

INVESTIGATION & RESULTS' RECORD

ACTION (SEE CORRESPONDING DETAILS BELOW.)	LEGAL REVIEW NEEDED (YES/NO)	AFFECT TMC & NOISE ABATEMENT PRE-ANCA STATUS	IMPLEMENTATION TIMING	COST(S)	CONSEQUENCE OF ACTION (FLIGHT REDUCTION, NOISE LEVEL)	COMMENTS AND/OR STATUS NOTES	CITY OF TORRANCE STATUS STATUS HIGHLIGHTED IN YELLOW
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ADMINISTRATIVE ACTIONS

<p>1. Enforcement: Early Left Turns Enforce existing TMC 51.2.3e for all aircraft.</p>	<p>No. Completed 9/20/22: Letter from Gatzke Dillon & Balance LLP</p>	<p>No, per 9/20/22 letter from Gatzke Dillon & Balance LLP</p>	<p>Immediate</p>	<p>Neutral. If legal uncertainty, potential for lawsuit and cost should not be a factor. Let court make final decision; paid from Airport Fund, not City's General Fund.</p>	<p>Needed to reduce training in south pattern by transient aircraft as well as departures.</p>	<p><u>CURRENT</u>: Code not being enforced. <u>STATUS</u></p> <ul style="list-style-type: none"> ▪ 9/20/22: Letter to FAA from Gatzke Dillon & Balance LLP ▪ 12/5/22: City enforced for non-students. ▪ Date unknown: City staff reported stopping enforcement due to FAA reaction to Gatzke's letter. ▪ City currently engaged in legal discussions. 	<p>XXX Investigating</p> <p><input type="checkbox"/> Approved: Doing/Done</p> <p><input type="checkbox"/> Can't Shouldn't Do</p>
<p>2. Enforcement: Leases, Licenses, Permits Enforce existing conditions of leases, sub-leases, and permits that require compliance to the City's noise abatement programs.</p>	<p>Yes</p>	<p>No</p>	<p>Immediate</p>	<p>None</p>	<p>Would bring existing tenants into compliance with the master lease and compliance to code.</p>		<p><input type="checkbox"/> Investigating</p> <p><input type="checkbox"/> Approved: Doing/Done</p> <p><input type="checkbox"/> Can't Shouldn't Do</p>
<p>3. Enforcement: Noise Monitors Add/reposition noise monitors to close</p>	<p>No</p>	<p>No</p>	<p>Quickly</p>	<p>TBD</p>	<p>More effective detection of noise violations</p>		<p><input type="checkbox"/> Investigating</p> <p><input type="checkbox"/> Approved: Doing/Done</p>

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gaps between monitors on the west and east sides of the airport.					resulting in overall noise reduction.		<input type="checkbox"/> Can’t Shouldn’t Do
<p>4. Enforcement: Noise Violations Enforce noise violations in the manner required by existing grandfathered TMC Section 51.7.3.</p>	No	No	<p>Immediate</p> <p>Existing Code provision not being used.</p>	None – Cost savings from reduced staff time spent on Hearing Boards.	More efficient enforcement with immediate results.	<p>More effective motivation for pilot compliance. e.g., N260EA – 23 violations in 3 months (Aug 9 – Nov 15, 2022)</p> <p>STATUS</p> <ul style="list-style-type: none"> Staff has indicated their intention to start following this provision. 	<p><input type="checkbox"/> Investigating</p> <p>XXX Approved: Doing/Done</p> <p><input type="checkbox"/> Can’t Shouldn’t Do</p>
<p>5. Flight School Moratorium No growth. No additional schools and the number of training planes for existing schools cannot increase. Adopt a City policy to deny leases and/or permits to flight training schools (disallow existing leases to renew).</p>		No	Immediate for new business; after existing lease term expirations.	None	Significant noise reduction by eliminating repetitive, lower-altitude training flights.	<p>Flights schools denied additional hangers and ability to fly more planes from TOA.</p> <p>STATUS</p> <ul style="list-style-type: none"> On 24 January 2023, City Council requested this option be considered. 	<p><input type="checkbox"/> Investigating</p> <p><input type="checkbox"/> Approved: Doing/Done</p> <p><input type="checkbox"/> Can’t Shouldn’t Do</p>
<p>6. Flight School Approval Process Follow CEQA process before approval of licenses, permits, leases. Consider</p>	No	No	Immediate	None. Cost of EIR paid by applicant. Staff time allocated to	Prevent or mitigate impacts before they get out of control.	California Environmental Quality Act (CEQA) requires the City to consider environmental impacts in connection with its decisions.	<p><input type="checkbox"/> Investigating</p> <p><input type="checkbox"/> Approved: Doing/Done</p>

Date: 3/08/23 *Disclaimer: The information provided below is considered accurate with the information available at the time of its preparation. All essential elements should be verified.*

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environmental impacts. Require EIRs.				Airport Fund.			<input type="checkbox"/> Can't Shouldn't Do
7. Flight School Restrictions: Condition business licenses on: 7.1 No touch-and-go training;	No	No	Immediate	None	Eliminate touch-and-go training by schools based at the airport.	STATUS ▪ Discussed with staff during 2/14/23 meeting.	<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done <input type="checkbox"/> Can't Shouldn't Do
7.2 No training in south pattern;	No	No	Immediate	None	Eliminate training in south pattern by schools based at the airport.		<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done <input type="checkbox"/> Can't Shouldn't Do
7.3 Keep north pattern over industrial area; Stay within ½ mile of airport on the north side to avoid impacting residential areas.	No	No	Immediate	None	Noise reduction over northern residential areas (e.g., New Horizons, Hickory, and Marble Estates.)		<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done <input type="checkbox"/> Can't Shouldn't Do
7.4 Make right turns into north pattern before Hawthorne Blvd;	No	No	Immediate	None	Noise reduction over residential just west of Hawthorne Blvd.		<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done <input type="checkbox"/> Can't Shouldn't Do
7.5 Use only unleaded fuel, as soon as it becomes available.	No	No	Time needed for the distribution of unleaded fuel	Minimal staff time to be paid from Airport Fund	Needed to reduce risk to public health	City staff should be directed to do whatever they can to expedite bringing unleaded fuel to the airport.	<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done

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							<input type="checkbox"/> Can't Shouldn't Do
7.6 Revoke licenses (Per TMC 31.9.10) if flights are conducted contrary to license conditions, or if they are found to be a public nuisance.	No	No	Immediate	Processing costs to be paid from Airport Fund	Ensure schools based at the airport conform to business license conditions.	A Business License can be revoked if a business activity is found to be a "public nuisance" or for the "preservation of the public health, morals, safety or general welfare." (TMC 31.9.10).	<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done <input type="checkbox"/> Can't Shouldn't Do
8. Hanger Lease Conditions Lease only to aircraft using unleaded fuel. Require existing tenants to convert to unleaded as soon as it becomes available. Do not lease to flight schools.	Yes	No	Immediate	Processing costs to be paid from Airport Fund	Require all aircraft based at the airport to use unleaded fuel (not just flight training schools).		<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done <input type="checkbox"/> Can't Shouldn't Do
MUNICIPAL CODE PROVISIONS NEEDED							
9. Landing Fees Approve landing fees for <i>all users</i> of the airport, including aircraft based at the airport.	Yes, to ensure it would not violate federal law ANCA (new noise abatement rule).	TBD	Time for RFP, bidding, and review process	None. Generates revenue.	Would reduce numbers of repetitive flights by transient training schools.	Should be implement for revenue-generation. STATUS ▪ January 2023: Scope of Work (SOW) and Request for Proposal (RFP) being evaluated by staff.	XXX Investigating <input type="checkbox"/> Approved: Doing/Done <input type="checkbox"/> Can't Shouldn't Do
10. Leaded Fuel Ban the sale of leaded fuel at the	Yes	No	TBD	TBD	Would hasten the conversion of airport-based aircraft to	Aircraft owners would still be able to buy leaded fuel elsewhere, but not selling it at the airport would make it	<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done

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airport as soon as possible.					unleaded fuel. Healthier environment for Torrance residents.	inconvenient and reduce its use in and around Torrance Airport.	<input type="checkbox"/> Can't Shouldn't Do
11. Monetary Fines Amend the TMC to establish progressive monetary fines for multiple violations up to the point an aircraft is banned.	Yes, to ensure it would not violate federal law ANCA (new noise abatement rule).	TBD	Quickly	None. It would generate revenue to the City.	More effective enforcement which would reduce overall noise.	Not a new rule, but a different method to enforce an existing grandfathered rule. More effective way to achieve compliance.	<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done <input type="checkbox"/> Can't Shouldn't Do
LONG RANGE OPTIONS							
12. Close the South Runway Close and remove the south runway.	No	No	Not immediate	Approx. \$TBD psf removal of runway and level surface. Paid for by Airport Fund.	Reduced overall capacity would result in a reduction in flights; planes would be limited to use only north runway.	The City, as the owner of the airport, has authority over its own facilities.	<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done <input type="checkbox"/> Can't Shouldn't Do
13. Contract-out the Control Tower Remove FAA and source with outside contractors.	Yes	TBD	TBD	TBD	Would help the City prevent operations that violate local laws (e.g., early-left-turns, curfew violations).	Currently FAA tower approves whatever pilots request. Contract tower operator may be more receptive to assisting City with noise abatement; e.g., not approve operations that violate City's rules (whenever possible without jeopardizing safety).	<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done <input type="checkbox"/> Can't Shouldn't Do

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14. Close/Reopen as a Private Airport Follow the example of East Hampton Airport.	Yes	TBD	Long-term	TBD	As a private airport, the City would not be bound by ANCA. City could adopt its own noise abatement rules without violating federal law.	East Hampton’s outside counsel recommended this approach to the Town Council which approved and set it in motion. Legal challenges are pending.	<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done <input type="checkbox"/> Can’t Shouldn’t Do
15. Close the Airport and Repurpose Land Declare the airport to be a public nuisance and consider alternatives.	Yes. The City can close the airport but the process needs legal review.	No	Long-term	TBD, dependent on use	All airport environmental impacts would be eliminated. New uses would require environmental studies per California law (CEQA).	On 24 January 2023, City Council requested this option be considered. Further discussions may be taking place in Executive Session.	<input type="checkbox"/> Investigating <input type="checkbox"/> Approved: Doing/Done <input type="checkbox"/> Can’t Shouldn’t Do

Action Notes/Descriptions

- 1) Enforce the No-Left-Turn law for all planes that turn left under 1500 feet, including training in south pattern, as currently provided in the City’s Code (TMC 51.2.3e).**
This Section makes no distinction between departures and training. They both involve take-offs to the west so they are both covered by the City’s Code. In addition, the City’s noise abatement brochure at one time clearly indicated under the heading Training – “No left turn allowed prior to shore or 1500’ altitude.” The City’s past practice shows the law applied to training and the law has not changed. It should be enforced as written and apply to all aircraft training in the south pattern. Apparently, there are differing legal opinions on the City’s legal authority. The court system may be the only way to finally resolve the issue. If challenged in court, the City should defend its law and its legal costs should be paid form the Airport Fund.
- 2) Enforce conditions of leases, sub-leases, and permits that require compliance to the City’s noise abatement programs.** Repeated lack of compliance should be grounds for revocation. If the current language is not strong enough to do so, the agreements should be renegotiated and strengthened. Wherever possible, repeated non-compliance with the airport’s required and recommended noise abatement procedures should be grounds for termination of a lease, sub-lease, permit, or business license.

- 3) **Add/reposition noise monitors to fill gaps between monitors on the west and east sides of the airport.** This is needed for more effective enforcement of the City's existing noise limits. The City's long-standing noise limits apply everywhere outside the airport boundaries not just near noise monitors. Currently, many violations are not detected because violations occur in the ½ mile gaps between monitors. These loopholes should be closed by adding monitors at the west and east end of the airport where most violations occur. The City could avoid the cost of new monitors by relocating existing monitors that seldom, if ever, register noise violations.
- 4) **Enforce noise violations in the manner required by grandfathered TMC Section 51.7.3. This Section of the Code has been completely ignored for years.** It provides for a relatively immediate ban of any aircraft that has caused three or more violations. Instead, staff sends aircraft with repeated violations to a hearing board after the first two violations and it takes three hearing board convictions before an aircraft is banned. This is a long, laborious, and costly process which consumes a lot of staff time and takes months before an aircraft is banned. In the meantime, an aircraft can continue to commit noise violations. The hearing boards were meant to determine the guilt or innocence of "persons" (pilots), not aircraft. On the other hand, Section 51.7.3 is designed to handle multiple violations by "aircraft" quickly and efficiently. It also provides due process as violations can be appealed to the Airport Manager. Section 51.7.3 is the correct procedure and the City should follow it.
- 5) **Establish a moratorium on flight training schools.** Adopt a City policy to deny leases, permits, or licenses to flight training schools.
- 6) **Follow CEQA process before licensing any flight training schools.** The California Environmental Quality Act (CEQA) requires the City to consider environmental impacts before approving licenses, leases and permits. The City should not approve any future leases/permits or renew any existing ones that have significant negative environmental impacts. Flight training schools have been proven to have significant impacts on the local community. The City should put its tenants on notice that when their current leases or other permits expire, they will not be renewed or, at a minimum, an environmental impact study would need to be done at the applicant's expense.
- 7) **Condition permits/licenses on compliance with City policies.** Actions could include one or more of the following: No touch-and-go training; No training in the south pattern; Fly north pattern over commercial/industrial areas close to the airport - not residential areas north of 235th Street; Turn right into north pattern before reaching Hawthorne Blvd; use only unleaded fuel; and revoke licenses if found to be a public nuisance or for the preservation of the public health, safety, or general welfare.
- 8) **Limit hangar leases to aircraft using unleaded fuel.** Prohibit hangar leases to aircraft using leaded fuel. Require existing tenants to convert to unleaded as soon as it becomes available.
- 9) **Approve landing fees for all users of the airport, including aircraft based at the airport.** The City may be precluded legally from adopting landing fees if the reason for doing so is solely for the purpose of noise abatement. This might be considered a new (un-grandfathered) noise abatement law which is prohibited under federal law. This is especially true if the landing fees discriminate between based and transient aircraft. Instead, the fees should be adopted for revenue generation and applied to all users, whether they are based at the airport or not. This is the fairest way to allocate the airport's capital, maintenance, operating, and other costs equitably among all airport users. Of course, landing fees would most likely also result in a reduction in training operations which would also be a beneficial.
- 10) **Ban the sale of leaded fuel at the airport.** Lead is hazardous to human health. It has been shown to impair the development of children. There is no acceptable minimum amount of human exposure. It has been banned from use in vehicles for decades, but it remains in use by aircraft. Torrance Airport has been identified as one of the top 100 lead-polluting airports in the country. The EPA and FAA have failed to stop it, but the City can help reduce the spread of lead on our homes, schools, and throughout the community by following the example of Santa Clara County and banning the sale of leaded fuel at the airport.

- 11) **Amend the Code to establish progressive monetary fines for multiple violations up to the point an aircraft is banned.** Monetary fines are much more effective at quickly gaining compliance. The City of Santa Monica uses monetary fines and its noise violation rate is much lower than Torrance. (This should only be considered if the City has legal authority to do so without FAA approval and without jeopardizing the City's grandfathered laws.)
- 12) **Close and remove the south runway.** This would reduce early-left-turns over rising terrain south of the airport and permanently limit the airport's overall capacity for training operations. The south runway is very close to residential neighborhoods just south of Pacific Coast Highway. If the south runway remains in place it will be difficult for the City to prevent its use. The FAA retains authority over aircraft in flight. The City cannot require the FAA to direct aircraft away from the south runway. The best way to permanently and completely end use of the south runway is to remove it, which we believe the City, as the owner of the airport, has the authority to do.
- 13) **Change FAA Control Tower to contract service.** FAA controllers sequence flights without regard to the City's noise abatement rules. They frequently approve operations that violate the City's rules. The City could retain a private company to control airport traffic and regulate flights, and help ensure adherence to the City's Noise Abatement Program, including its codes, regulations, and recommendations without jeopardizing safety. Costs would be paid with airport funds.
- 14) **Close the public airport and reopen as a private airport not subject to federal control (ANCA).** The Town of East Hampton, New York, owns an airport with similar noise problems and, after considering all its alternatives, decided this was the best approach. The Town is in the process of having an environmental study done before it can proceed. This option would require a legal analysis to determine if it could be used at Torrance Airport.
- 15) **Close the airport and repurpose the land.** The City of Torrance owns the airport and it has the authority to determine how the land is used. Unlike most other airports, if the City were to close the airport, the land would not revert to the federal government. The City could repurpose or sell the land.