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ENERGY AND COMMERCE

Congress of the United States
House of Representatives

Washington, DC 20515-0529

HENRY A. WAXMAN
29TH DISTRICT, CALIFORNIA

November 28, 2001

Administrator Jane F. Garvey
Administrator
Federal Aviation Administration
800 Independence Ave. SW
Washington, D.C. 20591

Dear Administrator Garvey,

I am writing to express my concern about proposed rule FAA-2001-10047, which could have devastating consequences for my constituents living in the neighborhoods surrounding Santa Monica Airport (SMO). I am alarmed that this rule would compromise safety at the airport and dramatically increase flight traffic by large business jets, without any safety evaluations, community hearings, or an environmental review.

As you know, the Santa Monica Airport has a unique layout. The one 5,000 foot runway was built decades ago with no runway safety area. Approximately 75% of the airport is surrounded by residences, with some homes located as close as 250 feet from the runway. Both ends of the runway are lined with houses, buffered only by abrupt hill slopes and public streets.

There has been growing concern in the community regarding safety conditions at the airport, particularly with regard to the increasing number of large business jets using the facility. Implementation of FAA-2001-10047 would exacerbate these problems by permitting both fractionally owned and charter jets to conduct operations with up to 85% of the runway space.

I strongly oppose any expansion of the airport's operational runway length. The change would allow even more large business jets to use the airport and heighten the safety concerns raised by a November 13, 2001 airplane crash at SMO (*Los Angeles Times* story enclosed), which killed the two passengers aboard. Although the crash narrowly spared neighboring homes, the danger of a similar incident involving a larger jet continues to pose a grave threat. As you know, last year I asked the FAA to consider creating a 1000 foot runway safety area in accordance with the national standard. I reiterate that request in light of the recent crash and the increased jet traffic SMO has already experienced without the implementation of FAA-2001-10047.

I am also concerned that the rule would create a loophole for fractional ownership operators to exploit SMO for commercial usage, and accelerate the unregulated shift of

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commercial passengers to fractional share operations without any study or safeguards mandated by the federal government. Neither the limited airport tarmac and servicing facilities, nor the community neighborhoods can withstand the frequency, capacity, or scale of such operations.

I am deeply disappointed that the FAA did not conduct a National Environmental Policy Act (NEPA) assessment of this rule. Over the past years, I have received numerous complaints from residents about noise, vibrations, fumes, and black soot, all of which would become much worse with the resulting increase in airport traffic. I therefore ask that a thorough environmental and community review of the impact on SMO be completed before FAA-2001-10047 is considered for implementation at the airport. I believe there is strong evidence that urban airports like SMO require special consideration when such rules are formulated.

Thank you for your consideration of my concerns. I appreciate the opportunity to continue working with you to make sure that SMO operations are safe, secure, and environmentally sustainable for the airport and the surrounding community. I look forward to your response.

With kind regards, I am

Sincerely,


HENRY A. WAXMAN
Member of Congress

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