

March 25, 2014

Memorandum to: Councilwoman Kathee Burke-Gonzalez
From: Airport Planning Committee, Noise Sub-committee
Re: Third Preliminary Findings and Recommendations – Helicopter Routes

At its meetings on March 10 and March 24, 2014, the Noise Sub-committee considered the request by the Board for comment on the proposal that the 2013 agreement with the Eastern Region Helicopter Council (ERHC) regarding designation of helicopter routes be renewed for 2014 substantially unchanged.

The Noise Sub-committee unanimously agreed to recommend that the route agreement be renewed, with certain minor changes and with serious reservations, as follows:

1. The committee believes route designation is not now and can never be a solution to the problem. It is at best a palliative for 2014 in the face of the inability to take more effective measures at this time; it may actually be making matters worse.
2. The very fact that such a measure is necessary is an indication that there is a serious problem. On its face, route designation merely relocates that problem, possibly reducing the number of adversely affected homes at the cost of inflicting a more intense nuisance on those under or proximate to the designated routes. The very process of shifting the nuisance and designating certain homes to receive the brunt of it in order to spare others is inherently flawed. The goal should be to reduce the problem for all residents to an acceptable level.

3. The immediate problem faced by the Board and the sub-committee is that neither has any objective basis or data at this time upon which to recommend major changes to the 2013 routes, November, Echo, and Sierra, whether by not designating any routes at all, adding routes, eliminating routes, or significant shifts in routes. The sub-committee therefore expresses no opinion about the 2013 routes, but will recommend, with stated changes, that the 2013 routes, the status quo, be maintained, principally due to the lack of a basis upon which to make any other recommendation.

4. The sub-committee is emphatic that this is only a temporary measure for 2014 and cannot be the mainstay of helicopter noise mitigation in 2015 and forward once the airport planning process has been completed and the Board has the latitude to adopt any or all of the measures allowed by the Second Circuit Court of Appeals in the *National Helicopter* case, setting days and hours of permitted operations, limiting the number of operations in a given time period, and restricting or eliminating aircraft types based on how noisy they are.

5. The technical noise analysis proposed to the Board in its Second Preliminary Findings and Recommendations is capable of providing reliable data on the effects of route management, including the number of homes that are benefited and adversely affected and changes in the number of excess noise events to which each home is thereby subjected. If the Board moves forward quickly with the proposed noise analysis, the results can be obtained in time to inform consideration of additional changes in routes that can still take affect for the majority of the summer of 2014. This is an additional reason to move forward quickly with the suggested noise analysis RFP.

6. The committee does recommend certain changes, and consideration of other changes to the existing three routes, that would be of “strict benefit,” meaning there is no disadvantage and likely some benefit. These include:

a. On route November, designate a minimum 2,000 foot altitude at the final waypoint at the juncture of Town Line Road and the power lines. Discussion with Jeff Smith of ERHC suggests that this can be done, would be supported by ERHC, and would have some benefit by increasing the altitude at the point by 500 feet or more;

b. Designate November as strictly incoming and Echo as strictly outgoing;

c. The sub-committee had proposed to extend Echo so that it continues over the water northeast to Plum Gut and thence out to the northern helicopter route in the Sound in order to prevent helicopters from turning left at the shore and then passing near Sag Harbor and Noyac as they do when inbound on the November route. Based on discussion with Jeff Smith, we are advised that the ERHC will not, as a matter of policy, claimed to be related to possible liability, designate routes to connect to the mandatory FAA northern route. Jeff Smith reports that designation of routes out to the Sound may be possible if the northern route is not renewed after August 3, 2014 when it is now scheduled to expire. He also reports that substantially the same benefit for Sag Harbor and Noyac was achieved in the middle of last summer by designating a final waypoint on Echo in between North Haven and Shelter Island. We recommend that this waypoint be part of the designated route in 2014.

d. The exact route for November until it enters the power lines will be upon the recommendation of Southampton Supervisor Throne-Holst based upon discussion with the Southampton members of the sub-committee. It is the shared understanding that,

except at or near town line where residents of both towns may be affected, the route designation for November is a matter for Southampton's determination and the route designations for Echo and Sierra are a matter for East Hampton's determination. Before a final recommendation, there will be consultation about impacts near the town line. However, it is regarded as highly unlikely that the route over Southampton prior to the waypoint at the juncture of Town Line Road and the power lines will be of specific concern or interest to East Hampton residents.

e. Consideration should be given to including in Echo the requirement, as now exists for Sierra, that helicopters reach a minimum altitude of 2,000 feet in the vicinity of the airport before leaving the area. Jeff Smith expresses concern that this may cause a congestion problem. That is a matter that should be the subject of expert opinion, including that of the air traffic controllers manning the tower. As long as we have a tower, it should be used to best advantage, including spacing flights so that there is opportunity for noise mitigation by altitude without traffic congestion.

f. Consideration should be given to increasing from 2,000 feet to 2,500 feet the designated minimum altitudes at the final waypoints inbound on November and Sierra and outbound before departure on Echo, again on the basis of expert opinion.

7. Jeff Smith is willing to provide a draft upon Kathee's request of the 2014 designations that reflect the 2013 routes with the proposed changes. This should be requested of him. He is also willing to provide a memorandum explaining the ERHC

compliance process and what is needed from the town to facilitate this process. This too should be requested.

Respectfully submitted,

Airport Planning Committee, Noise Subcommittee