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May 30, 2018

VIA FEDEX & U.S. MAIL

Daniel K. Elwell
Acting Administrator
Federal Aviation Administration
U.S. Department of Transportation
800 Independence Ave, SW
Washington D.C., 20591

Subject: City of Rancho Palos Verdes Jet Overflight Noise Abatement

Dear Mr. Elwell:

We are the City Attorney for the City of Rancho Palos Verdes. In that capacity, we have been directed by the City Council to raise with you our client's concerns about jet overflight of this community. We are advised that the City of Rancho Palos Verdes (City) and its residents have made repeated requests to the Federal Aviation Administration (FAA), through the LAX Community Noise Roundtable and by direct communication from its officials and residents, to address excessive and unwarranted jet aircraft being directed by FAA traffic controllers to overfly the Palos Verdes Peninsula (PV Peninsula).

These attempts to seek your cooperation to have jet aircraft adhere to offshore flight paths (OSHNN8) have been largely ignored by the FAA in the past. Since the implementation of the FAA's Southern California Metroplex project, there has been a disturbing trend in the number of increased jet overflights across the PV Peninsula. Such excessive increase of PV Peninsula jet overflights since the Metroplex project implementation has been well documented by Los Angeles World Airports (LAWA), where jet overflights over the Peninsula have doubled.

There has also been reporting that 70% of eastbound departures from LAX have shortcut the SID route so that jet aircraft cross the PV Peninsula airspace towards CAHIL. The City and its residents have attributed this increase to FAA air traffic controllers who are suspected of improperly vectoring eastbound jet aircraft across the PV Peninsula to convenience commercial airline pilots rather for legitimate safe aircraft spacing reasons. Because FAA traffic air controllers continue, on a routine basis, to direct jet aircraft over our community seemingly without cause, the quality of life within the City of Rancho Palos Verdes has been negatively impacted by the noise producing overflights.

Since March 2018, the FAA air traffic controllers have improved in adhering to the published OSHNN8 departure procedure; however, the City is concerned that individual controllers continue to divert jets unwarranted from the published flight path. The City seeks the FAA's long term cooperation and a lasting commitment to reduce PV Peninsula jet overflights and the resulting noise pollution by directing air traffic controllers to not vector east and northeast bound jet aircraft from standard offshore route procedures (OSHNN8).

More importantly, on behalf of our client we seek your commitment to eliminate the suspected improper, perhaps unlawful, practice by FAA air traffic controllers of authorizing jet aircraft to depart from the OSHNN8 procedure and shortcut the PV Peninsula when no aircraft spacing requirement is present. Our client further requests that the FAA produce results that are timely, measurable and meaningful to the residents of the Palos Verdes Peninsula, particularly Rancho Palos Verdes' residents.

The City Council has instructed this office to consider legal avenues to address the matter should the FAA chose to ignore or reject these requests. As you know, other Southern California communities such as Newport Beach and Laguna Beach, which have been negatively impacted by aircraft noise as a result of the Metroplex project, have sought legal redress in the courts from a "tone deaf" FAA. Before our client seeks judicial intervention in this matter, it is our client's sincere wish to work with the FAA to obtain your cooperation in resolving these overflight issues amicably.

Our client shall appreciate your immediate attention to this matter and your full-throated cooperation in resolving these unwarranted overflights. Please contact Robert Nemeth, Associate Planner with the City, at (310) 544-5285 or contact me at (310) 527-6667 to discuss how we can resolve the matter.

Very truly yours,

Very truly yours,



William W. Wynder
of ALESHIRE & WYNDER, LLP

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Honorable Mayor & Councilmembers,
City of Rancho Palos Verdes

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