

By AOPA ePublishing staff

The U.S. Court of Appeals for the District of Columbia has [denied a petition](#) from Santa Monica, Calif., to review the FAA's decision that the city could not ban certain jet traffic at Santa Monica Airport.

The FAA had stopped the city from going forward with an ordinance to ban Category C and D aircraft (such as Gulfstreams and some Citations) from operating at the airport and ruled that it had no authority for the ban. The appeals court upheld the FAA decision, finding that the action was not “arbitrary and capricious.” AOPA has long been involved in the dispute at Santa Monica and provided input as [a friend of the court](#) in the city's appeal.

“The outcome of this case could have had tremendous negative impacts on any federally obligated airport—allowing local officials to implement restrictions on operations in spite of FAA grant assurances and federal law,” said AOPA Vice President of Airport Advocacy Bill Dunn, who attended the October 2010 hearing with AOPA legal counsel Kathy Yodice. “Instead, the court reaffirmed the FAA's authority to safeguard airports' role in the national air transportation system.”

Airport sponsors that accept federal money for improvements have contractual obligations to make the airport available for use on “fair and reasonable terms and without unjust discrimination, to all types, kinds, and classes of aeronautical uses”—an obligation Santa Monica would have violated with the jet ban, the court affirmed.

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