

SECTION 131 FORM

File With _____

S. 37

Appeal NO: ABP 314485

TO: SEO

Defer Re O/H ☐

Having considered the contents of the submission dated/ received 20/12/24
from

Airlines for America recommend that section 131 of the Planning and Development Act, 2000
be/not be invoked at this stage for the following reason(s): no new issues

E.O.: [Signature]

Date: 31/12/24

To EO: _____

Section 131 not to be invoked at this stage. ☐

Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached
submission

to: _____

Allow 2/3/4 weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

File With _____

CORRESPONDENCE FORMAppeal No: ABP 314485Please treat correspondence received on 20/12/24 as follows:

. Update database with new agent for Applicant/Appellant _____

. Acknowledge with BP 23. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐

Amendments/Comments

Resp Recd

4. Attach to file

(a) R/S ☐(b) GIS Processing ☒(c) Processing ☒(d) Screening ☐(e) Inspectorate ☐RETURN TO EO ☐

	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <u>[Signature]</u>	AA: <u>C. Ryan</u>
Date: <u>31/12/24</u>	Date: <u>31-12-24</u>

David Behan

From: Hayashi, Sophie <shayashi@airlines.org>
Sent: Friday 20 December 2024 21:27
To: Appeals2
Cc: Glatz, Keith; Roberts, Rachel
Subject: Comments of Airlines for America to Reg. Ref. No. ABP-314485-22
Attachments: A4A Comments to ABP Draft Decision on Night Flights FINAL .pdf

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

To the Secretary of An Bord Pleanála:

I am writing on behalf of Keith Glatz, Senior Vice President, International Affairs at Airlines for America. Please see attached the comments of Airlines for America regarding the consultation on draft decision Reg. Ref. No.: ABP-314485-22. I have also included below proof of our previous payment of 50 euros.

Please let me know if we can provide you with any additional information. Thank you.

Best,

Sophie Hayashi

Managing Director and Assistant General Counsel, Regulatory Affairs

Airlines for America

1275 Pennsylvania Ave, NW, Suite 1300

Washington, DC 20004

We Connect the World

Office: 317-363-8923

airlines.org | [Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#)

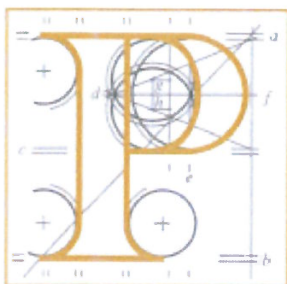
From: An Bord Pleanála <no-reply@pleanala.ie>

Sent: Thursday, December 14, 2023 9:07 AM

To: Roberts, Rachel <rroberts@airlines.org>

Subject: Your Observation Reference: NPA-OBS-002981

You don't often get email from no-reply@pleanala.ie. [Learn why this is important](#)



An
Bord
Pleanála

Planning Appeal Observation Confirmation

Your reference

NPA-OBS-002981

An Bord Pleanála case number 314485
or brief development
description as provided

Name Keith Glatz

Fee €50.00

What happens next? Our staff will process your observation. This will take about five to seven working days. We will send a letter in the post to tell you if your observation is valid — or not.

Further information You can get further information on planning appeals on the [An Bord Pleanála website](#). This includes the [planning appeals Public Guidance Document](#).



Airlines for America[®]

We Connect the World

December 20, 2024

Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1, D01 V902

Sent via e-mail: appeals@pleanala.ie

RE: Consultation on draft decision Reg. Ref. No.: ABP-314485-22

To the Secretary of An Bord Pleanála:

Airlines for America (A4A), on behalf of its members¹, appreciates the opportunity to comment on An Bord Pleanála's Draft Decision pursuant to Section 37(4) of the Planning and Development Act 2000, as amended (the Draft Decision).² A4A is the principal trade and service organization of the U.S. scheduled airline industry. American Airlines, Delta Air Lines, JetBlue, United Airlines and our associate member, Air Canada, provide significant combination passenger and cargo services from North America to Dublin Airport (DUB). Atlas, FedEx, and UPS provide extensive all-cargo and express services to DUB. These members have invested heavily in their operations in Ireland and will experience a significant negative impact as a result of the Draft Decision. We respectfully urge An Bord Pleanála to rescind its Draft Decision for the reasons outlined below and proceed with a plan that more closely tracks the initial Noise Quota System (NQS) proposal.

The Draft Decision's proposed reduction of nighttime operations will cause immediate economic and operational harm to the Irish economy and will disrupt our member's networks at DUB and beyond. Our member's networks are hugely interconnected so even a slight reduction at night will have huge implications for their connectivity to and beyond DUB³. This will lead to reduced or diminished service at DUB.

Violation of the Balanced Approach to Aircraft Noise Management

An Bord Pleanála's Draft Decision violates the Balanced Approach to Aircraft Noise Management (the Balanced Approach) which is enshrined in both EU law and the U.S.-EU Air Transport

¹ Members of the association are Alaska Airlines, Inc.; American Airlines Group, Inc.; Atlas Air, Inc.; Delta Air Lines, Inc.; Federal Express Corporation; Hawaiian Airlines; JetBlue Airways Corp.; Southwest Airlines Co.; United Airlines, Inc.; and United Parcel Service Co. Air Canada is an associate member. A4A is located at 1275 Pennsylvania Ave NW, Washington DC 20004.

² Case No. ABP-314485-22

³ Several of our Members arrive at DUB within the designated nighttime period so they will be directly impacted by the Draft Decision if implemented.

Agreement.⁴ The Balanced Approach first requires the relevant authority to identify a noise problem—if there is no actual noise problem, the process ends. If the authority proves that a noise problem exists, then it must set a noise target or goal. To meet the noise target/goal, the Balanced Approach requires the authority to consider four pillars of noise mitigation measures with operating restrictions being a last resort after full consideration of the other pillars. The four pillars, in order, are as follows: (1) reduction of noise at source; (2) land-use planning and management; (3) noise abatement operational procedures; and (4) operating restrictions.⁵

The Draft Decision fails to adhere to the Balanced Approach in its entirety. An Bord Pleanála did not identify a noise problem via a careful noise assessment, it did not set a noise target/goal and finally it did not consider the first three pillars before deciding to reduce capacity. The Draft Decision immediately and without consideration of other mitigation measures proposes to significantly reduce the number of air traffic movements to 13,000 during the night at DUB. The Draft Decision does not include data or further explanatory evidence to justify the 13,000 figure. As such, the Draft Decision must be rescinded, and a proper Balanced Approach must be conducted.

Unnecessary Additional Restrictions at Night

In addition to capping operations to 13,000 movements at night in Condition 5, An Bord Pleanála appears to introduce further movement restrictions to an average of 35 per night, which is a significant decrease from the current average movements which is closer to 85 per night. An Bord Pleanála provides no explanation for this drastic reduction in movements. This is similarly a violation of the Balanced Approach, and we suggest that An Bord Pleanála also rescind this proposal.

A4A also seeks clarity regarding the apparent bifurcation of operational flexibility between the summer and winter seasons set out in the Draft Decision. The Draft Decision appears to provide more flexibility during the summer season by providing 92 night flights daily in the 'peak period' but then drastically limits nighttime flying during the winter season. Operationally this does not make sense and will disproportionately impact our cargo members which operate more during the winter season. A4A respectfully requests An Bord Pleanála to rescind this section of its Draft Decision.

We would additionally like to flag concerns with Condition 3(e): which, when taken together with existing condition 3(c) for the North Runway, means that in easterly winds, aircraft could neither arrive or depart from the North Runway, and all operations would be forced onto the South Runway between 06.00 and 08.00.

Discriminatory Against Cargo Carriers and Immediate Operational Impact

The Draft Decision also seeks to disparately impact our all-cargo members who operate almost exclusively at night at DUB. Airport access is critical for their continued and successful operations. For example, we are in the midst of the peak winter shipping season, and the proposed reductions to nighttime operations will have a huge impact on our cargo members' ability to deliver packages in time for the holidays. Ireland is an island nation dependent on efficient cargo deliveries. The Irish people will feel the impact of the Draft Decision every day as they face extended wait times for their packages.

⁴ Regulation (EU) No 598/2014 and Article 15(2) of the U.S.-EU ATA.

⁵ See Regulation 598/2014.

A4A urges the Board to rescind the Draft Decision as proposed as it is a violation of EU and international law, and it will disrupt the Irish economy, passenger services to/from Ireland and the availability of efficient shipping/package delivery. An Bord Pleanála cannot reduce nighttime flying at DUB to address noise concerns unless it engages in a comprehensive Balanced Approach Procedure as required under both EU and international law.

A4A welcomes the opportunity to meet with An Bord Pleanála to discuss collaboratively lawful solutions that make practical sense.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Glatz', with a stylized, cursive script.

Keith Glatz
Senior Vice President, International Affairs



Airlines for America*

We Connect the World

December 20, 2024

Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1, D01 V902

Sent via e-mail: appeals@pleanala.ie

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Keith Glatz
Senior Vice President, International Affairs