

8/12/2013

Mr. David Suomi, Acting Regional Administrator
FAA Western-Pacific Region
15000 Aviation Blvd.
Lawndale, CA 9026
david.suomi@faa.gov

Re: The flying community's concerns and issues with the removal of altitude separation

Dear Mr. Suomi:

The FAA's web site states: **"Our continuing mission is to provide the safest, most efficient aerospace system in the world."** The flying community supports that mission, but we would like to present some issues that the community has regarding the plan to raise helicopter minimum altitudes and the process being used to evaluate the safety of that plan. The flying community deserves to have their issues understood and to have full knowledge about any plans that would reduce their flight safety.

ISSUES WITH THE FAA SAFETY RISK MANAGEMENT (SRM) PANEL

The Safety Risk Management (SRM) process used in the meeting at Western Pacific Regional HQ in June 2013 is familiar to many of us in the aerospace industry. A similar risk management process is used by that industry in the launch readiness review (LRR) process and it has produced a highly successful launch record. There are, however, some notable differences between the LRR process and our understanding of the SRM process that was used:

1. The LRR compares all changes with reference to an established baseline. The SRM did not compare the risk of making the proposed changes with the current baseline i.e. without the changes.
2. The members of the LRR panel are all subject matter experts and those whose jobs and/or lives are on the line. The SRM panel was picked with a small minority of actual TOA pilots (the ones whose safety of flight will be reduced).
3. All involved parties are included in the LRR meetings. The SRM panel was very exclusive and representatives of the Torrance Airport Association (over 100 members), California Pilots Association (nearly 2000 members), and Aircraft Owners and Pilots Association (over 385,000 members) were not allowed to participate in, or even to monitor, the panel activity.
4. After the Shuttle Challenger launch failure, all LRR decisions are made by consensus and ALL safety issues are identified and examined. The SRM panel, consisting primarily of non-pilots, out-voted the concerns of the pilots on the panel that mid-air collision should be included in the risk assessment. A serious risk was ignored.
5. All LRR issues are identified and recorded in the minutes and action items. The SRM draft report did not mention the objections of the flying community already registered:
 - Two letters already sent to the FAA and the City of Torrance (4/29/2011 and 9/2/2011) with the signature of over 70 Torrance pilots objecting to the proposal.
 - The Torrance Airport Commission's unanimous rejection of the plan on 8/11/2011 because of safety concerns.
 - The statement by a member of the SRM panel (the chief flight test engineer from Robinson Helicopter) that all the Robinson pilots object to the plan.
 - The letter from the president of Robinson Helicopter to the Torrance Mayor and City Council (dated 1/31/2011) that stated his opposition to the raising of helicopter altitudes and the increased possibility of mid-air collision it would produce.

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- The letter from Barry Jay (TAA President) to Mr Suozzi on 7/12/2013 expressing the Association's safety concerns about mixing helicopters and fixed-wing traffic.

ISSUES WITH THE FAA PROCESS

1. Most of the process has so far been held behind closed doors.
2. The process, itself, is obscure. No roadmap has been provided to the flying community. We have had difficulty in identifying the key FAA players in that process.
3. Recent events indicate that the TOA control tower has already eliminated altitude separation and is routinely inserting helicopters into the fixed wing traffic pattern at the same altitude. There has been NO notice to the flying community that this is happening.
4. Several conflicts between helicopters and fixed wing aircraft (including one near-collision) have occurred in the last several weeks. There is no mechanism for reporting and recording these incidents.
5. Many questions remain unanswered about the risk evaluation process:
 - When and how does the flying community get to weigh in on the risk evaluation process for this test?
 - How will the flying community's comments be incorporated into the risk evaluation?

ISSUES WITH THE PLANNED TEST

1. The proposed test period, itself, unnecessarily increases the risk to the flying community. It places the pilots in a position where they are required to avoid helicopter traffic they cannot see in a number of conflict areas. For example:
 - a. The City of Torrance noise abatement procedures recommend that fixed-wing pilots departing from runways 29L and 29R fly runway heading and make no turns until reaching the shoreline or 1500 AGL. The LOA would place helicopters in their path over the shoreline at 1,200 to 1,400 feet (instead of the current 600 feet). Fixed-wing aircraft arriving from Torrance Beach to enter the south traffic pattern (at or above 1,100 feet) for runway 29L would also cross through the helicopter traffic flying along the beach at those same altitudes.
 - b. When on-shore low clouds force aircraft departing runway 29L or 29R to turn south to maintain legal cloud clearance, they will cross the path of arriving or departing helicopters at the same altitude. When runways 11L and 11R are in use, fixed-wing aircraft approaching from King Harbor at 1,000 to 1,500 feet would again have to cross through the proposed helicopter routes at the same altitudes.
 - c. Fixed wing aircraft using the south traffic pattern for Runway 11R (1,100 feet) typically fly their base leg between South High and Hawthorne Blvd—just the area where the LOA requires helicopters to drop from above 1,200 feet to 600 feet or to climb from 600 feet to 1,400 feet.
 - d. Fixed-wing aircraft arriving from the north during busy times are often told to overfly the airport and use the south traffic pattern for 29L. Arriving fixed-wing aircraft reporting over Torrance Beach are directed to use the south traffic pattern for 29L. These aircraft would be turning their base leg between Crenshaw Blvd and the gravel pit—again traversing the proposed helicopter routes where the helicopters are climbing or descending.
 - e. Fixed-wing aircraft landing on 29L and reporting over San Pedro are often told to fly directly to the runway to avoid aircraft (including jets) landing on 29R. They would have to pass

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through the proposed helicopter routes at the same altitude, risking collision with the slower moving and difficult-to-see helicopters.

2. The test is a politically-driven attempt to solve a non-problem by reducing flight safety. For the past three years, an average of less than one noise violation per month by helicopters has occurred at the Torrance airport.
3. History has shown that pilots cannot rely on the tower operators to prevent collision. The fact that TOA is a training tower causes further concern.
4. Many questions remain unanswered about plans for the test period:
 - What are the current measured helicopter noise levels on the helicopter routes?
 - Who will be liable for damages if an accident occurs as a result?
 - How do we obtain a copy of the proposed test operations plan?
 - When and how does the flying community get to weigh in on the operations plan for this test?
 - How will the flying community's comments be incorporated into the test operations plan?
 - Who must approve the test operations plan?
 - What mechanism will be implemented to report and record any flight safety issues/concerns that occur?
 - What data will be collected?
 - Who will collect the data?
 - Who will evaluate the data?
 - How will data be made available for review by the flying community?
 - What are the evaluation criteria?
 - What are the success/failure criteria?
 - How and when will the test operations plan be advertised to the flying community?
 - When and how does the flying community get to weigh in on the evaluation of this test?
 - How will the flying community's comments be incorporated in the evaluation of the test results?

ISSUES WITH THE PROPOSED CHANGES

1. All of the safety issues identified above for the test period would also apply to any plan to permanently raise helicopter altitudes on the PCH routes.
2. Although these are presented as "voluntary" procedures, the recent decision by the FAA to make mandatory the previously voluntary helicopter routes in northern Long Island raises concerns in the flying community that the same thing will happen in our area—even with extensive volunteer compliance.
3. When and how does the flying community get to weigh in on any proposed changes?
4. How will the flying community's comments be incorporated into any proposed changes to operations?
5. How and when will the operational changes be advertised to the flying community?

Airport users fly mostly on a VFR "see and avoid" basis. Helicopters are very, very difficult to see from the air—witness the fatal mid-air collision between two helicopters in front of the Torrance Airport control tower

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on the clear afternoon of 11/6/2003. Two people died. Fortunately, the wreckage did not fall on someone's house! Although the National Transportation Safety Board (NTSB) cited failure of one of the pilots to comply with ATC instructions, it also noted that neither pilot could see the other aircraft prior to the collision. The planned test will reproduce this situation several times per day! The fact that TOA is a training tower further decreases our belief that the tower controller would be able to intervene.

Any proposal to raise helicopter altitudes near the Torrance Airport (or any airport) is a recipe for mid-air disaster. As you know, mixing helicopters with the much faster fixed wing aircraft will pose a danger to all in the air and on the ground. Politically-driven schemes that sacrifice flight safety for noise abatement (where no noise problem exists) should not be considered.

The flying community believes that there should be no compromise on flight safety and that the FAA should just say "NO" to the City of Torrance.

Sincerely,

Members of the flying community, and

Barry Jay
President
Torrance Airport Association

Ed Story
Vice President, Region 4
California Pilots Association

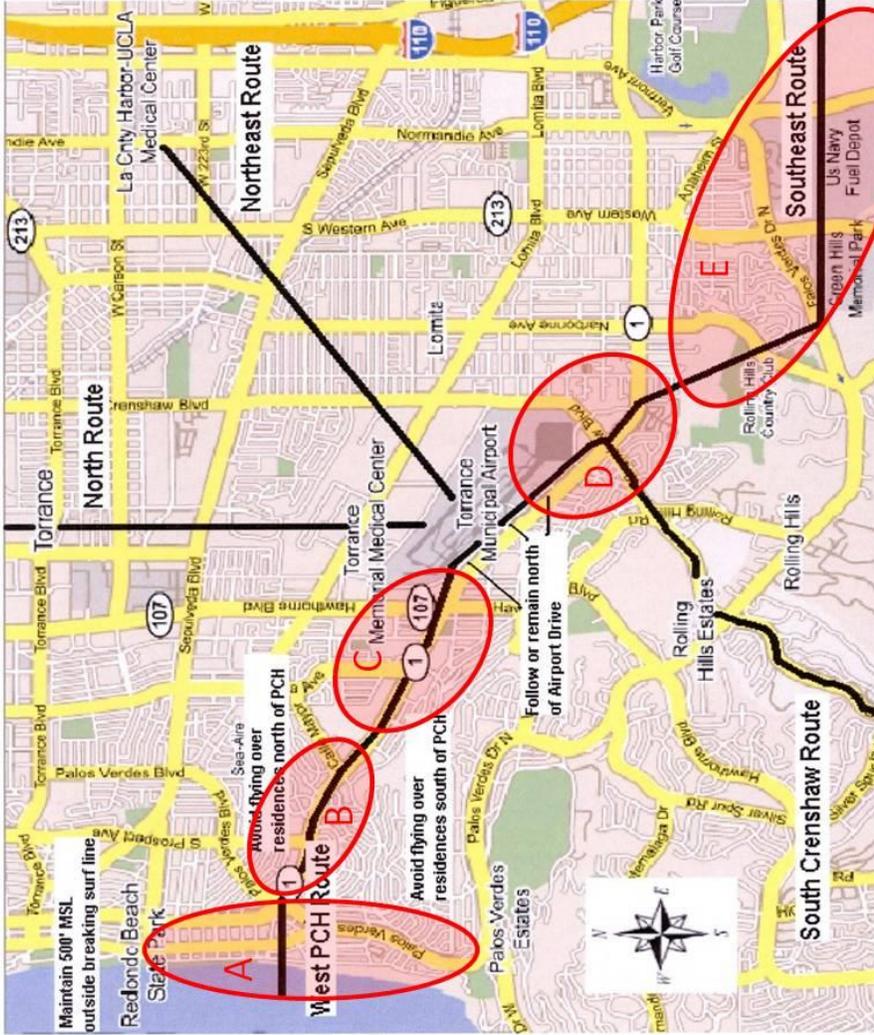
Jack Kenton
Airport Representative Coordinator
California Pilots Association

Steve Goldsworthy
Director
Professional Helicopter Pilots Association

Jim Gates
TOA Airport Support Network Volunteer
Aircraft Owners & Pilots Association

Attachment: 1) TOA Traffic Conflicts map
 2) Robinson letter dated 1/31/2011
 3) Letter to John Warner, FAA, dated 4/29/2011
 4) Comments to Torrance Airport Commission by Bill Tymczyszyn, on 8/11/2011
 5) Letter to John Warner, FAA, dated 9/2/2011
 6) Letter to Mr Suozzi, FAA, from Barry Jay

TOA TRAFFIC CONFLICTS



CONFLICT AREAS

- A: Helicopters 1200-1400 MSL
Fixed Wing 1100+ MSL
- B: Helicopters 1200-1400 MSL
Fixed Wing 800-1500 MSL
- C: Helicopters 200-1400 MSL
Fixed Wing 1100-500 MSL
- D: Helicopters 1100-200 MSL
Fixed Wing 1000-500 MSL
- E: Helicopters 1000+ MSL
Fixed Wing 1000-2000 MSL