

**Torres Rojas, Genara**

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**From:** andrew.tangel@wsj.com  
**Sent:** Monday, February 23, 2015 12:10 AM  
**To:** Duffy, Daniel  
**Cc:** Torres Rojas, Genara; Van Duyne, Sheree; Ng, Danny  
**Subject:** Freedom of Information Online Request Form

Information:

First Name: Andrew  
Last Name: Tangel  
Company: The Wall Street Journal  
Mailing Address 1: 1211 6th Ave, 5th floor  
Mailing Address 2:  
City: New York  
State: NY  
Zip Code: 10036  
Email Address: [andrew.tangel@wsj.com](mailto:andrew.tangel@wsj.com)  
Phone: 212-416-3715  
Required copies of the records: Yes

List of specific record(s):

- Any and all documents regarding the Port Authority perimeter rule policy and effectuation language as is applies to LaGuardia Airport - Any and all documents regarding the Port Authority's passenger traffic forecasts for LaGuardia Airport, from Jan. 1, 2012, until the present. - Any all memos, e-mails and letters to and from Port Authority staff members about altering or eliminating the perimeter rule at La Guardia Airport, from Jan. 1, 2014 until the present. This includes but is not limited to correspondence on which said staff members were carbon-copied. - Any and all documents including statements of qualifications that were submitted in response to the Port Authority's RFQ for the LaGuardia Airport Central Terminal Building I ask that you expedite processing this request because I am a member of the media seeking to inform the public about governmental activity of high interest to the public.

May 19, 2015

**THE PORT AUTHORITY OF NY & NJ**

Mr. Andrew Tangel  
The Wall Street Journal  
1211 6th Avenue, 5th Floor  
New York, NY 10036

FOI Administrator

Re: Freedom of Information Reference No. 15816

Dear Mr. Tangel:

This is in response to your February 23, 2015 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code", copy enclosed) for copies of (1) all documents regarding the Port Authority perimeter rule policy and effectuation language as it applies to LaGuardia Airport, (2) all documents regarding the Port Authority's passenger traffic forecasts for LaGuardia Airport, from 1/1/12 until the date of your request, (3) all memos, e-mails and letters to/from Port Authority staff about altering or eliminating the perimeter rule at La Guardia Airport from 1/1/14 until the date of your request, and (4) all documents including statements of qualifications that were submitted in response to the Port Authority's RFQ for the LaGuardia Airport Central Terminal Building redevelopment.

In an effort to provide available documents as quickly as possible, we are providing documents for (1) and (2) of your request at this time.

Pursuant to the Code, material responsive to (4) of your request is exempt from disclosure as, among other classifications, open procurement.

Material responsive to your request and available under the Code can be found on the Port Authority's website at <http://www.panynj.gov/corporate-information/foi/15816-O.pdf>. Paper copies of the available records are available upon request.

We will continue processing the remainder of your request as expeditiously as possible and to the extent that our review would permit us to provide you with additional responsive documents while the review is ongoing, we will endeavor to do so.

Please refer to the above FOI reference number in any future correspondence relating to your request.

Very truly yours,



Danny Ng  
FOI Administrator

Enclosure

4 World Trade Center, 18th Floor  
150 Greenwich Street  
New York, NY 10006  
T: 212 435 3642 F: 212 435 7555

**THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY**

**AIRPORT RULES AND REGULATIONS**

Issued by:

The Port Authority of NY & NJ  
Aviation Department

Issue Date: August 4, 2009

# **AIRCRAFT OPERATIONS**

12. Every Aircraft parked on a Public Ramp or Apron Area, Public Passenger Ramp or Apron Area, or Public Cargo Ramp and Apron Area shall have its running lights turned on during the hours between sunset and sunrise, except in certain areas designated by the Manager, or in areas which are illuminated during these hours.
13. All Aircraft being taxied, towed or otherwise moved at an Air Terminal shall proceed with running lights on during the hours between sunset and sunrise.
14. No person shall maneuver an Aircraft, park, or leave the same standing on a ramp or apron area in such a way that any portion of said Aircraft will protrude beyond the ramp or apron limits, unless previously authorized.
15. It is required that one wing walker, preferably two be positioned on the ground, located at the outward tip of each wing, to monitor the clearance of each wing as the aircraft enters and exits the ramp.
16. LaGuardia Airport is to be utilized for nonstop domestic flights and international flights pre-cleared by the Federal Inspection Services only to and from points that are located within 1,500 statute miles of LaGuardia Airport, and to and from Denver, CO. The foregoing limitation does not apply to flight operations conducted on Saturdays or to general aviation operations conducted at the Marine Air Terminal.

#### V. FOREIGN MILITARY & STATE AIRCRAFT

1. Due to the high volume of traffic at Port Authority Airports, foreign military and state aircraft are required to depart within two hours of arrival.
2. Overnight parking of foreign military and state aircraft at Port Authority Airports is strictly prohibited.

#### W. RUNUPS

No jet or turboprop aircraft engine shall be run-up except in areas authorized by the Manager. Aircraft engines shall be started and warmed up on an Air Terminal only in places designated for such purposes by the Manager. Maintenance running of jet engines to check cockpit instrumentation shall not be performed at the Public Passenger Ramp and Apron Area, but in an area designated by the Manager. Details for nighttime maintenance runups can be obtained from the Manager's office.

(Board - 5/10/84)

### **LaGuardia Airport - "Perimeter Rule" Interim Rule and Study**

It was reported that operations at LaGuardia Airport have been restricted as to non-stop length of flight segments and destinations since the late 1950's. Although the flight radius has varied, Aviation Department policy has been to preserve LaGuardia's capacity for short and medium-haul domestic flights except for pre-cleared international service to Montreal and Toronto, Canada, which are "grandfathered" under the current policy. This policy has been set forth in letters to air-carriers, submission to the Civil Aeronautics Board and in Section 48 of the proposed LaGuardia lease, with which prospective lessees have been familiar since 1978 and about which the Commissioners were informed in 1979.

Circumstances have recently arisen that have brought this policy into contention. Air Canada has relocated from the British Airways Terminal at Kennedy International Airport to LaGuardia Airport. Initially, after relocation, Air Canada utilized United's terminal at Kennedy International Airport to provide non-stop service to and from Calgary, Canada. On February 29, 1984, Air Canada officially notified the Port Authority of its intention to inaugurate a Calgary flight at LaGuardia on April 29, 1984, in violation of the Port Authority's policy. Subsequent correspondence and communications failed to dissuade Air Canada. Air Canada and the Port Authority have mutually agreed that the commencement of Calgary service would be without prejudice to the Port Authority's respective legal positions.

In addition, the new Boeing 767 aircraft are being operated by a number of airlines at LaGuardia Airport. The 767 has the capability of flying transcontinental non-stop from/to LaGuardia Airport. Other aircraft, such as the 747, have been unable to provide such service due to weight and landing gear configuration restrictions on LaGuardia's runways. Several airlines have approached the Port Authority seeking permission to institute non-stop 767 transcontinental service.

Staff has conducted a preliminary review of the perimeter policy, in light of these events, and has tentatively concluded that the interests of the public and the airlines are well served by the continuation of some type of perimeter policy, particularly in view of the limited physical facilities and other inherent limitations of LaGuardia Airport and the larger capacities of Kennedy International and Newark International Airports.

Staff suggests that it should solicit comments from interested parties on the current perimeter policy and on any alternatives that staff or other concerned parties believe should be considered by the Commissioners. Until further action by the Board, the current policy is to be effective.

It was recommended that the Board authorize the study as outlined above.

Whereupon, the following resolution was unanimously adopted:

RESOLVED, that the Board hereby directs staff to conduct a comprehensive study of the current policy that permits LaGuardia Airport to be utilized for non-stop flights only to and from points within the continental United States that are located within 2,000 miles of LaGuardia Airport and to and from the "grandfathered" Canadian cities of Montreal and Toronto, and further directs staff to solicit comments from all interested parties (e.g. airlines, Federal agencies and departments, state and local organizations, public interest groups, etc.), staff shall present its recommendations to the Board for its consideration and further action approximately 90 days after adoption of this resolution; and it is further

RESOLVED, that until further action by the Board the current policy with regard to utilization of LaGuardia Airport shall remain in effect.

(Board - 9/13/84)

#### LaGuardia Airport - "Perimeter Rule" Study and Final Rule

At the May 10, 1984 Board meeting, it was reported that operations at LaGuardia Airport have been restricted as to non-stop length of flight segments and destinations since the late 1950's but that recent circumstances have brought this policy into contention. Air Canada has relocated from the British Airways Terminal at Kennedy International Airport to LaGuardia Airport. Initially, after relocation, Air Canada utilized United's terminal at Kennedy International Airport to provide non-stop service to and from Calgary. On February 29, 1984, Air Canada officially notified the Port Authority of its intention to inaugurate a Calgary flight at LaGuardia on April 29, 1984, in violation of the Port Authority's policy. Subsequent correspondence and communications failed to dissuade Air Canada. By stipulation between the Port Authority and Air Canada, however, Air Canada's service to Calgary does not give Air Canada any vested rights. In addition, the new Boeing 767 aircraft are being operated by a number of airlines at LaGuardia Airport. The 767 has the capability of flying transcontinental non-stop from/to LaGuardia Airport. Other aircraft, such as the 747, have been unable to provide such service due to weight and landing gear configuration restrictions on LaGuardia's runways. Several airlines have approached the Port Authority seeking permission to institute non-stop 767 transcontinental service. A preliminary staff review had tentatively concluded that the interests of the public and the airlines are well served by the continuation of some type of perimeter rule.

The Board directed staff to conduct a comprehensive study of the current policy and directed staff to solicit comments from all interested parties and present its recommendations to the Board in approximately 90 days.

Staff has reviewed its tentative findings and completed its analysis of the survey of all interested parties.

Staff sent a questionnaire to approximately 160 different parties and received some 50 responses. Although a few airlines (Air Canada, TWA and United) expressed serious objections to the flight limitation policy and several other parties foresaw potential benefits as well as disadvantages in abandoning the policy, there is strong support for a continuation of such a policy. Most of those surveyed either favored retaining the current policy or imposing a somewhat more restrictive policy. Among the supporters of either the current policy or some modified version of it were airlines which carried 13.8 million LaGuardia passengers in 1983 or nearly three-fourths of all passengers handled at LaGuardia last year. Also responding were the Federal Aviation Administration, the Department of Transportation and the State Department. Although they did not take a position on the mileage aspects of our policy, these Federal agencies did not take issue with our right to impose a "perimeter" rule. However, the State Department "perceive(d) no reason why the perimeter should be restricted to the continental United States" and further states "there should be no distinctions among precleared flights, and all such flights should be permitted to utilize LaGuardia airport". Thus, our recommended final rule has been drafted to overcome the State Department's objections.

(Board - 9/13/84)

In total, about 20% of the survey respondents favored a 1,500 statute mile perimeter with most of this group favoring continuing service to those cities currently served beyond 1,500 statute miles. Although more than 20% of the parties offered alternatives to those suggested by staff, none advocated a specific geographic related rule with most comments favoring a restricted use policy of some type for the airport. Three-fourths of the parties supported restricting international service to pre-cleared flights.

Major objections in the survey to a "perimeter rule" were raised, principally by TWA and United, based on their contention that competition and market demand should be the determinants of what types of services should be provided at LaGuardia. It is their perception that the policy conflicts with the tenets of the Airline Deregulation Act as well as other statutes including the Federal Aviation Act of 1958. These carriers also disagree with staff's assessment of the impact of abandonment of the policy on LaGuardia Airport operations. Air Canada's objections focus principally on the treatment of international flights between LaGuardia and Canada and the applicability of international and bilateral agreements.

After assessing the survey results and the objections raised by respondents, staff affirms its tentative conclusion that the interests of the public and the airlines are best served by the continuation of some type of perimeter policy, particularly in view of the limited physical facilities and other inherent limitations of LaGuardia Airport and the larger capacities at Kennedy International and Newark International Airports. However, in view of the concerns expressed by the State Department and suggestions by several carriers and other parties for modification of the rule, staff recommends that the current interim rule be modified by reducing the mileage radius from 2,000 statute miles to 1,500 statute miles but allowing the continuation of service to Denver, expand the current policy to permit non-stop flights to such Canadian cities as Winnipeg which already have preclearance facilities as well as to other Canadian cities within 1,500 statute miles of LaGuardia which may acquire preclearance facilities in the future. This would exclude Calgary which is beyond 1,500 statute miles and where although service was recently instituted the stipulation entered into by the parties gives Air Canada no vested rights.

The "grandfathering" of Denver is important for LaGuardia Airport. Continental Airlines, United Airlines and Frontier Horizon currently provide continuous non-stop LaGuardia service to Denver (Stapleton Airport), Continental since October 1981, United since July 1982 and Frontier Horizon since March 1984. Both United and Continental schedule three non-stop flights daily while Frontier Horizon currently operates two non-stop daily flights to Denver. In 1983, United and Continental enplaned 196,000 passengers at LaGuardia for Denver. Denver is LaGuardia's 16th largest market. It is a key hub for Continental, United and Frontier Horizon, these three airlines accounted for 9.5 million passengers at Stapleton in 1983, 84% of that airport's total volume.

Service to Bermuda and the Bahamas will also be permitted. The inclusion of Bermuda and the Bahamas is not expected to have a major impact on LaGuardia since these are medium size markets and have preclearance facilities. In 1983, there were 389,000 air passengers between New York/Newark and Hamilton, Bermuda and 445,000 to/from the Bahamas. The exception for flight operations on Saturdays is warranted by the fact that passenger volumes on Saturdays are 20% less than the average daily volume from Sunday through Friday. The exception for general aviation

(Board - 9/13/84)

operations conducted at the Marine Air Terminal is based upon the current adequacy of passenger facilities at that terminal for general aviation. A review of the two 1983 annual survey days which provide hourly information indicates that there are no "windows" during the day which warrant relaxation of the rule. Although passenger volumes and flight activity are less during the early Sunday morning hours, two-thirds of the activity are departures with resulting intense use of the facilities. Staff believes that adoption of a 1500 statute mile perimeter rule applicable to both domestic and precleared international flights plus the "grandfathering" of Denver will maintain the short haul character of LaGuardia Airport without being disruptive to established service patterns. If conditions change, the policy should be reexamined. Staff will also keep the Board informed on issues related to the FAA High Density rules for LaGuardia and on any other capacity issue that could affect the Perimeter Rule. Such as the current industry discussions on aircraft delay and congestion problems.

It was therefore recommended that the Board find and determine that LaGuardia Airport should continue to be used primarily for business travel and for trips to and from short and medium-haul destinations and based upon such findings, adopt the following policy: LaGuardia Airport is to be utilized for non-stop domestic flights and international flights precleared by the Federal inspection services only to and from points that are located within 1,500 statute miles of LaGuardia Airport and to and from Denver which is important to LaGuardia Airport and currently has regularly scheduled non-stop LaGuardia service. The mileage limitations would not apply to flight operations performed on Saturdays or to general aviation operations conducted at the Marine Air Terminal.

Whereupon, the following resolution was unanimously adopted:

RESOLVED, that the Board finds and determines that LaGuardia Airport should continue to be used primarily for business travel and for trips to and from short- and medium-haul destinations; and it is further

RESOLVED, that LaGuardia Airport is to be utilized for non-stop domestic flights and international flights pre-cleared by the Federal inspection services only to and from points that are located within 1,500 statute miles of LaGuardia Airport and to and from Denver which is important to LaGuardia Airport and currently has regularly scheduled non-stop LaGuardia service; the mileage limitations would not apply to flight operations performed on Saturdays or to general aviation operations conducted at the Marine Air Terminal.

# APO TAF Quick Data Summary Report - Facility

## For National Forecast 2011 -- 2011 Scenario

Region State: AEA-NY  
City: NEW YORK

LOCD: LGA Limited Radar Towers  
Airport: LA GUARDIA

Fiscal Year	Air Carrier	Commuter	Total	Air Carrier	-- Inflight Operations --			-- Airport Operations --			-- Local Operations --			Total OPS	Total OPS	2010 Based Aircraft 0 -- TRACON --
					AT & Comm	GA	Military	Total	Civil	Military	Total					
2007	10,121,081	2,543,096	12,584,117	201,374	186,975	10,700	361	401,410	0	0	0	0	401,410	401,410	0	
2008	9,367,115	2,476,803	11,863,919	205,348	175,691	9,200	289	390,528	0	0	0	0	390,528	390,528	0	
2009	8,374,508	2,560,504	10,935,010	196,122	155,621	6,928	324	356,985	0	0	0	0	356,985	356,985	0	
2010	8,603,513	2,997,799	11,801,312	209,318	147,987	7,028	349	384,652	0	0	0	0	384,652	384,652	0	
2011	9,001,962	3,153,664	12,155,646	242,305	121,170	6,401	311	376,737	0	0	0	0	376,737	376,737	0	
2012	9,877,710	3,308,214	12,665,924	247,327	123,110	5,969	311	381,013	0	0	0	0	381,013	381,013	0	
2013	9,596,960	3,354,528	12,951,488	251,575	123,138	5,989	311	381,499	0	0	0	0	381,499	381,499	0	
2014	9,718,287	3,364,591	13,082,878	253,034	121,785	5,969	311	386,259	0	0	0	0	386,259	386,259	0	
2015	9,850,889	3,378,049	13,228,938	254,701	120,498	5,969	311	387,097	0	0	0	0	387,097	387,097	0	
2016	10,091,200	3,428,719	13,519,919	259,332	120,627	5,969	311	387,097	0	0	0	0	387,097	387,097	0	
2017	10,182,522	3,463,578	13,666,100	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2018	10,244,833	3,532,348	13,776,981	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2019	10,307,125	3,581,801	13,868,926	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2020	10,370,000	3,631,846	14,001,946	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2021	10,433,260	3,682,793	14,116,053	259,904	120,893	5,969	311	387,097	0	0	0	0	387,097	387,097	0	
2022	10,496,908	3,734,352	14,231,260	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2023	10,560,948	3,786,633	14,347,581	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2024	10,625,980	3,839,646	14,465,626	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2025	10,690,206	3,893,401	14,583,607	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2026	10,755,431	3,947,909	14,703,340	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2027	10,821,056	4,003,180	14,824,236	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2028	10,887,084	4,059,225	14,946,309	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2029	10,953,515	4,115,054	15,068,569	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2030	11,020,955	4,173,879	15,194,834	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2031	11,087,804	4,232,111	15,319,715	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2032	11,155,266	4,291,361	15,446,627	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2033	11,223,343	4,351,440	15,574,783	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2034	11,291,838	4,412,360	15,704,198	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2035	11,360,753	4,474,133	15,834,886	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2036	11,430,091	4,536,771	15,966,862	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2037	11,499,854	4,600,286	16,100,140	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2038	11,570,045	4,664,690	16,234,735	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2039	11,640,867	4,729,996	16,370,863	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
2040	11,711,722	4,796,216	16,507,938	259,904	120,893	5,989	311	387,097	0	0	0	0	387,097	387,097	0	
GR1	0.95	1.57	1.12	0.72	-0.87	-0.53	-0.38	0.19	0.00	0.00	0.00	0.00	0.19	0.15	0.00	
GR2	0.91	1.45	1.06	0.24	-0.00	-0.22	0.00	0.15	0.00	0.00	0.00	0.00	0.15	0.15	0.00	