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SCHUMER, BISHOP: RECENT FEDERAL COURT RULING CONFIRMS FAA AUTHORITY TO REGULATE OVER-THE-WATER ROUTES THAT CURBS LOW- FLYING HELICOPTER NOISE ON LONG ISLAND - CALL FOR FAA TO IMMEDIATELY MOVE FORWARD WITH SOUTH SHORE & EXPANDED NORTH FORK ROUTES

Existing “North Shore Route” Goes From Huntington To Orient Point to Alleviate Onerous Noise; Despite Helicopter Association’s Petition, Federal Court Ruled in Favor of FAA’s Authority to Issue Regs

Schumer, Bishop Urge FAA to Issue Similar Helicopter Regs for South Shore & Extend Current Regs West and East, Past North Fork of LI; Over- the-Water Routes Will Protect Long Islanders from Incessant Helicopter Noise

U.S. Senator Charles E. Schumer and Congressman Tim Bishop today urged the Federal Aviation Authority (FAA) to move forward with all efforts that would curb helicopter noise along the South Shore of Long Island, over northern Nassau County and past the North Fork, now that a federal court has upheld the FAA’s authority to require helicopters follow a prescribed route over the water. For years, Schumer and Bishop have worked with officials at the FAA, New York metropolitan area helicopter operators and airport managers from Nassau and Suffolk Counties to establish solutions to eradicate onerous helicopter noise. In 2012, Schumer successfully pushed the FAA to establish the “North Shore Route,” between Huntington and Orient Point. In response, an association of helicopter pilots filed suit, challenging the FAA’s authority to do so. Last week, a federal court rejected their challenge and ruled that the FAA had authority to regulate this route. In light of this decision, Schumer and Bishop today called on the FAA to move forward with plans to extend the over-the-water helicopter route to the South Shore of Long Island and extend it past the North Fork.

“Now that it’s clear that the FAA has the authority to protect Long Islanders from the incessant and often deafening drone of low-flying helicopters, the FAA should move forward with over-the-water routes for the South Shore of Long Island and as well past the North Fork,” said Schumer. “While it is good news that the fate of the ‘North Shore Route’ is now set in stone, the FAA should make sure that all residents living on the South and North Shores have the same relief as those between Huntington and Orient Point. With summer already underway, the FAA should step up to the plate and renew their efforts to move forward with these much-needed over-the-water helicopter routes.”

“The court’s ruling clears the way for new, stronger efforts to protect the residents of Eastern Long Island from helicopter noise,” said Congressman Bishop. “There is now no reason for the FAA to delay implementing new mandatory over-water routes that will better protect property owners’ right to quiet enjoyment, and I will continue pushing with Senator Schumer to provide relief for our neighbors who have suffered too long from this preventable problem.”

“I want to thank Senator Schumer and Congressman Bishop for working to reduce the noise burden of North Fork residents and enhancing their quality of life; I applaud their efforts in advocating for a South Shore route and for flight paths around Orient Point, rather than over the North Fork,” said Suffolk County Legislator Al Krupski.

For nearly a decade, Schumer and Bishop’s offices have been inundated with constituents’ complaints about deafening helicopter noise. Schumer and Bishop have long advocated for solutions that would curb low-flying helicopters on Long Island.

Last year, Schumer successfully pushed the Department of Transportation to finalize and publish regulations that mandate over-water routes for helicopters flying on the North Shore. The “North Shore Route” states that, unless otherwise authorized, each helicopter operating along Long Island’s northern shoreline between the VPLYD waypoint in Huntington and Orient Point must fly one mile off the north shore for the purpose of noise abatement in residential areas. Pilots may deviate from these requirements when required for safety, weather conditions or transitioning to or from a destination or point of landing. If pilots don’t follow the rules, they can be subject to monetary penalties or have license revoked.

Schumer has also pushed the FAA to publish regulations for the South Shore of Long Island and extend the current regulations past the North Fork.

In May, the Helicopter Association International (HAI) challenged the authority of the FAA to issue the “North Shore Route” in the U.S. Court of Appeals for the D.C. Circuit. The federal court denied HAI’s petition for review and therefore, the FAA has the authority and reasonable expectation to protect Long Islanders from low-flying helicopter noise.

Schumer and Bishop today urged the FAA to move forward with a similar South Shore route as well as an over-the-water helicopter route over the Nassau north shore and past the North Fork. Schumer and Bishop explained that, with the federal court’s recent decision giving the FAA the authority to issue these regulations, the FAA should renew efforts for these over-the-water routes on Long Island.

A full copy of Schumer and Bishop’s letter is below:

Dear Secretary Foxx and Administrator Huerta,

First and foremost, we'd like to thank and commend the Federal Aviation Administration (FAA) for their commitment to reducing unnecessary and capricious helicopter noise over Long Island communities stretching across Nassau and Suffolk Counties. As you know, we have long advocated for strong restrictions on the ability of the high-end, for-hire helicopter industry to shuttle passengers at extremely low altitudes over the homes of middle-class families on Long Island. The new "North Shore" route instituted via rulemaking by the FAA in 2012 has already provided significant relief to many communities because it requires helicopter operators to fly out over water on the Long Island Sound when traveling in Suffolk County. However, there is still much work left to be done. The recent DC circuit court decision to deny the Helicopter Association International's petition against the new North Shore rule is clear-cut evidence that the FAA has both the legal standing and the momentum to finish the job at hand.

We believe it is imperative to pursue additional rulemakings that would extend the over water North Shore route to all of Nassau County; establish a South Shore water route; require helicopter operators following the North Shore route but landing at South Fork airports to fly completely around Orient Point and Shelter Island; and significantly prohibit helicopter operators' ability to ignore these noise-mitigation routes by utilizing other over-Island pathways like the so called "track route" across the middle of Nassau and Suffolk. In light of the Circuit court's finding, we would respectfully request that the process to start these regulatory actions begin immediately, as we know they take a significant amount of time to develop.

We would also request an update shortly after Labor Day on the data the FAA has collected since the implementation of the North Shore rule last September. It is important that we continue to have your technical experts monitor the efficacy of the rule and use the data to understand whether the FAA needs to increase its enforcement capabilities.

Thank you again for your dedication and attention to this very important issue.

Sincerely,

Charles E. Schumer

U.S. Senator

Tim Bishop

Congressman

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