



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Sept 10, 1992

Mr. J. Dennis Crabb  
City Attorney for the City of South Lake Tahoe  
1052 Tata Lane  
South Lake Tahoe, California 96150-6324

Dear Mr. Crabb:

In a letter dated August 21, 1992, the Federal Aviation Administration (FAA) concluded that noise or access restrictions proposed for the Tahoe Valley Airport are not subject to the requirements of the Airport Noise and Capacity Act of 1990 (1990 Act) or the implementing regulations of Part 161 of the Federal Aviation Regulations (14 CFR Part 161) based on a specific statutory exemption in the 1990 Act (49 U.S.C.App. §§2153(a) (2) (C) (v) (I) and (II). During a conference call on September 3, 1992, the parties thereto asked the FAA to clarify its conclusion.

The FAA understands that the parties represent that all proposed restrictions in the settlement agreement and airport master plan, and the airline access plan and airport regulation, succeed or relax restrictions previously adopted for the Tahoe Valley Airport, and will not further restrict any aircraft operations permitted as of November 5, 1990. Assuming the correctness of those representations, the proposed restrictions set forth in the above documents are consistent with the statutory exemption, and the FAA commits that it will not challenge action by the City of South Lake Tahoe to adopt and implement such noise or access restrictions for failure to comply with the requirements of the 1990 Act or Part 161.

Sincerely,

Michael C. Moffett  
Assistant Administrator for Policy, Planning and International Aviation

cc: Kenneth R. Williams, State of California  
Susan Scholley, Tahoe Regional Planning Agency

E. Clement Shute, League to Save Lake Tahoe  
Richard M. Sherman, Jr., Aircal, Inc.  
Richard A. Malahowski, American Airlines, Inc.  
Michael S. Gatzke