA, specifies that in Los Angeles County, “the county regional planning commission has the responsibility for coordinating the airport planning of public agencies *within the county*.” Similarly, the ALUC’s role as an arbitrator of impasses is to “coordinate the airport planning of public agencies *within the County*.” (ALUC Review Procedures, Sec. 5.1.1, emphasis added.) Neither the SAA nor the ALUC’s appeal procedures contemplate that the ALUC will resolve issues between public agencies from outside Los Angeles County.

The Appeal also relies on an overbroad interpretation of the defined term “impasse” (see ALUC Procedures at 1.2.16) to conclude that any public agency, regardless of whether it would be affected by the planning issue, has standing to appeal. However, implicit in the definition’s phrase “significant unresolved issue between the appellant public agency and the public agency proposing the project” is the requirement that the issue has some direct significance to the appellant. (See ALUC Procedures at 1.2.16.) Otherwise, any public entity within the County – and, under the Appeal’s theory, outside of the County – could appeal issues wholly unrelated to that entity’s jurisdiction. This would create an illogical result and tax the ALUC with appeals raised by entities with no direct stake in particular airport planning matters.

In sum, LAWA requests that the ALUC deny the Appeal for failure to identify any “impasse” related to the Los Angeles City Council’s April 30, 2013 action, and because that action was, in any event, consistent with the purposes of the SAA. LAWA believes that the ALUC acted appropriately in its earlier consistency review of the SPAS-related plan amendments, and that the other issues raised by the Appellants are without merit and premature considering the public processes required before SPAS-related improvements can be implemented.

David W. Louie, Chair
Los Angeles Airport Land Use Commission
August 28, 2013
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For further information regarding SPAS, please feel free to contact Diego Alvarez,
SPAS Program Director, at (424) 646-5179.

Sincerely,

A handwritten signature in cursive script that reads "Gina Marie Lindsey". The signature is written in black ink and is positioned above the printed name and title.

Gina Marie Lindsey
Executive Director

GML:DA

Attachments

ATTACHMENT A

CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer

When making inquiries relative to
this matter, please refer to the
Council File No.

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

SHANNON HOPPE
Council and Public Services
Division

www.cityclerk.lacity.org

May 1, 2013

To All Interested Parties:

The City Council adopted the action(s), as attached, in the Planning and Land Use Management and Trade, Commerce and Tourism Committees' Majority Report under Council File No. 13-0285, at its meeting held April 30, 2013. The Trade, Commerce and Tourism Committees Minority Report was Received and Filed.

City Clerk
srb

Your **PLANNING AND LAND USE MANAGEMENT COMMITTEE**
and
TRADE, COMMERCE AND TOURISM COMMITTEE

reports as follows:

FINAL ENVIRONMENTAL IMPACT REPORT (EIR), MITIGATION MONITORING AND REPORTING PROGRAM, STATEMENT OF OVERRIDING CONSIDERATIONS, PLANNING AND LAND USE MANAGEMENT and TRADE, COMMERCE, AND TOURISM COMMITTEES' REPORT, and RESOLUTIONS relative to the Los Angeles International Airport (LAX) Specific Plan Amendment Study (SPAS) and proposed General Plan Amendments for the LAX Plan and to the Westchester - Playa Del Rey Community Plan, Transportation Element, and Noise Element, for LAX and surrounding area, generally bounded by the Westchester - Playa Del Rey Community Plan Area to the north and east, the City of Inglewood to the east, the City of El Segundo to the south, and Dockweiler State Beach to the west.

Recommendations for Council action:

1. FIND that the City Council has considered the environmental effects of the project as described in the SPAS Final EIR.
2. CONCUR with the actions of the Board of Airport Commissioners (BOAC).
3. AFFIRM the Board of Airport Commissioners' certification of the SPAS EIR (State Clearinghouse No. 1997061047) and CERTIFY that the:
 - a. LAX SPAS EIR, including the Draft EIR and Final EIR, has been completed in compliance with California Environmental Quality Act (CEQA) and the State and City of Los Angeles CEQA Guidelines.
 - b. LAX SPAS EIR was presented to City Council and that the City Council reviewed and considered the information contained in the EIR prior to approving the project.
 - c. Final EIR reflects the independent judgment and analysis of the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file No. 13-0285 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the LAX SPAS EIR.
4. ADOPT the FINDINGS made pursuant to and in accordance with Section 21081.6 of the California State Public Resources Code, the SPAS Mitigation Monitoring and Reporting Program as the Findings of Council and ADOPT the SPAS Mitigation Monitoring and Reporting Program.
5. ADOPT the SPAS CEQA FINDINGS made pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the Department of City Planning (DCP).
6. CONCUR in the Board's action of February 5, 2013 by Resolution No. 25022 relative to the SPAS.

7. SELECT the staff-recommended alternative as the best alternative to the problems that the Yellow Light Projects were designed to address, subject to future detailed planning, engineering, and project-level environmental review, such as project-level review of individual improvements under the CEQA and evaluation and approval processes of the Federal Aviation Administration (FAA). Approval of the staff-recommended alternative would provide the platform from which the specific details of the proposed improvements would be further defined and evaluated in connection with current and future FAA standards.
8. ADOPT the February 14, 2013 FINDINGS of the Los Angeles City Planning Commission (LACPC), including the Environmental Findings, as the Findings of the Council.
9. ADOPT the accompanying RESOLUTIONS, as recommended by the Mayor, the Director of Planning and the LACPC, APPROVING the proposed amendments to the LAX Specific Plan and to the City of Los Angeles General Plan, including amendments to the LAX Plan, the Westchester-Playa Del Rey Community Plan, Noise Element and Transportation Element of the General Plan, for LAX and surrounding area, generally bounded by the Westchester - Playa Del Rey Community Plan Area to the north and east, the City of Inglewood to the east, the City of El Segundo to the south, and Dockweiler State Beach to the west.

Applicant: City of Los Angeles

Case No. CPC-2012-3357-GPA-SP

10. APPROVE the revised zone change/General Plan Amendment maps as submitted by the DCP on April 9, 2013, attached to the Council file.
11. INSTRUCT the DCP to update the General Plan and appropriate maps pursuant to this action.
12. REQUEST the City Attorney to prepare and present an ordinance for the LAX Specific Plan.
13. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
14. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.
15. REQUEST the Los Angeles World Airports to report back before Council consideration of this matter on:
 - a. Issues and conditions brought up by SEIU and Local 11 at the public hearing held on April 9, 2013.
 - b. All safety issues both at LAX and airports throughout.

Fiscal Impact Statement: The LACPC and the BOAC report that there is no General Fund impact.

Community Impact Statement: Yes

For proposal: Venice Neighborhood Council
Mar Vista Community Council

TIME LIMIT FILE - JUNE 1, 2013

(LAST DAY FOR COUNCIL ACTION – MAY 31, 2013)

Summary:

At special joint meeting held on April 9, 2013, the Planning and Land Use Management Committee and the Trade, Commerce and Tourism Committee considered the LAX SPAS and proposed General Plan Amendments for the LAX Plan and to the Westchester - Playa Del Rey Community Plan, Transportation Element, and Noise Element, for LAX and surrounding area, generally bounded by the Westchester - Playa Del Rey Community Plan Area to the north and east, the City of Inglewood to the east, the City of El Segundo to the south, and Dockweiler State Beach to the west. Staff from the Los Angeles World Airports and the DCP gave the Committee background information on the matter. Members of the public also spoke.

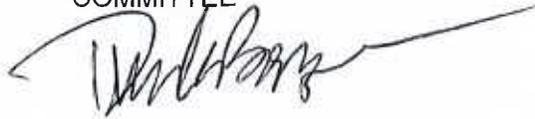
After an opportunity for public comment, the Committees recommended that Council approve as amended: the reports from the Mayor, Director of Planning, and the LACPC and BOAC regarding the EIR, the Mitigation Monitoring Program, the Statement of Overriding Considerations; the SPAS, Resolutions for the proposed General Plan Amendment for the LAX Specific Plan, the technical amendments submitted by the DCP, and requested the City Attorney to prepare and present an ordinance for the Specific Plan. Councilmember Rosendahl requested a Minority Report on this matter. This matter is now submitted to Council for its consideration.

Respectfully submitted,

PLANNING AND LAND USE
MANAGEMENT COMMITTEE



TRADE, COMMERCE AND TOURISM
COMMITTEE



ADOPTED
AS Amended
APR 30 2013
See Attached Motion
LOS ANGELES CITY COUNCIL

FORTHWITH

MEMBER	VOTE
REYES:	YES
HUIZAR:	YES
ENGLANDER:	YES

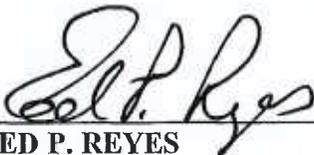
MEMBER	VOTE
LABONGE:	YES
ROSENDAHL:	NO
BUSCIANO:	YES

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- Not Official Until Council Acts -

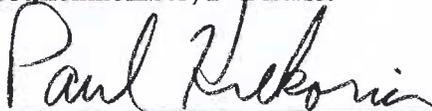
MOTION

I MOVE that the matter of FINAL ENVIRONMENTAL IMPACT REPORT (EIR), MITIGATION MONITORING AND REPORTING PROGRAM, STATEMENT OF OVERRIDING CONSIDERATIONS, PLANNING AND LAND USE MANAGEMENT and TRADE, COMMERCE, AND TOURISM COMMITTEES' REPORT, and RESOLUTIONS relative to the Los Angeles International Airport (LAX) Specific Plan Amendment Study (SPAS) and proposed General Plan Amendment for the LAX Plan and to the Westchester- Playa Del Rey Community Plan, Transportation Element, and Noise Element, for LAX and surrounding area, generally bounded by the Westchester-Playa Del Rey Community Plan Area to the north and east, the City of Inglewood to the east, the City of El Segundo to the south, and Dockweiler State Beach to the west, Item 5 on today's Council Agenda (CF 13-0285) be AMENDED to ADOPT the attached revised Resolution in lieu of any other Resolution, inasmuch as a technical correction is necessary to denote that the Council is affirming the Board of Airport Commissioners' certification of the Environmental Impact Report.

PRESENTED BY: 

ED P. REYES

Councilmember, 1st District

SECONDED BY: 

ADOPTED

APR 30 2013

LOS ANGELES CITY COUNCIL

FORTHWITH

April 30, 2013



rrm

ORIGINAL

RESOLUTION

WHEREAS, the LAX Plan was adopted by the City Council on December 14, 2005; and

WHEREAS, the Specific Plan Amendment Study (SPAS) Proposed Amendments consist of related map and text amendments to the LAX Plan, LAX Specific Plan, Westchester – Playa Del Rey Community Plan, Transportation Element, and the Noise Element of the City's General Plan; and

WHEREAS, the Hearing Officer, as a representative of the City Planning Commission held public hearings on the Proposed Amendments on January 8, 2013; and

WHEREAS, the City Planning Commission conducted a public hearing on February 14, 2013; and

WHEREAS, evidence, both written and oral, was duly presented to and considered by the City Planning Commission at the aforesaid public hearing, including but not limited to a staff report, exhibits, and public testimony; and

WHEREAS, the Proposed Amendments reflect changes in land use policies that correspond with the selection of alternatives to replace previously identified improvement projects at LAX; and

WHEREAS, on February 14, 2013, the City Planning Commission reviewed and considered the Environmental Impact Report, (SCH. NO. 1997061047), approved the California Environmental Quality Act Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program; and

WHEREAS, pursuant to the City Charter and ordinance provisions, the Mayor and the City Planning Commission have transmitted their recommendations.

WHEREAS, the City Council has reviewed and considered the Environmental Impact Report (SCH NO. 1997061047) in its determination of adopting the Proposed Amendments; and

NOW, THEREFORE, BE IT RESOLVED, that the LAX Plan, including the Plan Area boundaries, be amended as described in Exhibit B in accordance with the Proposed Amendments; and

BE IT FURTHER RESOLVED that the Westchester – Playa Del Rey Community Plan, including the Plan Area boundaries, be amended as described in Exhibit C in accordance with the Proposed Amendments; and

BE IT FURTHER RESOLVED that the Transportation Element of the City's General Plan be amended as described in Exhibit C in accordance with the Proposed Amendments; and

BE IT FURTHER RESOLVED that the Noise Element of the City's General Plan be amended as described in Exhibit C in accordance with the Proposed Amendments; and

BE IT FURTHER RESOLVED that the Environmental Impact Report, the Statement of Overriding Considerations and the Mitigation Monitoring and Reporting Program has been found adequate to comply with the California Environmental Quality Act and the State and City Guidelines relating thereto and, that the City Council hereby affirms certification of the Environmental Impact Report.

CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF APR 30 2013
BY A MAJORITY OF ALL ITS MEMBERS.



JUNE LAGRAY
CITY CLERK
BY Pat H. Henth
DEPUTY

AMENDING MOTION TO ITEM 5, April 30, 2013

I MOVE that the matter of the Final Environmental Impact Report and related reports and items (CF 13-0285) be amended as follows:

That the Board of Airport Commissioners submit a Report to the Council within ninety days on its plans, targets, actions, community input and progress on regionalizing commercial aviation in southern California.

PRESENTED BY: 
RICHARD ALARCON, Seventh District

SECONDED BY: 

ADOPTED
APR 30 2013
LOS ANGELES CITY COUNCIL
FORTHWITH

ORIGINAL



Item No. 5 - D

MOTION

I MOVE that the matter of the Final Environmental Impact Report (Eir), Mitigation Monitoring and Reporting Program, Statement of Overriding Considerations, Planning and Land Use Management and Trade, Commerce, and Tourism Committees' Report, and Resolutions relative to the Los Angeles International Airport (LAX) Specific Plan Amendment Study (SPAS) and proposed General Plan Amendments for the LAX Plan and to the Westchester - Playa Del Rey Community Plan, Transportation Element, and Noise Element, for LAX and surrounding area, generally bounded by the Westchester - Playa Del Rey Community Plan Area to the north and east, the City of Inglewood to the east, the City of El Segundo to the south, and Dockweiler State Beach to the west., Item No. 5 on today's Council Agenda (CF 13-0285), BE AMENDED to adopt the following additional recommendation:

AMEND the LAX Specific Plan to stipulate that prior to seeking an LAX Plan Compliance Determination for any project to increase the separation of the LAX North Runways LAWA shall first complete construction of the following projects:

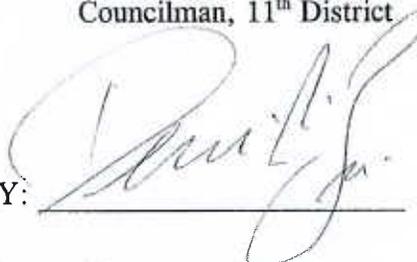
- a. Runway Status Lights at all Runway Intersections.
- b. Midfield Concourse.
- c. Intermodal Transportation Facility.
- d. Consolidated Rental Car Facility.
- e. Automated People Mover from the Landside Interfaces into the Central Terminal Area.
- f. Connection of the Green Line to LAX.

PRESENTED BY:



BILL ROSENDAHL
Councilman, 11th District

SECONDED BY:



April 30, 2013
ak

APR 30 2013

FAILED OF ADOPTION

ORIGINAL

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your **TRADE, COMMERCE, AND TOURISM COMMITTEE**
MINORITY REPORT*

is as follows:

TRADE, COMMERCE, AND TOURISM COMMITTEE MINORITY REPORT relative to the Los Angeles International Airport (LAX) Specific Plan Amendment Study (SPAS) and proposed General Plan Amendments for the LAX Plan and to the Westchester - Playa Del Rey Community Plan, Transportation Element, and Noise Element, for LAX and surrounding area, generally bounded by the Westchester - Playa Del Rey Community Plan Area to the north and east, the City of Inglewood to the east, the City of El Segundo to the south, and Dockweiler State Beach to the west.

Recommendation for Council action:

AMEND the LAX Specific Plan to stipulate that prior to seeking an LAX Plan Compliance Determination for any project to increase the separation of the LAX North Runways LAWA shall first complete construction of the following projects:

- a. Runway Status Lights at all Runway Intersections.
- b. Midfield Concourse.
- c. Intermodal Transportation Facility.
- d. Consolidated Rental Car Facility.
- e. Automated People Mover from the Landside Interfaces into the Central Terminal Area.
- f. Connection of the Green Line to LAX.

Fiscal Impact Statement: None submitted by the Los Angeles City Planning Commission nor the Board of Airport Commissioners. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(*Pursuant to Council Rule 69, the minority report is submitted for informational purposes only unless by adoption of a motion it is substituted for the majority report)

Summary:

At special joint meeting held on April 9, 2013, the Planning and Land Use Management and Trade, Commerce and Tourism Committees considered the LAX SPAS and proposed General Plan Amendments for the LAX Plan and to the Westchester - Playa Del Rey Community Plan, Transportation Element, and Noise Element, for LAX and surrounding area, generally bounded by the Westchester - Playa Del Rey Community Plan Area to the north and east, the City of Inglewood to the east, the City of El Segundo to the south, and Dockweiler State Beach to the west.

Staff from Los Angeles World Airports and the Department of City Planning gave the Committee background information on the matter. Members of the public also spoke. After an opportunity for public comment, the Committees recommended that Council approve as amended: the reports from the Mayor, Director of Planning, and the Los Angeles City Planning Commission and Board of Airport Commissioners regarding the Environmental Impact Report, the Mitigation Monitoring Program, the Statement of Overriding Considerations; the SPAS, Resolutions for the proposed General Plan Amendment for the LAX Specific Plan, the technical amendments submitted by the Department of City Planning, and requested the City Attorney to prepare and present an ordinance for the Specific Plan. Councilmember Rosendahl requested a Minority Report on this matter with the recommendations as reflected above. This matter is now submitted to Council for its consideration.

Respectfully submitted,

TRADE, COMMERCE, AND TOURISM COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
LABONGE:	NO
ROSENDAHL:	YES
BUSCAINO:	NO

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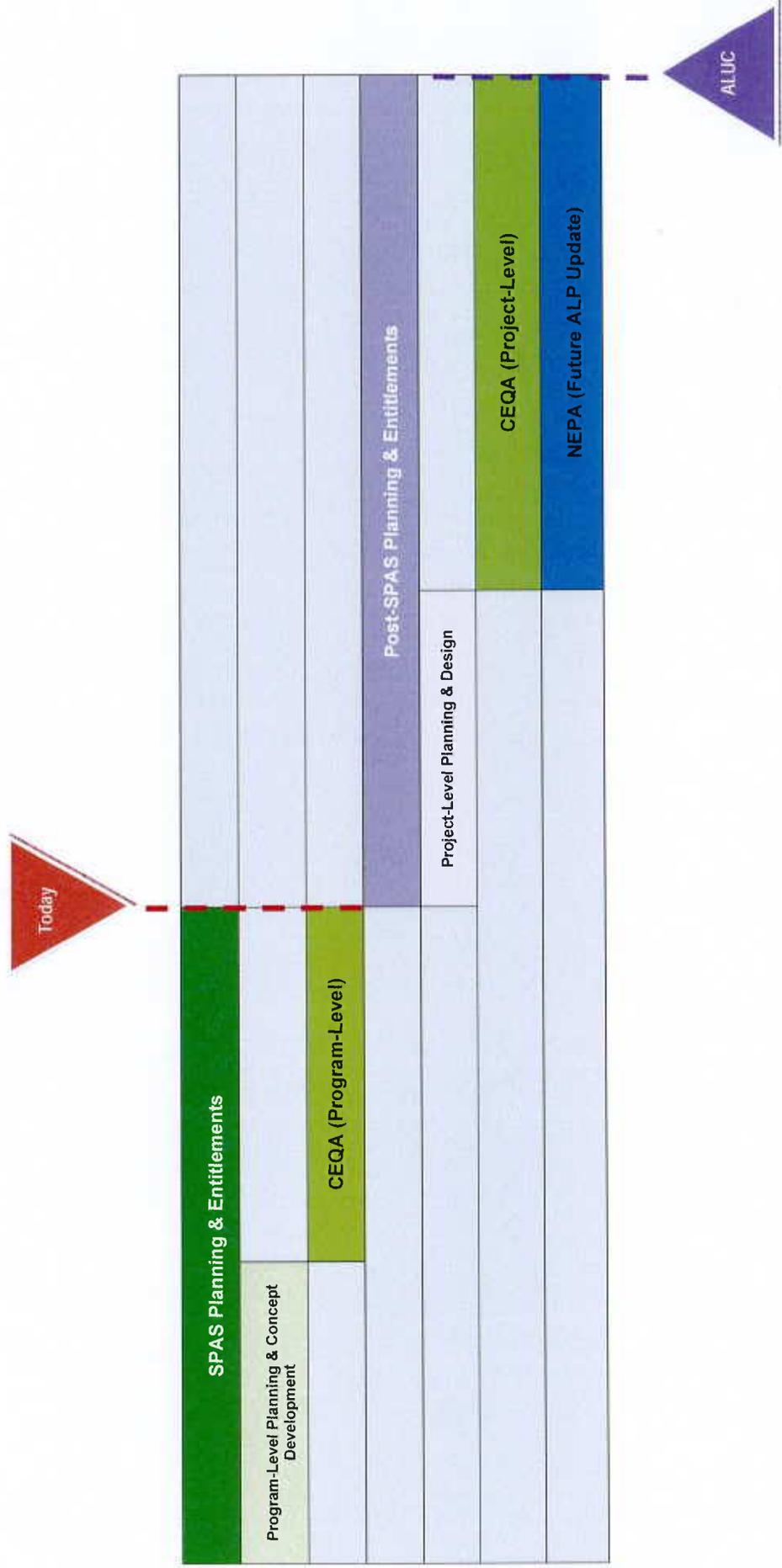
Not Official Until Council Acts

APR 30 2013

Received and Filed

ATTACHMENT B

**Attachment B
LAX Specific Plan Amendment Study (SPAS) and Post-SPAS Process**



ATTACHMENT C

Clarifying LAWA's Commitment to Regionalization

- Los Angeles World Airports (LAWA) has been and remains firmly committed to a healthy regional air traffic system for all of Southern California, and this includes strong support and commitment to Regionalization. Although we expect the debate will continue over what has and has not been done, we believe that much effort in the form of financial resources, infrastructure development, and policy support has been put forth to ensure that if the facts are truthfully examined, there is no dispute that the City of Los Angeles and LAWA are supportive of Regionalization.
- Repeated claims have been made that ONT has lost a greater number of passengers than all but one airport. It is a fact that ONT passenger traffic has fallen by 2.9 Million passengers during 2007-2012, which is among the highest in terms of percentage (40%). However, other airports have lost more passengers than ONT. Oakland lost nearly 4.5 Million passengers during this same five year period. Additionally, each of the top nine, medium hub airports in the U.S. lost more than 2 Million passengers during this five year period.
- Much is made of population growth in the Inland Empire, and it is a fact that the growth rates outstrip those of other areas in the Southern California region. What is not mentioned and that which is a key fact when airlines decide on providing air service, is that income levels, a critical component in a household's traveling propensity, are much lower in ONT's service area compared to those of Burbank or John Wayne. The number of key income households in ONT's service area (≥\$150K) is one-third of those in the peer airports' service areas.
- Claims about high costs that "burden the airport" have been an ongoing theme. It is critical to separate and understand airport costs vs. airport charges. The former relates to how the airlines measure their costs on a per enplaned passenger (CPE) basis. This is a direct function of their individual activity as well as the aggregated activity of all carriers at the airport. As carriers have pulled service down, it is a simple mathematical fact that the CPE will increase. What has been achieved and shared with many interested parties is that we have reduced the annual operating expenses by nearly \$21 Million over the past five years. By doing so, we have kept the actual charges assessed (landing fees and rental rates) to the airlines at stable levels during this time.
- The ONT marketing budget of FY2006-2007 has been questioned several times. We allocated and spent an unusually high amount as a result of our commitment to ExpressJet that LAWA would provide marketing for ONT as an alternative to other regional airports AND a one-year advertising campaign to market the airport when we renamed it LA/ONT. There appears to be confusion in the definition of "marketing". Air Service "Marketing", such as radio/billboard advertising, sponsorships, et al., formed the bulk of the budget for FY2006-2007. The unprecedented expense that occurred in FY2006-2007 was not budgeted the following year because the LA/ONT renaming campaign had concluded and ExpressJet ceased service at ONT. Air Service "Development" has continued in earnest. Not only since 2006 but through the present as evidenced by 171 meetings held with air carriers. This is a clear indication that LAWA has never lessened its commitment to exercising best Air Service Development efforts for ONT.
- An unfair and inaccurate characterization that ONT has a part time manager. Jess Romo has been the airport manager at ONT since 2006. He has guided the operation and budgetary responsibilities throughout this difficult time period and has made many tough choices that have included staff redeployments and reductions in the each budget cycle over the past 5 plus years. In 2010, we tapped Jess to add Van Nuys Airport (VNY) to his portfolio to help bring the same level of operational and financial management to VNY. We have seen the results of this effort pay off AND equally as important, we have seen a continued, positive stewardship at ONT. The common sentiment from business stakeholders at ONT and VNY is that we have the right person at the airport.

Regionalizing Air Service

Why is regionalization not happening?

Robust dispersion of air traffic (regionalization) was predicated on the anticipation that LAX would reach a practical capacity of 78.9 MAP in 2015. That has not happened, and in fact, LAX is not even close to reaching those numbers. In 2012, LAX served 63.7 million passengers. The combination of sluggish economy, high fuel prices and years of losing money have motivated all US airlines to reduce seat and service capacity in secondary markets and consolidate in large hub markets in order to reduce business risk and increase pricing power.

The passenger reductions at LA/ONT are not unique. Last year, 30 of the 36 medium hub airports in the US experienced declines in traffic. (See attached: *Medium Hub Airports Traffic Trends*)

We have great facilities at ONT, two beautiful terminals that could serve up to 12 million annual passengers, but the airlines simply aren't launching air service at medium hub airports in this current economy.

Since LAWA is supposed to work towards regionalization, why can't it simply move air service from LAX to Ontario?

That would violate federal law. The federal Airport Noise and Capacity Act (ANCA) prohibits an airport agency from requiring airlines to move from one airport to another, nor can it deny an air carrier access to a specific airport. Simply stated, it is illegal for LAWA to tell an airline to use Ontario and not LAX.

What LAWA can do, and continues to do, is attempt to convince air carriers to choose ONT because of its unique value in Los Angeles' regional airport system. Since 2007, LAWA has met nearly 170 times with airline officials to encourage new and increased service at ONT. Just in 2012, LAWA officials held 22 meetings with air carriers for the specific purpose of marketing ONT. However, the decision to provide service at ONT is ultimately made by the air carriers if market conditions warrant it and such service fits the airline's business model.

Airlines tell LAWA they look for three critical things before even considering new air service:

1. Employment rates
2. New housing starts
3. Demographics including household income

Does the Specific Plan Amendment Study / EIR specifically address regionalization?

SPAS fully complies with the LAX Specific Plan and the 2006 Stipulated Settlement Agreement which commits the City to regionalization efforts. The preferred alternative restricts airport development to 153 gates and abides by the capacity of 78.9 million annual passengers (MAP) as required by the Settlement Agreement.

What has LAWA done to regionalize air traffic to Ontario?

- **Capital Improvements:** The City of Los Angeles created a 12 MAP capacity facility at LA/ONT by purchasing approximately 1200 acres of land since originally buying the 400 acre airport in the 1960s. Total capital improvements have reached \$506 Million, including the construction of two new terminals in the late 1990's at a cost of \$276 Million.
- **Marketing Partnerships with Airlines.** LAWA has offered, and accomplished, marketing partnerships with air carriers during the last ten years. Working in collaboration with the Los Angeles Tourism Board, LAWA developed a joint marketing effort with ExpressJet when service began in 2007. LAWA continues to offer joint marketing opportunities as part of their discussions with prospective air carriers.
- **Airline Meetings:** Each year LAWA attends key airline industry events to meet with carriers to present a case for additional service to ONT: 171 meetings (since 2007) with US and international carriers; 22 of those meetings took place in 2012. *(See attached list for specific airlines and dates)*
- **City of Ontario Assistance in Marketing:** In March, 2011 LAWA offered to transfer the airport's marketing budget to the City of Ontario so they could take over marketing responsibility for ONT. LAWA has reiterated that offer several times and it remains an open offer. To date, the City of Ontario has not accepted the offer.
- **Cost Reductions:** LAWA reduced operating costs at LA/ONT by freezing the landing fee rate, subsidizing terminal rental rates with reserve funds, consolidating administrative offices, and redeploying staff to LAX. The savings extracted from these actions translated into a reduction of over 20% in annual operating costs over the last 4 years and a refund to the signatory air carriers of over \$7.1 million dollars during the last fiscal year. As a further cost saving option, LAWA is currently working with the signatory air carriers to form an airline consortium to take over several airport operational functions.
- **Market Analysis and Research:** Last year, LAWA conducted LA/ONT related analysis which included:
 - New passenger booking study (previously done in 2005 and 2007) to understand travel trends and data relative to utilized and underutilized markets to include a capture rate analysis comparing SoCal regional airport market service areas and relative passenger capture rates with each respective market area.
 - Qualitative and quantitative market research on the local Ontario and greater Southern California traveler.
 - Draft air carrier incentive plan for review by constituent airlines and propose to the Board of Airport Commission.

What's the status of Palmdale?

From 2003-2006, LAWA worked aggressively, in collaboration with the City of Palmdale, to recruit commercial air service. Nearly thirty meetings were held with airline officials.

In 2007, LAWA, US Department of Transportation and the City of Palmdale subsidized United Express air service from Palmdale to San Francisco. Given very spotty demand over 18 months, the subsidy ended up being \$238 per passenger. United cancelled service the day the subsidy lapsed.

At the request of the City of Palmdale, LAWA is in the process of assigning the current lease to the City of Palmdale and terminating the Joint Use Agreement. Last year, LAWA, working with the City Attorney, submitted termination documents to the City of Palmdale which were returned to LAWA last month (January, 2013). Progress continues.

Air Carrier Meetings in 2012 - ONT

	Airline	Activity	Date	Airports/Air Service Discussed
1	American Airlines	Routes Asia Airline Conference	Mar-12	LAX/ONT
2	United Airlines	Routes Asia Airline Conference	Mar-12	LAX/ONT
3	Spirit Airlines	Low Cost Carrier (LCC) conference	May-12	ONT
4	Volaris Airlines	Low Cost Carrier (LCC) conference	May-12	LAX/ONT
5	Interjet	Low Cost Carrier (LCC) conference	May-12	LAX/ONT
6	Air Canada	Low Cost Carrier (LCC) conference	May-12	LAX/ONT
7	Allegiant	Allegiant Investors Day Meeting	May-12	LAX/ONT
8	American	Jumpstart Airline Conference	Jun-12	LAX/ONT
9	Aeromexico	Jumpstart Airline Conference	Jun-12	LAX/ONT
10	United	Jumpstart Airline Conference	Jun-12	LAX/ONT
11	US Airways	Jumpstart Airline Conference	Jun-12	LAX/ONT
12	Alaska	Jumpstart Airline Conference	Jun-12	LAX/ONT
13	jetBlue	Jumpstart Airline Conference	Jun-12	LAX/ONT
14	Delta	Jumpstart Airline Conference	Jun-12	LAX/ONT
15	Air Canada	Jumpstart Airline Conference	Jun-12	LAX/ONT
16	People's Express	Jumpstart Airline Conference	Jun-12	LAX/ONT
17	Southwest Airlines	Jumpstart Airline Conference	Jun-12	LAX/ONT
18	Westjet	Headquarters Meeting	Sep-12	LAX/ONT
19	Cebu Pacific	World Routes Airline Conference	Oct-12	LAX/ONT
20	American Airlines	World Routes Airline Conference	Oct-12	LAX/ONT
21	jetBlue	World Routes Airline Conference	Oct-12	LAX/ONT
22	Delta Airlines	World Routes Airline Conference	Oct-12	LAX/ONT

Summary of LA/Ontario Airline Meetings 2012

Air Service Development Discussions Regarding New Service Opportunities

No.	Airline	Activity	Date
1	Cebu Pacific	World Routes Airline Conference	Oct-12
2	American Airlines	World Routes Airline Conference	Oct-12
3	jetBlue	World Routes Airline Conference	Oct-12
4	Delta Airlines	World Routes Airline Conference	Oct-12
5	Westjet	Headquarters Meeting	Sep-12
6	American	Jumpstart Airline Conference	Jun-12
7	Aeromexico	Jumpstart Airline Conference	Jun-12
8	United	Jumpstart Airline Conference	Jun-12
9	US Airways	Jumpstart Airline Conference	Jun-12
10	Alaska	Jumpstart Airline Conference	Jun-12
11	jetBlue	Jumpstart Airline Conference	Jun-12
12	Delta	Jumpstart Airline Conference	Jun-12
13	Air Canada	Jumpstart Airline Conference	Jun-12
14	People's Express	Jumpstart Airline Conference	Jun-12
15	Southwest Airlines	Jumpstart Airline Conference	Jun-12
16	Spirit Airlines	Low Cost Carrier (LCC) conference	May-12
17	Volaris Airlines	Low Cost Carrier (LCC) conference	May-12
18	Interjet	Low Cost Carrier (LCC) conference	May-12
19	Air Canada	Low Cost Carrier (LCC) conference	May-12
20	Allegiant	Allegiant Investors Day Meeting	May-12
21	American Airlines	Routes Asia Airline Conference	Mar-12
22	United Airlines	Routes Asia Airline Conference	Mar-12
23	Air Asia X	World Routes Airline Conference	Oct-11
24	TUI Arkefly	World Routes Airline Conference	Oct-11
25	Virgin America	Headquarters Meeting	Jul-11
26	TUI Arkefly	Los Angeles visit	Jul-11
27	Southwest Airlines	Headquarters Meeting	Jul-11
28	American Airlines	Headquarters Meeting	Jul-11
29	TUIfly	Routes Europe Conference	May-11
30	Thomsonfly	Routes Europe Conference	May-11
31	Allegiant Airlines	Allegiant Conference	May-11
32	Air Asia X	Routes Asia Airline Conference	Mar-11
33	Jetstar Airlines	Routes Asia Airline Conference	Mar-11
34	Cebu Pacific Airlines	Routes Asia Airline Conference	Mar-11
35	Southwest Airlines	ACI-NA Jumpstart Conference	Mar-11

36	Horizon Air	ACI-NA Jumpstart Conference	Mar-11
37	Alaska Airlines	ACI-NA Jumpstart Conference	Mar-11
38	American Airlines	ACI-NA Jumpstart Conference	Mar-11
39	United Airlines	ACI-NA Jumpstart Conference	Mar-11
40	Virgin America	ACI-NA Jumpstart Conference	Mar-11
41	jetBlue Airways	ACI-NA Jumpstart Conference	Mar-11
42	jetBlue Airways	Headquarters Meeting	Feb-11
43	Continental Airlines	Headquarters Meeting	Dec-10
44	Air Canada	World Routes Airline Conference	Sep-10
45	Westjet	World Routes Airline Conference	Sep-10
46	Spirit Airlines	World Routes Airline Conference	Sep-10
47	jetBlue Airways	World Routes Airline Conference	Sep-10
48	Virgin America	World Routes Airline Conference	Sep-10
49	Air Asia X	World Routes Airline Conference	Sep-10
50	Jetstar Airlines	World Routes Airline Conference	Sep-10
51	Air Tran Airways	World Routes Airline Conference	Sep-10
52	Alaska Airlines	World Routes Airline Conference	Sep-10
53	Air Asia X	Routes Asia Airline Conference	Apr-10
54	Jetstar Airlines	Routes Asia Airline Conference	Apr-10
55	Cebu Pacific	Routes Asia Airline Conference	Apr-10
56	Air Tran Airways	Routes Americas Conference	Feb-10
57	Mexicana	Routes Americas Conference	Feb-10
58	Aeromexico	Routes Americas Conference	Feb-10
59	Volaris Airlines	Routes Americas Conference	Feb-10
60	TACA	Routes Americas Conference	Feb-10
61	Spirit Airlines	Routes Americas Conference	Feb-10
62	jetBlue Airways	Routes Americas Conference	Feb-10
63	US Airways	Routes Americas Conference	Feb-10
64	Volaris Airlines	Headquarters Meeting	Feb-10
65	Interjet	Headquarters Meeting	Feb-10
66	Air Asia X	World Routes Airline Conference	Sep-09
67	Jetstar Airlines	World Routes Airline Conference	Sep-09
68	Cebu Pacific	World Routes Airline Conference	Sep-09
69	TUIfly	World Routes Airline Conference	Sep-09
70	Ryanair	World Routes Airline Conference	Sep-09
71	Thomsonfly	World Routes Airline Conference	Sep-09
72	Spirit Airlines	World Routes Airline Conference	Sep-09
73	Air Canada	ACI-NA Jumpstart Conference	Jun-09
74	Westjet	ACI-NA Jumpstart Conference	Jun-09
75	Southwest Airlines	ACI-NA Jumpstart Conference	Jun-09
76	Spirit Airlines	ACI-NA Jumpstart Conference	Jun-09

77	jetBlue Airways	ACI-NA Jumpstart Conference	Jun-09
78	Aeromexico	ACI-NA Jumpstart Conference	Jun-09
79	Mexicana	ACI-NA Jumpstart Conference	Jun-09
80	Hawaiian Airlines	ACI-NA Jumpstart Conference	Jun-09
81	Air Tran Airways	ACI-NA Jumpstart Conference	Jun-09
82	Midwest Express	ACI-NA Jumpstart Conference	Jun-09
83	American Airlines	ACI-NA Jumpstart Conference	Jun-09
84	United Airlines	ACI-NA Jumpstart Conference	Jun-09
85	Delta Airlines	ACI-NA Jumpstart Conference	Jun-09
86	Virgin America	ACI-NA Jumpstart Conference	Jun-09
87	US Airways	ACI-NA Jumpstart Conference	Jun-09
88	Horizon Air	ACI-NA Jumpstart Conference	Jun-09
89	Alaska Airlines	ACI-NA Jumpstart Conference	Jun-09
90	Alaska Airlines	Headquarters Meeting	Jun-09
91	Horizon Air	Headquarters Meeting	Jun-09
92	Delta Air Lines	Headquarters Meeting	Apr-09
93	Allegiant Airlines	Allegiant Conference	Mar-09
94	Alaska Airlines/Horizon Air	Headquarters Meeting	Feb-09
95	Aeromexico	Routes Americas Conference	Feb-09
96	Mexicana	Routes Americas Conference	Feb-09
97	Volaris Airlines	Routes Americas Conference	Feb-09
98	Interjet	Routes Americas Conference	Feb-09
99	Spirit Airlines	Routes Americas Conference	Feb-09
100	TACA	Routes Americas Conference	Feb-09
101	Avianca	Routes Americas Conference	Feb-09
102	Air Tran Airways	Routes Americas Conference	Feb-09
103	jetBlue Airways	Routes Americas Conference	Feb-09
104	US Airways	Routes Americas Conference	Feb-09
105	Southwest Airlines	Routes Americas Conference	Feb-09
106	Volaris Airlines	Headquarters Meeting	Dec-08
107	Aeromexico	Headquarters Meeting	Dec-08
108	Mexicana	Headquarters Meeting	Dec-08
109	Interjet	Headquarters Meeting	Dec-08
110	Air Asia X	World Routes Airline Conference	Oct-08
111	Jetstar Airlines	World Routes Airline Conference	Oct-08
112	Cebu Pacific Airlines	World Routes Airline Conference	Oct-08
113	Spirit Airlines	World Routes Airline Conference	Oct-08
114	Interjet	Headquarters Meeting	Oct-08
115	Virgin America	Headquarters Meeting	Jul-08
116	Alaska Airlines/Horizon Air	Headquarters Meeting	Jul-08
117	Southwest Airlines	ACI-NA Jumpstart Conference	Jun-08

118	Midwest Express	ACI-NA Jumpstart Conference	Jun-08
119	jetBlue Airways	ACI-NA Jumpstart Conference	Jun-08
120	Spirit Airlines	ACI-NA Jumpstart Conference	Jun-08
121	Horizon Air	ACI-NA Jumpstart Conference	Jun-08
122	Continental Airlines	ACI-NA Jumpstart Conference	Jun-08
123	American Airlines	ACI-NA Jumpstart Conference	Jun-08
124	Alaska Airlines	ACI-NA Jumpstart Conference	Jun-08
125	Delta Air Lines	ACI-NA Jumpstart Conference	Jun-08
126	US Airways	ACI-NA Jumpstart Conference	Jun-08
127	Express Jet Airlines	ACI-NA Jumpstart Conference	Jun-08
128	United Airlines	ACI-NA Jumpstart Conference	Jun-08
129	Air Tran Airways	ACI-NA Jumpstart Conference	Jun-08
130	Aeromexico	Routes Americas Conference	Feb-08
131	Mexicana	Routes Americas Conference	Feb-08
132	Volaris Airlines	Routes Americas Conference	Feb-08
133	Interjet	Routes Americas Conference	Feb-08
134	Spirit Airlines	Routes Americas Conference	Feb-08
135	TACA	Routes Americas Conference	Feb-08
136	Viva Aerobus	Routes Americas Conference	Feb-08
137	Avolar	Routes Americas Conference	Feb-08
138	Aeromar	Routes Americas Conference	Feb-08
139	Avianca	Routes Americas Conference	Feb-08
140	Air Tran Airways	Routes Americas Conference	Feb-08
141	jetBlue Airways	Routes Americas Conference	Feb-08
142	Oasis Airlines	Headquarters Meeting	Jan-08
143	Delta Air Lines	Headquarters Meeting	Dec-07
144	Air Asia X	World Routes Airline Conference	Sep-07
145	Mexicana	World Routes Airline Conference	Sep-07
146	Aeromexico	World Routes Airline Conference	Sep-07
147	Jetstar Airlines	Headquarters Meeting	Aug-07
148	Horizon Air	ACI-NA Jumpstart Conference	Jun-07
149	Aloha Airlines	ACI-NA Jumpstart Conference	Jun-07
150	Hawaiian Airlines	ACI-NA Jumpstart Conference	Jun-07
151	Alaska Airlines	ACI-NA Jumpstart Conference	Jun-07
152	Midwest Express	ACI-NA Jumpstart Conference	Jun-07
153	Spirit Airlines	ACI-NA Jumpstart Conference	Jun-07
154	American Airlines	ACI-NA Jumpstart Conference	Jun-07
155	Continental Airlines	ACI-NA Jumpstart Conference	Jun-07
156	Northwest Airlines	ACI-NA Jumpstart Conference	Jun-07
157	United Airlines	ACI-NA Jumpstart Conference	Jun-07
158	Delta Air Lines	ACI-NA Jumpstart Conference	Jun-07

159	Southwest Airlines	ACI-NA Jumpstart Conference	Jun-07
160	Air Tran Airways	ACI-NA Jumpstart Conference	Jun-07
161	US Airways	ACI-NA Jumpstart Conference	Jun-07
162	Express Jet Airlines	ACI-NA Jumpstart Conference	Jun-07
163	jetBlue Airways	ACI-NA Jumpstart Conference	Jun-07
164	ATA	ACI-NA Jumpstart Conference	Jun-07
165	Allegiant Airlines	ACI-NA Jumpstart Conference	Jun-07
166	Aeromexico	Headquarters Meeting	Mar-07
167	Mexicana	Headquarters Meeting	Mar-07
168	Volaris Airlines	Headquarters Meeting	Mar-07
169	Southwest Airlines	Headquarters Meeting	Feb-07
170	American Airlines	Headquarters Meeting	Feb-07
171	Continental Airlines	Headquarters Meeting	Feb-07

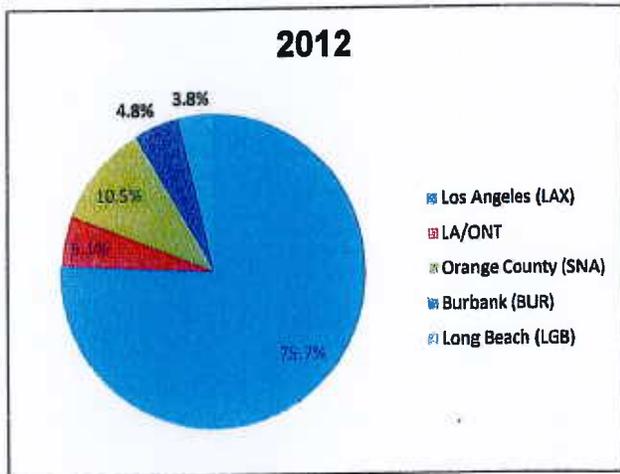
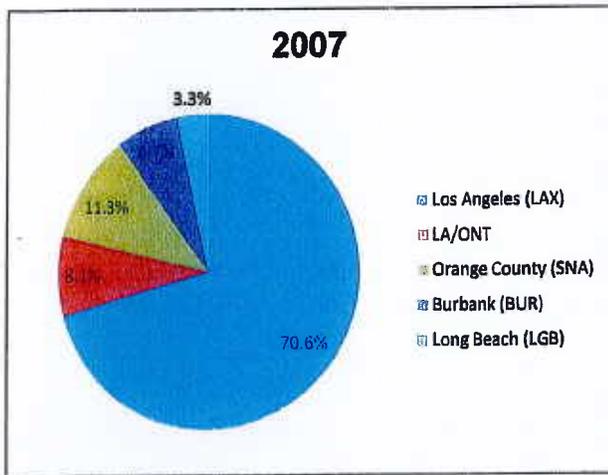
**Change in Total Passengers at Medium Hub Airports
CY 2005, 2007, 2011 and YENov2012**

Absolute								
Psg'r Chg 07-12	Airport Name	Total Airport Passengers			Change 07-12	Percent Change		
		CY 2005	CY 2007	YENOV12		05-12	05-07	07-12
1	Cincinnati	22,778,785	15,736,220	6,105,115	-8,650,105	-73.2%	-30.9%	-61.2%
2	Oakland	14,417,575	13,613,489	10,042,672	-4,570,817	-30.3%	1.4%	-31.3%
3	Memphis	11,039,077	10,896,305	6,963,661	-4,098,544	-36.9%	-1.3%	-36.1%
4	Ontario	7,214,171	7,207,150	4,332,592	-2,874,558	-39.9%	0.1%	-39.9%
5	St. Louis	14,697,263	15,384,557	12,670,000	-2,714,557	-13.8%	4.7%	-17.6%
6	San Juan	10,811,690	10,470,357	8,412,310	-2,058,047	-22.2%	-3.2%	-19.7%
7	Cleveland	11,463,391	11,459,390	9,054,663	-2,408,727	-21.0%	0.0%	-21.0%
8	San Jose	10,755,978	10,658,389	8,306,107	-2,352,282	-22.8%	-0.9%	-22.1%
9	Kansas City	9,991,681	12,000,997	9,844,975	-2,156,022	-1.5%	20.1%	-18.0%
10	Sacramento	10,203,066	10,787,639	8,935,497	-1,852,142	-12.4%	5.5%	-17.0%
11	Burbank	5,512,619	5,921,336	4,115,479	-1,805,857	-25.3%	7.4%	-30.5%
12	Pittsburgh	10,478,605	9,822,588	8,035,467	-2,443,138	-23.3%	-6.3%	-18.2%
13	Reno	5,169,256	5,044,087	3,492,816	-1,551,271	-32.4%	-2.4%	-30.8%
14	Providence	5,730,557	5,019,342	3,650,620	-2,079,937	-36.3%	-12.4%	-27.3%
15	Columbus	6,614,891	7,726,421	6,372,207	-352,214	-3.7%	16.8%	-17.5%
16	Palm Beach	7,014,237	6,936,449	5,599,477	-1,336,960	-20.2%	-1.1%	-19.3%
17	Albuquerque	6,471,415	6,727,384	5,434,497	-1,292,887	-16.0%	4.0%	-19.2%
18	Orange County	9,627,172	9,979,699	8,819,830	-1,159,869	-8.4%	3.7%	-11.6%
19	Hartford	7,381,372	6,519,181	5,390,716	-2,020,655	-27.0%	-11.7%	-17.3%
20	Jacksonville	5,741,652	6,319,016	5,248,154	-1,500,862	-8.6%	10.1%	-16.9%
21	Indianapolis	8,524,442	8,272,289	7,388,151	-1,136,338	-13.3%	-3.0%	-10.7%
22	Raleigh/Durham	9,303,904	10,037,424	9,223,200	-84,724	-0.9%	7.9%	-8.1%
23	Tucson	4,130,321	4,429,905	3,616,728	-513,637	-12.4%	7.3%	-18.4%
24	Fort Myers	7,518,169	8,049,676	7,338,742	-710,934	-2.4%	7.1%	-8.8%
25	Kahului	5,896,989	6,517,710	5,863,635	-534,075	-0.6%	10.5%	-10.0%
26	Portland	13,879,701	14,654,222	14,336,043	-318,179	3.3%	5.6%	-2.2%
27	Omaha	4,193,046	4,421,274	4,134,740	-286,534	-1.4%	5.4%	-6.5%
28	Buffalo	4,868,893	5,308,723	5,170,480	-148,243	6.2%	9.0%	-2.6%
29	Milwaukee	7,268,000	7,712,535	7,650,299	-62,236	5.3%	6.1%	-0.8%
30	Nashville	9,232,541	9,876,524	9,837,922	-38,602	6.6%	7.0%	-0.4%
31	San Antonio	7,425,983	8,033,014	8,226,251	193,237	10.8%	8.2%	2.4%
32	Dallas Love Field	5,909,599	7,953,385	8,179,772	226,387	38.4%	34.6%	2.8%
33	Anchorage	4,400,206	4,577,771	4,916,288	516,517	11.7%	4.0%	7.4%
34	Austin	7,683,545	8,885,391	9,396,285	1,712,740	22.3%	15.6%	5.7%
35	New Orleans	7,775,147	7,530,770	8,594,979	819,209	10.5%	-3.1%	14.1%
36	Houston Hobby	8,252,532	8,819,521	10,418,298	2,158,777	26.2%	6.9%	18.1%
	Total Med Hubs	309,377,471	314,290,130	265,118,668	-49,175,462	-14.3%	1.6%	-15.6%

Source: Airport Records and ACI

Note: St. Louis, Pittsburgh, Palm Beach, Buffalo, New Orleans reflect 12 mo.'s through Oct 2012; Burbank is 12 mo.'s through Sept.

Southern California Passenger Traffic

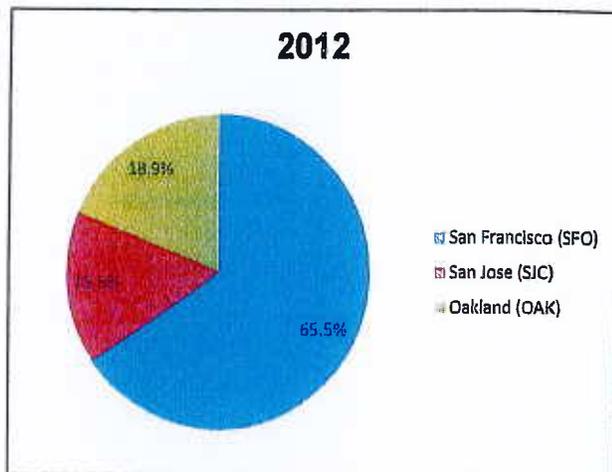
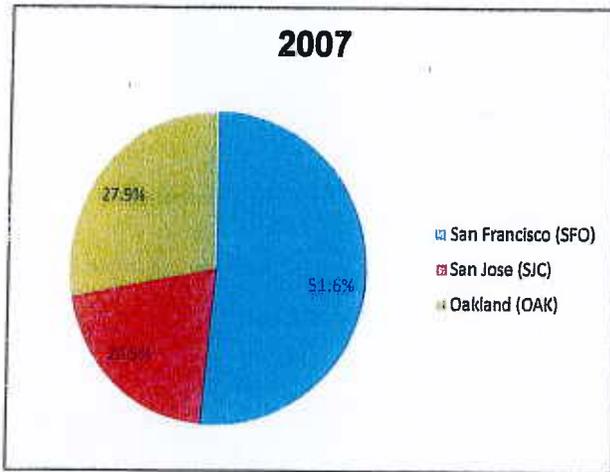


Airport	Passengers	%
Los Angeles (LAX)	62,439	70.6%
Orange County (SNA)	9,980	11.3%
LA/Ontario (ONT)	7,207	8.1%
Burbank (BUR)	5,921	6.7%
Long Beach (LGB)	2,907	3.3%
Total	88,454	100.0%

Airport	Passengers	%
Los Angeles (LAX)	63,688	75.7%
Orange County (SNA)	8,858	10.5%
LA/Ontario (ONT)	4,305	5.1%
Burbank (BUR)	4,056	4.8%
Long Beach (LGB)	3,206	3.8%
Total	84,113	100.0%

*Passenger figures in thousands

Bay Area Passenger Traffic

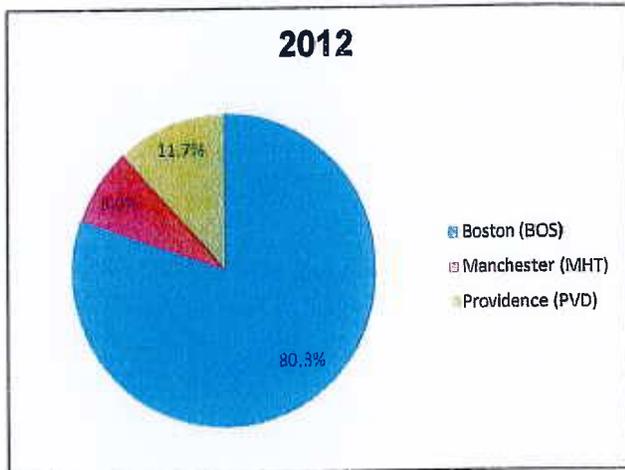
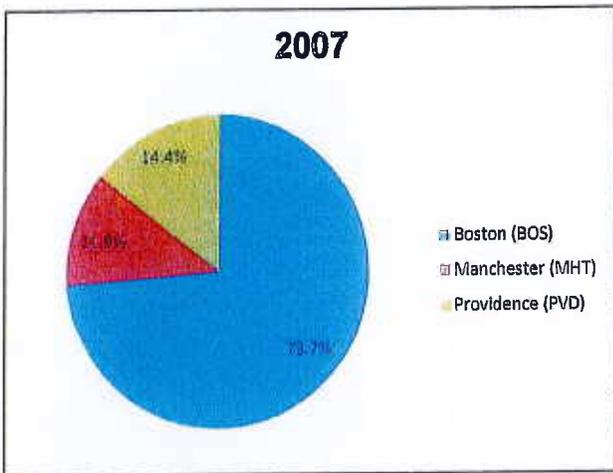


Airport	Passengers	%
San Francisco (SFO)	26,037	51.6%
San Jose (SJC)	10,354	20.5%
Oakland (OAK)	14,114	27.9%
Total	50,505	100.0%

Airport	Passengers	%
San Francisco (SFO)	33,489	65.5%
San Jose (SJC)	7,999	15.6%
Oakland (OAK)	9,648	18.9%
Total	51,136	100.0%

*Passenger figures in thousands

Boston Region Passenger Traffic



Airport	Passengers	%
Boston (BOS)	23,715	73.7%
Manchester (MHT)	3,815	11.9%
Providence (PVD)	4,644	14.4%
Total	32,174	100.0%

Airport	Passengers	%
Boston (BOS)	24,541	80.3%
Manchester (MHT)	2,435	8.0%
Providence (PVD)	3,587	11.7%
Total	30,563	100.0%

*Passenger figures in thousands