

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's office at (310) 618-2780. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28CFR35.102-35.104 ADA Title II]

Direct questions or concerns to the Hearing Board Liaison at (310) 618-5912, or individual department head prior to submission to the Hearing Board. Parties will be notified if the complaint will be included on a subsequent agenda.

Security procedures: Members of the public will be directed to enter City Hall on the East side of the building through the sliding door. All other entrances will remain locked for entry. Oversized bags or backpacks will not be allowed in the Council Chamber or Commission meeting room. All bags are subject to search.

Any correspondence received after 2:00 p.m. on August 3, 2023, on any item on the agenda will be provided to the Hearing Board electronically and available for public inspection in the City Clerk's Office. A copy of the correspondence will be available for public inspection in a binder at the back of the Council Chamber or Commission Meeting room.

**AIRPORT NOISE HEARING BOARD AGENDA
AUGUST 10, 2023
REGULAR MEETING
2:00-4:00 P.M. IN WEST ANNEX COMMISSION MEETING ROOM
AT 3031 TORRANCE BOULEVARD
TORRANCE, CA 90503**

AIRPORT NOISE HEARING BOARD

1. CALL MEETING TO ORDER

ROLL CALL: Hearing Board members: Bilezerian, Hoang, Reyes, Yermakov

2. FLAG SALUTE

3. REPORT OF THE STAFF ON THE POSTING OF THE AGENDA

The agenda was posted on the Public Notice Board at 3031 Torrance Bl. and on the City's Website on Thursday, August 3, 2023.

4. ANNOUNCEMENT OF WITHDRAWN, DEFERRED, AND/OR SUPPLEMENTAL ITEMS

5. ORAL COMMUNICATIONS (Limited to a 15-minute period)

*This portion of the meeting is reserved for comments on items on the Consent Calendar or not on the agenda. Under the Ralph M. Brown Act, the Commission cannot act on items raised during public comment but may respond briefly to statements made or questions posed; request clarification; or refer the item to staff. **No longer than 1 minute per speaker.** If presenting handout material to the Board, please provide 10 copies to staff before speaking.*

6. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed by a Board member from the Consent Calendar and considered separately.

6A. Approve Hearing Board Minutes: None

7. HEARINGS

A. PILOT RODNEY CARTER II WHILE PILOTING AIRCRAFT N294JY, VIOLATION OF WEEKDAY PROHIBITED OPERATIONS, JUNE 14, 2023, AND ADOPTION OF FACTS AND FINDINGS FOR PILOT RODNEY CARTER II.

B. PILOT ARYAN MASHAYEKHI WHILE PILOTING AIRCRAFT N148AC, VIOLATION OF PROHIBITED OPERATIONS ON SUNDAY, JUNE 11, 2023, AND ADOPTION OF FACTS AND FINDINGS FOR PILOT ARYAN MASHAYEKHI.

8. ORAL COMMUNICATIONS

9. ADJOURNMENT

- 9A.** Adjournment of Airport Noise Hearing Board Meeting to Thursday, August 24, 2023, at 2:00 p.m. in the Commission Meeting Room.

PUBLIC HEARING

Honorable Chairperson and
Members of the Airport Noise Hearing Board
West Annex, City Hall
Torrance, California

Members of the Airport Noise Hearing Board:

SUBJECT: Consideration of the Alleged Prohibited Operations Violation by Pilot Rodney Carter II in Aircraft N294JY

RECOMMENDATION

Recommendation of the Torrance Airport Noise Abatement Office that the Airport Noise Hearing Board render a finding of guilt for pilot, Rodney Carter II, for a violation of the prohibited weekday hours for training, stop and go, touch and go and low approaches that occurred on June 14, 2023.

BACKGROUND

Sections 51.5.5, 51.5.6 and 51.5.7 of the Torrance Municipal Code (TMC) establish the allowed times for training, stop and go, touch and go, full stop-taxi back and low approaches for aircraft taking off from the Torrance Airport (TOA). TMC section 51.5.5, Prohibited Operations on Weekdays, prohibits training, stop and go, touch and go, and low approaches between 8PM on one day and 8 AM of the following day, Monday through Friday inclusive.

(See Attachment A for TMC section)

VIOLATION

This hearing is convened to consider a violation of the Torrance Municipal Code by aircraft N294JY, a Sling, piloted by Rodney Carter II.

- Date of Violation: June 14, 2023
- Operation: Closed traffic
- Runway: 29 Right
- Violation of Torrance Municipal Code 51.5.5

(See Attachment B for Enforcement Report)

On June 14, 2023, at 21:18, aircraft N294JY announced to any local flights in the area, the Torrance Air Traffic Control Tower was closed at this time, that he would be departing runway 29 (two-nine) Right for closed traffic. "Closed traffic" is a term frequently used to describe training patterns and operations. The violation occurred on departure and subsequent training operations. (See Attachment C for LAX Webtrak map). The Noise Abatement recordings revealed no indication from the pilot that an emergency or other flight difficulty existed.

(See attachment D for transcript of communication from the pilot.)

On July 6, 2023, the Owner and presumed pilot was notified of the violation and Pending Noise Hearing Board via email. The Owner/pilot contacted Noise Abatement Staff, Nora Duncan via email, and provided the name of the pilot and pilot's contact information.

On July 11, 2023, the pilot was notified of the violation and Noise Hearing Board on July 27, 2023, via standard and certified mail.

On July 11, 2023, the pilot was notified of the change of date for the Noise Hearing Board to August 10, 2023, via standard and certified mail.

On August 2, 2023, staff discovered an error in the pilot's name. A corrected Notice to Appear for the August 10, 2023, Noise Hearing Board was sent via standard and certified mail and email to the pilot Rodney Carter II.

On August 3, 2023, No contact from pilot.

(See attachment E for Notices and correspondence between Owner/pilot and the Noise Abatement Office.)

HEARING BOARD HISTORY

There is no previous Hearing Board history for the aircraft or pilot/owner.

EXCEEDANCE HISTORY

The Pilot has been informed of City airport regulations. As of July 2023, N294JY had two prohibited operations violations.

The Owner/presumed pilot was notified of all previous violations.

Violation 6/10/16 at 17:05:17 PM

Training/Closed Traffic Pattern

6/13/23 Owner/pilot notified

No record of contact

TEST HISTORY

The is no current test history.

TORRANCE NOISE OFFICE RECOMMENDATION

Based on the evidence presented we recommend that pilot Rodney Carter II be found in violation of Torrance Municipal Code section 51.5.5 on June 14, 2023, while piloting aircraft Sling N294JY.

(See attachment F for Findings of Fact and Conclusions of Law)

Respectfully submitted,



Nora Duncan
Senior Environmental Quality Officer

Attachments:

- A. Torrance Municipal Code Section 51.5.5.
- B. Enforcement Report of Noise Violation.
- C. Webtrak Map showing operation.
- D. Transcription of Recording of FAA Tower and Pilot Conversations.
- E. Notice to Appear and Correspondence from Pilot.
- F. Findings of Fact and Conclusions of Law.

51.5.5 PROHIBITED OPERATIONS ON WEEKDAYS

No touch and go operation, stop and go operation or low approach shall be permitted on the Airport between 8 p.m. of one day and 8 a.m. of the following day, Monday through Friday inclusive.

Torrance Municipal Airport (Zamperini Field)
**NOISE ABATEMENT CENTER
 ENFORCEMENT REPORT**

AIRCRAFT/OWNER INFORMATION

Tail Number: **N294JY** Serial No. **351**

Aircraft Make: **Sling** Model: **Sling LSA** Year: **2022**

Owner's Name: **Airplane Factory Inc** Address: [REDACTED] Telephone:

Pilot's Name: **Rodney Carter II** Address: [REDACTED] Telephone:

Lessee: Address: Telephone:

DETAILS OF VIOLATION

Date and Time: **6/14/2023 0:00** Violation: **TRAINING** RMT No.: MAX dB(A):

SENEL dB(A): Duration:

Operation & Runway

Closed traffic off 29 Right

Letter Type: **Notice to Appear** Date Mailed: **7/11/2023** Type Delivery: **Std & Certified** Return Receipt No.:

Response received: Date: Method: Respondant Name:

Comments: **Notice to appear was sent again on August 2, 2023 with a correction made to the pilot's name.**

WEATHER CONDITIONS:

Wind Speed: Direction: Temp: Rel. Humidity:

Dew Point: Ceiling: Visibility: IFR/VFR Operation:

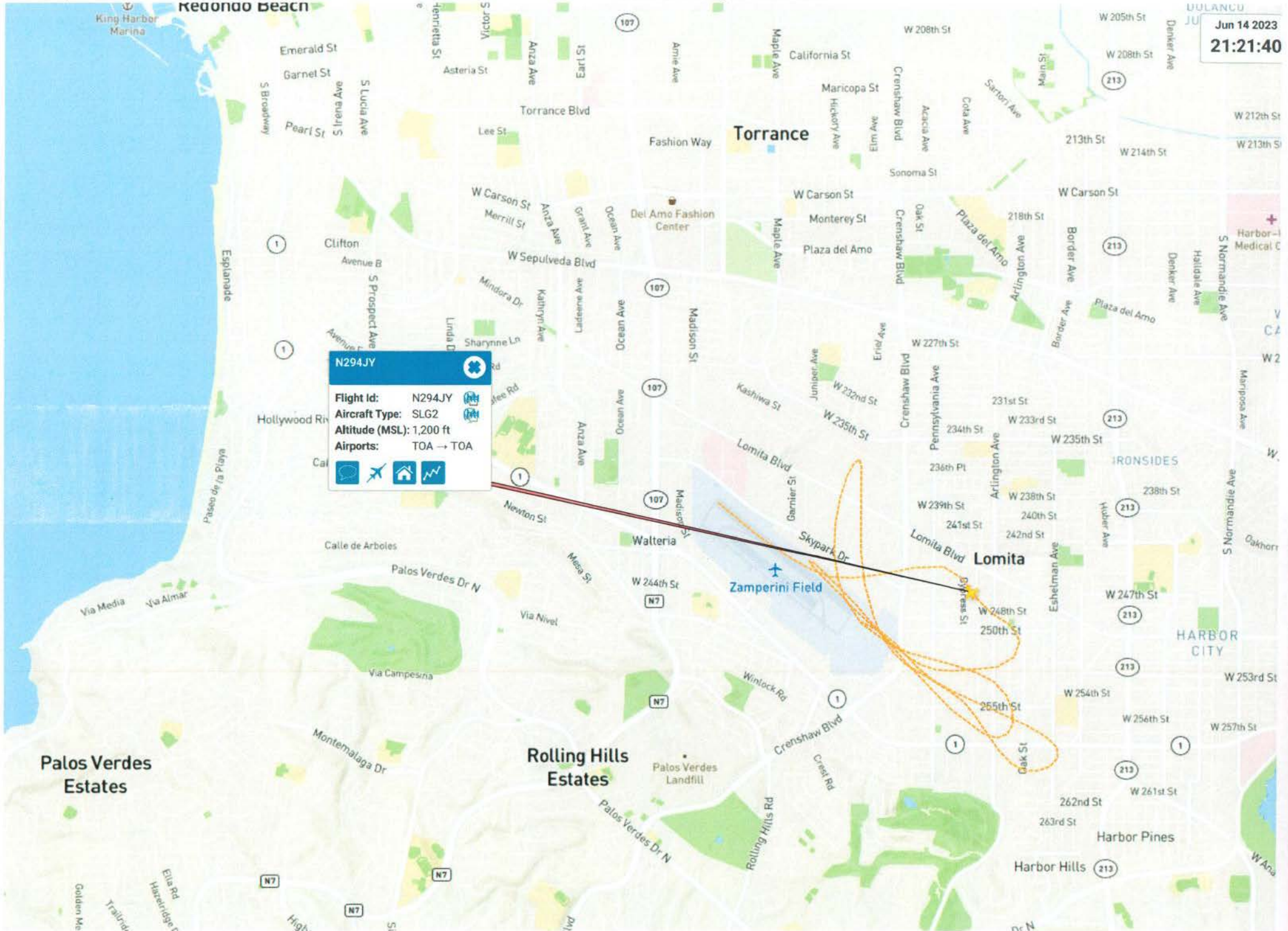
VIOLATION SUMMARY:

Pilot performed a taxi-back, then departed 29 Right announcing "closed traffic." Pilot then performed training maneuvers prohibited after 8 PM on weekdays.

EQO NAME: **N. Duncan**

SIGNATURE: 

DATE: **7/31/2023**



**NOISE ABATEMENT EDITED TAPE TRANSCRIPTION FOR
AIRCRAFT N294JY FOR THE DATE OF JUNE 14, 2023**

<u>TIME</u>	<u>SPEAKER</u>	<u>FREQUENCY</u>	<u>CONVERSATION</u>
21:09:46	Pilot N294JY	133.075	“Torrance traffic N294JY (unintelligible) for 29 Right ”
21:12:03	Pilot N294JY	133.075	“Turning right base 29 Right”
21:12:31	Pilot N294JY	133.075	“Torrance traffic turning right final for 29 Right”
21:15:09	Pilot N294JY	133.075	“Torrance traffic clear of taxi-ing back to 29 Right”
21:18:34	Pilot N294JY	133.075	“Torrance traffic taking 29 Right for Closed traffic.”
21:18:34	<u>VIOLATION OCCURS</u>		

**NOISE ABATEMENT TAPE TRANSCRIPTION OF AIRPORT TERMINAL
INFORMATION SERVICE (ATIS) FOR JUNE 14, 2023, AT 2118 HOURS LOCAL**

NO ATIS AVAILABLE FOR THIS TIME.

NOTE: This particular ATIS is included because it was the last ATIS before the flight with the weather information.

June 13, 2023

AIRPLANE FACTORY INC

You may not be aware that Torrance Municipal Code Section 51.5.5-7 prohibits touch and go, stop and go, full stop-taxi back, option and low approach operations at Torrance Municipal Airport during certain times. The allowable days and times are:

Monday – Friday	8:00 a.m. – 8:00 p.m. (Taxibacks until 10:00 p.m.)
Saturday	10:00 a.m. – 5:00 p.m.
Sunday/Holidays	<u>PROHIBITED</u>

On June 10, 2023, at 17:05:17 hours, aircraft N294JY was recorded conducting a prohibited operation, in violation of TMC Section 51.5.5., 51.5.6., or 51.5.7.

*While the F.A.A. control tower may have authorized the above noted procedure it is a violation of the Torrance Municipal Code. **Please be advised that violations of the Training curfew code section may be heard by an Administrative Hearing board, and can result in denial of Airport use by owner or pilot. Also be advised that Training curfew violations will be counted with the Noise and Curfew violations and three of any of these violations, combined or singularly can result in denial of Airport use by aircraft owner or pilot.***

Torrance Municipal Code 46.8.12 states that for pilot culpability, the owner is presumed to be the pilot. Such presumption may be rebutted only if the owner identifies to Noise Abatement staff the person who was, in fact, the pilot. Consequently, if you owned or leased the aircraft but were not the pilot in command at the date and time of the violation shown above, immediately upon receipt of this notice, forward to this office, the name and address of the pilot in command of the aircraft at the time of the above alleged violation.

Please contact this office at (310) 784-7950 for more information or if you wish to discuss the above violation.

Oscar Martinez, Manager
Planning and Environmental Division

Mark Fujimori
Environmental Quality Officer

notice, inform this office, the name and address of the pilot in command of the aircraft at the time of the above alleged violation.

Also, the owner and pilot are to bring all documents and presentation materials pertinent to the violation to the Hearing Board. Please bring 5 copies of all documents and presentation materials so that each Hearing Board member and staff can have copies to review. *Be advised, that if the owner and/or pilot chooses not to attend or send a representative with pertinent information to the hearing, the hearing will proceed as scheduled unless other arrangements have been made prior the Hearing date.*

According to Council Rules of Order Section 7.7, if you decide to appeal to City Council, the decision on appeal is based on the administrative record. This means that no new evidence will be presented at the appeal hearing unless good cause is shown.

If you have any questions regarding this matter, please contact the undersigned at (310) 618-5912.

Sincerely,

Nora Duncan
Senior Environmental Quality Officer

Regular Mail, Email and CERTIFIED MAIL



CITY OF TORRANCE

July 11, 2023

ROBERT CARTER II

NOTICE TO APPEAR

Airport Noise Administrative Hearing Board

ON JULY 27, 2023 AT 2:00 P.M. IN THE WEST ANNEX MEETING ROOM, TORRANCE CITY HALL, 3031 TORRANCE BOULEVARD, TORRANCE, CALIFORNIA.

This is a notice for you to appear before the Airport Noise Administrative Hearing Board (“Hearing Board”) on July 27, 2023, at 2:00 P.M. in the West Annex Meeting Room, as provided in Section 51.7.4 of the Torrance Municipal Code in order to determine responsibility for an alleged airport Training curfew/Prohibited operations violation which occurred on June 14, 2023, at 9:18 P.M. The pilot is identified as *Robert Carter II* and the aircraft is identified as N294JY.

Torrance Municipal Code Section 51.5.5-7 prohibits touch and go, stop and go, full stop-taxi back, and low approach operations at Torrance Municipal Airport during certain times. The allowable days and times are:

Monday – Friday	8:00 a.m. – 8:00 p.m. (Taxi backs until 10:00 p.m.)
Saturday	10:00 a.m. – 5:00 p.m.
Sunday/Holidays	<u>PROHIBITED</u>

On June 14, 2023, at 9:18 PM, aircraft N294JY was recorded conduction a prohibited operation, in violation of TMC Section 51.5.5 or 51.5.7.

Because the Hearing Board in determining responsibility may find either the aircraft owner or the pilot or both to have violated the Torrance Municipal Code(s), the owner and pilot are to be afforded a hearing, including the right to be represented by counsel, to be apprised of the nature of the charge(s), to examine witnesses, and to appeal the decision of the Hearing Board to the City Council, in accordance with the City Council Rules of Order.

Torrance Municipal Code Section 46.7.12 states that for pilot culpability, the owner is presumed to be the pilot. Such presumption may be rebutted only if the owner identifies to Noise Abatement staff the person who was, in fact, the pilot. Therefore, if you owned or leased the aircraft but were not the pilot in command at the date and time of the noise violation shown above, immediately upon receipt of this

notice, inform this office, the name and address of the pilot in command of the aircraft at the time of the above alleged violation.

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Sincerely,



Nora Duncan
Senior Environmental Quality Officer

Regular Mail, Email and CERTIFIED MAIL

9171 9690 0935 0213 0130 54

Michelle G. Ramirez
COMMUNITY DEVELOPMENT
DIRECTOR

July 11, 2023

ROBERT CARTER II



NOTICE TO APPEAR

Airport Noise Administrative Hearing Board

ON AUGUST 10, 2023 AT 2:00 P.M. IN THE WEST ANNEX MEETING ROOM, TORRANCE CITY HALL, 3031 TORRANCE BOULEVARD, TORRANCE, CALIFORNIA. THIS HEARING DATE HAS BEEN RESCHEDULED PER BOARD REQUEST.

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Sincerely,

Nora Duncan
Senior Environmental Quality Officer

Regular Mail, Email and CERTIFIED MAIL



CITY OF TORRANCE

Michelle G. Ramirez
COMMUNITY DEVELOPMENT
DIRECTOR

August 2, 2023

RODNEY CARTER II
[REDACTED]

NOTICE TO APPEAR

Airport Noise Administrative Hearing Board

ON AUGUST 10, 2023 AT 2:00 P.M. IN THE WEST ANNEX MEETING ROOM, TORRANCE CITY HALL, 3031 TORRANCE BOULEVARD, TORRANCE, CALIFORNIA. THIS HEARING DATE HAS BEEN RESCHEDULED PER BOARD REQUEST.

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Sincerely,



Nora Duncan
Senior Environmental Quality Officer

Regular Mail, Email and CERTIFIED MAIL

9171 9690 0935 0213 0131 91

Duncan, Nora

From: Matt Liknaitzky | Sling Pilot Academy [REDACTED]
Sent: Tuesday, July 11, 2023 10:53 AM
To: Duncan, Nora
Subject: RE: N294JY, Pattern Work after 9PM

[REDACTED]

Sling Pilot Academy
3401 Airport Dr
Torrance, CA 90505

424-250-0648
www.slingpilotacademy.com



From: Duncan, Nora <NDuncan@TorranceCA.gov>
Sent: Tuesday, July 11, 2023 9:59 AM
To: Matt Liknaitzky | Sling Pilot Academy [REDACTED]
Subject: RE: N294JY, Pattern Work after 9PM

Hi Matt,
Can you provide a mailing address for this pilot? We need to notify them of the violation.

Thank you,

NORA DUNCAN

Senior Environmental Quality Officer-Community Development Department
City of Torrance 3031 Torrance Blvd Torrance CA 90503 310.618.5912 nduncan@TorranceCA.gov

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From: Matt Liknaitzky | Sling Pilot Academy [REDACTED]

Sent: Friday, July 7, 2023 11:32 AM

To: Duncan, Nora <NDuncan@TorranceCA.gov>

Subject: RE: N294JY, Pattern Work after 9PM

Hi Nora,

Aha – yes, I am familiar with this one. We have already counselled the flight instructor and given him some remedial training. He was under the impression that what he was doing was not pattern work, but he recognized his poor judgement.

This was the flight instructor and PIC:

- Rodney Carter II [REDACTED]

Thanks

Matt

Sling Pilot Academy
3401 Airport Dr
Torrance, CA 90505

424-250-0648
www.slingpilotacademy.com



From: Duncan, Nora <NDuncan@TorranceCA.gov>
Sent: Friday, July 7, 2023 8:17 AM
To: Matt Liknaitzky | Sling Pilot Academy [REDACTED]
Subject: RE: N294JY, Pattern Work after 9PM

Hi Matt,
Thanks for getting back to me. The training was on June 14 from 9PM to 9:50PM.
Thank you,

NORA DUNCAN

Senior Environmental Quality Officer-Community Development Department
City of Torrance 3031 Torrance Blvd Torrance CA 90503 310.618.5912 nduncan@TorranceCA.gov
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When signing up for TorranceAlerts, make sure to select "Special Events"

From: Matt Liknaitzky | Sling Pilot Academy [REDACTED]
Sent: Thursday, July 6, 2023 6:42 PM
To: Duncan, Nora <NDuncan@TorranceCA.gov>
Subject: RE: N294JY, Pattern Work after 9PM

You don't often get email from [REDACTED]

Hi Nora

Thanks for the message... sorry to hear about this.

Can you tell me what day/time and I will let you know who it was and we will also counsel the pilot.

Best

Matt

Sling Pilot Academy
3401 Airport Dr
Torrance, CA 90505

424-250-0648
www.slingpilotacademy.com



From: Duncan, Nora <NDuncan@TorranceCA.gov>
Sent: Thursday, July 6, 2023 6:29 PM
To: Matt Liknaitzky | Sling Pilot Academy [REDACTED]
Subject: N294JY, Pattern Work after 9PM

Matt,

Following up regarding a Training Curfew violation. Our offices received multiple complaints regarding N294JY training after 9PM. Is this plane associated with the Sling Academy? Please let us know so that we can send notice to the right person.

Thank you,

NORA DUNCAN

Senior Environmental Quality Officer-Community Development Department
City of Torrance 3031 Torrance Blvd Torrance CA 90503 310.618.5912 nduncan@TorranceCA.gov
www.TorranceCA.Gov www.TorranceCA.Gov/SocialMedia www.TorranceCA.Gov/WhyTorrance | www.TorranceCA.Gov/Apps

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AIRPORT NOISE ADMINISTRATIVE HEARING BOARD
OF THE CITY OF TORRANCE

IN THE MATTER OF THE)
AIRPORT NOISE HEARING)
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
AIRCRAFT NOISE VIOLATION)
OF AIRCRAFT N294JY, Rodney)
Carter II, June 14, 2023)
_____)

WHEREAS, Torrance Municipal Code section 51.5.5 provides that an aircraft shall not perform training, touch and go operation, stop and go operation or low approach operations on the Airport between 8 PM of one day and 8 AM of the following day, Monday through Friday inclusive; and

WHEREAS, Torrance Municipal Code section 51.7.2 provides that any person with three or more cumulative violations of the provisions of this Chapter 1, or of any other laws, rules or regulations of the City, State or the United States of America pertaining to the use of the Airport within a three-year period shall be denied the right to land, take off, lease, rent or use space for aircraft at the Torrance Municipal Airport for a period of three years except in emergencies; and

WHEREAS Torrance Municipal Code section 51.7.7 provides that the beneficial owner of an aircraft shall be presumed to be the pilot, except that where the aircraft is leased, the lessee shall be presumed to be the pilot, unless the owner or lessee identifies the person who was in fact the pilot at the time of the violation; and

WHEREAS the Community Development Department, Environmental Division requested the Airport Noise Administrative Hearing Board to conduct a hearing as to an alleged

violation of the TMC 51.5.5, Prohibited Operations on weekdays by aircraft, Sling, N294JY occurring on June 14, 2023; and

WHEREAS the Airport Noise Administrative Hearing Board held a hearing on the alleged violation on August 10, 2023; and

NOW, THEREFORE, the Airport Noise Administrative Hearing Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

FIRST FINDING OF FACT

That aircraft Sling N294JY, departed at Torrance Municipal Airport on June 14, 2023, at 9:18 P.M. and performed training operations during prohibited hours on a weekday.

SECOND FINDING OF FACT

That Rodney Carter II was, on June 14, 2023, at 9:18 P.M., the pilot of aircraft Sling N294JY.

CONCLUSIONS OF LAW

FIRST CONCLUSION OF LAW

That aircraft Sling N294JY, was in violation of Torrance Municipal Code section 51.5.5 on June 14, 2023.

SECOND CONCLUSION OF LAW

That Rodney Carter II was the pilot of Sling N294JY when the aircraft did perform training operations during prohibited hours on a weekday.

DATED: _____

Craig Bilezerian
Chairperson
Airport Noise Administrative Hearing Board

PUBLIC HEARING

Honorable Chairperson and
Members of the Airport Noise Hearing Board
West Annex, City Hall
Torrance, California

Members of the Airport Noise Hearing Board:

**SUBJECT: Consideration of the Alleged Prohibited Operations Violation by Pilot
Aryan Mashayekhi in Aircraft N148AC**

RECOMMENDATION

Recommendation of the Torrance Airport Noise Abatement Office that the Airport Noise Hearing Board render a finding of guilt for pilot, Aryan Mashayekhi, for a violation of the prohibited operations on Sunday for training, stop and go, touch and go and low approaches that occurred on June 11, 2023.

BACKGROUND

Sections 51.5.5, 51.5.6 and 51.5.7 of the Torrance Municipal Code (TMC) establish the allowed times for training, stop and go, touch and go, full stop-taxi back and low approaches for aircraft taking off from the Torrance Airport (TOA). TMC section 51.5.7, Prohibited Operations on Sundays and Holidays, prohibits training, touch and go operation, stop and go operation or low approach operations on the Airport on Sundays, nor on any of the following holidays: New Year's Day, Memorial Day; Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

(See Attachment A for TMC section)

VIOLATION

This hearing is convened to consider a violation of the Torrance Municipal Code by aircraft N148AC, a Sling, piloted by Aryan Mashayekhi.

- Date of Violation: June 11, 2023
- Operation: Taxi-back and training pattern
- Runway: 29 Left
- Violation of Torrance Municipal Code 51.5.7

(See Attachment B for Enforcement Report)

On June 11, 2023, at 15:42, aircraft N148AC requested taxi-back to runway 29 left from Ground personnel and was granted the taxi-back. Pilot then requested "left closed traffic" from Torrance Tower. Tower personnel approved a takeoff on 29 left, then advised the pilot that he was clear for the "options.". "Closed traffic" and "option" are terms frequently used to

describe training patterns and operations. The violation occurred on departure and subsequent training operations. (See Attachment C for LAX Webtrak map). The Noise Abatement recordings revealed no indication from the pilot that an emergency or other flight difficulty existed.

(See attachment D for transcript of communication from the pilot.)

On July 10, 2023, the Owner and presumed pilot was notified of the violation and Pending Noise Hearing Board on July 27, 2023, via standard and certified mail.

On July 17, 2023, the pilot was notified of the change of date for the Noise Hearing Board to August 10, 2023, via standard and certified mail.

On July 27, 2023, Pilot Aryan Mashayekhi came into the Permit Center and spoke to staff, Nora Duncan, and Hilda Colclasure. Pilot said that he was in violation and asserted that it would not happen again. Pilot asked if it would be “worth it” to attend the meeting since he was admitting to being guilty. Staff Duncan advised that the Board members make the decisions on whether or not a pilot is guilty and it is always worth it to be heard by the Board.

(See attachment E for Notices and correspondence between Owner/pilot and the Noise Abatement Office.)

HEARING BOARD HISTORY

There is no previous Hearing Board history for the aircraft or pilot/owner.

EXCEEDANCE HISTORY

The Pilot has been informed of City airport regulations. As of July 2023, N148AC had no other prohibited operations violations.

TEST HISTORY

There is no current test history.

TORRANCE NOISE OFFICE RECOMMENDATION

Based on the evidence presented we recommend that pilot Aryan Mashayekhi be found in violation of Torrance Municipal Code section 51.5.7 on June 11, 2023, while piloting aircraft decathlon N148AC.

(See attachment F for Findings of Fact and Conclusions of Law)

Respectfully submitted,



Nora Duncan
Senior Environmental Quality Officer

Attachments:

- A. Torrance Municipal Code Section 51.5.7.
- B. Enforcement Report of Noise Violation.
- C. Webtrak Map showing operation.
- D. Transcription of Recording of FAA Tower and Pilot Conversations.
- E. Notice to Appear and Correspondence from Pilot.
- F. Findings of Fact and Conclusions of Law.

51.5.7 PROHIBITED OPERATIONS ON SUNDAYS AND HOLIDAYS

(Amended by O-3081; O-3107; O-3108; O-3127; O-3134; O-3140)

No touch-and-go operation, stop-and-go operation, full stop-taxi back operation, or low approach shall be permitted on the Airport on Sundays, nor on any of the following holidays: New Year's day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day; provided, however, that if any such holiday falls on a Saturday or Sunday, the observance of which is then moved to the preceding Friday, or the following Monday, then such Friday or Monday shall be considered to be a holiday for purposes of this Section.

Torrance Municipal Airport (Zamperini Field)
NOISE ABATEMENT CENTER
ENFORCEMENT REPORT

AIRCRAFT/OWNER INFORMATION

Tail Number: **N148AC** Serial No. **717-93**

Aircraft Make: Model: **Decathlon** Year: **1993**

Owner's Name: **Mach 1 Air Services LLC** Address: [REDACTED] Telephone:

Pilot's Name: **Aryan Mashayekhi** Address: [REDACTED] Telephone:

Lessee: Address: Telephone:

DETAILS OF VIOLATION

Date and Time: **6/11/2023 0:00** Violation: **TRAINING** RMT No.: MAX dB(A):

SENEL dB(A): Duration:

Operation & Runway

Taxi-back and multiple passes in the training pattern from 29Left

Letter Type: Date Mailed: Type Delivery: Return Receipt No.:

Response received: **Yes** Date: **7/27/2023** Method: **Visit to public counter** Respondant Name: **Aryan Mashayekhi**

Comments: *Pilot spoke to Staff N. Duncan said he will not train on Sundays again. Asked if he should come to hearing. Staff advised it is good to let the Board members hear from Pilot.*

WEATHER CONDITIONS:

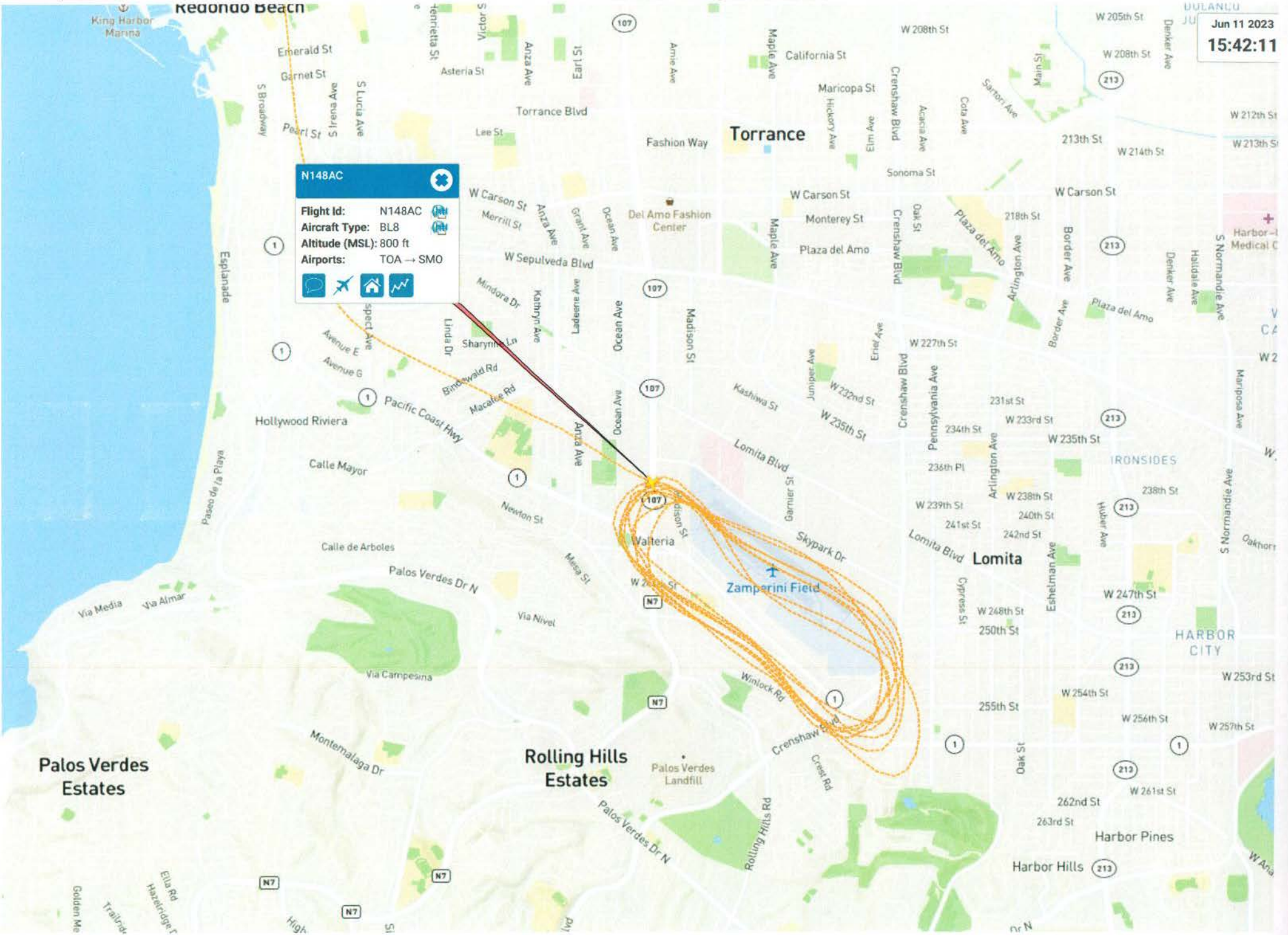
Wind Speed: Direction: Temp: Rel. Humidity:

Dew Point: Ceiling: Visibility: IFR/VFR Operation:

VIOLATION SUMMARY:

Pilot performed a taxi-back, then departed 29 left for the "option." Pilot then performed training maneuvers prohibited on Sundays.

EEO NAME: **Nora Duncan** SIGNATURE:  DATE: **8/3/2023**



**NOISE ABATEMENT EDITED TAPE TRANSCRIPTION FOR
AIRCRAFT N148AC FOR THE DATE OF JUNE 11, 2023**

<u>TIME</u>	<u>SPEAKER</u>	<u>FREQUENCY</u>	<u>CONVERSATION</u>
15:39:10	Pilot N148AC	120.9	“Torrance ground, decathlon 148 Alpha Charlie clear of runway two nine right at Foxtrot requesting taxi-back to two nine left.”
15:39:18	Ground	120.9	“Decathlon 148 Alpha Charlie ground, runway two nine left, taxi via Alpha Gulf”
15:39:20	Pilot N148A	120.9	“Two nine left Alpha Gulf 8 Alpha Charlie”
15:40:37	Pilot N148AC	133.075	“Torrance tower, N148 Alpha Charlie holding short runway two nine left for left closed traffic.”
15:40:43	Tower 1	133.075	“Aircraft 148 Alpha Charlie clear two nine left for take-off.”
15:40:47	Pilot N148AC	133.075	“Two nine left clear for take-off 8 Alpha Charlie.”
15:42:13	Tower 1	133.075	“8 Alpha Charlie clear for the options.”
15:42:16	Pilot N148AC	133.075	“Two nine left clear for the option. Just want to clarify, you cleared us for the option.”
15:42:32	Tower 1	133.075	“Affirmative”
15:45:38	Tower 1	133.075	“November 8 Alpha Charlie runway two nine left, clear for the option”

ATTACHMENT D

15:45:39 Pilot 133.075 "Two nine left clear for the option"
N148AC

15:45:39 VIOLATION OCCURS

**NOISE ABATEMENT TAPE TRANSCRIPTION OF AIRPORT TERMINAL
INFORMATION SERVICE (ATIS) FOR JUNE 11, 2023, AT 1500 HOURS LOCAL**

NO ATIS AVAILABLE FOR THIS TIME.

NOTE: This particular ATIS is included because it was the last ATIS before the flight with the weather information.



CITY OF
TORRANCE

July 10, 2023

MACH 1 AIR SERVICES, LLC
ATTN ARYAN MASHAYEKHI



NOTICE TO APPEAR
Airport Noise Administrative Hearing Board

ON JULY 27, 2023 AT 2:00 P.M. IN THE WEST ANNEX MEETING ROOM, TORRANCE CITY HALL, 3031 TORRANCE BOULEVARD, TORRANCE, CALIFORNIA.

This is a notice for you to appear before the Airport Noise Administrative Hearing Board (“Hearing Board”) on July 27, 2023, at 2:00 P.M. in the West Annex Meeting Room, as provided in Section 51.7.4 of the Torrance Municipal Code in order to determine responsibility for an alleged airport Training curfew/Prohibited operations violation which occurred on June 11, 2023, at 3:42 P.M. The pilot is identified as *Arayan Mashayekhi* and the aircraft is identified as N148AC.

Torrance Municipal Code Section 51.5.5-7 prohibits touch and go, stop and go, full stop-taxi back, and low approach operations at Torrance Municipal Airport during certain times. The allowable days and times are:

Monday – Friday	8:00 a.m. – 8:00 p.m. (Taxibacks until 10:00 p.m.)
Saturday	10:00 a.m. – 5:00 p.m.
Sunday/Holidays	<u>PROHIBITED</u>

On June 11, 2023, at 3:42 PM, aircraft N148AC was recorded conduction a prohibited operation, in violation of TMC Section 51.5.5 or 51.5.7.

Because the Hearing Board in determining responsibility may find either the aircraft owner or the pilot or both to have violated the Torrance Municipal Code(s), the owner and pilot are to be afforded a hearing, including the right to be represented by counsel, to be apprised of the nature of the charge(s), to examine witnesses, and to appeal the decision of the Hearing Board to the City Council, in accordance with the City Council Rules of Order.

Torrance Municipal Code Section 46.7.12 states that for pilot culpability, the owner is presumed to be the pilot. Such presumption may be rebutted only if the owner identifies to Noise Abatement staff the person who was, in fact, the pilot. Therefore, if you owned or leased the aircraft but were not the pilot in command at the date and time of the noise violation shown above, immediately upon receipt of this notice, inform this office, the name and address of the pilot in command of the aircraft at the time of the above alleged violation.

FILE COPY



CITY OF
TORRANCE

Also, the owner and pilot are to bring all documents and presentation materials pertinent to the violation to the Hearing Board. Please bring 5 copies of all documents and presentation materials so that each Hearing Board member and staff can have copies to review. *Be advised, that if the owner and/or pilot chooses not to attend or send a representative with pertinent information to the hearing, the hearing will proceed as scheduled unless other arrangements have been made prior the Hearing date.*

According to Council Rules of Order Section 7.7, if you decide to appeal to City Council, the decision on appeal is based on the administrative record. This means that no new evidence will be presented at the appeal hearing unless good cause is shown.

If you have any questions regarding this matter, please contact the undersigned at (310) 618-5912.

Sincerely,

Nora Duncan
Senior Environmental Quality Officer

Regular Mail and CERTIFIED MAIL

FILE COPY

9171 9690 0935 0212 9949 27




CITY OF TORRANCE

Michelle G. Ramirez
COMMUNITY DEVELOPMENT
DIRECTOR

July 17, 2023

MACH 1 AIR SERVICES, LLC
ATTN ARYAN MASHAYEKHI

 COPY

NOTICE TO APPEAR

Airport Noise Administrative Hearing Board

ON AUGUST 10, 2023 AT 2:00 P.M. IN THE WEST ANNEX MEETING ROOM, TORRANCE CITY HALL, 3031 TORRANCE BOULEVARD, TORRANCE, CALIFORNIA. THIS HEARING DATE HAS BEEN RESCHEDULED PER BOARD REQUEST.

This is a notice for you to appear before the Airport Noise Administrative Hearing Board (“Hearing Board”) on August 10, 2023, at 2:00 P.M. in the West Annex Meeting Room, as provided in Section 51.7.4 of the Torrance Municipal Code in order to determine responsibility for an alleged airport Training curfew/Prohibited operations violation which occurred on June 11, 2023, at 3:42 P.M. The pilot is identified as *Arayan Mashayekhi* and the aircraft is identified as N148AC.

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Also, the owner and pilot are to bring all documents and presentation materials pertinent to the violation to the Hearing Board. Please bring 5 copies of all documents and presentation materials so that each Hearing Board member and staff can have copies to review. *Be advised, that if the owner and/or pilot chooses not to attend or send a representative with pertinent information to the hearing, the hearing will proceed as scheduled unless other arrangements have been made prior the Hearing date.*

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Sincerely,



Nora Duncan
Senior Environmental Quality Officer

Regular Mail and CERTIFIED MAIL

9171 9690 0935 0213 0135 59

AIRPORT NOISE ADMINISTRATIVE HEARING BOARD
OF THE CITY OF TORRANCE

IN THE MATTER OF THE)	
AIRPORT NOISE HEARING)	
)	FINDINGS OF FACT AND
)	CONCLUSIONS OF LAW
AIRCRAFT NOISE VIOLATION)	
OF AIRCRAFT N148AC, ARYAN)	
MASHAYEKHI, June 11, 2023)	
_____)	

WHEREAS Torrance Municipal Code section 51.5.7 provides that an aircraft shall not perform training, touch and go operation, stop and go operation or low approach operations on the Airport on Sundays, nor on any of the following holidays: New Year’s Day, Memorial Day; Independence Day, Labor Day, Thanksgiving Day and Christmas Day; and

WHEREAS, Torrance Municipal Code section 51.7.2 provides that any person with three or more cumulative violations of the provisions of this Chapter 1, or of any other laws, rules or regulations of the City, State or the United States of America pertaining to the use of the Airport within a three-year period shall be denied the right to land, take off, lease, rent or use space for aircraft at the Torrance Municipal Airport for a period of three years except in emergencies; and

WHEREAS Torrance Municipal Code section 51.7.7 provides that the beneficial owner of an aircraft shall be presumed to be the pilot, except that where the aircraft is leased, the lessee shall be presumed to be the pilot, unless the owner or lessee identifies the person who was in fact the pilot at the time of the violation; and

WHEREAS the Community Development Department, Environmental Division requested the Airport Noise Administrative Hearing Board to conduct a hearing as to an alleged

violation of the TMC 51.5.7, Prohibited Operations on Sundays and Holidays by aircraft, Decathlon, N148AC occurring on June 11, 2023; and

WHEREAS the Airport Noise Administrative Hearing Board held a hearing on the alleged violation on August 10, 2023; and

NOW, THEREFORE, the Airport Noise Administrative Hearing Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

FIRST FINDING OF FACT

That aircraft Decathlon N148AC, departed at Torrance Municipal Airport on June 11, 2023, at 3:42 P.M. and performed training operations during prohibited hours on a Sunday.

SECOND FINDING OF FACT

That Aryan Mashayekhi was, on June 11, 2023, at 3:42 P.M., the pilot of aircraft Decathlon N148AC.

CONCLUSIONS OF LAW

FIRST CONCLUSION OF LAW

That aircraft Decathlon N148AC, was in violation of Torrance Municipal Code section 51.5.7 on June 11, 2023.

SECOND CONCLUSION OF LAW

That Aryan Mashayekhi was the pilot of Decathlon N148AC when the aircraft did perform training operations during prohibited hours on a Sunday.

DATED: _____

Craig Bilezerian
Chairperson
Airport Noise Administrative Hearing Board