



Rev. 2/26/09

Bob Hope Airport Part 161 Study

The goal of the Bob Hope Airport Part 161 Study is to eliminate or to significantly reduce nighttime aviation-related noise at the airport, now and in the future, to provide meaningful nighttime noise relief to the communities it serves.

1. What is a Part 161 Study?

In 1990, Congress enacted legislation that requires local airports seeking to impose new noise rules, such as curfews, to comprehensively study the benefits, costs and impacts of these proposed new noise rules before they can seek approval from the Federal Aviation Administration (FAA), including a benefit-cost analysis (see #3 below). Part 161 refers to a section of the FAA's regulations that prescribes the process airports must follow in studying the proposed new noise rules. The just-completed Bob Hope Airport Part 161 Study concluded by recommending a prohibition of all aircraft landings or departures at the Airport between 10:00 p.m. and 6:59 a.m., with certain narrow exceptions (see #2 below).

2. What are the exceptions to the recommended nighttime curfew?

Excepted from the full nighttime flight curfew are: police, fire, military, medical emergency flights and aircraft operating with a declared in-flight emergency. In addition, there is a 10:00-11:00 p.m. grace period for aircraft delayed by weather, mechanical problems, or air traffic.

3. What is a benefit-cost analysis and what is its importance?

A "threshold requirement" under the Part 161 regulations is that there must be a positive benefit-cost analysis. That means that the benefits of the proposed action (in this case, a full mandatory nighttime curfew) must outweigh its costs. The Study concluded that monetized benefits of a full mandatory curfew amounting to \$67 million would outweigh costs to airlines, passengers, cargo carriers and general aviation, totaling \$48 million.

A wide range of factors is included in this analysis, just a few of which are costs estimated for such airport users as commercial airlines, air freight carriers, and general (private) aviation. The \$67 million in benefits of the proposed curfew are largely based on savings that would occur through a reduced need for residential acoustical treatment near the Airport with a curfew in place. A positive benefit-cost ratio does not guarantee FAA approval of the Bob Hope Airport Part 161 Study application.

4. What other requirements does the FAA place on a Part 161 Study?

The Part 161 Study submittal must meet the following six FAA requirements:

- Be reasonable, nonarbitrary, and nondiscriminatory
- Not create an undue burden on interstate and foreign commerce
- Result in maintaining safe and efficient use of the navigable airspace
- Not conflict with Federal law
- Be developed through a process that afforded adequate opportunity for public comment
- Not create an undue burden on the national aviation system.

The Bob Hope Airport Part 161 Study documents that the proposed full curfew meets these six requirements.

5. What is the history behind the Study?

- **2000:** The Airport initiated its Part 161 Study.
- **2003:** After extensive research and analysis, the Airport Authority sought the FAA's concurrence on its benefit-cost analysis methodology and related approaches.
- **2004:** The FAA responded and disagreed with several aspects of the consultant's methodology. The Airport considered seeking legislative changes to the Part 161 regulations, but the City of Burbank strongly urged the Airport Authority to pursue a full mandatory curfew.
- **2006:** A new consultant was retained by the Airport, and completed its work in the first quarter of 2008.
- **2008:** A comprehensive public outreach program was initiated, including public meetings, opportunities for comment, newspaper advertising, and presentations to area organizations. All comments were included in the Airport's Part 161 filing with the FAA.
- **February 3, 2009:** The Bob Hope Airport submitted its Part 161 application to the FAA following the unanimous vote in favor of doing so by the nine-member Airport Commission.
- **March 5, 2009:** The deadline for FAA to deem the application complete.

6. What was the consultant's Scope of Work?

The final Part 161 Study runs nearly 1000 pages of research, analysis, findings, and alternatives. Much of it is highly technical. The major areas of work included:

- Update the baseline noise exposure contours
- Analyze noise exposure and its impacts on the community
- Update forecasts of aviation activity at the Airport for the years 2005, 2008, and 2015
- Forecast the results of restricted operations under various scenarios
- Invite stakeholder input and publish public comment opportunities.

7. What options were considered in conducting the Part 161 Study?

Three alternatives were studied in depth: a full nighttime curfew, a departure-only curfew, and a noise-based curfew. All three of these options resulted in a positive benefit-cost analysis.

8. What did the Study cost?

Including consulting, legal and administrative costs, the Airport will have invested in excess of \$6.5 million in this project. All of these funds come from the Airport's own resources, not public tax monies.

9. What bodies decide on the curfew?

The Airport Authority, composed of three representatives of each of the cities that form a joint powers authority – Burbank, Glendale, and Pasadena – approved the Part 161 Study on February 2, 2009, and submitted its application seeking approval of the new noise rule the following day. The FAA has sole and exclusive decision-making authority over its eventual approval or disapproval.

10. What is the opinion of the relevant City Councils?

The City Councils of Burbank, Glendale, and Pasadena have all separately adopted resolutions that endorse the implementation of a full curfew at Bob Hope Airport.

11. What are the FAA's criteria for evaluating the Part 161 application?

Because the Bob Hope Airport Part 161 Study is the first such study of a new noise rule affecting Stage 3 aircraft ever completed, the FAA will need to develop its own criteria and methodology for evaluation. The FAA must initially determine that the application the Airport submits is complete before it can evaluate the merits of the restriction.

12. How long will it take for the FAA to respond?

Once the application is deemed complete, the FAA will have 150 days to render a decision. Because this is the first such study affecting Stage 3 aircraft to come before the FAA, it is expected that the process the FAA uses will be extremely thorough and may take a considerable amount of time to complete.

13. Are there other Southern California airports with curfews?

Long-standing blanket nighttime restrictions (such as a curfew on air carrier operations and complete ban on all nighttime departures) on aircraft operations are in effect at three other Southern California commercial air carrier airports: John Wayne Airport, Long Beach Airport, and San Diego International Airport. These restrictions, all of which were adopted before 1990 when Congress established the Part 161 process, have not been judged to be unjustly discriminatory.

14. Who will be negatively impacted by a full curfew?

All aircraft operators that fly during the proposed curfew period will be affected. Because of the long-standing voluntary nighttime curfew in effect for commercial airlines at Bob Hope Airport, the impact on commercial airlines and their passengers will be less than impacts on air freight carriers and general aviation (private) aircraft.

15. How well does the voluntary curfew work?

Although Bob Hope Airport does not have the authority today to impose new noise rules on its own, for more than 30 years it has worked closely with the aviation industry to coordinate a voluntary curfew that urges commercial airlines to avoid scheduling flights after 10 p.m. and before 7 a.m. Since then, more than 95 percent of all airline flights have conformed to this voluntary restriction.

16. If the FAA approves the Bob Hope Airport Part 161 application, how will other airports be affected?

One of the major issues that surfaced during the public comment period is the matter of shifting aircraft operations from Bob Hope Airport to other regional airports. The Part 161 consultant estimated that there would be a less than two percent increase in current operations at Van Nuys Airport if its Part 161 application was approved and implemented, mostly from corporate jets moving to Van Nuys. Despite that minimal impact, the concerns expressed led the Airport Authority to recommend a Valley-wide approach to nighttime aviation noise reduction. On November 3, 2008, the Burbank-Glendale-Pasadena Airport Authority passed Resolution 420 that proposes and supports the same mandatory nighttime curfew at Van Nuys Airport that it proposes for the Bob Hope Airport.

17. Will air freight carriers have to cease serving the Airport if the Part 161 submittal is approved by the FAA?

No. According to the Study's Executive Summary: "All passenger carriers clearly have a reasonable chance to continue serving the Airport with implementation of the full curfew...affected carriers are expected to continue serving the Airport with flights at other times of the day... With the full curfew, air freight carriers are anticipated to remain at the Airport, but they would shift the flights affected by the curfew to another airport, most likely LAX."

18. Will businesses be affected if air freight carriers have to relocate some operations to other airports?

Given the current and projected flight schedules of the air freight carriers, and the expected relocation of some air freight operations to other airports, it is anticipated that some deliveries of early morning shipments to local businesses will occur later in the day.