



# News Release

***BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY***

**2627 Hollywood Way, Burbank, CA 91505**

**(818) 840-8840 (818) 848-1173 FAX**

**[WWW.BOBHOPEAIRPORT.COM](http://WWW.BOBHOPEAIRPORT.COM)**

CONTACT: VICTOR J. GILL

**FOR IMMEDIATE RELEASE**

TELEPHONE: (818) 840-8840

## **AIRLINES AT BOB HOPE AIRPORT DECLINE TO PURSUE CONTRACTUAL CURFEW; COMMITMENT TO ABIDE BY CURRENT VOLUNTARY CURFEW “REMAINS SOLID”**

*Negotiated Curfew Would Set National Precedent, Airlines Say;  
Airport Authority Pledges to Continue Addressing Noise Issues*

BURBANK, Calif., June 7, 2010 – The Burbank-Glendale-Pasadena Airport Authority today pledged to continue efforts to address aircraft noise-related issues at Bob Hope Airport following receipt of a letter from the airlines serving the Airport that they were unable to enter into a contractual agreement that would make the voluntary 10 p.m. to 7 a.m. curfew in effect for the past 30 years binding on the carriers.

The letter from the Bob Hope Airport Airline Airport Affairs Committee, representing all air carriers at the Airport, concluded discussions that began at the end of 2009 after the Federal Aviation Administration (FAA) rejected an Airport Part 161 application for a curfew submitted under provisions of federal law. The Authority sought to interest the airlines in a contractual commitment to permanently abide by the voluntary curfew on scheduled flights as an alternative to the Part 161 process, which lasted eight years and cost over \$7 million.

“Our commitment to abide by this voluntary curfew remains solid,” wrote Steve Hubbell, chair of the airline committee, but he expressed the firm reservations of the carriers about incorporating the voluntary curfew into a contractual agreement.

(more)

## AIRLINES DECLINE NEGOTIATED CURFEW

6/7/10

2-2-2-2-2

“Any contractual curfew locally agreed to would set a precedent on a national basis that could potentially become a mechanism for airports across the country to circumvent the intent of the federal law,” Hubbell said.

Authority President Frank Quintero said the Authority remains committed to seeking implementation of meaningful aviation-related noise relief on a Valley-wide basis.

“The Authority is appreciative of the commitment the airlines have made in adhering to the voluntary curfew, and of their effort to explore the potential to execute a contractual curfew. The Authority also acknowledges the leadership the City of Burbank is taking in seeking a legislative solution to the issue of nighttime noise,” he said in a statement made at the close of an Authority meeting.

Quintero also said the Authority will continue its Residential Acoustical Treatment Program for residences and schools within the noise impact area; will maintain its ongoing dialogue with the City of Burbank and the community to address noise-related issues; and will shortly begin a Part 150 Study in an effort to identify additional noise abatement or mitigation opportunities that may exist.

-30-

(Please see attached Airport Airline Affairs Committee letter and complete Airport Authority statement.)

**BUR AAAC /** *BOB HOPE AIRPORT – AIRLINE AIRPORT AFFAIRS COMMITTEE*

June 4, 2010

Mr. Dan Feger  
Executive Director  
Burbank-Glendale-Pasadena Airport Authority  
2627 Hollywood Way  
Burbank, CA 91505

Dear Mr. Feger:

Recently the Burbank-Glendale-Pasadena Airport Authority proposed to the Bob Hope Airport Airlines Affairs Committee (AAAC) that the airlines consider a written commitment to adhere to the long-standing voluntary curfew on scheduling airline flights between 10 pm and 7 am. On behalf of, and as chairman of the AAAC, the following provides an explanation of the airlines' perspective regarding your proposal.

The airlines serving the Airport have historically adhered to the voluntary curfew with a very high compliance rate. Our commitment to abide by this voluntary curfew remains solid. We understand and have demonstrated the balance needed to work with the surrounding community to address noise concerns while also meeting the demands of the residents and businesses that use the Airport to provide safe, secure, convenient, reliable and economical airline service.

The airline industry has consistently opposed the mandatory imposition by local airport sponsors of access restrictions that impact the national aviation system. In 1990, Congress passed into law the Airport Noise and Capacity Act (ANCA), which was intended to stop the proliferation of local access restrictions by individual airport operators. In exchange, our industry agreed to invest billions of dollars in new aircraft technology, and to eliminate the older Stage 2 aircraft nationally.

That act led to the Part 161 process that provided a mechanism for airport sponsors to seek approval from the Federal Aviation Administration (FAA) to implement new access restrictions. The Authority sought approval from FAA through the Part 161 process to implement a mandatory curfew at the Airport. The FAA rejected that application on a variety of grounds.

Signatory Carriers

Alaska Airlines / American Airlines / JetBlue Airways / Skywest Airlines / Southwest Airlines / US Airways

The Authority now seeks an alternative to the Part 161 process to achieve a curfew. In our discussions, the airlines have communicated that we are unable to make a written commitment to the voluntary curfew for the following reasons:

- The Authority's application, seeking a mandatory curfew per the FAA's established process, was rejected by the FAA.
- Any contractual curfew locally agreed to would set a precedent on a national basis that could potentially become a mechanism for airports across the country to circumvent the intent of the federal law.
- Even if allowed by the FAA, any contractual curfew agreed to locally by the Airport Signatory carriers would not be binding upon future new entrant carriers at the Airport because it would constitute a mandatory restriction. Such mandatory restrictions are required to be approved through a Part 161 FAA review process. It would also potentially create a competitive scheduling advantage for the new entrant.

We have been and continue to be interested in working with the Authority and the Commission regarding the long term viability of the existing terminal facility, and its ability to continue to serve the needs of the travelling public in a safe, secure, convenient, reliable and economical fashion. We hope and trust that our position regarding a contractual curfew outside of the Part 161 process will not impede our ability to continue to work together.

Sincerely,



Steve Hubbell

Southwest Airlines

BUR AAAC Chair

Cc: BUR AAAC  
AirTransport Association

Signatory Carriers

Alaska Airlines / American Airlines / JetBlue Airways / Skywest Airlines / Southwest Airlines / US Airways

# **BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY STATEMENT:**

## **STATUS OF INITIATIVES TO REDUCE AVIATION-RELATED NOISE**

June 7, 2010

Since 1978, the impact of nighttime aviation noise associated with the Bob Hope Airport has decreased by 95 percent, due to the scheduled airlines' adherence to a voluntary 10 p.m.-7 a.m. curfew; the airlines' replacement of older, noisier jets with quieter ones; and the Airport's Residential Acoustical Treatment Program, which has insulated nearly 1,700 Airport-adjacent residences and schools at a cost in excess of \$100 million.

In November 2009, the Federal Aviation Administration (FAA) denied approval of the Part 161 Study that the Airport Authority, working in cooperation with the Cities of Burbank, Glendale, and Pasadena, had submitted seeking a mandatory nighttime curfew.

The Airport has invested eight years and more than \$7 million preparing the Part 161 Study in an attempt to gain FAA approval to implement a mandatory nighttime curfew at the Bob Hope Airport. The City of Burbank has also committed substantial time, effort and fiscal resources pursuing nighttime noise relief for the surrounding communities. Despite this decision by FAA, the Authority remains committed to seeking implementation of meaningful aviation-related noise relief on a Valley-wide basis.

Additionally, the Authority recently initiated discussions with the scheduled airlines seeking their interest in entering into a contractual commitment to permanently abide by the current voluntary curfew on scheduled flights. Last week, the airlines provided a written response to the Authority. They stated that they have historically adhered to the voluntary curfew, which has been in effect for more than 30 years, with a very high compliance rate, and that their "commitment to abide by this voluntary curfew remains solid." But they declined to contractually commit to a more permanent curfew because "Any contractual curfew locally agreed to would set a precedent on a national basis that could potentially become a mechanism for airports across the country to circumvent the intent of the federal law."

Moving forward, the Authority will continue its Residential Acoustical Treatment Program for residences and schools within the noise impact area; maintain its ongoing dialogue with the City of Burbank and the community to address noise-related issues; and will shortly begin a Part 150 Study in an effort to identify additional noise abatement or mitigation opportunities that may exist.

The Authority is appreciative of the commitment the airlines have made in adhering to the voluntary curfew, and of their effort to explore the potential to execute a contractual curfew. The Authority also acknowledges the leadership the City of Burbank is taking in seeking a legislative solution to the issue of nighttime noise.

Finally, the Authority reaffirms the words of its mission statement, which commit the Airport “to provide state-of-the-art regional airport facilities and related services which are efficient, safe, convenient, and user friendly, while being a good neighbor.”

##