

APPENDIX N FAA AND LAWA CORRESPONDENCE



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of Airport Planning
and Programming

800 Independence Ave., SW.
Washington, DC 20591

MAR 01 2013

Mr. Scott Tatro
Airport Environmental Manager
Los Angeles World Airports
P.O. Box 92216
Los Angeles, California 90009-2216

Dear Mr. Tatro:

The Federal Aviation Administration (FAA) has reviewed the application and supporting documentation that we received from you on January 30 on behalf of Los Angeles World Airports (LAWA). In the application, you seek the implementation of a Mandatory Nighttime Departure Restriction at Los Angeles International Airport (LAX).

We have conducted a completeness review of your application under the provisions of 14 Code of Federal Regulations (CFR) Part 161.313 and 161.311. The FAA has deemed the application to be incomplete as it relates to the following areas: Noise Exposure Maps (NEMs); Noise Study Area; Technical Data Supporting Noise Impact Analysis; and Cost/Benefit analysis.

We will send you a detailed listing of the deficiencies within ten working days. Once that has taken place we will be available to meet with you to answer any questions that you may have going forward.

Please advise the FAA, in writing, within 30 days of receipt of the detailed deficiency listing, whether LAWA intends to resubmit and/or supplement the application. Failure to notify us within the 30 days will be cause for denial of the application. Denial of the application would close the matter without prejudice to later application and does not constitute disapproval of the proposed restriction.

Sincerely,

Benito De Leon
Director, Office of Airport
Planning and Programming



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of Airport Planning
and Programming

800 Independence Ave., SW.
Washington, DC 20591

MAR 15 2013

Mr. Scott Tatro
Airport Environmental Manager
Los Angeles World Airports
P.O.Box 92216
Los Angeles, California 90009-2216

Dear Mr. Tatro:

On January 30, the Federal Aviation Administration (FAA) received your application under 14 Code of Federal Regulations (CFR) Part 161 seeking a Stage 3 aircraft noise and access restriction at Los Angeles International Airport (LAX). In accordance with 14 CFR § 161.313(a), we determined that this application was incomplete. Notice of this decision was sent to you on March 1. This letter sets forth in more detail the type of information and analysis needed to process your application.

Please advise the FAA within thirty days of receipt of this letter whether Los Angeles World Airports (LAWA) intends to resubmit and/or supplement the application. Failure to so notify the FAA within the allotted time will be cause for denial of the application and closure of the matter without prejudice to later application and does not constitute disapproval of the proposed restriction. 14 CFR §161.313(c).

Under 14 CFR § 161.311, each applicant proposing a stage 3 restriction is required to submit the following information for each restriction and alternative restriction submitted, with a request that the FAA review and approve the proposed stage 3 noise or access restriction:

- (a) A summary of evidence of the fulfillment of conditions for approval, as specified in § 161.305;
- (b) An analysis as specified in § 161.305, as appropriate to the proposed restriction;
- (c) A statement that the entity submitting the proposal is the party empowered to implement the restriction, or is submitting the proposal on behalf of such party; and
- (d) A statement as to whether the airport requests, in the event of disapproval of the proposed restriction or any alternatives, that the FAA approve any portion of the restriction or any alternative that meets the statutory requirements for approval. An applicant requesting partial

approval of any proposal should indicate its priorities as to portions of the proposal to be approved.

The FAA has determined that your application is incomplete as it relates to § 161.311(b) and (d).

1. Analysis

Section 161.311(b) requires an applicant to submit an analysis as specified in § 161.305.

A. Noise Exposure Maps (NEMs) and Noise Contours

Part 161 requires noise contours to be developed in accordance with the specifications and methods prescribed under Appendix A of 14 CFR Part 150. Noise contours must be prepared for the current condition and for a period at least five years in the future. Title 14 CFR § 150.21 provides that the existing and future condition NEM must identify each noncompatible land use. Los Angeles World Airports (LAWA) should clearly identify homes that are currently sound insulated and homes that will be sound insulated within the timeframe of the future condition NEM and assure that these sound insulated homes are not identified as noncompatible on the respective NEMs.

Under Part 150, the existing condition NEM must accurately reflect the airport's current layout, and the forecast NEM must be based upon reasonable assumptions concerning the airport layout, including any planned development. In preparing the current condition and forecast noise contours, LAWA assumed that the airport layout plan included projects approved by the FAA in the 2005 Record of Decision as part of Alternative D. Part 161 Application Section 6.4, at page 70. The FAA needs additional information to determine whether the 2013 and 2018 contours properly reflect existing conditions and planned development for future conditions.

In addition, the FAA is aware that LAWA has proposed a runway safety area project for Runway 7L/25R and is in the process of completing the LAX Master Plan Specific Plan Amendment Study. Projects planned for implementation by LAWA in 2013 and in 2018 should be appropriately reflected in the current and forecast noise contours.

In addition, section 161.305(b) requires applicants to provide maps denoting the airport geographic boundary, and the geographic boundaries and names of each jurisdiction that controls land use within the airport noise study area. The maps submitted with the application do not clearly denote the geographic boundaries and names of each jurisdiction that controls land use within the airport noise study area.

B. Airport Noise Study Area

Title 14 C.F.R. § 161.5 defines the "airport noise study area" as "[t]hat area surrounding the airport within the noise contour selected by the applicant for study [that] must include the noise contours required to be developed for noise exposure maps specified in 14 CFR Part 150." In your application, you identify the Community Noise Equivalent Level (CNEL) 65 dB contour as the airport noise study area. You indicate that the CNEL 65 dB contour is the airport noise study area by definition because the FAA requires you to use the Master Plan Final Environmental Impact Statement Alternative D 2015 contours for AIP funding of noise mitigation. Application.

Section 6.4, at page 70. However, in the application LAWA defines the noise problem as follows:

“The proposed runway use restriction presented in this document addresses one very specific goal:

-To reduce the occurrence and frequency of nighttime awakenings for residents living near LAX by eliminating non-conforming easterly departures between midnight and 6:30 a.m. when the airport is in Over-Ocean Operations or Westerly Operations.”

Part 161 Application, Section 1.3, page 3.

The noise problem described (i.e., sleep awakenings) has not been quantified within the noise study area you selected, and mostly falls outside the noise study area. To complete the application, LAWA must reconcile these inconsistencies. At this point, the application is incomplete because the primary problem asserted by LAWA (Application at 57) falls outside the airport noise study area selected by LAWA (Application at 70).

Based upon LAWA’s definition of the problem, LAWA identifies a sleep disturbance study area¹ that extends beyond the CNEL 65 dB contour selected as the noise study area. There needs to be one noise study area which is clearly defined and encompasses the problem that a proposed restriction is intended to address. The Part 161 regulations allow an applicant to select a noise contour beyond the CNEL 65 dB contour. If LAWA intends to retain its definition of the problem as nighttime sleep awakenings extending to geographic areas beyond the CNEL 65 dB, then LAWA must select a noise contour that encompasses those sleep awakenings as well as the CNEL 65 dB and higher noise contours. If LAWA elects this option, then below CNEL 65 dB it is permissible to truncate the CNEL contour to exclude large areas that do not include individuals predicted to experience sleep disturbance. The description of the noise study area should include the basis for the boundaries selected for the study area. All the analysis required under 14 CFR § 161.305 must be applied to the airport noise study area.

Your application also relies on noise complaints to support the asserted noise problem of sleep awakenings. For example, your application states that the nonconforming flights “elicited 35 complaints from residents well outside the CNEL 65 dB contour.” Application at 5. On page 32 you identify “28 specific noise complaints related to flights that would be addressed by this proposed restriction,” but you do not provide any information about where the noise complaints are relative to the airport noise study area you identified. The application should include this information.

C. Technical Data Supporting Noise Impact Analysis

Part 161 requires noise exposure to be calculated in terms of yearly day-night average sound levels (DNL). FAA recognizes the Community Noise Exposure Level as an accepted

¹ At this stage of review, FAA has made no determination whether a problem defined solely or predominantly in terms of awakenings can constitute an essential element needed to provide substantial evidence in support of an airport noise and access restriction. For purposes of completeness, if LAWA intends to base its application largely or solely on such occurrences, then, at a minimum, it must define an area that encompasses them.

methodology. In addition, 161.305 (e)(2)(i)(A)(ii)(A) requires maps of the airport noise study area overlaid with noise contours.

Title 14 C.F.R. § 161.305 (e)(2)(i)(A)(ii)(C) requires the analysis of the estimated noise impact of aircraft operations with and without the proposed restriction to include technical data supporting the noise impact analysis, including the classes of aircraft, fleet mix, runway use percentage and day/night breakout of operations.

Data regarding ground tracks and runway use percentage for non-conforming flights under the proposed restriction need to be included, as well as the assumed stage length (aircraft weight) of these flights under the proposed restriction

The noise study area must display the noise information using CNEL as the primary metric and Single Event Level (SEL) as the supplemental metric at applicable locations with and without the proposed restriction. The application must include more detail of the sleep awakening calculations. Specifically, the calculation of the probability of awakening at least once, the CNEL level, the population, outdoor SEL values, and the outdoor to indoor sound reduction assumed should be provided in electronic format at each sleep awakening grid point (census centroid). In addition, the number of awakenings should be summed by CNEL level in increments of 5 dB and provided in a table that gives the number of awakenings calculated at CNEL 65 dB and above, between CNEL 65 dB and 60 dB, between CNEL 60 dB and 55 dB, and so on to the lowest value of CNEL where awakenings are calculated.

D. Cost-Benefit Analysis

The application does not include evidence required under 14 CFR § 161.305(e)(2)(ii)(A)(1). Section 161.305(e)(2)(ii)(A)(1) requires evidence, based on a cost-benefit analysis, that the estimated potential benefits of the restriction have a reasonable chance to exceed the estimated potential cost of the adverse effects on interstate and foreign commerce². The analysis must also consider the benefits of the ongoing and future residential sound insulation program when analyzing sleep awakenings. While benefits need not be quantified, a qualitative benefit basis is by nature subjective. If benefits are qualitative, a discussion is needed for each offsetting cost on operators, airports, passengers, and cargo. A more rigorous approach to forecasting nonconforming departures should be used including moving average; last observed year; historic average; and regression with independent variables (such as time, operations, pacific rim departures, and wind).

² The application seeks to restrict non-conforming easterly departures, of which the application estimates there are about 65 per year. The application does not seek to restrict conforming easterly departures, of which there were 484 in the sample year LAWA provided (1 April 2010 through 31 March 2011). Application at 4, 45 & C-84. At this stage of review, FAA has not determined how the existence of the conforming flights, which would not be restricted, impact the analysis required under § 161.305, particularly with regard to statutory conditions 1 and 2. However, to the extent the applicant desires to provide its own analysis on this matter it may do so upon resubmission.

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Title 14 CFR § 161.305 (e)(2)(ii)(A)(1)(ii)(B) requires the consideration, as appropriate, of costs associated with altered or discontinued aircraft operations, including costs incurred due to flight crew time duty and rest requirements, the reduction in operational efficiencies and evidence to support that there will not be a decrease in passenger and shipper consumer surplus due to the proposed noise restriction.

This analysis is also incomplete because it does not estimate the costs of the proposed runway use restriction to the potential affected passengers. Costs should also include the cost of disruption and reschedule and the value of passenger time. Additionally, the application should include the fuel burn costs incurred during off-loading passengers and/or cargo and the costs from the inability of cargo carriers to deliver guaranteed expedited time-definite service. Information about differences between estimated costs to cargo and passenger flights might be relevant in assessing partial alternatives.

2. Statement About Partial Approval

The application does not contain the statement required under section 161.311(d) about whether, in the event of disapproval, you request the FAA approve any portion that meets the statutory requirements for approval. The fact that this application is being submitted pursuant to a settlement agreement is not decisive. You must include such a statement to fulfill this requirement.

Although the application also lacks the statement concerning implementation authority, the FAA takes administrative notice that LAWA is empowered to implement the proposed restriction. See, 14 C.F.R. §161.311(e).

Finally, FAA is available to meet with LAWA representatives to answer any questions or address any concerns regarding LAWA's application and the Part 161 process.

Sincerely,



Benito De Leon
Director, Office of Airport
Planning and Programming



March 28, 2013

Mr. Benito De Leon
Director, Office of Airport Planning and Development
Federal Aviation Administration
800 Independence Ave., SW
Washington, DC 20591

LAX

LA/Ontario

Van Nuys

City of Los Angeles

Antonio R. Villaraigosa
Mayor

Board of Airport
Commissioners

Michael A. Lawson
President

Valeria C. Velasco
Vice President

Joseph A. Aredas
Robert D. Beyer
Ann M. Hollister
Fernando M. Torres-Gil

Gina Marie Lindsey
Executive Director

RE: Los Angeles International Airport Part 161 Study Application

Dear Mr. De Leon:

Los Angeles World Airports (LAWA) received your March 15, 2013 letter detailing the deficiencies of the application we submitted to the Federal Aviation Administration (FAA) pursuant to 14 Code of Federal Regulations Part 161 for a runway use restriction at Los Angeles International Airport (LAX), which you deemed incomplete.

Your letter indicated that LAWA must advise the FAA within 30 days as to whether we intend to resubmit and/or supplement the application. By this letter, LAWA informs you of its intent to revise the Part 161 application, pursuant to the requirements stated in your March 15th letter, and resubmit the application for further review and consideration by FAA.

We will contact you within the next few days to request either a meeting or conference call regarding specific issues stated in your letter. If you have any questions please feel free to contact me at 424-646-6499 or at statro@lawa.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Tatro".

Scott Tatro
Airport Environmental Manager I

ST:RH:grg

cc: M. Feldman, Deputy Executive Director
R. Tobias, Deputy City Attorney
Robert Miller, HMMH
Eugene Reindel, HMMH

LETTERSANDMEMOS:032813





Los Angeles
World Airports

June 28, 2013

Mr. Jim Byers, APP-600
FOB 10A, Room 616-T
Federal Aviation Administration
800 Independence Avenue SW
Washington, DC 20591

Re: **Los Angeles International Airport Part 161 Study Application -
Supplemental Analysis**

LAX

LA/Ontario

Van Nuys

City of Los Angeles

Antonio R. Villaraigosa
Mayor

Board of Airport
Commissioners

Michael A. Lawson
President

Valeria C. Velasco
Vice President

Joseph A. Aredas
Robert D. Beyer
Ann M. Hollister
Rafael Pérez
Fernando M. Torres-Gil

Gina Marie Lindsey
Executive Director

Dear Mr. Byers,

Attached, please find the supplemental analysis ("Supplement") requested by the Federal Aviation Administration ("FAA") in its March 15, 2013 letter responding to the Part 161 Application filed by the City of Los Angeles on January 28, 2013 ("Application"). As explained in the Supplement, the City respectfully disagrees with the FAA's position that the Application is incomplete. However, to eliminate any doubt about the completeness of the application, to encourage its prompt approval and to address other questions raised by FAA, the City is providing this Supplement.

Please contact me at 424-646-6499, or by email at statro@lawa.org, if you have any questions during your review of the Application and the Supplement.

Sincerely,

Scott Tatrow
Airport Environmental Manager I

ST:RH:oc

Enclosure: 14 C.F.R. Part 161 Application for Approval of a Runway
Use Restriction at Los Angeles International Airport,
Supplemental Analysis (hard copies and CDs)

cc: M. Feldman, Deputy Executive Director
R. Tobias, Deputy City Attorney
Steve Karnes, FAA Western Service Center (w/enclosures)
Dave Cushing, FAA Los Angeles Airports District Office (w/enclosures)

Z:\LETTERS\AND\MEMOS





U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of Airport Planning
and Programming

800 Independence Ave., SW
Washington, DC 20591

AUG 02 2013

Mr. Scott Tatro
Airport Environmental Manager
Los Angeles World Airports
P.O. Box 92216
Los Angeles, CA 90009-2216

Dear Mr. Tatro:

This letter is in response to your June 28 "Supplemental Analysis" in support of your application for approval of an airport noise and access restriction at Los Angeles International Airport (LAX). The Supplemental Analysis was submitted in response to the Federal Aviation Administration's (FAA) March 15 letter detailing the information and analysis needed to complete your application under 14 Code of Federal Regulations (CFR) Part 161.

The FAA has reviewed the Supplemental Analysis and has determined that there are areas that continue to be incomplete.

Please advise the FAA within 30 days of receipt of this letter whether Los Angeles World Airports (LAWA) intends to resubmit and/or further supplement the application. Failure to so notify the FAA within the allotted time will be cause for denial of the application and closure of the matter without prejudice to later application and does not constitute disapproval of the proposed restriction. 14 CFR §161.313(c).

The FAA has determined that your supplemental analysis is incomplete in the following areas.

A. Airport Noise Study Area and Noise Contours

Title 14 C.F.R. § 161.5 defines the "airport noise study area" as "[t]hat area surrounding the airport within the noise contour selected by the applicant for study [that] must include the noise contours required to be developed for noise exposure maps specified in 14 CFR Part 150."

Part 161 requires noise exposure to be calculated in terms of yearly day/night average sound levels (DNL), and 14 C.F.R. § 161.305 (e)(2)(i)(A)(ii)(A) requires maps of the airport noise study area to be overlaid with noise contours as specified in § 161.9 and § 161.11, which in turn reference Appendix A of 14 C.F.R. part 150. Appendix A requires continuous contours for DNL levels of 65, 70, and 75 dB and allows additional DNL contours to be developed and depicted.

FAA recognizes the Community Noise Exposure Level (CNEL) as an accepted methodology in lieu of DNL in California.¹

Supplemental Analysis, Section 1 Introduction and Section 2.2.1 Definition of ANSA based on area used for sleep awakenings.

In the March 15th letter, the FAA informed LAWA that Part 161 regulations allow an applicant to select a noise contour beyond the CNEL 65 dB contour as its airport noise study area and to use a supplemental metric to analyze the problem a proposed restriction is intended to address. However, the FAA reminded LAWA that DNL (i.e., CNEL in California) remains the primary metric under Part 161 regulations and that CNEL contours must encompass the applicant's selected airport noise study area which includes the sleep awakenings. The FAA allowed LAWA to truncate the CNEL contours below CNEL 65 dB in this case to only depict them to encompass the areas where sleep disturbance is predicted and to exclude large areas that do not include individuals predicted to experience sleep disturbance. LAWA's response is that Part 161 by reference to Part 150 only requires CNEL contours of 65 dB and higher, and "invites" additional contours without specifying that they be CNEL contours. LAWA has created a "Noise-Induced Awakenings Change" (NIAC) contour in lieu of CNEL contours below CNEL 65 dB.

The FAA specifically sought comments on this issue when developing the Part 161 regulations and explained its disposition of the issue when it issued the regulations. 56 Fed. Reg. 48661 (Sept.25, 1991). The FAA chose to reference 14 CFR part 150 in the Part 161 regulations because Part 150 includes the DNL metric among its requirements and would, therefore, retain the FAA's tested and proven metric. The FAA pointed out that referencing Part 150 would also assure that the flexibility inherent in noise assessment to supplement DNL with other analyses under Part 150 would also be available to Part 161 applicants. The FAA clearly rejected an option that would permit each airport operator to select the metric(s) and methodology best suited to its own local conditions in lieu of using DNL because this could lead to a confusing array of approaches with significant room for error or non-uniform treatment of airport users and airport neighbors. 56 Fed. Reg. at 48669-70. The FAA also addressed the issue of whether the DNL 65 dB contour should be prescribed as the outer limit of the airport noise study area and decided to allow applicants the flexibility inherent in Part 150 to use contours lower than DNL 65 dB. In making this determination, the FAA specifically rejected an option that would have permitted an applicant unlimited flexibility in deciding how to define the airport noise study area. 56 Fed. Reg. at 48670,

Finally, LAWA's contention that noise contours below DNL 65 dB are optional under Part 150 is a misinterpretation of what optional means in this context and how it has been applied for

¹ CNEL is an acceptable substitute for DNL in the state of California. Part 161 requirements applicable to DNL are also applicable to CNEL.

decades under Part 150. Under Part 150, an airport operator must submit noise contours of DNL 65, 70, and 75 dB and is not required to submit lower noise contours. However, airport operators have the option of going below DNL 65 dB; and if an airport operator seeks the FAA's approval of noise compatibility measures below DNL 65 dB, the operator must exercise the option of submitting contours necessary to cover the area where actions are recommended together with other appropriate local determinations and information required for noise exposure maps under Part 150.

LAWA's application remains incomplete as long as it does not expand its CNEL noise contours to cover the airport noise study area it has selected as the basis for its recommended restriction, i.e., the entire sleep awakenings area. Alternatively, LAWA could have a complete application with respect to the airport noise study area by retaining the CNEL 65 dB contour as its outer limit, but this would also limit the Part 161 airport noise study area to within the CNEL 65 dB contour and require LAWA to exclude all areas beyond this contour from its Part 161 analysis.

B. Technical Data Supporting Noise Impact Analysis

Part 161 requires noise exposure to be calculated in terms of DNL², and 14 C.F.R. § 161.305(e)(2)(i)(A)(1)(ii) requires an analysis of the estimated noise impact of aircraft operations with and without the proposed restriction.

Title 14 C.F.R. § 161.305 (e)(2)(i)(A)(ii)(C) requires the analysis of the estimated noise impact of aircraft operations with and without the proposed restriction to include technical data supporting the noise impact analysis, including the classes of aircraft, fleet mix, runway use percentage and day/night breakout of operations.

Supplemental Analysis, Section 2.3.2 CNEL and SEL values at census grid points in ANSA.

The FAA advised LAWA that it needed to provide the calculation of the probability of awakening at least once, the CNEL level, the population, outdoor SEL values, and the outdoor to indoor sound reduction assumed at each sleep awakening grid point. The electronic files LAWA provided in response did not include the CNEL value at grid points below CNEL 65 dB. CNEL values were only provided at grid points where CNEL was at or above CNEL 65 dB. CNEL data for grid points that were below CNEL 65 dB were simply indicated by "<65". It appears that LAWA's rationale for not providing CNEL data is the same as for not providing CNEL contours below CNEL 65 dB. As explained above, CNEL remains the primary noise metric under Part 161 that can be supplemented with LAWA's chosen sleep disturbance analysis. LAWA's application remains incomplete until it provides the requested calculated value of CNEL in electronic format for all grid points in its selected airport noise study area, including any points that are below CNEL 65 dB.

² DNL is an acceptable substitute for CNEL in the state of California. Part 161 requirements applicable to DNL are also applicable to CNEL.

Supplemental Analysis, Section 2.3.1 Supporting data regarding non-conforming flights.

The FAA found LAWA's initial application incomplete because it did not provide data regarding ground tracks and runway use percentage for non-conforming flights **under the proposed restriction**, as well as the assumed stage length (aircraft weight) of these flights **under the proposed restriction**. The data that LAWA provided in Section 2.3.1 of the Supplemental Analysis in Figure S-16 and Tables S-2 and S-3 are for the **status quo** scenario. The data in Figure S-16 and Tables S-2 and S-3 of the Supplemental Analysis must also be provided for the proposed restriction scenario. Section 7.1.1 of the Part 161 application states that "affected carriers are expected to comply by slightly reducing their payloads." Therefore, for the purpose of noise modeling the non-conforming flights under the status quo scenario must have been re-assigned to conforming flight tracks under the proposed restriction noise modeling scenario. To complete its application, the FAA requests that LAWA provide a figure similar to Figure S-16 depicting the new conforming flight tracks assigned to the flights that were considered non-conforming under the status quo scenario. The FAA also requests that LAWA provide tables similar to Tables S-2 and S-3 indicating the new conforming flight track name under the proposed restriction scenario for each aircraft in Table S-2 and S-3, as well as stage length, runway, and number of departures.

C. Cost-Benefit Analysis

Section 161.305(e)(2)(ii)(A)(1) requires evidence, based on a cost-benefit analysis, that the estimated potential benefits of the restriction have a reasonable chance to exceed the estimated potential cost of the adverse effects on interstate and foreign commerce.

Section 161.305(e)(2)(ii)(A)(1)(ii)(B) requires the consideration, as appropriate, of costs associated with altered or discontinued aircraft operations, including costs incurred due to flight crew time duty and rest requirements, the reduction in operational efficiencies and evidence to support that there will be a decrease in passenger and shipper consumer surplus due to the proposed noise restriction.

Supplemental Analysis, Section 2.4.3 Estimation of costs of runway use restriction associated with altered operations, flight crew duty time and reduction of operational efficiency.

The estimation of decrease in consumer surplus due to altered aircraft operations is incomplete. Consumer surplus is an economic measure of consumer satisfaction. It is calculated by analyzing the difference between what consumers are willing to pay for a good or service relative to its market price. A consumer surplus occurs when the consumer is willing to pay more for a given product than the current market price. Currently accepted economic methodology would provide a quantitative basis of the delay actually incurred for the number of passengers on board, the average fare, and the elasticity of demand.

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In passenger transportation markets, the full price of travel includes the money price *plus* an increment representing the value of transportation time. Currently, pilots at LAX are allowed to perform non-conforming departures if wind conditions warrant. The LAX Part 161 application proposes to restrict these non-conforming departures. If the restriction is granted, flights will be delayed as carriers offload fuel, cargo, and/or passengers in order to achieve a safe take-off weight.

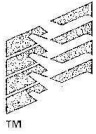
In the supplemental Part 161 application by LAWA, a complete answer needs to estimate the change in consumer surplus to not just offloaded passengers who accept compensation voluntarily, but to all passengers impacted by a flight delay. For example, the reduction on consumer surplus for passengers who are involuntarily denied boarding would be understated by applying voluntary compensation as a measure. A complete answer would measure the number of affected flights; the minutes of delay for each affected flight; missed curfews of destination airports; the number of passengers affected; and the methodology used to estimate the loss.

Finally, FAA is available to meet with LAWA representatives to answer any questions or address any concerns regarding LAWA's application and the Part 161 process.

Sincerely,



Benito De Leon
Director, Office of Airport
Planning and Programming



*Los Angeles
World Airports*

August 20, 2013

Mr. Benito De Leon
Director, Office of Airport Planning and Development
Federal Aviation Administration
800 Independence Ave., SW
Washington, DC 20591

Re: Los Angeles International Airport Part 161 Study Application

Dear Mr. De Leon:

LAX

LA/Ontario

Van Nuys

City of Los Angeles

Antonio R. Villaraigosa
Mayor

**Board of Airport
Commissioners**

Michael A. Lawson
President

Valeria C. Velasco
Vice President

Joseph A. Aredas
Robert D. Beyer
Ann M. Hollister
Raúl Pérez
Fernando M. Torres-Gil

Gina Marie Lindsey
Executive Director

Los Angeles World Airports (LAWA) received your August 2, 2013 letter detailing the remaining deficiencies of the Supplemental Analysis submitted to the Federal Aviation Administration (FAA) pursuant to 14 Code of Federal Regulations Part 161 for a runway use restriction at Los Angeles International Airport (LAX). In your letter you deemed the application and supplemental analysis still incomplete.

Your letter indicated that LAWA must advise the FAA within 30 days as to whether we intend to resubmit and/or further supplement the application. By this letter, LAWA informs you of its intent to revise the Part 161 application, pursuant to the requirements stated in your August 2nd letter, and resubmit the application for further review and consideration by FAA.

Thank you for your continued effort and your offer to meet with us to answer any questions or address concerns regarding the application and the Part 161 process.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Tatro".

Scott Tatro
Airport Environmental Manager I

ST:RH:oc

cc: M. Feldman
R. Tobias
Robert Miller, HMMH
Eugene Reindel, HMMH

ZLETTERSANDMEMOS

