



Homeowners of Encino

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July 30, 2008

Congressman Howard Berman D-28
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Congressman Brad Sherman D-27
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Congressman Adam Schiff D-29
35 S. Raymond Ave. #205
Pasadena, CA 91105

Subject: Bob Hope Airport Curfew – Letter June 11, 2008, from FAA D. Kirk Shaffer

We have had an opportunity to review the detailed letter from D. Kirk Shaffer, FAA Associate Administrator for Airports, dated June 11, 2008, directed to the Bob Hope Airport. This letter is in response to the Hope Airport's Part 161 Application for a night curfew at that airport.

We ask that you carefully consider the views below regarding this matter, particularly as it concerns the upcoming Part 161 Application from Van Nuys Airport (LAWA).

Homeowners of Encino (HOME) represents thousands of residents living in the San Fernando Valley. Throughout the San Fernando Valley hundreds of thousands of residents are plagued night and day by noise from both Bob Hope Airport (BUR) and Van Nuys Airport (VNY). Much of this noise nuisance is due to night operations, particularly business aviation jets involving Lear, Gulfstream and other Stage 2 and Stage 3 aircraft.

We support the Burbank night-time curfew proposal as we do the upcoming Van Nuys Airport curfew. We support all efforts by local airports to reduce night-time aircraft noise, particularly from 10 pm to 7 am. We are therefore strongly in support of both the Burbank and the VNY Part 161 Applications that seek to shut down airport noise at night, except for emergency operations.

Last month we were informed by Burbank Mayor David Golonski that the City of Burbank would support VNY in its efforts to apply the same curfew conditions to Van Nuys through its VNY Part 161 Study.

Clearly the San Fernando Valley is besieged by aircraft noise at night, and curfews must be implemented at *both airports*.

The letter from D. Kirk Shaffer, FAA Associate Administrator for Airports to the Hope Airport responding to their Part 161 Application is very distressing. It reflects a hyper-

critical approach to the Part 161 Application, and illustrates a fundamentally wrong interpretation of the Part 161 Regulations.

In passing ANCA in 1990, Congress attempted to bring *balance* to the of noise regulations that were proliferating across the country. Clearly ANCA sought to bring control and consistency to noise regulations. ANCA was a compromise that was never designed to be a flat out ban on all future *reasonable* noise reduction efforts, nor a ban on all night curfews.

Unfortunately the FAA is using ANCA as a means to ban any future night curfews at either BUR or VNY. The letter from D. Kirk Shaffer is so highly critical of the Hope curfew as to make it virtually impossible to achieve any significant noise reduction at either BUR or VNY.

D. Kirk Shaffer and the FAA's position is akin to the parent who tells the children "its OK to swim all you want, just don't go near the water." This is bureaucratic double-speak at its worst. D. Kirk Shaffer's letter of June 11, 2008, throws down so many objections, hurdles and unreasonable requirements as to make it virtually impossible for BUR or any airport to achieve a night curfew for the San Fernando Valley. In our estimation this was never Congress' objective in passing ANCA in 1990.

We recognize that the FAA will be evaluating the Hope and VNY Part 161 at different times. We believe that the FAA must address the night-time noise issue in the context of *both* airports. Many residents living in Encino, and Sherman Oaks are dually impacted by night jet noise from both airports.


The residents living in the areas surrounding VNY need the same protection from noise from late night take-off and landings as residents living near the Hope Airport. We urge your support of a night curfew at both Hope and VNY airports.

The FAA's critical assessment of the Hope Part 161 Application by D. Kirk Shaffer's sets the stage for a similar denial of the VNY curfew that will be before it shortly. Both BUR and VNY are spending hundreds of thousands of dollars in bonafide efforts to address ANCA requirements for effective night-time curfews that will bring some relief to Valley residents.

Congress must remain in the driver's seat on this issue. The FAA must be made to understand their charge is to implement ANCA principles, not create impossible hurdles so airports will waste millions of dollars on wild-goose chases.

We ask that you take a close look at the Hope Application, the FAA's untenable response, the upcoming VNY Part 161 Application, and direct the FAA to assist, not hinder both airports in their attempts to implement night curfews. Congress has financial oversight over the FAA. Future FAA re-authorization bills must be carefully crafted to assure that the FAA acts responsibly in this matter.

Cordially yours,


Gerald A. Silver
President

Cc: Marion Clifton Blakey, Hope Airport, LAWA, D. Kirk Shaffer, Mayor Golonski