



Part 161 Comment Docket  
Burbank Glendale Pasadena Airport Authority  
Bob Hope Airport  
2627 Hollywood Way  
Burbank, CA 91505

June 8, 2008

To whom it may concern,

Avjet Corporation has been an Air Carrier at Burbank Bob Hope Airport for the past thirty years. Avjet Corporation is currently operating five hangars with offices and is in completion of a ground breaking new LEEDS certified 70,000 sq/ft hangar construction with expected occupancy permit of August 2008. The proposed noise curfew at Burbank Airport has the potential for a devastating financial impact on our business, two hundred employees and families, and future growth both domestic and internationally.

There are serious flaws in the data provided for the Part 161 study. It does not accurately reflect the reality of impact on "real" business. Much of this study is based on outdated data. The methodology used to derive the cost benefit is unclear and ambiguous. The Airport Authority has not been able to effectively provide "substantial evidence" that the curfew meets each of the six statutory conditions required for such an action.

In reference to the FAA response dated May 19, 2004, this proposal is still not consistent with the statutory requirements, the first being that a restriction be reasonable, non-arbitrary, and nondiscriminatory.

The second statutory condition relating to the burden on commerce is of grave concern. The numbers collected and methodology used for the calculations are suspect in economic gains listed opposed to the potential losses. Much of the report findings are based on the real estate market which are completely outdated and do not reflect the current status locally and nationally.

The fourth statutory agreement states the condition requires that the restriction not conflict with any Federal law CR regulation including Federal grant agreements.

The sixth statutory condition has also been overlooked and short sighted. The restriction cannot create an unreasonable burden on the National Airspace System based on evidence, including an analysis demonstrating that non aircraft alternative measures to achieve the same goals as the proposed restriction are inappropriate.

As previously stated in the FAA response and as holds true with this study: “The proposed restriction must be effective in addressing the identified problem and be supported by evidence that other available remedies are infeasible or would be less cost effective. It must not be unjustly discriminatory against any class of aviation user. It must reflect a balanced approach under which the potential benefits reasonably exceed the potential burden on commerce and that fairly considers both local and Federal interests. Some of the statutory criteria place airport use restrictions in the context of measures of last resort, rather than first response for mitigating airport noise. The statute reflects the national interest in maintaining the efficiency and capacity of the National Air Transportation System and ensuring that Federally funded airports maintain reasonable public access”.

The curfew will effectively add an increased burden on the National Airspace System by increasing flight legs required to return aircraft from outlying airports after the curfew hours. This will also place an undue burden on flight crew scheduling and staffing concerning duty time issues. The staffing requirements to accomplish this will create a substantial operating loss to our business. Logistically trying to provide back up transportation for customers and aircraft owners when a delay or diversion is required will generate additional costs and manpower as well as strain relationships and effect business economics and productivity.

Additionally overlooked is the large scale trickle down effect of suppliers and vendors supporting the aviation community at BUR. Part suppliers, fuel vendors, caterers, florists, local grocery, local restaurants, auto services, hotels, and so on – the vendor list is widespread. This can have a dramatic effect on the future of these businesses which has been highly undervalued in the report.

The study made many assumptions as to the future and the concerns of the operators. In section "Appendix AA – General Aviation" section 2.1 it refers to the auditor's percentage probability assigned to each operator's expression of intent to move. The assumptions made and criteria listed are far beyond the Auditor's scope of expertise. In section (3.0), "After considering the operator's responses to the interview the consultant independently assessed the reasonableness of the operator's stated intentions, developing an estimate of the likelihood the aircraft actually would be moved."

Additionally stated; "This approach was used because experience shows that moving the home base for an aircraft or a flight operations department is often so disruptive to operations and business base that, after the evaluation of the pros and cons many operators ultimately decide against the move because the cost would exceed the benefit".

The study states inaccurately in section (6.0) the feasibility of relocating; "In short, operators based at Bob Hope Airport do have reasonable options that would allow them to accommodate their needs in the event of a curfew being imposed". Currently Van Nuys Airport is at capacity constraints for available hangar space. The new hangar development has been leased and is now unavailable prior to construction being completed.

Further discriminatory information in section (3.0) at table AA-2; "The projected annual growth rate in operations at the Airport after implementation of a full curfew would also be reduced relative to the baseline forecast. This is because the Airport would be less attractive as an aircraft base and as a destination for itinerant aircraft.

Avjet Corporation has a considerable investment in Burbank Airport financially and with our responsibility to our employees. Avjet has invested substantial dollars in upgrading the facility and offices including repairing and resurfacing 120,000 sq ft of hangar flooring. In addition to financing a ground breaking LEEDS certified solar powered hangar with 58,000 sq ft of hangar we have an office expansion plan of 15,000 sq ft at our existing headquarters location.

Avjet Corporation and the neighboring operators continually strive to act responsibly as tenants and enhance the airport and community as a whole. From the inception of this study many tenant BUR based Stage II aircraft

have been upgraded to modern Stage III and better aircraft. Quiet flying practices are utilized in all of our operations.

Avjet Corporation strongly opposes the adoption of the proposed measure for the night time curfew.

Thank you for your consideration with this critical issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Sullivan", written in a cursive style.

Kevin Sullivan  
Customer Service Manager  
Avjet Corporation

cc: Marc Foulkrod, CEO Avjet Corporation  
Benito DeLeon Director, Office of Airport Planning and  
Programming: FAA  
Victoria Catlett, Community and Environmental Needs Division:FAA