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

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

August 9, 2022

Mr. Patrick Sullivan
City Attorney
City of Torrance, City Hall
3031 Torrance Blvd.
Torrance, CA 90503

RE: City of Torrance's Regulation of Aircraft in Flight

Dear Mr. Sullivan:

We write to memorialize the outcome of your meeting of March 3, 2022, with several FAA attorneys regarding Division 5, Chapter 1, Article 2, Section 51.2.3 of the City of Torrance's Municipal Code, "Take Offs and Landings," which prohibits aircraft from taking off to the west from "turn[ing] left until they have either reached the ocean or attained an altitude of fifteen hundred (1,500) feet."

In a February 18, 2020, letter from Lorelei Peter, Assistant Chief Counsel for Regulations, to Mr. Jim Gates, a local pilot, Ms. Peter addressed the enforceability of Section 51.2.3(e). Ms. Peter's letter stated that because the municipal code "applies to aircraft in flight, it is not consistent with the [applicable] Federal statutory and regulatory framework." As explained in the letter, this determination is based upon the Federal Aviation Administration's (FAA) authority to regulate airspace use, management and efficiency; air traffic control; safety; navigational facilities; and aircraft noise at its source. As provided in the letter to Mr. Gates, enforcement of Section 51.2.3(e) would be at odds with various court opinions.

We are grateful to you for conveying our determination to Torrance's Airport Commission at its meeting of April 22, 2022.

If you have any additional questions or need anything further, please let me know.

Sincerely,
SARA L MIKOLOP
Digitally signed by SARA L MIKOLOP
Date: 2022.08.09 09:35:05 -04'00'
Sara Mikolop
Acting Assistant Chief Counsel for Regulations