



CITY OF NEWPORT BEACH AVIATION COMMITTEE AGENDA

Civic Center Community Room - 100 Civic Center Dr. Newport Beach, CA
92660

Monday, October 20, 2025 - 5:00 PM

Aviation Committee Members:

Councilmember, Noah Blom, Chair
Mayor Pro Tem Lauren Kleiman, Vice Chair

Kurt Belcher, Committee Member
Nicholas Prytherch, Committee Member
Michael Radigan, Committee Member
Jack Stranberg, Committee Member
M.C. Sungaila, Committee Member

Staff Members:

Tara Finnigan, Assistant City Manager
Lorig Yaghsejian, Management Analyst
Jennifer Biddle, Executive Assistant to the City Manager

The Aviation Committee meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Aviation Committee agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Committee and items not on the agenda but are within the subject matter jurisdiction of the Aviation Committee. The Chair may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

The public can submit questions and comments in writing for the Aviation Committee to consider by sending them by email to Aviation@newportbeachca.gov by Monday, October 20, at 10 a.m. to give the Aviation Committee time to consider your comments. All emails will be made part of the record.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact Jennifer Biddle, Executive Assistant to the City Manager, at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 644-3001 or jbiddle@newportbeachca.gov.

NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the City Manager's Office 24 hours prior to the scheduled meeting.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

[Draft Minutes - February 24, 2025](#)

[Additional Materials Received Comments Submitted by Mr. Mosher for Items
No. III., IV.b., IV.d. AC 10-20-2025](#)

IV. CURRENT BUSINESS

a. Committee Member Introductions

Each committee member will provide a brief overview of their expertise and experience.

b. Regular Meeting Schedule Discussion

City staff and the committee will select a regular meeting day and time and the

2026 meeting calendar.

[Additional Materials Received Comments Submitted by Mr. Mosher for Items No. III., IV.b., IV.d. AC 10-20-2025](#)

c. Oral Reports

- i. Report from County of Orange - Staff from the office of Orange County Board of Supervisors' Vice Chair Katrina Foley will provide an update on County airport-related matters.
- ii. Federal Advocacy Update - Zac Commins, Carpi & Clay, will provide an update on the aviation-related, federal advocacy efforts the consultant is working on for the City.
- iii. Airport Working Group (AWG) Update - Mel Beale, president of AWG will provide an update on AWG's activities.
- iv. Still Protecting Our Newport (SPON) Update - A SPON representative will provide an update on the organization's aviation-related activities.

d. John Wayne Airport Plan Year 2026 Capacity Allocations

Nick Gaskins, access and noise manager for John Wayne Airport, will discuss the airport's 2026 Capacity Allocations.

[Additional Materials Received Comments Submitted by Mr. Mosher for Items No. III., IV.b., IV.d. AC 10-20-2025](#)

e. Preparing for the Implementation of Advanced Air Mobility (AAM)

Kevin Karpe, a consultant with Diverse Vector Aviation Consulting, and Tara Finnigan, assistant city manager, will present an update on federal, industry and City of Newport Beach actions related to Advanced Air Mobility and help facilitate a committee discussion on how it could help the City of Newport Beach plan and prepare for AAM.

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Aviation Committee. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Aviation Committee has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

VI. NEXT MEETING: TBD

VII. ADJOURNMENT



CITY OF NEWPORT BEACH AVIATION COMMITTEE SPECIAL MEETING MINUTES

**Monday, February 24, 2025 - 5:00 PM
OASIS Senior Center - 801 Narcissus Ave., Corona Del Mar, CA 92625**

Aviation Committee Members:

**Councilmember, Noah Blom, Chair
Councilmember Lauren Kleiman, Vice Chair**

**Jeffrey Cole - District 6 (excused)
Jeff Herdman - SPON Representative
Julie Johnson - CAANP Representative
Anthony Khoury - AWG Representative
Stephen Livingston - General Aviation
Hugh Logan - District 7
Sharon Ray - District 2
Ron Rubino - District 4
Jack Stranberg - Member At Large
Drew Teicheira - District 1
Cameron Verdi - District 5
Vacant - Newport Coast Representative
Vacant - District 3**

Staff Members:

**Tara Finnigan, Assistant City Manager
Jennifer Biddle, Executive Assistant to the City Manager
Errica Garrett, Administrative Assistant
Lorig Yaghsezian, Management Analyst**

I. CALL MEETING TO ORDER

Chair Noah Blom called the meeting to order at 5:08 p.m.

II. ROLL CALL

Committee Member Jeffrey Cole had an excused absence.

III. APPROVAL OF MINUTES

[Draft Minutes - July 15, 2024](#)

A **Motion** was made by Committee Member Anthony Khoury, and was seconded by Committee Member Hugh Logan, to approve the Draft Minutes for July 15, 2024. The motion carried unanimously.

Ayes: Herdman, Johnson, Khoury, Livingston, Logan, Ray, Stranberg, Teicheira, Kleiman, Blom
Nays: None
Abstain: None
Absent: Cole (excused)

IV. **CURRENT BUSINESS**

A. Presentations

1. John Wayne Airport Update - Orange County Supervisor Katrina Foley will provide an update on County airport-related matters including a proposal regarding JSX operations

Orange County Supervisor Katrina Foley reported that JetSuiteX, Inc. (JSX) has had a sublease with Aviation Consultants, Inc. (ACI Jet) since 2018 as a Federal Aviation Administration (FAA) Part 135 carrier at John Wayne Airport (JWA). She explained that the carrier's operations are subject to the Settlement Agreement and must comply with the curfew and annual passenger limits.

Supervisor Foley reported that due to the upcoming JWA general aviation improvement project, JSX cannot remain at ACI Jet and alternative locations for JSX were considered. She advised that the decommissioned air rescue and firefighting station was deemed not viable and that Gate 22 was also found to not be viable due to challenges related to Transportation Security Administration (TSA) security screenings and commercial air carrier lease cancellations.

Supervisor Foley explained that Jay's Aircraft Maintenance was open to having a tenant for additional revenue. Jay's is not at capacity and has space for two small aircraft without displacing other airplanes. She noted this switch can be accomplished in time for the March 31 deadline for JSX to leave ACI Jet and explained that a Through the Fence agreement with the County needed to be reached and a security plan needed to be approved by TSA. Supervisor Foley said that a lease amendment with Jay's will come to the Board of Supervisors in March.

Supervisor Foley noted that eight small plane tie-downs will be lost by choosing the Jay's option, but four new tie-down locations have been identified and the search for four more locations continues. She added that the Board of Supervisors on March 25 will also consider increasing the JSX passenger allocation cap from 95,000 annually to 130,000.

In response to Committee Member Ray's inquiry, Supervisor Foley clarified JSX will be leasing office space at 3000 Airway Ave. in Costa Mesa.

In response to Committee Member Livingston's inquiries, Supervisor Foley explained that this move will help Jay's with its hangar buildout through the additional income. She said that it will not reduce the number of available hangars at Jay's, only the number of tie-downs.

Committee Member Livingston raised the issue of tie-down pricing. Supervisor Foley reported she discussed the matter with JWA Director Charlene Reynolds but the County is limited in what it can do.

Chair Blom commended Supervisor Foley's work and thanked JSX for being one of the least-noisy operators at John Wayne Airport.

Supervisor Foley remarked that diligent work is ongoing for noise reduction, acknowledging Newport Beach and Costa Mesa endure the most of it. She reported that Ms. Reynolds has been discussing equipment with carriers, requesting cleaner and quieter aircraft. She noted not all small airplane pilots using JWA are from the area and are cognizant of the local issues, so they continue to work with Fixed-Base Operators (FBO).

Supervisor Foley also reported that John Wayne Airport is spending hundreds of millions of dollars to improve its facilities.

Chair Blom opened public comment.

Dennis Bress remarked that JSX is a model for noise reduction and commended their operations.

Jim Mosher noted JSX started as a charter service and has since transitioned to having some scheduled flights. He inquired if they are still using this model and if all flights are thus counted in the Fly Friendly model. He inquired if this proposed solution is only a temporary one as it relates to existing agreements for airport expansion because Jay's serving as a mini terminal does not mesh into JWA's planned footprint.

William Holden inquired about the construction timeframe as it relates to JSX using Jay's until moving into a permanent home.

Supervisor Foley confirmed construction work is scheduled to start March 25.

Barbara Lichtman discussed how JSX operates under FAA Part 135, and FAA Part 380. She said this takes advantage of a system designed for commercial air carriers and the agreement will potentially lead to curfew violations under the guise of JSX flights operating as charters. She urged caution.

Craig Ryan, representing the Southern California Pilots Association (SoCal Pilots), remarked that they do not have any problem with JSX's relocation as long as it is only temporary. He explained that a specific area at JWA was set aside for small general aviation and an acre of the land will be lost in this proposal. He noted that there is an often-unmentioned 10-year waiting list for hangars, leading many pilots to relocate their planes. He restated there would be an objection from him and SoCal Pilots if this is not a temporary solution due to the lost acre.

Roberta Smith, a resident of the City of Irvine, expressed concerns there will be flights all night long.

Chair Blom closed public comments.

Supervisor Foley clarified that any permanent change to JSX's location will require an environmental analysis and review from a variety of agencies. She confirmed the Jay's proposal is temporary and agreed to continue to work on issues raised by the public speakers.

Chair Blom asked Ms. Lichtman to provide a jet charters update.

Ms. Lichtman commented that it is easier for jet charters to operate because they can do less than a commercial carrier, and it is even easier for a scheduled charter to operate because they are exempt from many regulations. She stressed the urgency of reconsideration of the impacts.

B. Oral Reports

Page 4

1. Chair's Report - Chair Noah Blom will provide an update on the City's aviation-related activities, including a February 25 City Council agenda item recommending the City Council form an ad hoc committee to review the structure, membership, duties and responsibilities of the Aviation Committee.

Chair Blom reported Committee Members Verdi and Rubino have resigned, leaving the Committee with four vacancies. He advised that even with the vacancies they remain a large committee by Newport Beach standards so the committee's structure and function will come to the City Council at tomorrow's meeting.

Chair Blom stated the committee's work is important in representing Newport Beach's interests and it needs to work efficiently. He reported Supervisor Foley has started her own committees and brought Newport Beach residents into those committees. He applauded Ms. Reynolds's community outreach work since she took over as Airport Director.

Chair Blom acknowledged that the City endures the most airport impacts from being under the departure flight path, but that JWA is also County asset that brings economic benefits.

Assistant City Manager Tara Finnigan reported that the City is pushing back the Advanced Air Mobility Community Forum 3-6 months to allow for the inclusion of new information from an upcoming conference at the University of California at Davis.

2. Vice Chair's Report - Vice Chair Lauren Kleiman and Committee Member Jack Stranberg will provide an update on their discussions with the air carriers and related industry updates.

Vice Chair Lauren Kleiman reported meeting with representatives of the Ontario Airport Authority. She noted that Ontario International Airport has available capacity and runways able to handle international flights. Conversations will continue. She reported joining the Southern California Association of Governments (SCAG) Transportation Committee. She announced that Alaska Airlines has stated an interest in delivering more Boeing 737 MAX aircraft to JWA, but deliveries are being delayed by a strike at Boeing Company. She also reported meeting with Spirit Airlines along with Committee Member Jack Stranberg.

Committee Member Stranberg reported that he has been working with major carriers to increase next-generation aircraft operations out of JWA, including MAX airplanes and New Engine Options (NEO). He noted that American Airlines informed him they will be moving their MAX 8 operations from the City of Miami, Florida to the City of Dallas, Texas. He advised that American is currently operating 11 MAX 8 flights a day through JWA and will add two more in the spring. He reported American also has more MAX airplanes on backorder and is attempting to add more NEOs.

Committee Member Stranberg reported that he and Vice Chair Kleiman thanked Spirit Airlines at their meeting for the airline's departure procedure of climbing to 4,000 feet before they reach the Pacific Ocean. He reported Spirit agreed to continue this procedure. He remarked that Spirit came out of bankruptcy four days ago with a plan to operate more NEOs, including flights through JWA. He echoed Vice Chair Kleiman's comments about Alaska Airlines' goal of purchasing MAX airplanes being hindered by production issues at Boeing.

Committee Member Stranberg reported having a three-hour meeting with Southwest Airlines, JWA's largest carrier accounting for almost one-third of all JWA flights. He reported that Southwest

has a team wanting to work with Ms. Reynolds and Nick Anas, Chief of Staff to Supervisor Foley. He noted that in 2023 they encouraged Southwest to use MAX aircraft for their first four departures in the morning, and this has been successful for noise reduction. He said Southwest is now committing to having its first 24 daily departures from JWA be on MAX 8s with 63% of all departures at JWA being on those quieter planes. He reported they continue to stress pilot-only takeoffs from JWA where pilots must focus more closely on altitude, airspeed and banking. He advised that Southwest's pilot training includes a section on the uniqueness of JWA to benefit those who do not regularly fly to Orange County. He reported United Airlines is also increasing its MAX 8 fleet and attempting to support JWA's next-generation strategy.

Committee Member Stranberg thanked Ms. Reynolds and Mr. Anas for their critical roles in these discussions with the major airlines. He reported that the result of these efforts is an increase from 28% departures on next-generation aircraft to 37% since August 2024. He advised that the MAX 7 is expected to be certified by the FAA later this year and will likely replace many of Southwest's older and louder Boeing 737-700 aircraft, noting this could conceivably bring JWA's percentage of next-generation flights to over 60% within a year.

3. Federal Legislative Update - Zac Commins, Carpi & Clay, will provide an update on the federal advocacy activities the consultant is working on for the City

Carpi & Clay Inc. Principal Zac Commins reported former Wisconsin Congressman Sean Duffy has been confirmed as the new Secretary of Transportation with bipartisan support. He reported FAA Administrator Mike Whitaker resigned and they are awaiting a nominee for this position while FAA veteran Chris Rocheleau holds this position as an Acting Administrator. He noted Carpi & Clay has been monitoring the aftermath of several recent air incidents, including the recent crash at Ronald Reagan National Airport in Washington, D.C. He reported President Donald Trump and Senator Ted Cruz have expressed interest in advancing aviation safety legislation. He added the full congressional report on Advanced Air Mobility has not yet been issued.

Mr. Commins reported they are also following the 2024 FAA Reauthorization Act and its implementation, including areas such as the Community Collaboration Program. He reported the current continuing resolution keeping the federal government open expires on March 14 and impacts many things, including implementation of a Senate bill directing the FAA to engage with local communities about Advanced Air Mobility aircraft and infrastructure. He noted the President's budget requests have not yet been released but added it is common to have not yet received it at this point in a Presidential transition year. He advised that Carpi and Clay lobbyists have been regularly engaging with Newport Beach's Congressional delegation on the City's federal aviation priorities, including attending the swearing-in ceremony for Congressman Dave Min. He reported they have also met with staff from the offices of Senators Alex Padilla and Adam Schiff.

Chair Blom commended Mr. Commins' regular updates to the Committee and his federal lobbying efforts.

Ms. Finnigan noted some of Congressman Min's senior staff followed him after his tenure as a State Senator and is aware of Newport Beach's local issues.

4. UC Davis Aviation Noise & Emissions Symposium Update - Assistant City Manager Tara Finnigan will discuss the planning efforts for this year's symposium, scheduled for March 10-12 and the opportunity for 1-2 committee members to participate in the conference virtually.

Ms. Finnigan reported the UC Davis Aviation Noise & Emissions Symposium will be held March 10-12. She is again on the event's Planning Committee and advised that she is particularly looking forward to a panel discussing what cities and counties can do to prepare for the implementation of Advanced Air Mobility. She commented that she would contact the Aviation Committee members to see if they are interested in participating in the conference virtually.

In response to Committee Member Ray's inquiry, Chair Blom stated, while he cannot say definitively, the City Council Ad Hoc Subcommittee looking at the Aviation Committee's structure may also assess the Committee's focus and purpose. He noted that it is important that the City's Committees are commensurate with its goals, including working with the County and JWA. He explained that the committee could narrow its focus with a top goal of ensuring the Settlement Agreement holds, plus continued successful progress on its current efforts, and maintaining strong partner relations.

Committee Member Ray agreed with this assessment. She encouraged the committee to continue its educational endeavors, receive updates on the upcoming construction at JWA, and be involved in the public relations efforts around JWA.

Chair Blom agreed with these suggestions. He encouraged Committee Member Ray to make comments like these at tomorrow's City Council meeting as well. He noted that the City Council needs this sort of input.

Committee Member Herdman explained that City Council Policy A-17 was written to assist the City in working with the public on airport issues and concerns. He encouraged Chair Blom to not lose sight of this policy in the Ad Hoc Committee's work because it is important to residents. He cited the Harbor, Planning and Civic Arts Commissions as examples of Newport Beach Commissions chaired by a Committee Member selected through a nomination process and serving for a two-year term. He encouraged the Ad Hoc Committee to consider this structure.

Committee Member Khoury remarked that the most important airport issue to most Newport Beach residents is noise from the airplanes.

In response to an inquiry by Committee Member Khoury, Ms. Reynolds clarified 3000 Airway Ave. where JSX will make its temporary offices is an existing commercial building JWA has no financial interest in. She explained that the building is privately owned, and JSX will be a temporary tenant with a lease in the range of 18-24 months. She confirmed that purchasing this parcel of land is not in either JWA's current or its future plans.

Chair Blom agreed with Committee Member Herdman's comments but noted the Aviation Committee is not a Charter committee. It was formed by the City to help address concerns raised by the community. He advised that the City Council will assess the committee's goals and what it is trying to accomplish. He noted the top goal of preserving the Settlement Agreement.

Chair Blom opened public comment.

Mr. Bress thanked Vice Chair Kleiman for her work in the City of Ontario. He stated he is on Supervisor Foley's Airport Working Group and applauded the teamwork. He noted that the County owns JWA and the City receives benefits. He remarked that the County is nearing the limits outlined in the Settlement Agreement. He noted he has always advocated for a relationship with Ontario International Airport with its two 10,000-foot runways and capacity to grow. He advised that connecting the Anaheim Regional Transport Intermodal Center (ARTIC) to Ontario International Airport would benefit traffic-weary Orange County residents. He commended Committee Member Stranberg and added the Next Generation percentage when he started his work was just 8% having now increased it to 37% by building regional partnerships. He commended Spirit Airlines' departure parameters. He thanked Mr. Commins for his federal lobbying work. He stressed that the Aviation Committee is a vital piece for the Newport Beach community and thanked the Committee Members for their time and efforts.

Alan Gunther, a Balboa Peninsula resident, encouraged the City to work with the County and FAA to encourage nighttime departures to go to the north, weather permitting, sending planes over the industrial area rather than a residential area.

Orange County Airport Commission Vice Chair Sue Dvorak remarked that the committee is important and the City would not have the active participation of County leaders without it. She remarked that past Ad Hoc Subcommittees have led to improvements and cited examples of the good work the committee can produce when structured properly. She expressed support for restructuring and expressed hope that the City Council will keep its past success in mind and not overlook the valuable things committee members can bring to the City Council and City.

Chair Blom expressed agreement with Ms. Dvorak. He reiterated that the City Council is only trying to make the committee more efficient and not eliminate it.

Chair Blom closed public comment.

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Ms. Smith remarked that this is the first time she has been aware of this committee and its public meetings. She reported the airplanes do not go over her home, but she can hear them. She encouraged reenacting the curfew, reporting she and many neighbors were awakened by an airplane at 4:30 a.m. this morning.

Chair Blom confirmed that the curfew is in effect for all commercial flights.

Richard (last name not provided) reported that he has lived under the flight paths for 50 years and commended the work of the committee at greatly reducing noise.

VI. NEXT MEETING - April 21, 2025

Chair Blom set the next meeting for April 21, but noted structural changes to the committee could potentially impact how frequently it meets in the future.

VII. ADJOURNMENT

Chair Blom adjourned the meeting at 6:30 p.m.

DRAFT

October 20, 2025, Aviation Committee Comments

The following comments regarding the Newport Beach [Aviation Committee](#) meeting agenda are from:
Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229)

Item III. APPROVAL OF MINUTES

Draft Minutes - February 24, 2025

Corrections to these draft minutes are suggested below as ~~strikeout~~ underline changes to the passages shown in *italics*.

Page 1, Title block & Item II: The “Roll Call,” noting a single excused absence (Cole), does not match the title block above it. The title block indicates the committee had 13 members (plus two vacancies). Yet the vote near the top of page 12, records only 11 names (including Cole). It appears that in addition to Cole, Rubino and Verdi were not present. The “Chair’s Report” on page 4 indicates Rubino and Verdi had resigned prior to the meeting.

Assuming that report was correct, it appears these two corrections should be made to the title block:

~~“Ron Rubino Vacant~~ - District 4”

~~“Cameron Verdi Vacant~~ - District 5”

Page 3, paragraph 6: *“Jim Mosher noted JSX started as a charter service and has since transitioned to having some scheduled flights. He inquired if they are still using this model and if ~~all some~~ flights are thus counted in the Fly Friendly model. He inquired if this proposed solution is only a temporary one as it relates to existing agreements for airport expansion because ~~Jay’s serving as~~ a mini terminal outside the fence does not mesh into JWA’s planned footprint.”*

[Note: Since the City does make recordings of the Aviation Committee readily available, I do not know exactly what I may have said eight months ago, But the first point was that if JSX still operates any non-scheduled, on-demand charters in addition to its scheduled service, the non-scheduled flights would count as general aviation (and show in the “Fly Friendly” reports), rather than being subject to the 130,000 passenger cap. The second comment was a reference to earlier agreements to not expand JWA outside its existing perimeter. In particular, the restriction of commercial carrier operations to the terminal and qualified FBO buildings (and not unaffiliated buildings, as JSX is using) stems from [paragraph 32](#) of the original Settlement Agreement:

32. During Phase II, no building at JWA, other than the commercial passenger terminal, or buildings leased to Fixed Based Operators with limited commuter operations, shall be used by Commercial or Commuter Air Carriers for passenger or baggage handling activities.

which is currently restated as [Subsection 8.1.7\(b\)](#) of the Access Plan.]

Page 4, Item B.1, last paragraph: “Assistant City Manager Tara Finnigan reported that the City is pushing back the Advanced Air Mobility Community Forum 3-6 months to allow for the inclusion of new information from an upcoming conference at the University of California at Davis.”

[Comment: The Advanced Air Mobility Community Forum does not seem to have happened, unless this referred to the June 24, 2025, City Council [study session](#). As to the UC Davis conference, that was a reference to the [2025 Aviation Noise & Emissions Symposium](#) held in March (see page 6 of the draft minutes). Unfortunately, unlike in [previous years](#), the hosts do not seem to have made the recordings of the sessions available to the public.]

Page 4, Item B.2, paragraph 2, sentence 3: “*He advised that American is currently operating 11 MAX 8 flights a day through JWA and will add two more in the spring.*”

[Comment: This seems to have been referring to “operations” (landings plus departures). The number of departures is half this.]

Page 5, full paragraph 1, sentence 2: “*He reported that the result of these efforts is an increase from 28% departures on next-generation aircraft to 37% since August 2024.*”

[Comment: This seems to have been an overstatement, possibly resulting from including the SkyWest operations with the [Embraer 175](#), an aircraft that is neither a new design nor particularly quiet.]

Page 7, Item V, paragraph 3: “*Richard (last name not provided) reported that he has lived under the flight paths for 50 years and commended the work of the committee at greatly reducing noise.*”

[Comment: I believe the Richard who made this comment was Richard Moriarty.]

Item IV.b. Regular Meeting Schedule Discussion

The meeting dates and times in the recent past, including the present meeting, have conflicted with those of the City’s [Board of Library Trustees](#), which meets at 5:00 p.m. on the third Monday each month. While there may be relatively few people wanting to attend both, having two City meetings scheduled at the same time but in different locations has a bad look on the [City calendar](#), especially when it would appear easy to avoid a conflict by choosing a different day or hour. For example, there do not seem to any City meetings normally scheduled for the second or fourth Mondays, for the third Tuesday, or a number of other days.

Additionally, it has long seemed difficult to believe, at least for me, that a committee can stay engaged and effective when it gets together, at most, four times a year. Such long intervals between meetings has also not been the norm during most of the committee’s life. In my observation, members left idle lose interest and enthusiasm for the subject. If staff is reluctant to return to monthly meetings, I think a target of meeting every other month would be an improvement.

Item IV.d. John Wayne Airport Plan Year 2026 Capacity Allocations

I suspect this may be a repeat of the similarly-titled presentation to the Orange County Airport Commission on October 1 (see [video](#)), where it was Item 2 on the [agenda](#), and went on to be

approved, without discussion, by the Board of Supervisors as [Item 1](#) on their October 14, 2025, [agenda](#).

It is well known that the allocations of flights and seats are constrained by the Million Annual Passengers (MAP) cap for regular commercial and commuter operations established in the 1985 [Settlement Agreement](#) between the County, City, SPON and AWG, the most recent 15-year extension of which, the [9th Stipulation](#) signed in 2014, maintained a 10.8 MAP limit for calendar year 2016-2020 ("Phase 1"), raised it to 11.8 MAP in 2021-2025 ("Phase 2"), and to as much as 12.5 MAP in 2026-2030 ("Phase 3").

What is much less well known is that 12.5 is not an arbitrary number, but rather a number of passengers that calculations performed in 2014 showed could be achieved without a significant increase in noise impact at any of the seven [monitoring stations](#) in Newport Beach (NMS 1S-7S), and that maintaining that promise was ensured by a mitigation measure in the [Environmental Impact Report 617](#) adopted by the County before approving the Settlement Agreement extension.

The formal part of that presentation on October 1 indicated flights and seats for 2026 were being allocated to the commercial and commuter carriers consistent with a requirement that the passenger count for the year stay below a limit of 11.8 Million Annual Passengers.

The presentation did *not* mention the Board was also being asked to give the Airport Director authority to add additional flights and seats, potentially well above the 11.8 MAP, as detailed in Recommendation 5 for commercial carriers, and only after questioning (see [video](#)) and public comment (see [video](#)) did it become that there was no expectation that the decision to add capacity above 11.8 MAP later in 2026 would be subject to any kind of public review.

Specifically, the recommendations approved by the Board of Supervisors on October 14 included this Recommendation 5 for commercial carriers:

5. Authorize the Airport Director to allocate additional supplemental Seat Capacity to Commercial Air Carriers during the 2026 Plan Year if it is determined that such allocations can be made without jeopardy to the Million Annual Passenger Limitation of the 1985 Settlement Agreement, as amended, entered into by and between the County of Orange, the City of Newport Beach, Stop Polluting Our Newport, and the Airport Working Group of Orange County, Inc. and the Phase 2 Commercial Airline Access Plan and Regulation.

and a similar Recommendation 7 for commuter carriers.

In past years, a number had appeared before the words "Million Annual Passenger Limitation," severely constraining the Director's authority to add flights or seats. This year, no limit on her authority is specified.

Despite this language seeming to give an unquestioned and vaguely limited pre-authorization to increase MAP, an [October 14 letter](#) from Mayor Stapleton to the Board suggests there may have been some discussions between the City and County between October 1 and October 14 that lead to an expectation there would be some kind of public review of any increase above 11.8 MAP.

Hopefully the current presentation will clarify what the public process, if any, will be.

By way of background, the assurance was that increases about 11.8 MAP will be allowed only to the extent there is good faith belief they will not lead to a “significant” increase in noise in Newport Beach compared to the noise levels observed in 2013, the year before the current version of the Settlement Agreement was signed, . The assurance appears in [EIR 617](#), specifically in [Mitigation Measure LU-2](#) of its Mitigation Monitoring and Reporting Program, which reads:

"LU-2: Prior to authorizing the allowed Phase 3 increases for the Proposed Project, the 2025 Annual Noise Report shall be evaluated by the County of Orange/JWA to determine if increased operations would result in a change in the annual 65 CNEL contour as compared to their location relative to the 65 CNEL contour in the 2013 annual contours. If the increase would result in a greater than a 1 CNEL change at NMS 1S or 2S, the allowed increases in MAP and/or ADD shall be restricted to ensure the increase would be less than 1 CNEL difference at these locations. This shall be done annually to ensure the increase in CNEL as compared to the 2013 annual contours, do not exceed the City of Newport Beach threshold provided for in General Plan Policy N 1.8."

where “Phase 3” is the five calendar years 2026 through 2030, “NMS 1S or 2S” are [noise monitors](#) in Newport Beach, close to the end of the runway, “ADD” is Average Daily Departures, and “significant” means a 1 dB increase in the Community Noise Equivalent Level at sites that experience 65 dB CNEL or more, as detailed in the [Noise Element](#) of the City’s [General Plan](#):

N 1.8 Significant Noise Impacts

Require the employment of noise mitigation measures for existing sensitive uses when a significant noise impact is identified. A significant noise impact occurs when there is an increase in the ambient CNEL produced by new development impacting existing sensitive uses. The CNEL increase is shown in the table below. (*Imp 2.1, 7.1*)

CNEL (dBA)	dBA increase
55	3
60	2
65	1
70	1
Over 75	Any increase is considered significant

The belief that 12.5 was the maximum MAP that could be achieved under the assumptions of the Settlement Agreement and with the aircraft operating in 2013, is detailed in a series of tables in [Section 4.6 Noise](#) of [EIR 617](#).

In particular, Table 4.6-8 on [page 4.6-45](#) shows the anticipated numbers of departures in the two noise classes (A and E) across the Settlement Agreement extension phases:

**TABLE 4.6-8
PROPOSED PROJECT MILLION ANNUAL PASSENGERS
AND AVERAGE DAILY DEPARTURES**

	Existing	Proposed Project Phase		
		1	2	3
MAP	9.17	10.8	11.8	12.5
Average Daily Departures				
Class A	80	85	95	95
Class E	36	60.8	63	72.8
Total	116	145.8	158	167.8
MAP: Million Annual Passengers. Source: <i>Noise Analysis Technical Report</i> , Table 19, Landrum & Brown 2014.				

And Table 4.6-9 on [page 4.6-46](#) gives the calculated noise, showing the 12.5 MAP in Phase 3 is just expected to produce a “significant” 1.0 dB increase at NMS 2S:

**TABLE 4.6-9
PROPOSED PROJECT COMMUNITY NOISE EQUIVALENT LEVELS
AND CHANGES IN COMMUNITY NOISE EQUIVALENT LEVELS**

CNEL Levels					Change in CNEL Over Existing Conditions			
NMS*	Existing	Proposed Project Phase			NMS*	Proposed Project Phase		
		1	2	3		1	2	3
1S	66.2	66.6	66.9	67.1	1S	0.4	0.7	0.9
2S	65.4	65.8	66.1	66.4	2S	0.4	0.7	1.0
3S	64.7	64.7	65.0	65.1	3S	0	0.3	0.4
4S	57.5	57.8	58.1	58.4	4S	0.3	0.6	0.9
5S	57.3	57.4	57.7	57.9	5S	0.1	0.4	0.6
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Public review of any decision to go above 11.8 MAP in Phase 3 is important not only because Sections 3 and 4 of the [Access Plan](#), limit the Airport Director's authority regarding regular and supplemental flight and seat allocations to making "a recommendation to the Board of Supervisors, for its consideration on a regular agenda," but because there is likely to be legitimate question as to the decision's compliance with Mitigation Measure LU-2.

Prominent among the issues is how to deal with the "parity" question (see [video](#)) related to a change in the model of microphones used for monitoring made in 2015. JWA staff makes much of the Settlement Agreement parties signing of the [10th Stipulation](#) which made "technical adjustments to the maximum permitted noise levels" that "do not result in an increase in actual noise levels at JWA" including 0.7 dB increases in the maximum permitted levels at NMS 1S and 2S.

However, as shown in this information provided by JWA's noise consultant as [Item SS6](#) at the City Council's September 8, 2015, meeting, the 0.7 dB increase was to accommodate the commercial aircraft showing the largest discrepancy between old and new microphones, which was the FedEx Airbus 306, even though they constituted only a tiny fraction of commercial operations at JWA, and the no "increase in actual noise levels" applied only to that one aircraft:

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Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229)

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Draft Minutes - February 24, 2025

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approved, without discussion, by the Board of Supervisors as [Item 1](#) on their October 14, 2025, [agenda](#).

It is well known that the allocations of flights and seats are constrained by the Million Annual Passengers (MAP) cap for regular commercial and commuter operations established in the 1985 [Settlement Agreement](#) between the County, City, SPON and AWG, the most recent 15-year extension of which, the [9th Stipulation](#) signed in 2014, maintained a 10.8 MAP limit for calendar year 2016-2020 ("Phase 1"), raised it to 11.8 MAP in 2021-2025 ("Phase 2"), and to as much as 12.5 MAP in 2026-2030 ("Phase 3").

What is much less well known is that 12.5 is not an arbitrary number, but rather a number of passengers that calculations performed in 2014 showed could be achieved without a significant increase in noise impact at any of the seven [monitoring stations](#) in Newport Beach (NMS 1S-7S), and that maintaining that promise was ensured by a mitigation measure in the [Environmental Impact Report 617](#) adopted by the County before approving the Settlement Agreement extension.

The formal part of that presentation on October 1 indicated flights and seats for 2026 were being allocated to the commercial and commuter carriers consistent with a requirement that the passenger count for the year stay below a limit of 11.8 Million Annual Passengers.

The presentation did *not* mention the Board was also being asked to give the Airport Director authority to add additional flights and seats, potentially well above the 11.8 MAP, as detailed in Recommendation 5 for commercial carriers, and only after questioning (see [video](#)) and public comment (see [video](#)) did it become that there was no expectation that the decision to add capacity above 11.8 MAP later in 2026 would be subject to any kind of public review.

Specifically, the recommendations approved by the Board of Supervisors on October 14 included this Recommendation 5 for commercial carriers:

5. Authorize the Airport Director to allocate additional supplemental Seat Capacity to Commercial Air Carriers during the 2026 Plan Year if it is determined that such allocations can be made without jeopardy to the Million Annual Passenger Limitation of the 1985 Settlement Agreement, as amended, entered into by and between the County of Orange, the City of Newport Beach, Stop Polluting Our Newport, and the Airport Working Group of Orange County, Inc. and the Phase 2 Commercial Airline Access Plan and Regulation.

and a similar Recommendation 7 for commuter carriers.

In past years, a number had appeared before the words "Million Annual Passenger Limitation," severely constraining the Director's authority to add flights or seats. This year, no limit on her authority is specified.

Despite this language seeming to give an unquestioned and vaguely limited pre-authorization to increase MAP, an [October 14 letter](#) from Mayor Stapleton to the Board suggests there may have been some discussions between the City and County between October 1 and October 14 that lead to an expectation there would be some kind of public review of any increase above 11.8 MAP.

Hopefully the current presentation will clarify what the public process, if any, will be.

By way of background, the assurance was that increases about 11.8 MAP will be allowed only to the extent there is good faith belief they will not lead to a “significant” increase in noise in Newport Beach compared to the noise levels observed in 2013, the year before the current version of the Settlement Agreement was signed, . The assurance appears in [EIR 617](#), specifically in [Mitigation Measure LU-2](#) of its Mitigation Monitoring and Reporting Program, which reads:

"LU-2: Prior to authorizing the allowed Phase 3 increases for the Proposed Project, the 2025 Annual Noise Report shall be evaluated by the County of Orange/JWA to determine if increased operations would result in a change in the annual 65 CNEL contour as compared to their location relative to the 65 CNEL contour in the 2013 annual contours. If the increase would result in a greater than a 1 CNEL change at NMS 1S or 2S, the allowed increases in MAP and/or ADD shall be restricted to ensure the increase would be less than 1 CNEL difference at these locations. This shall be done annually to ensure the increase in CNEL as compared to the 2013 annual contours, do not exceed the City of Newport Beach threshold provided for in General Plan Policy N 1.8."

where “Phase 3” is the five calendar years 2026 through 2030, “NMS 1S or 2S” are [noise monitors](#) in Newport Beach, close to the end of the runway, “ADD” is Average Daily Departures, and “significant” means a 1 dB increase in the Community Noise Equivalent Level at sites that experience 65 dB CNEL or more, as detailed in the [Noise Element](#) of the City’s [General Plan](#):

N 1.8 Significant Noise Impacts

Require the employment of noise mitigation measures for existing sensitive uses when a significant noise impact is identified. A significant noise impact occurs when there is an increase in the ambient CNEL produced by new development impacting existing sensitive uses. The CNEL increase is shown in the table below. (*Imp 2.1, 7.1*)

CNEL (dBA)	dBA increase
55	3
60	2
65	1
70	1
Over 75	Any increase is considered significant

The belief that 12.5 was the maximum MAP that could be achieved under the assumptions of the Settlement Agreement and with the aircraft operating in 2013, is detailed in a series of tables in [Section 4.6 Noise](#) of [EIR 617](#).

In particular, Table 4.6-8 on [page 4.6-45](#) shows the anticipated numbers of departures in the two noise classes (A and E) across the Settlement Agreement extension phases:

**TABLE 4.6-8
PROPOSED PROJECT MILLION ANNUAL PASSENGERS
AND AVERAGE DAILY DEPARTURES**

	Existing	Proposed Project Phase		
		1	2	3
MAP	9.17	10.8	11.8	12.5
Average Daily Departures				
Class A	80	85	95	95
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Total	116	145.8	158	167.8
MAP: Million Annual Passengers. Source: <i>Noise Analysis Technical Report</i> , Table 19, Landrum & Brown 2014.				

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The presentation did *not* mention the Board was also being asked to give the Airport Director authority to add additional flights and seats, potentially well above the 11.8 MAP, as detailed in Recommendation 5 for commercial carriers, and only after questioning (see [video](#)) and public comment (see [video](#)) did it become that there was no expectation that the decision to add capacity above 11.8 MAP later in 2026 would be subject to any kind of public review.

Specifically, the recommendations approved by the Board of Supervisors on October 14 included this Recommendation 5 for commercial carriers:

5. Authorize the Airport Director to allocate additional supplemental Seat Capacity to Commercial Air Carriers during the 2026 Plan Year if it is determined that such allocations can be made without jeopardy to the Million Annual Passenger Limitation of the 1985 Settlement Agreement, as amended, entered into by and between the County of Orange , the City of Newport Beach, Stop Polluting Our Newport, and the Airport Working Group of Orange County, Inc. and the Phase 2 Commercial Airline Access Plan and Regulation.

and a similar Recommendation 7 for commuter carriers.

In past years, a number had appeared before the words "Million Annual Passenger Limitation," severely constraining the Director's authority to add flights or seats. This year, no limit on her authority is specified.

Despite this language seeming to give an unquestioned and vaguely limited pre-authorization to increase MAP, an [October 14 letter](#) from Mayor Stapleton to the Board suggests there may have been some discussions between the the City and County between October 1 and October 14 that lead to an expectation there would be some kind of public review of any increase above 11.8 MAP.

Hopefully the current presentation will clarify what the public process, if any, will be.

By way of background, the assurance was that increases about 11.8 MAP will be allowed only to the extent there is good faith belief they will not lead to a “significant” increase in noise in Newport Beach compared to the noise levels observed in 2013, the year before the current version of the Settlement Agreement was signed, . The assurance appears in [EIR 617](#), specifically in [Mitigation Measure LU-2](#) of its Mitigation Monitoring and Reporting Program, which reads:

"LU-2: Prior to authorizing the allowed Phase 3 increases for the Proposed Project, the 2025 Annual Noise Report shall be evaluated by the County of Orange/JWA to determine if increased operations would result in a change in the annual 65 CNEL contour as compared to their location relative to the 65 CNEL contour in the 2013 annual contours. If the increase would result in a greater than a 1 CNEL change at NMS 1S or 2S, the allowed increases in MAP and/or ADD shall be restricted to ensure the increase would be less than 1 CNEL difference at these locations. This shall be done annually to ensure the increase in CNEL as compared to the 2013 annual contours, do not exceed the City of Newport Beach threshold provided for in General Plan Policy N 1.8."

where “Phase 3” is the five calendar years 2026 through 2030, “NMS 1S or 2S” are [noise monitors](#) in Newport Beach, close to the end of the runway, “ADD” is Average Daily Departures, and “significant” means a 1 dB increase in the Community Noise Equivalent Level at sites that experience 65 dB CNEL or more, as detailed in the [Noise Element](#) of the City’s [General Plan](#):

N 1.8 Significant Noise Impacts

Require the employment of noise mitigation measures for existing sensitive uses when a significant noise impact is identified. A significant noise impact occurs when there is an increase in the ambient CNEL produced by new development impacting existing sensitive uses. The CNEL increase is shown in the table below. (*Imp 2.1, 7.1*)

CNEL (dBA)	dBA increase
55	3
60	2
65	1
70	1
Over 75	Any increase is considered significant

The belief that 12.5 was the maximum MAP that could be achieved under the assumptions of the Settlement Agreement and with the aircraft operating in 2013, is detailed in a series of tables in [Section 4.6 Noise](#) of [EIR 617](#).

In particular, Table 4.6-8 on [page 4.6-45](#) shows the anticipated numbers of departures in the two noise classes (A and E) across the Settlement Agreement extension phases:

**TABLE 4.6-8
PROPOSED PROJECT MILLION ANNUAL PASSENGERS
AND AVERAGE DAILY DEPARTURES**

	Existing	Proposed Project Phase		
		1	2	3
MAP	9.17	10.8	11.8	12.5
Average Daily Departures				
Class A	80	85	95	95
Class E	36	60.8	63	72.8
Total	116	145.8	158	167.8
MAP: Million Annual Passengers. Source: <i>Noise Analysis Technical Report</i> , Table 19, Landrum & Brown 2014.				

And Table 4.6-9 on [page 4.6-46](#) gives the calculated noise, showing the 12.5 MAP in Phase 3 is just expected to produce a “significant” 1.0 dB increase at NMS 2S:

**TABLE 4.6-9
PROPOSED PROJECT COMMUNITY NOISE EQUIVALENT LEVELS
AND CHANGES IN COMMUNITY NOISE EQUIVALENT LEVELS**

CNEL Levels					Change in CNEL Over Existing Conditions			
NMS*	Existing	Proposed Project Phase			NMS*	Proposed Project Phase		
		1	2	3		1	2	3
1S	66.2	66.6	66.9	67.1	1S	0.4	0.7	0.9
2S	65.4	65.8	66.1	66.4	2S	0.4	0.7	1.0
3S	64.7	64.7	65.0	65.1	3S	0	0.3	0.4
4S	57.5	57.8	58.1	58.4	4S	0.3	0.6	0.9
5S	57.3	57.4	57.7	57.9	5S	0.1	0.4	0.6
6S	58.2	58.2	58.5	58.6	6S	0	0.3	0.4
7S	55.8	55.9	56.2	56.4	7S	0.1	0.4	0.6
8N	68.8	69.5	69.9	70.1	8N	0.7	1.1	1.3
9N	51.5	52.3	52.6	52.9	9N	0.8	1.1	1.4
10N	54.1	54.8	55.1	55.3	10N	0.7	1	1.2
CNEL: Community noise Equivalent Level; NMS: Noise monitoring stations. Bold: In the “CNEL Levels” columns, bold indicates the CNEL level is equal to or greater than 65, which is used as the noise level when assessing potential impacts. In the “Change in CNEL” columns, bold indicates an increase exceeding a significance threshold. * NMS 1S, 2S, and 3S are located in the Santa Ana Heights Community of the City of Newport Beach; NMS 4S, 5S, 6S and 7S are located in the City of Newport Beach; NMS 8N is located in the City of Irvine; NMS 9N is located in the City of Santa Ana; and NMS 10N is located in the City of Tustin. Source: <i>Noise Analysis Technical Report</i> , Tables 20 and 21, Landrum & Brown 2014.								

Public review of any decision to go above 11.8 MAP in Phase 3 is important not only because Sections 3 and 4 of the [Access Plan](#), limit the Airport Director's authority regarding regular and supplemental flight and seat allocations to making "a recommendation to the Board of Supervisors, for its consideration on a regular agenda," but because there is likely to be legitimate question as to the decision's compliance with Mitigation Measure LU-2.

Prominent among the issues is how to deal with the "parity" question (see [video](#)) related to a change in the model of microphones used for monitoring made in 2015. JWA staff makes much of the Settlement Agreement parties signing of the [10th Stipulation](#) which made "technical adjustments to the maximum permitted noise levels" that "do not result in an increase in actual noise levels at JWA" including 0.7 dB increases in the maximum permitted levels at NMS 1S and 2S.

However, as shown in this information provided by JWA's noise consultant as [Item SS6](#) at the City Council's September 8, 2015, meeting, the 0.7 dB increase was to accommodate the commercial aircraft showing the largest discrepancy between old and new microphones, which was the FedEx Airbus 306, even though they constituted only a tiny fraction of commercial operations at JWA, and the no "increase in actual noise levels" applied only to that one aircraft:

Table 2: Comparison of SENEL Values From Old and New Systems

Site	Aircraft	Aircraft Class	Existing SENEL (energy average)	New SENEL (energy average)	Count	Change*
1S	A306	A	96.2	96.8	42	0.6
1S	A30B	A	97.9	98.6	16	0.7
1S	A319	A	94.0	94.5	773	0.4
1S	A320	A	93.6	94.0	504	0.4
1S	A321	A	97.3	97.9	128	0.6
1S	B734	A	97.0	97.5	10	0.5
1S	B737	A & E	92.1	92.5	4916	0.5
1S	B738	A	97.7	98.2	1989	0.5
1S	B752	A	95.4	95.8	317	0.4
1S	CRJ7	E	87.5	88.1	402	0.6
1S	CRJ9	E	90.3	90.7	242	0.3
2S	A306	A	95.5	96.2	45	0.7
2S	A30B	A	97.2	97.9	16	0.7
2S	A319	A	93.2	93.7	761	0.5
2S	A320	A	92.7	93.2	526	0.5
2S	A321	A	96.4	97.0	128	0.6
2S	B734	A	95.3	95.9	10	0.6
2S	B737	A & E	91.2	91.7	5032	0.5
2S	B738	A	96.2	96.7	2021	0.6
2S	B752	A	94.5	95.0	317	0.5
2S	CRJ7	E	87.2	87.6	411	0.5
2S	CRJ9	E	88.7	89.2	244	0.5

No other aircraft showed so large a difference, and since the CNEL is a composite of the readings, the parties certainly *did not* agree that CNEL reports after the microphone change would be in error by 0.7 dB, nor did JWA make any change in its reporting.

Equally importantly, many of the aircraft that will be operating at JWA in 2026 did not operate in 2015, so there is no information at all on how their decibel readings with the new microphones would compare to those with the old, and there is no basis at all for applying the 0.7 dB FedEx parity correction to them when comparing 2013 CNEL's to anticipated CNEL's.

There are a number of other issues that affect the accuracy and reliability of both JWA's reported noise readings and their modelled noise contours.

As a result, decisions affecting compliance with the promise of no significant noise impact in Newport Beach require a high degree of transparency and not just assurances that the promise will be complied with.