

# Eastern Region Helicopter Council

Professionalism and Efficiency Since 1977



# HAP

*Helicopter Advocacy Program*

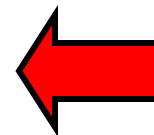
“Invest in your right to fly around  
New York and the Northeast Corridor today”

# History of the Helicopter Advocacy Program (HAP)

Created in 1998 due to  
the closure of East 60<sup>th</sup> Street Heliport



**THEN**



**NOW**

- HAP is funded solely by ERHC member contributions.
- HAP will not survive without the financial support and active participation of our members.
- HAP provides the Northeast Helicopter Community a *VOICE* to determine the future of our industry.
- NOW is a critical time for HAP, ERHC and YOU.





- Established a 24-hour telephone hotline coordinated with New York City to field noise complaints.
- Coordinated with NYEDC Helicopter Task Force
- Consulted with FAA on NY Airspace Redesign project
- Joined NY VFR Airspace Task Force due to August 8, 2009 accident
- Interfaced with TSA and FAA to mitigate effects of NYC TFR's
- ERHC and NYEDC partnered to develop NYC Helicopter Sightseeing Plan



# West 30<sup>th</sup> Street Heliport (JRA)

## Briefing and Update



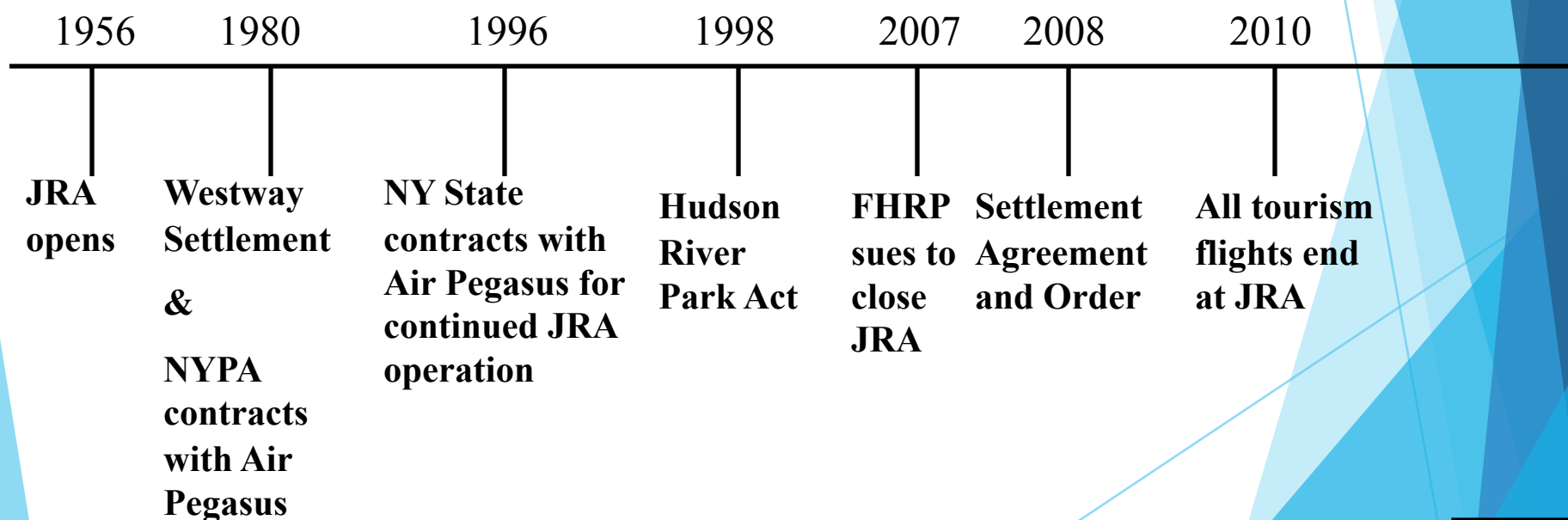
JRA | Copyright by Stephen Amiaga | 2007-07-20 | Airport-Data.com

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# History of JRA

**Currently Owned by  
the Hudson River  
Park Trust and  
Managed by Air  
Pegasus**



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# Controlling Documents

**HUDSON RIVER PK**

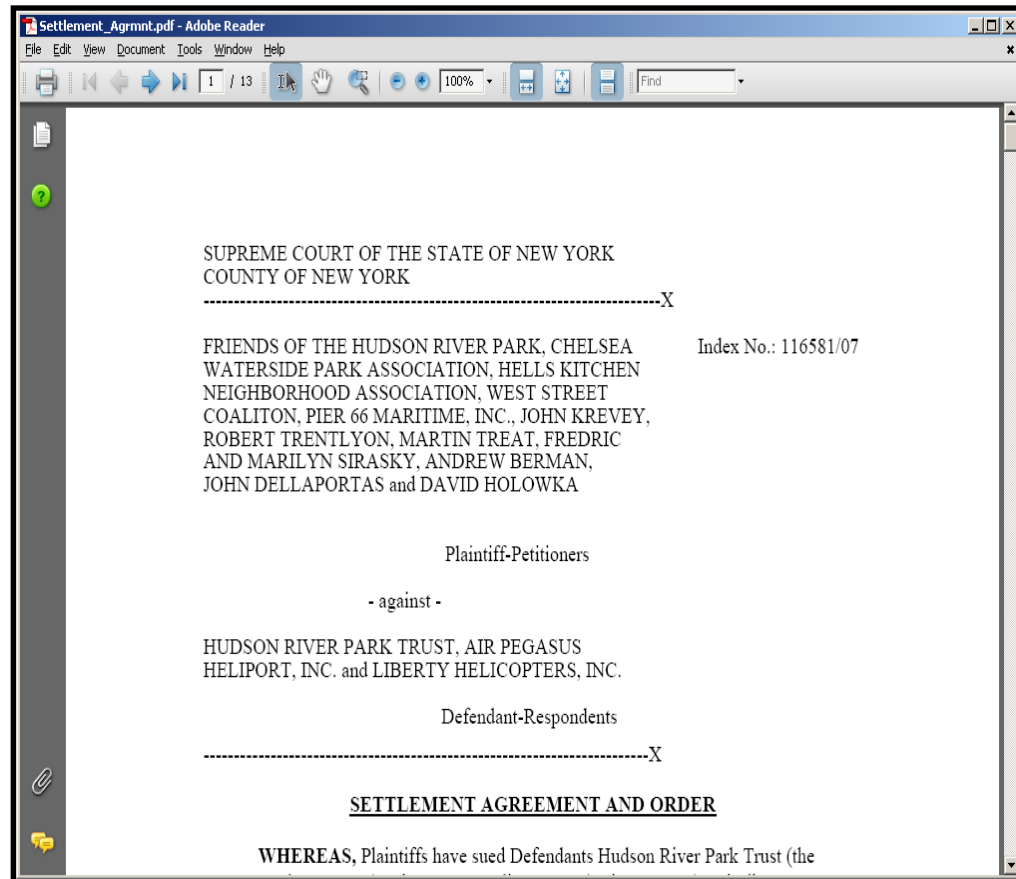
Hudson River Park Act  
Chapter 592, Section 7845  
September 8, 1998



[www.hudsonriverpark.org](http://www.hudsonriverpark.org)

# Controlling Documents

2. Settlement Agreement and Order, between the Friends of the Hudson River Park (FHRP) et al. and the Hudson River Park Trust (HRPT) et al., June 19, 2008.





# Hudson River Park Act

## HELIPORT SPECIFIC LANGUAGE

- The Hudson River Park Act specifically lists a heliport as a "prohibited use" unless it is a heliport defined as "park/commercial use" (§3(j)(vii))
- Under the definition of "park/commercial use" the only permitted heliport is ..."a non-tourism/non-recreation heliport for commercial and emergency transportation use" (§3(g)(v))

# Hudson River Park Act

## HELIPORT LOCATION LANGUAGE

- The Act also states that land east of the bulkhead line can only be used for "park uses" and permitting access to permitted uses.  
(§9(i))

- Since JRA is a "park/commercial use" and not a "park use" and lies in its entirety (except the barge) east of the bulkhead line, the heliport is technically in violation of the Act.

# Settlement Agreement and Order

No tourism operations will be permitted to operate to or from the 30<sup>th</sup> Street Heliport.

Air Pegasus is permitted to continue to conduct and to allow its customers to conduct commercial, governmental, and emergency operations out of JRA until the earlier of:

1. December 31, 2012
2. Termination of the “Permit” (under which Air Pegasus is operating)
3. The opening of a new heliport for commercial, governmental and emergency operations at a location permitted under the Hudson River Park Act.

• If a new heliport has not opened by December 31, 2012 as a result of regulatory delays including a delay in obtaining any permits required for such new heliport, the December 31, 2012 date shall be extended by a period equal to the time lost due to the regulatory delays and for an additional two years after the permits are granted.

• However, in the event that a new heliport is not operational by December 31, 2014, then the Plaintiffs (FRHP) shall have the right to seek intervention of the Court to cause an immediate discontinuance of the operations at the Heliport and all parties reserve their defenses to any such application or lawsuit.



## Settlement Agreement and Order

“All parties recognize that the Trust is in the midst of developing Hudson River Park and that the Trust is actively working with State Department of Environmental Conservation and other governmental entities to effectuate a closure of the Heliport and development of a new heliport. Nothing herein is intended to preclude the Trust from terminating the Permit or otherwise exercising its rights under the Permit.” (§11)





## Possible Locations for a New Heliport

According to the Settlement Agreement and Order, the HRPT must use reasonable efforts, working with City and State entities, to secure the approval of and develop a new heliport for commercial, governmental, and emergency operations at:

1. Pier 72, or
2. Some other permitted location as soon as reasonably possible.



## **Potential Issues**

- Current Permitted Operator decides to cease operations at JRA heliport.
- Trigger date of Dec. 31, 2014 arrives and no new heliport is in operation. FHRP can bring suit to cause an immediate discontinuance of the operations at the heliport.
- The initial capital contribution is too great to develop a new heliport.

## Current Status

HRPT stated that they intend to comply with the Settlement and Order. However, they declined to attend the meeting today or give us a written statement to read to you today.

- HRPT intends to issue an RFP but has no specific date as to when it will go out.
- Pier 72 is still the preferred site, and whether or not fuel will be allowed depends on the nature of the proposed facility (pier or barge). A more important factor in the fuel decision will be if NYS Department of Environmental Conservation (DEC) allows for that activity given the Hudson River in that area is classified as a "protected estuary."

# **Developing a Heliport in New York City**

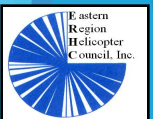
Presented by Robert Grotell, Special Advisor to the ERHC





# Issue #1 - Zoning

- ▶ City of New York has no “as-of-right” zoning for aviation
- ▶ Triggers need to obtain Zoning Special Permit from NYC Department of City Planning (Sec. 74-66 of NYC Zoning Resolution)



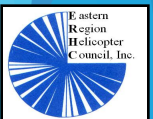
# Issue #2 - CEQR

- ▶ City Environmental Quality Review (City's implementation of NEPA)
- ▶ CEQR Application
- ▶ Establishment of Lead Agency
- ▶ Interested and Involved Agencies



# Issue #3 - EIS

- ▶ Preparation of Environmental Impact Statement (\$150K - \$250K)
- ▶ Preliminary Draft; DEIS, Draft Final, FEIS
- ▶ Declaration by Lead Agency: negative, conditional negative, positive.



# Issue #4 - ULURP

- ▶ Uniform Land Use Review Procedure
- ▶ ULURP application process: CEQR FEIS with Neg Dec
- ▶ ULURP Clock: 150-day process including review and/or hearings by: Community Board, Borough President, DCP, NYC Council, Mayor
- ▶ Up to 1-year if "Triple No"





# Issue #5 - Planning & Design

- ▶ ULURP approval in hand
- ▶ Selected developer to undertake planning & design
- ▶ FAA Master Plan only needed if AIP funding is sought
- ▶ Planning Requirements: 24/7 Operations & Fuel
- ▶ NYSDEC, FDNY

# Issue #6 - Timeline

- ▶ CEQR EIS preparation - 6 months
- ▶ ULURP - 150 days up to 1-year
- ▶ Planning & Design & Construction - 6 months to 1-year
- ▶ Total time: 18 months to ??
- ▶ Lobbying Effort -Starts NOW!

# Issue #7 - Success

- ▶ Last NYC heliport developed: East 34th Street, 1972
- ▶ Last Zoning Special Permit issued: East 34th Street, 2002 (10-year renewal)
- ▶ Pier 72 Heliport ??
- ▶ ERHC leading effort on your behalf to ensure Pier 72 success!

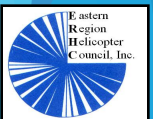
# ERHC Fly Neighborly Effort

Heinz Graumann

Robert Grotell



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# Fly Neighborly

- ▶ Noise - number 1 issue generating opposition from residents, communities and local elected officials
- ▶ If left unchecked, industry faces increased rules and regulations, restrictions, loss of airport and heliport infrastructure, elimination
- ▶ Seasonal in nature - Memorial Day to Labor Day

# Fly Neighborly

- ▶ ERHC solution - cooperation and voluntary agreements
- ▶ 2007 Continued Compliance & Cooperation Agreement (ERHC, East End airports, Sen. Schumer)
- ▶ Establishment of North Shore Route
- ▶ Ongoing cooperation with FAA (HQ, Eastern Region, Air Traffic, FSDO)

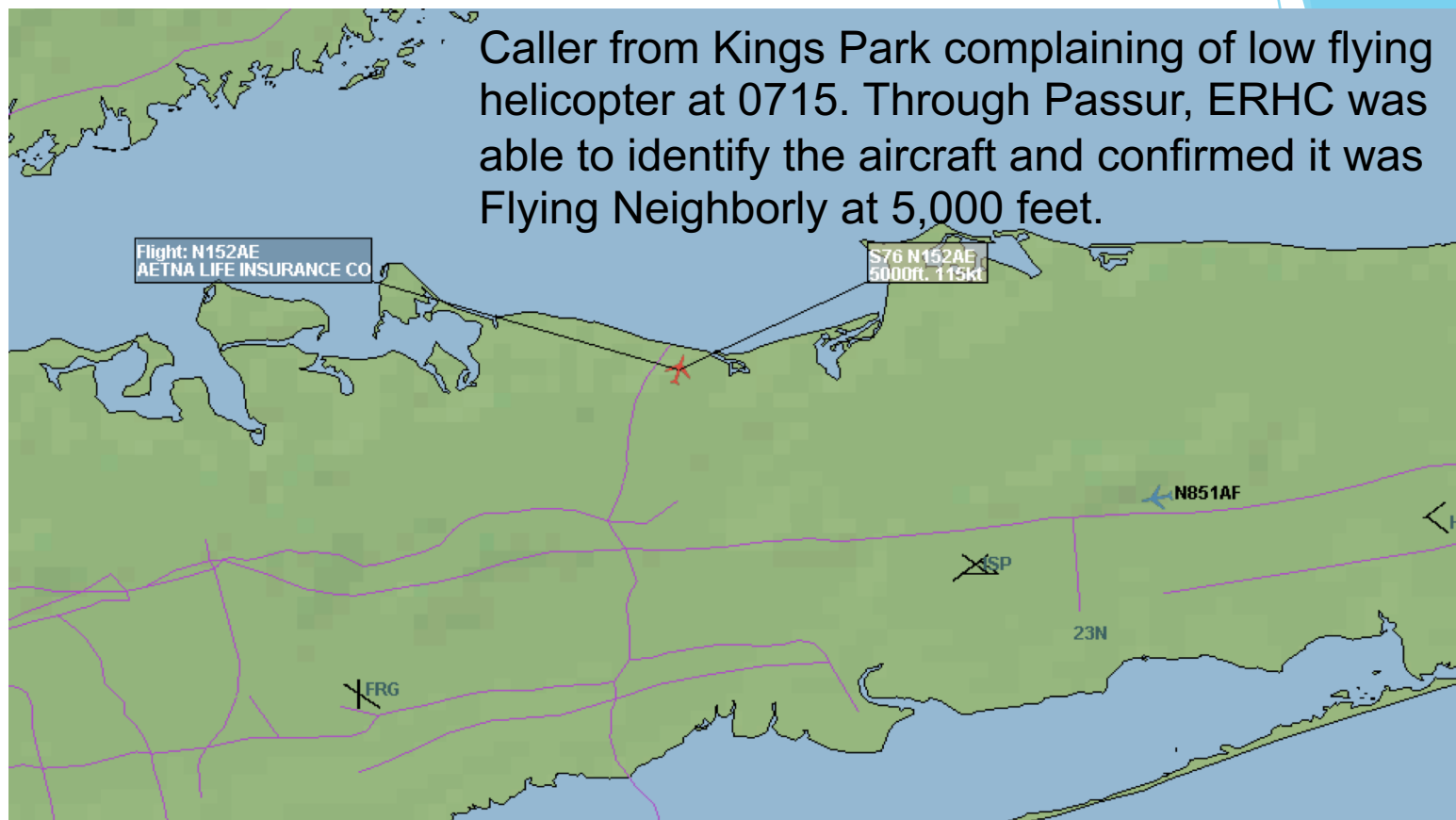


# North Shore Route

- Located 1 - 1.5 miles out over Long Island Sound
- Minimum suggested altitude: 2,500 feet
- Larger twin-engine helicopters only  
(S-76, B-430, etc.)
- Smaller single-engine operators: closer to or over shore while maintaining 2,500 feet (if available)

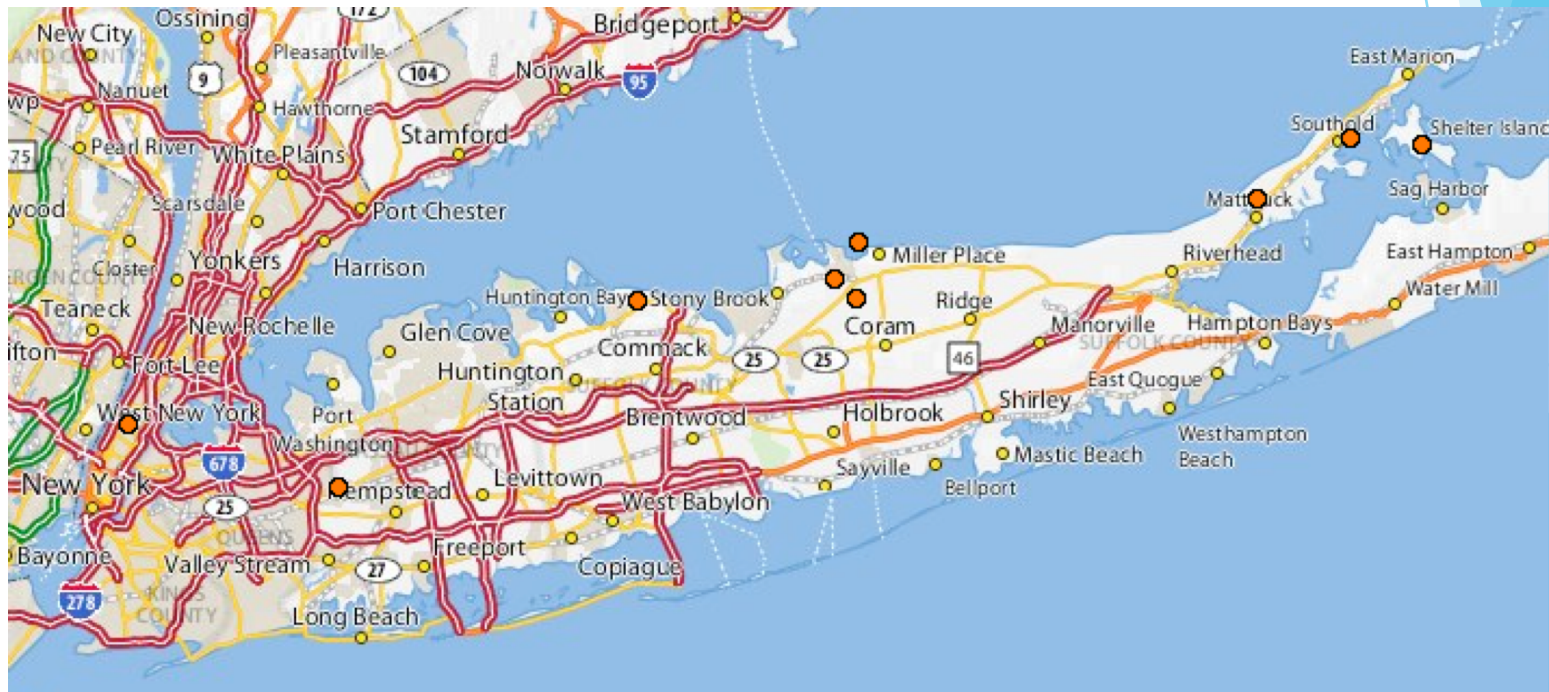


# Passur Insight



# Memorial Day Weekend

Day/Date	TTL OBSERVATIONS	Guideline Compliance	Compliance Percentage	Average Altitude
FRI/22 MAY	36	33	92	2,616
SAT/23 MAY	11	9	82	2,472
MON/25 MAY	56	51	91	2,646
TUE/26 MAY	19	15	79	2,279
<b>TOTALS</b>	<b>122</b>	<b>108</b>	<b>89</b>	<b>2,564</b>



# July 4<sup>th</sup> Weekend

Day/Date	TTL OBSERVATIONS	Guideline Compliance	Compliance Percentage	Average Altitude
THU/2 JUL	35	35	100	1,809
FRI/3 JUL	10	10	100	2,000
SUN/5 JUL	31	30	97	2,203
MON/6 JUL	39	37	95	2,433
<b>TOTALS</b>	<b>115</b>	<b>112</b>	<b>97</b>	<b>2,140</b>

Aviation weather data reviewed at ISP, Republic Airport (FRG) and Gabreski Airport (FOK) was determined to be a major factor in preventing aircraft from operating at the recommended noise abatement altitude of 2,500 feet on July 2<sup>nd</sup> and 3<sup>rd</sup>.

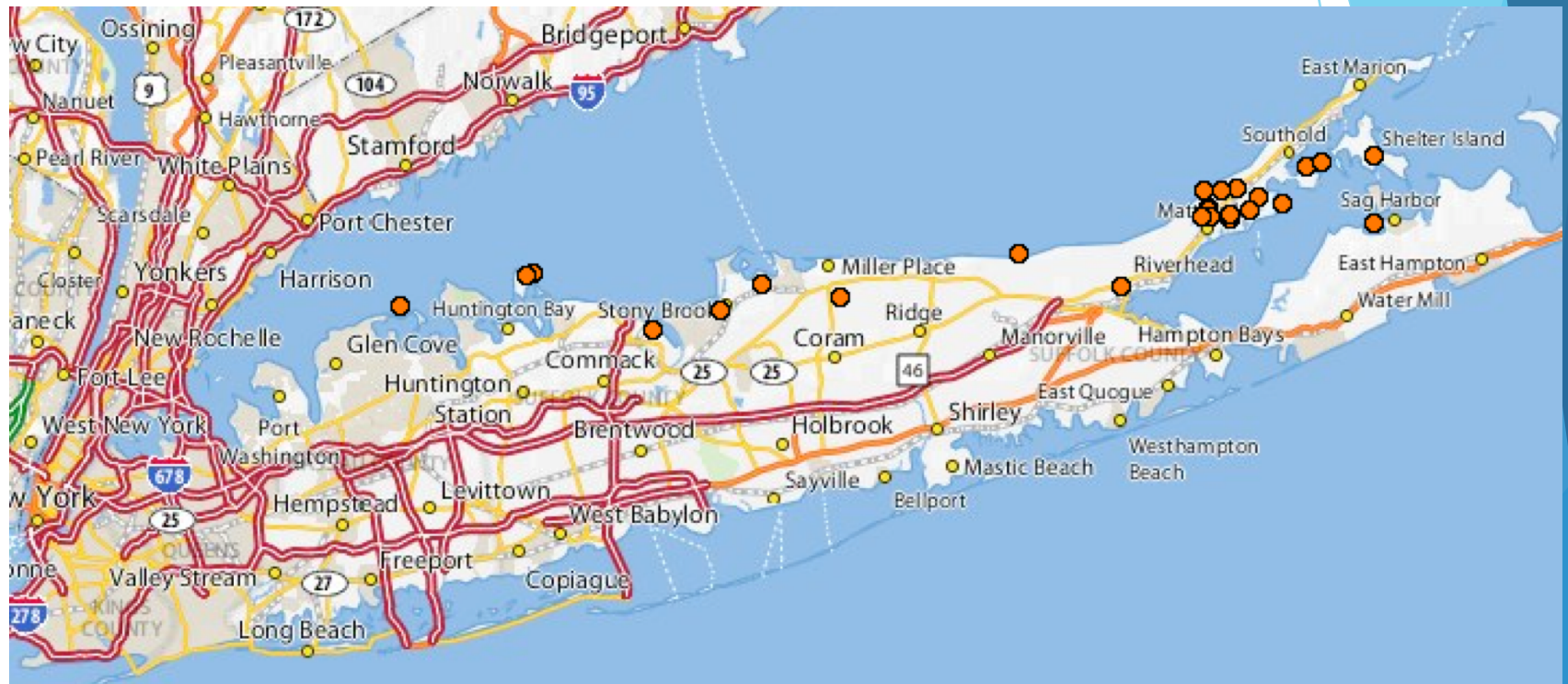
On July 2<sup>nd</sup>, rain, fog, mist and thunderstorms affected Long Island during the entire 5-hour data collection period, with recorded cloud ceilings between 900 and 2500 feet.

On July 3<sup>rd</sup>, thunderstorms and rain affected the afternoon period with cloud ceilings as low as 1,500 feet.

Lower altitudes on July 5th and 6th result from high percentage of aircraft operating over LI Sound and Atlantic Ocean, and complying with ISP airspace requirements.



# July 4<sup>th</sup> Weekend





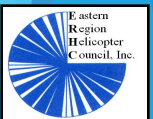
# Labor Day Weekend

Day/Date	TTL OBSERVATIONS	Guideline Compliance	Compliance Percentage	Average Altitude
THU/3 SEP	38	33	87	2,426
FRI/4 SEP	16	13	81	2,394
MON/7 SEP	32	26	81	2,406
TUE/8 SEP	26	23	88	2,442
<b>TOTALS</b>	<b>112</b>	<b>95</b>	<b>85</b>	<b>2,420</b>

Again, high percentage of aircraft operating over Long Island Sound and the Atlantic in compliance with voluntary noise abatement procedures resulted in altitudes slightly below 2,500 feet recommended minimum.



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# Negative Press

- Negates the spirit of the agreement.
- Misdirects the constituency from seeking help from the appropriate outlets.
- Bad press is Bad for all of us.

# How we Spend our HAP Dollars:

1. Consulting with FAA for New York Airspace Redesign
2. New York Airspace Task Force Redesign in lieu of the August 8, 2009, accident over the Hudson.
3. Interface with TSA and FAA to mitigate TFR's over New York due to VIP movements.
4. ERHC and NYEDC partnered in developing the NY Helicopter Sightseeing Plan.
5. Continually dealing with elected officials and noise issues.