

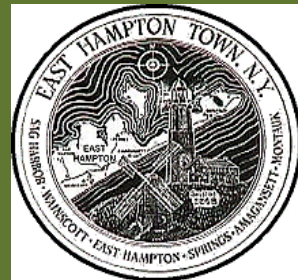
2016 Update:

Progress Toward Town Board's Goals for the East Hampton Airport



Presentation to the Town Board

March 18, 2016



Today's Presentation



1. Financial overview - *Len Bernard, Town Budget Director*
2. Update on goals for East Hampton Airport - *Peter Kirsch, Kaplan Kirsch & Rockwell*
3. Legal update - *Peter Kirsch, Kaplan Kirsch & Rockwell*
4. Report on 2015 violations - *Michael Sendlenski, Town Attorney*
5. Report on effectiveness of restrictions during 2015 season - *Ted Baldwin, HMMH*
6. Where we go from here

Financial Overview: Airport Budget Analysis



2014			
	<u>Budget</u>	<u>Actual</u>	<u>Variance from Budget</u>
Revenue	\$4,129,053	\$5,556,698	\$1,427,645
Expenditures	<u>\$4,129,053</u>	<u>\$5,161,534</u>	<u>\$1,032,481</u>
Net of Revenues to Exp.	\$0	\$395,164	\$395,164
Surplus Added	\$395,164		

2015			
	<u>Budget</u>	<u>Actual</u>	<u>Variance from Budget</u>
Revenue	\$4,886,369	\$4,624,029	(\$262,340)
Expenditures	<u>\$4,886,369</u>	<u>\$5,037,946</u>	<u>\$151,577</u>
Net of Revenues to Exp.	\$0	(\$413,917)	(\$413,917)
Projected Surplus Needed	\$413,917		

Projected 2015 Year End Surplus **\$1,240,000**

2016 Adopted Budget **\$6,048,941**

Financial Overview: Airport Capital Projects



Capital Projects - East Hampton Town Airport

Active/Completed

<u>Project</u>	<u>Status</u>	<u>Authorized by Resolution</u>	<u>To Bond</u>
Taxiway A Lighting	Complete	\$353,600	\$242,062
Reconstruct 4-22 for Taxiing Aircraft	Complete	\$360,000	\$317,879
AWOS	Operational	\$310,000	TBD
<u>Planning and Engineering *</u>			
Obstructions	Ongoing	\$64,800	TBD
Comprehensive Pavement Evaluation	Ongoing	\$145,000	TBD
Pavement Core Analysis	Ongoing	\$80,000	TBD
Fuel Farm	Ongoing	\$98,850	TBD
Survey Airport Facilities	Ongoing	\$19,700	TBD
TOTALS		\$1,431,950	\$559,941

* Funding for Planning and Engineering comes from a \$500k bond authorized by Town Board Resolution 2015-473

TBD = To be Determined

Goals for the East Hampton Airport: Board Resolution 2015-418 (4/16/15)



1. Maintain the airport as safe and efficient
2. Enact three airport use restrictions to reduce disturbance
3. Study the effectiveness of the three restrictions
4. Appoint an Airport Management Advisory Committee (AMAC) to advise the Town
5. Coordinate with the Congressional delegation
6. Partner with Eastern Region Helicopter Council (ERHC)
7. Work with FAA on flight tracks
8. Improve technology for tracking noise and complaints

Progress on Goal 1:



GOAL: Maintain the airport as safe and efficient

- Installed Automated Weather Observing System (AWOS)
- Completed comprehensive airfield pavement evaluation and authorized pavement core analysis
- Authorized \$500,000 in planning/engineering bonds for airport projects
- Hired engineer to design fuel farm reconstruction
- Conducting surveys for tree removals to remove obstructions
- Pursuing S.3690/A.5245 (Home Rule Request) to authorize the Town to bond for up to 30 years for airport improvements
- Pursuing paid airport parking
- Secured appraisals and new leases for nonaeronautical property

Progress on Goals 4, 5, 6, 7:



GOALS:

- *Appoint a single committee to advise the Town*
- *Coordinate with the Congressional delegation*
- *Partner with Eastern Region Helicopter Council (ERHC)*
- *Work with FAA on flight tracks*

- Established Airport Management Advisory Committee (AMAC)
- Developed 2015 helicopter noise abatement procedures in coordination with ERHC and Air Traffic Control Tower
- Working with Congressman Zeldin on legislative relief
- Plan to attend annual 'Fly Neighborly' meeting (3/23/16)

Progress on Goal 8:



GOAL: Improve noise and complaint tracking

- Vector upgrades
 - Vector Noise Operations Management System (VNOMS)
 - Coding to better identify “noisy” aircraft
- Next Gen data (late May 2015)
- NavAid Multilateration System (mid September 2015)
 - Monitor flight tracks
 - Maximize quality of flight tracks near the airport (~5 miles)

Progress on Goal 2:



GOAL: Enact three airport use restrictions to reduce noise

April 7, 2015 Problem Statement:

Noise from aircraft operating at East Hampton Airport disturbs many residents of the East End of Long Island.

Residents find helicopters more disturbing than any category of fixed-wing aircraft.

Disturbance caused by all types of aircraft is most significant when operations are (1) most frequent and (2) in evening, night, and early morning hours.

Three restrictions enacted



- 1. Nighttime Curfew.** Prohibit all aircraft operations year-round 11 PM – 7 AM
 - Projected to affect 498 (2.5%) of operations in the season
- 2. Extended Curfew.** Prohibit noisy aircraft year-round during 8 PM – 9 AM evening, night, and early morning hours
 - Projected to affect 1067 (5.4%) of operations in the season
- 3. One-Trip-Per-Week Limit.** Prohibit noisy aircraft from conducting more than one trip (one take-off and landing) in any calendar week during the summer season
 - Projected to affect 3,998 (20%) of operations in the season

Status of litigation over restrictions



- ***NBAA v. Town*** (FAA administrative case) (challenge to Town laws)
 - Fully briefed
 - Decision expected by mid 2017
- ***Friends of East Hampton v. FAA*** (federal court) (whether FAA's 2005 Settlement Agreement was impermissible)
 - Town successfully intervened
 - Case stayed pending Court of Appeals decision
- ***Friends of East Hampton v. Town*** (federal court) (challenge to Town laws)
 - Friends moved to enjoin the Town laws
 - **Court upheld the two curfews; enjoined the One-Trip-Per-Week limit**
 - Ongoing discovery
- ***Appeal to Second Circuit Court of Appeals*** (preliminary injunction)
 - Both sides appealed; briefing ongoing
 - Oral argument expected this Fall
 - Decision expected early 2017

Status of additional litigation



- ***Friends of East Hampton v. Town*** (FAA administrative case re: airport maintenance, airport revenue use and 2014 fee increases)
 - Fully briefed and awaiting FAA decision (early 2017?)
- ***Sound Aircraft v. Town*** (FAA administrative case re: 2014 landing and fuel flowage fees)
 - Fully briefed and awaiting FAA decision (mid 2017?)
- ***Sound Aircraft v. Town*** (Supreme Court, Suffolk County Article 78 proceeding challenging 2014 fee increases)
 - Stayed pending resolution of FAA administrative case

Only two laws implemented



- Court affirmed the Town's methodology:
 - ✓ Town's right to adopt restrictions
 - ✓ Town's use of complaint data
 - ✓ Town's use of the 91 EPNdB threshold
- Court enjoined One-Trip-Per-Week Limit
 - Town was unable to capture full extent of projected relief
- Court upheld the curfews
 - Curfews took effect on **July 2, 2015**

Violations (July 2 – Sept. 30, 2015)



	Morning Hours				Evening Hours					TOTALS
Type of Violation	5-6 AM	6-7 AM	7-8 AM	8-9 AM	8-9 PM	9-10 PM	10-11 PM	11-12 PM	12 PM -1 AM	
Noisy Aircraft		2	10	17	9	7	3			48
Other Aircraft	1	12					1	1	2	17
Totals	1	14	10	17	9	7	4	1	2	65

- All 65 cases being prosecuted in the East Hampton Justice Court

Progress on Goal 3: Today's focus



GOALS: Study the effectiveness of the three restrictions and convene a public meeting to present the results and hear from the public to determine whether any changes are required

- Season end review:
 - Required by Local Law No. 7 of 2015
 - Decided to complete review even though not all restrictions were implemented in 2015
- Scope of Review
 - Financial impact of the restrictions
 - Effect on noise and complaints
 - Effect on aircraft operators
 - Diversion (unable to complete)
 - Neighboring airports do not have comparable reporting

An aerial photograph of East Hampton, New York, showing the airport, surrounding residential and agricultural areas, and the ocean coastline. The text is overlaid on the image.

Review of Operations and Complaints in the 2015 Summer Season at East Hampton Airport

March 18, 2016

Ted Baldwin, HMMH

Some helpful definitions

- **“Noisy aircraft”**
 - Aircraft with 91.0 EPNdB or higher published approach level
- **“Full summer season”**
 - May 1 - September 30
- **“Implementation period”**
 - Thursday before July 4 - September 30
 - July 3 – September 30, 2014
 - July 2 – September 30, 2015
- **“Night ban”**
 - Prohibit all aircraft operations year-round 11 pm - 7 am
- **“Extended curfew”**
 - Prohibit noisy aircraft year-round 8 pm - 9 am (adds 8 - 11 pm and 7 - 9 am evening and morning hours to night ban hours)
- **“Land planes”**
 - Fixed-wing aircraft that land on runways and cannot land on water
- **“Seaplanes”**
 - Fixed-wing aircraft that can land on water and also (in most cases) on land

Aircraft categories considered

- **Helicopters - *two sub-categories*:**
 - Noisy
 - Other
- **Fixed-wing - *three sub-categories*:**
 - Noisy land planes (Note 1)
 - Other land planes
 - Seaplanes (Note 2)

Notes:

1. All noisy fixed-wing aircraft in 2014 and 2015 were land planes.
2. No seaplanes in 2014 or 2015 met the definition of noisy.

Top-level observations

(Based on changes in the implementation period)

- **Operations changed in ways that are consistent with the intent of the rules**
 - Operators largely complied with the night ban and extended curfew
 - Noisy aircraft operations shifted out of the restricted hours into unrestricted daytime hours
- **Changes in complaints paralleled changes in operations**
 - Complainants responded in a manner that was consistent with the changes in operations

Some more detailed observations follow

- **Based on changes in the implementation period**
- **Detailed data presented in the Appendix, in three formats**
 - Tables: Comparisons of 2014 vs. 2015 operations and complaints, by aircraft category
 - Graphs: Comparisons of 2014 vs. 2015 average hourly operations and complaints, per week, by aircraft category
 - Maps: Geographic distribution of complaints by aircraft category
- **Data sources**
 - Operations data from Vector monitoring system
 - Complaint data from PlaneNoise as integrated into Vector system

1. Overall activity increased by 517 operations (+4%)
Overall complaints increased by 608 (+4%)

Aircraft Category	Implementation Period Operations Comparisons			
	2014 Operations	2015 Operations	2014-2015 Numerical Change	2014-2015 Percentage Change
Total Noisy	5,147	4,578	-569	-11%
Total Other (Note)	9,093	10,179	1,086	12%
Grand Total	14,240	14,757	517	4%

Aircraft Category	Implementation Period Complaint Comparisons			
	2014 Complaints	2015 Complaints	2014-2015 Numerical Change	2014-2015 Percentage Change
Total Noisy	11,629	8,994	-2,635	-23%
Total Other (Note)	5,284	8,527	3,243	61%
Grand Total	16,913	17,521	608	4%

**2. Noisy helicopter activity dropped by 864 operations (-22%)
Noisy helicopter complaints dropped by 2,778 (-25%)**

Aircraft Category	Implementation Period Operations Comparisons			
	2014 Operations	2015 Operations	2014-2015 Numerical Change	2014-2015 Percentage Change
Noisy Helicopters	3,882	3,018	-864	-22%
Other Helicopters	297	898	601	202%
<i>Total Helicopters</i>	<i>4,179</i>	<i>3,916</i>	<i>-263</i>	<i>-6%</i>

Aircraft Category	Implementation Period Complaint Comparisons			
	2014 Complaints	2015 Complaints	2014-2015 Numerical Change	2014-2015 Percentage Change
Noisy Helicopters	10,988	8,210	-2,778	-25%
Other Helicopters	858	2,972	2,114	246%
<i>Total Helicopters</i>	<i>11,846</i>	<i>11,182</i>	<i>-664</i>	<i>-6%</i>

**3. Other helicopter activity increased by 601 operations (+202%)
Other helicopter complaints increased by 2,114 (+246%)**

Aircraft Category	Implementation Period Operations Comparisons			
	2014 Operations	2015 Operations	2014-2015 Numerical Change	2014-2015 Percentage Change
Noisy Helicopters	3,882	3,018	-864	-22%
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**4. Noisy land plane activity increased by 295 operations (+23%)
Noisy land plane complaints increased by 143 (+22%)**

Aircraft Category	Implementation Period Operations Comparisons			
	2014 Operations	2015 Operations	2014-2015 Numerical Change	2014-2015 Percentage Change
Noisy Land Planes	1,265	1,560	295	23%
Other Land Planes	7,576	7,399	-177	-2%
Seaplanes	1,220	1,882	662	54%
<i>Total Fixed Wing</i>	<i>10,061</i>	<i>10,841</i>	<i>780</i>	<i>8%</i>

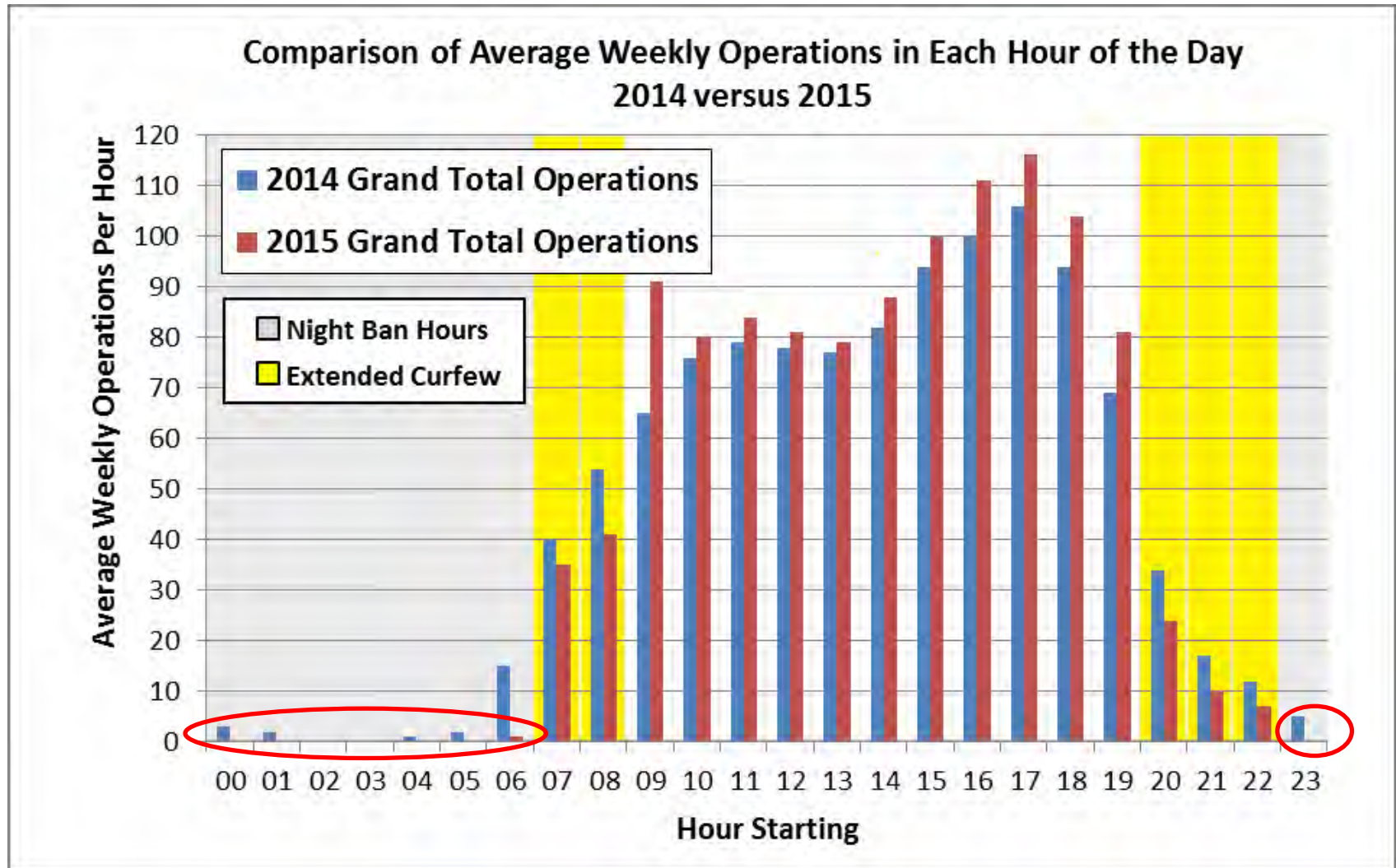
Aircraft Category	Implementation Period Complaint Comparisons			
	2014 Complaints	2015 Complaints	2014-2015 Numerical Change	2014-2015 Percentage Change
Noisy Land Planes	641	784	143	22%
Other Land Planes	3,736	4,026	290	8%
Seaplanes	690	1,529	839	122%
<i>Total Fixed Wing</i>	<i>5,067</i>	<i>6,339</i>	<i>1,272</i>	<i>25%</i>

**5. Seaplane activity increased by 662 operations (+54%)
Seaplane complaints increased by 839 (+122%)**

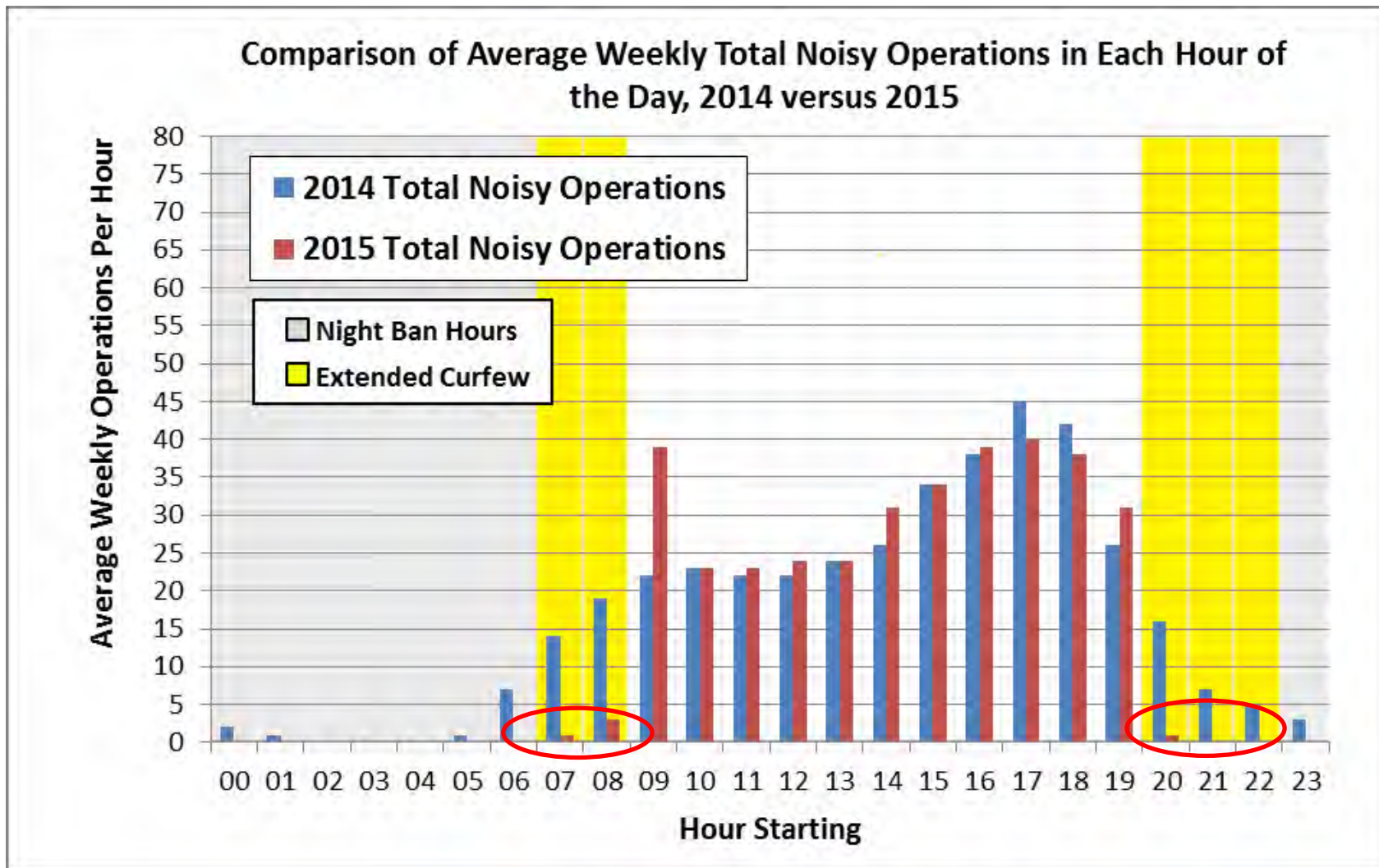
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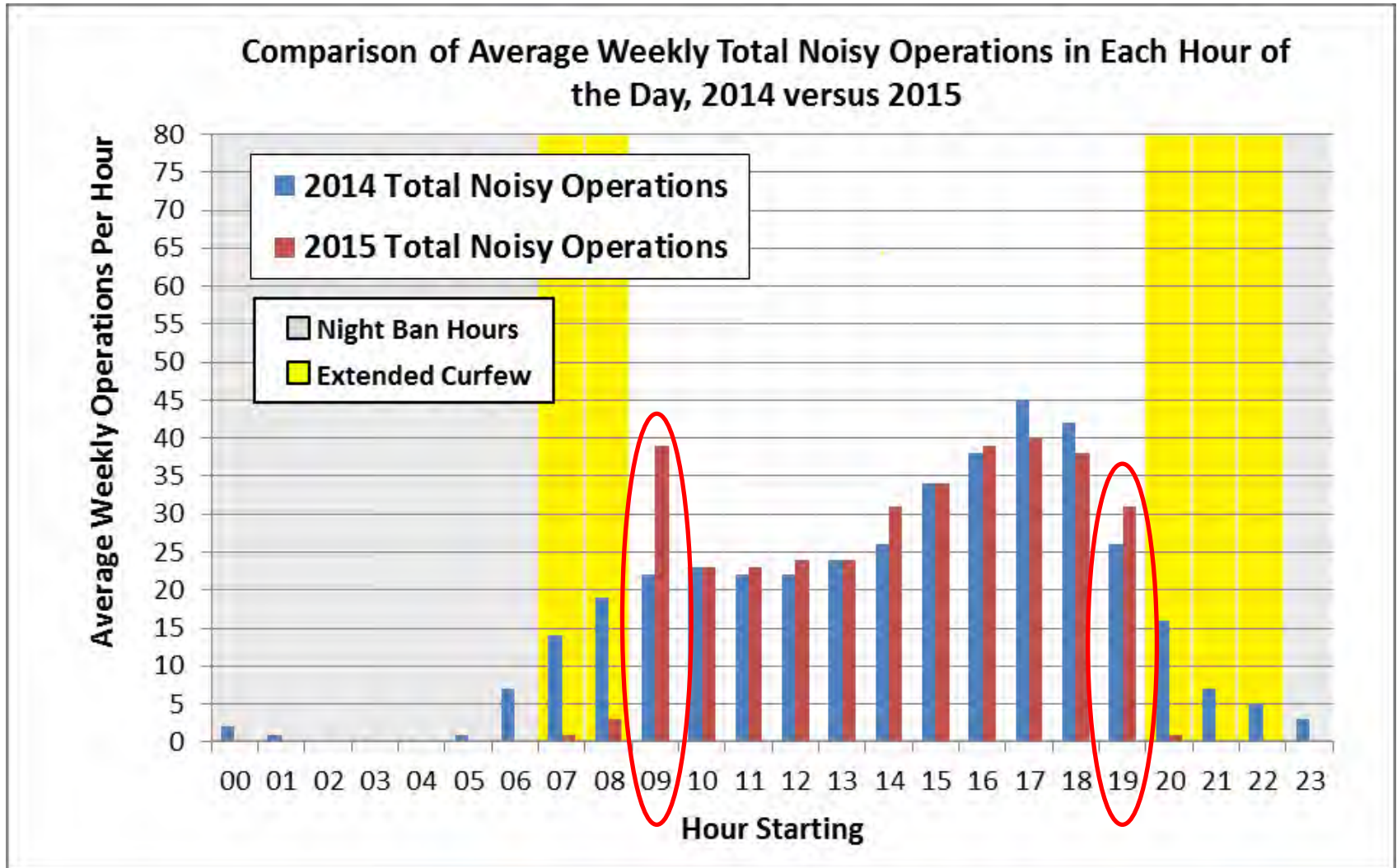
6. Operations in all aircraft types during the full night ban dropped to essentially zero



7. Noisy operations during the extended curfew periods dropped to nearly zero



8. Noisy aircraft activity increased in hour right after the extended curfew in the morning (9-10 am); much less in the evening (7-8 pm)



What the two curfews accomplished



- The night curfew is extremely successful
 - Almost total elimination of nighttime operations
 - Reduction in complaints
- The extended curfew is extremely successful
 - Significant decrease in “noisy” aircraft operations during sensitive hours
 - Identical decrease in complaints during sensitive hours
 - Shift to quieter aircraft during sensitive hour
 - Dramatic spike in operations of “noisy” aircraft from 9 AM to 10 AM, but no corresponding spike from 7 PM – 8 PM
- Restrictions did not have a significant financial consequence

What the two curfews accomplished



- Decreases during the implementation period
 - Helicopters (all)
 - 263 (or 6%) fewer operations
 - 664 (or 6%) fewer complaints
 - Noisy Helicopters
 - 864 (or 22%) fewer operations
 - 2,778 (or 25%) fewer complaints
 - Noisy Aircraft (all)
 - 569 (11%) fewer operations
 - 2,635 (23%) fewer complaints

What the One-Trip-Per-Week limit would have accomplished in 2015



- Results would have been different if Town had been able to enforce One-Trip-Per-Week restriction
- In April 2015, based on 2014 data, we predicted:
 - 3,998 (or 20%) of the 19,859 total operations during the full 2015 season
 - 9,029 (or 43%) of the 20,934 total complaints during the season
- Actual 2015 data demonstrates
 - 3,139 (or 15%) of the 20,806 total operations during the season
 - 2,853 (or 50%) of the 5,659 total helicopter operations during the season
 - 8,307 (or 32%) of 25,940 total complaints during the season
 - 8,160 (or 46%) of the 17,571 total helicopter complaints during the season

Where we go from here



“After such public meeting, the Town Board shall consider what modifications, if any, to [the three restrictions] are warranted”

- Local Law No 7 of 2015

- Can consider *minor refinements* to the extended curfew
- *Must* await the court ruling before considering any new restrictions or any revised definitions

Public input is essential



- Questions at today's public meeting
- Submit written comments to:
HTOcomments@EHamptonNY.gov
- Comment at future public meetings

Appendix Materials



Presentation available online at:

www.htoplanning.com

<http://ehamptonny.gov/>

**Tables Comparing 2014 and 2015 Operations and
Complaints by Aircraft Category for the
Full Summer Season and the “Implementation Period”**

Full summer season operations comparisons

Aircraft Category	Full Summer Season Operations Comparisons			
	2014 Operations	2015 Operations	2014-2015 Numerical Change	2014-2015 Percentage Change
Noisy Helicopters	5,384	4,484	-900	-17%
Other Helicopters	471	1,175	704	149%
Total Helicopters	5,855	5,659	-196	-3%
Noisy Land Planes	1,663	2,034	371	22%
Other Land Planes	10,719	10,562	-157	-1%
Seaplanes	1,622	2,551	929	57%
Total Fixed Wing	14,004	15,147	1,143	8%
Total Noisy	7,047	6,518	-529	-8%
Total Other (Note)	12,812	14,288	1,476	12%
Grand Total	19,859	20,806	947	5%

Note: "Total Other" includes seaplanes.

Full summer season complaint comparisons

Aircraft Category	Full Summer Season Complaint Comparisons			
	2014 Complaints	2015 Complaints	2014-2015 Numerical Change	2014-2015 Percentage Change
Noisy Helicopters	13,723	13,617	-106	-1%
Other Helicopters	1,212	3,954	2,742	226%
Total Helicopters	14,935	17,571	2,636	18%
Noisy Land Planes	712	999	287	40%
Other Land Planes	4,473	5,408	935	21%
Seaplanes	814	1,962	1,148	141%
Total Fixed Wing	5,999	8,369	2,370	40%
Total Noisy	14,435	14,616	181	1%
Total Other (Note)	6,499	11,324	4,825	74%
Grand Total	20,934	25,940	5,006	24%

Note: "Total Other" includes seaplanes.

Implementation period operations comparisons

Aircraft Category	Implementation Period Operations Comparisons			
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Implementation period complaint comparisons

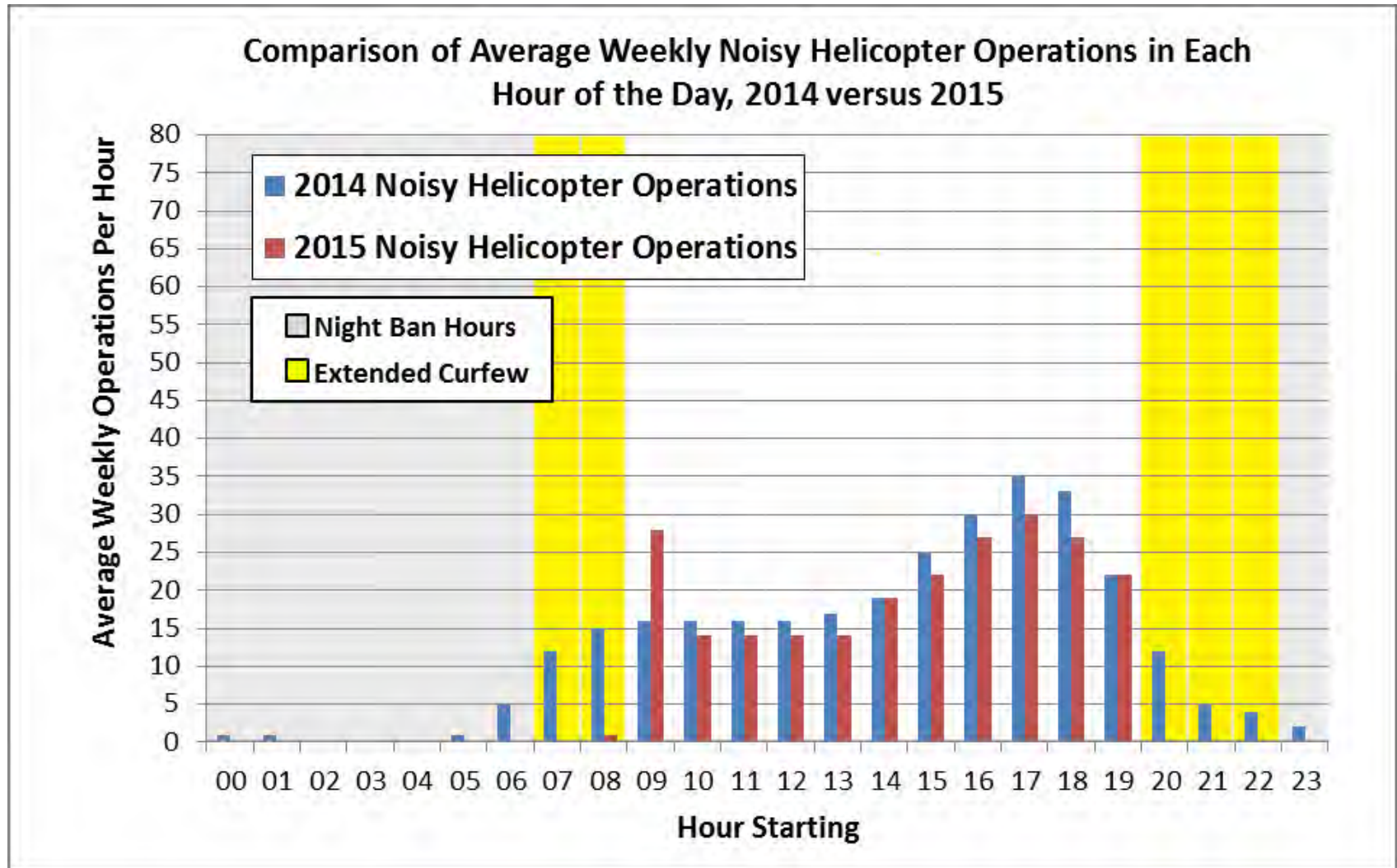
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Grand Total	16,913	17,521	608	4%

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**Graphs Comparing 2014 and 2015
Average Weekly Operations in Each Hour of the Day
for the “Implementation Period”**

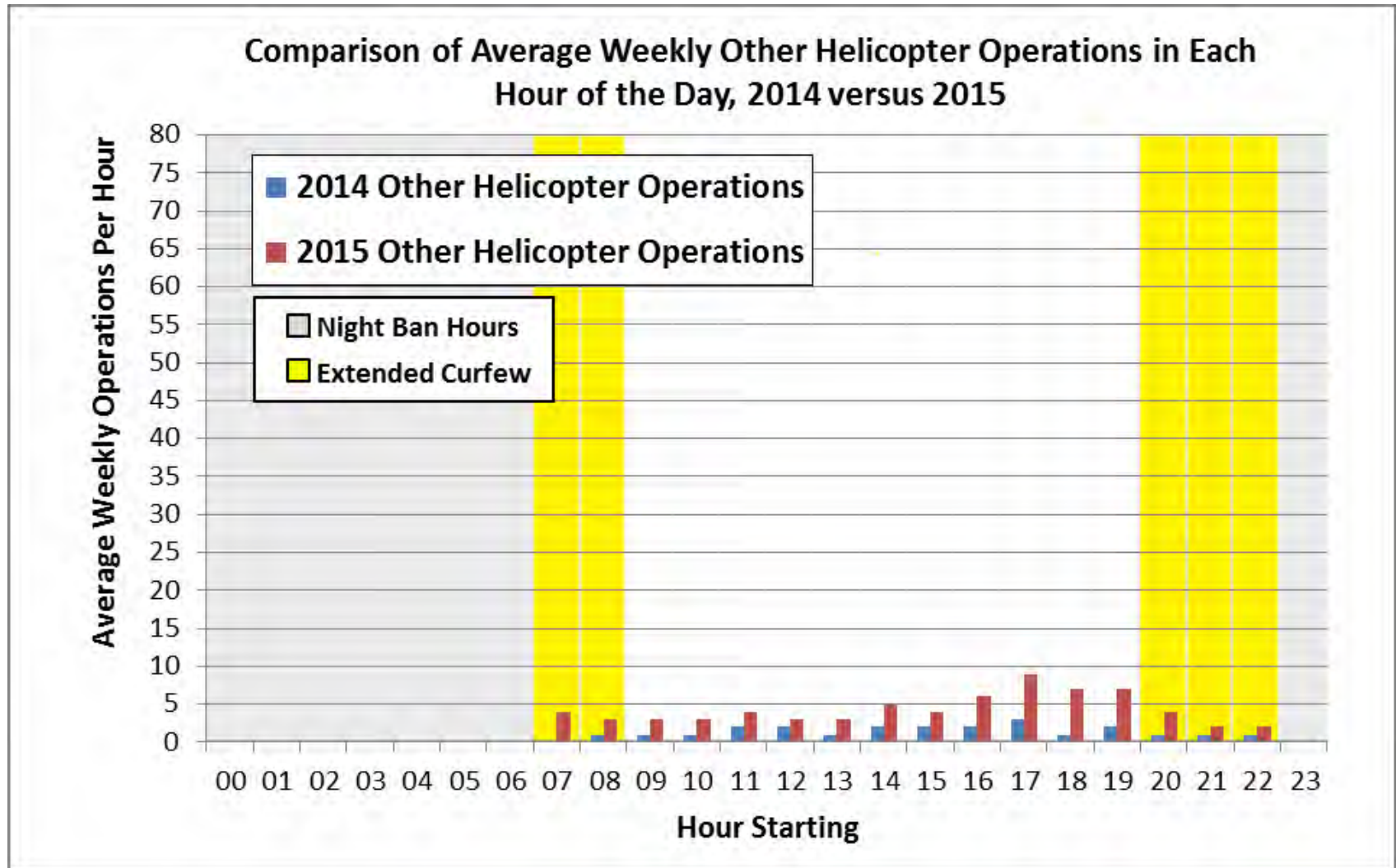
Average weekly noisy helicopter operations per hour

- For the noise rule “implementation period”



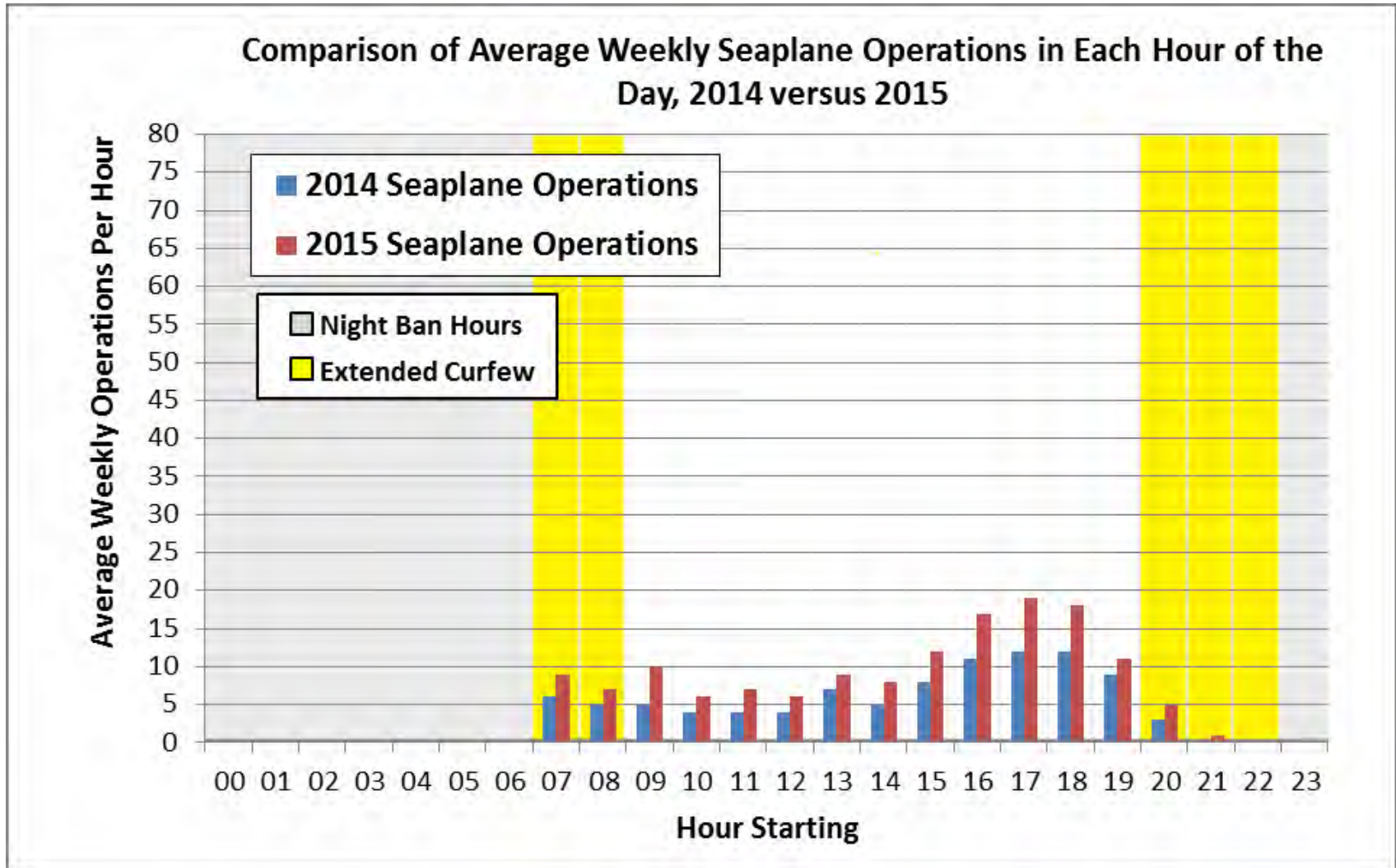
Average weekly other helicopter operations per hour

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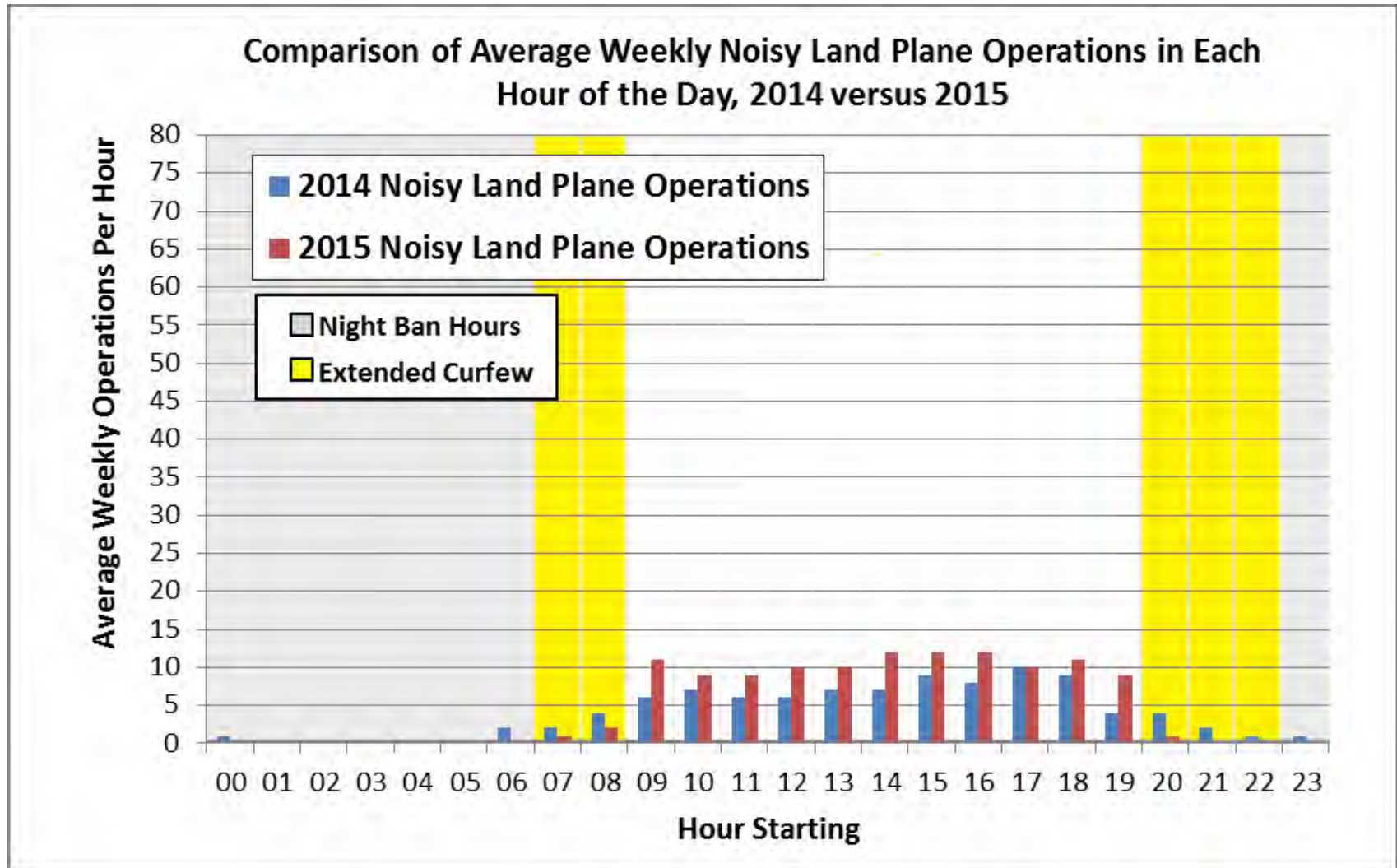
Average weekly seaplane operations per hour

- For the noise rule “implementation period”



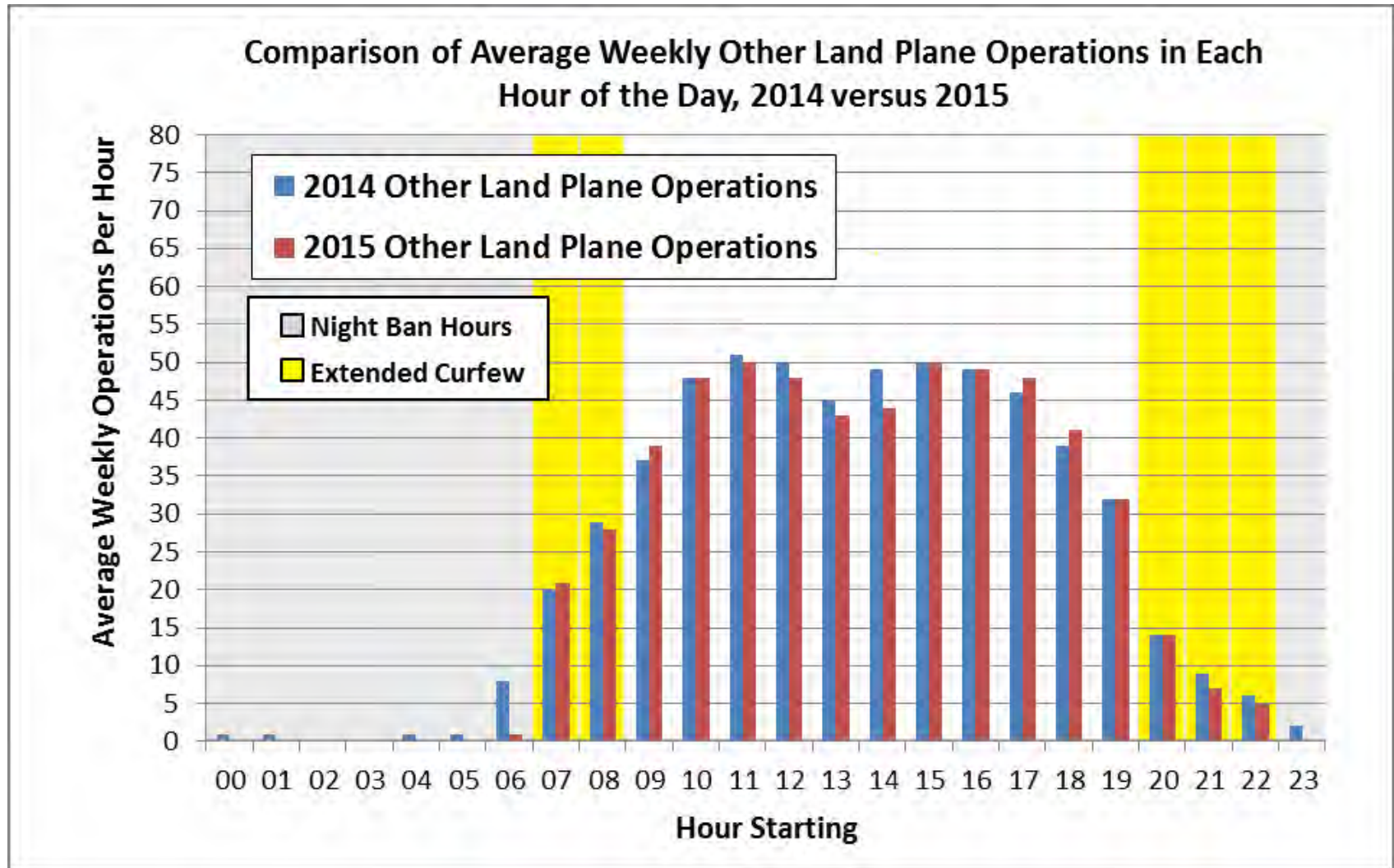
Average weekly noisy land plane operations per hour

- For the noise rule “implementation period”



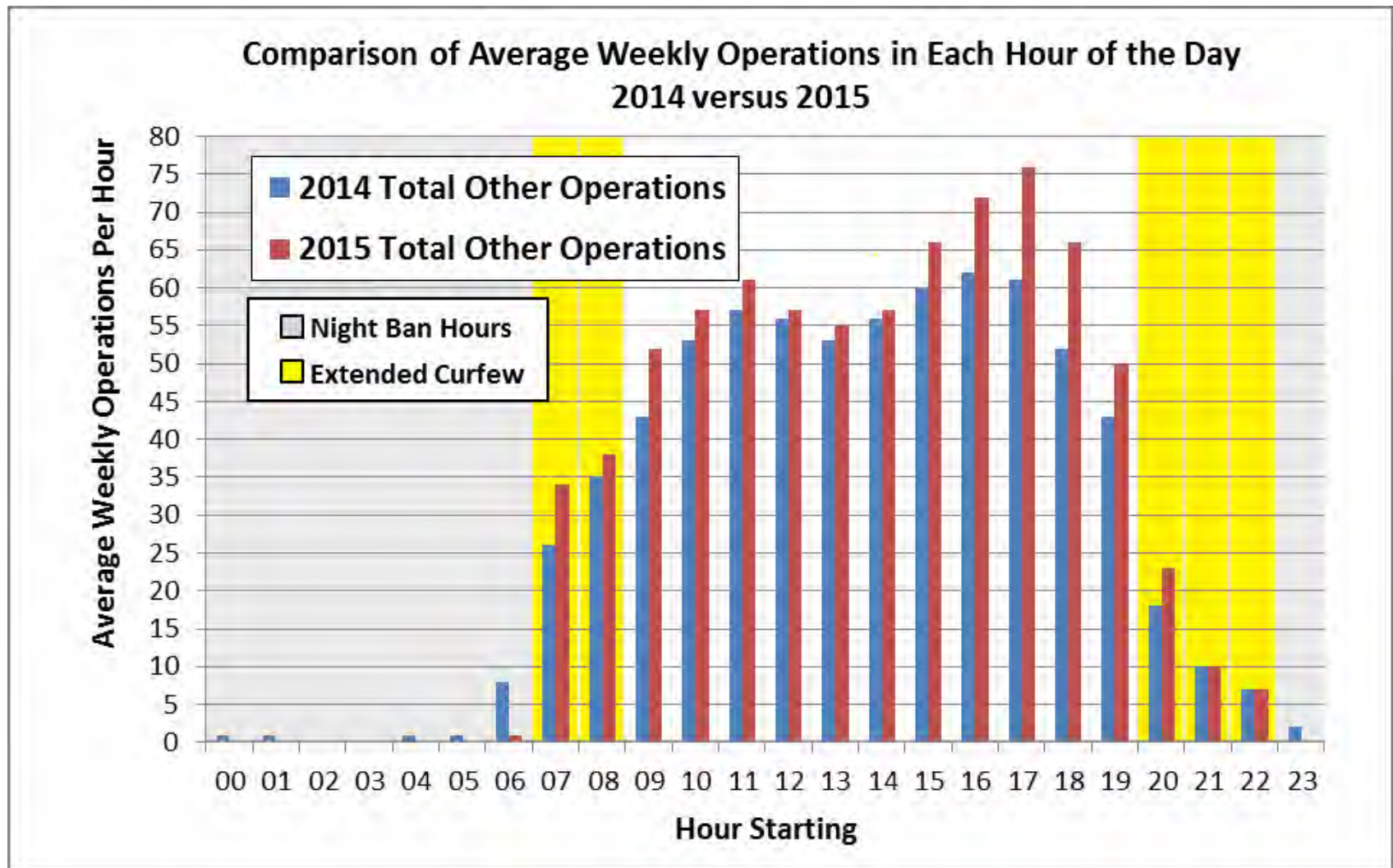
Average weekly other land plane operations per hour

- For the noise rule “implementation period”



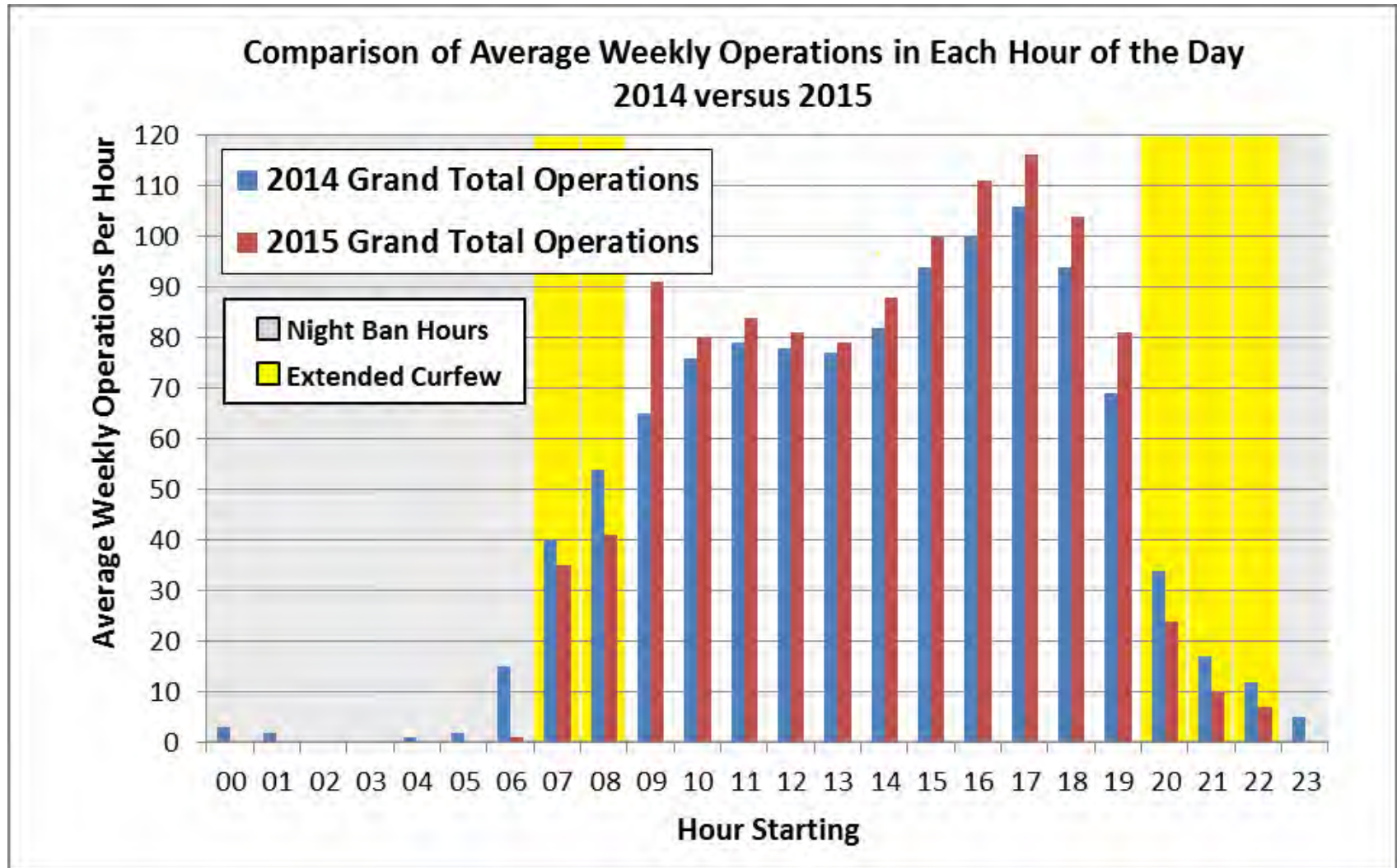
Average weekly total other operations per hour

- For the noise rule “implementation period”



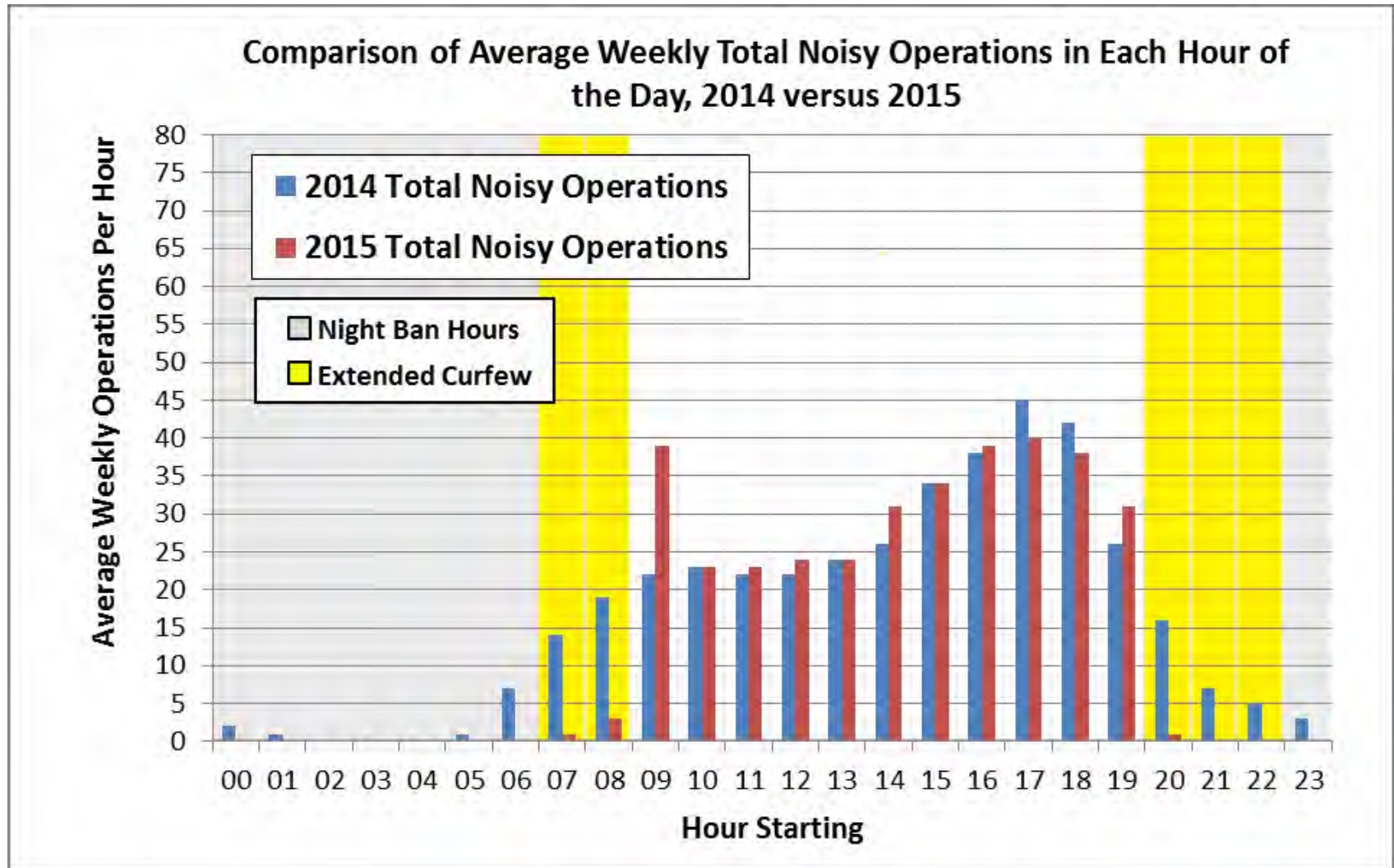
Average weekly grand total operations per hour

- For the noise rule “implementation period”



Average weekly total noisy operations per hour

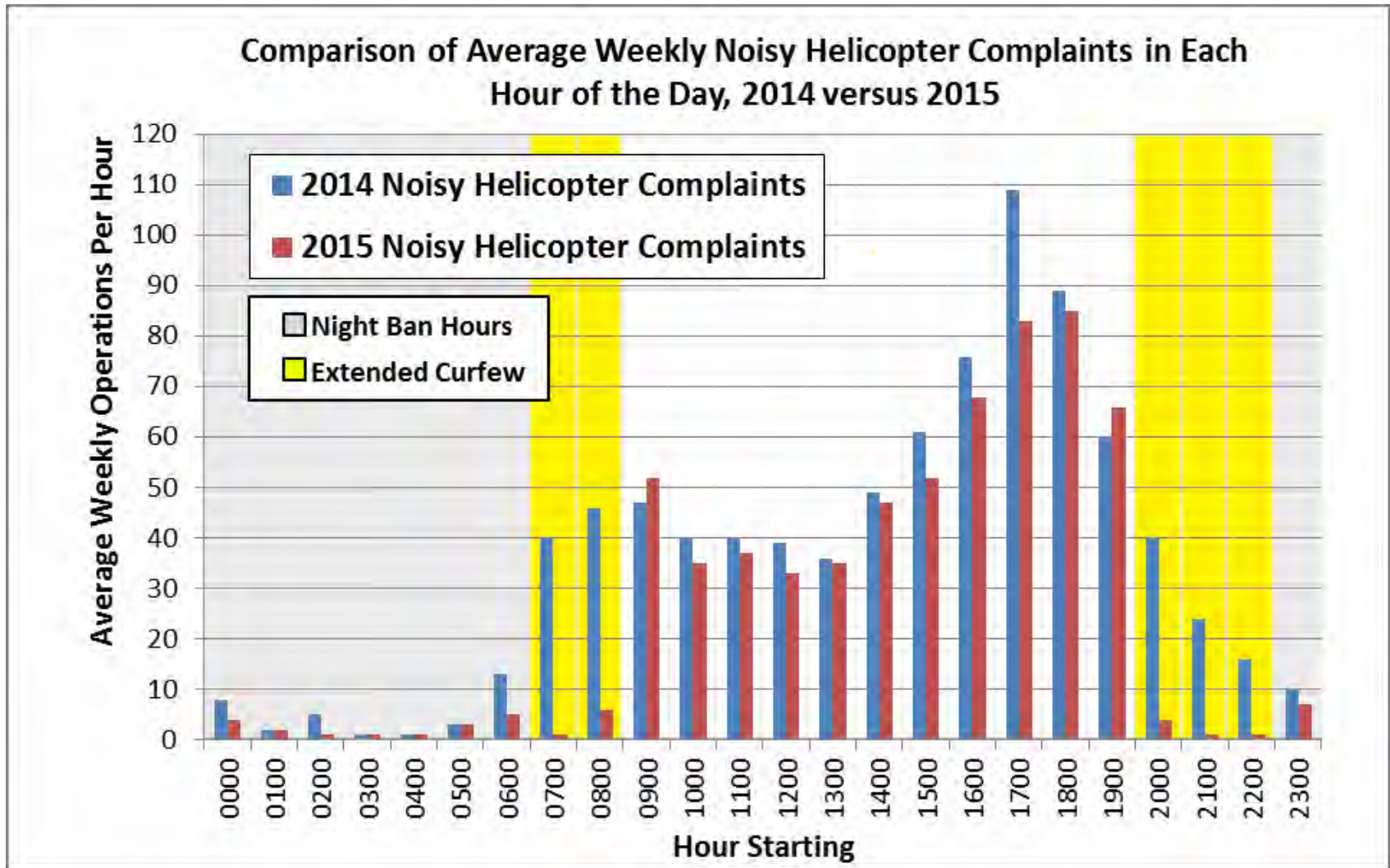
- For the noise rule “implementation period”



**Graphs Comparing 2014 and 2015
Average Weekly Complaints in Each Hour of the Day
for the “Implementation Period”**

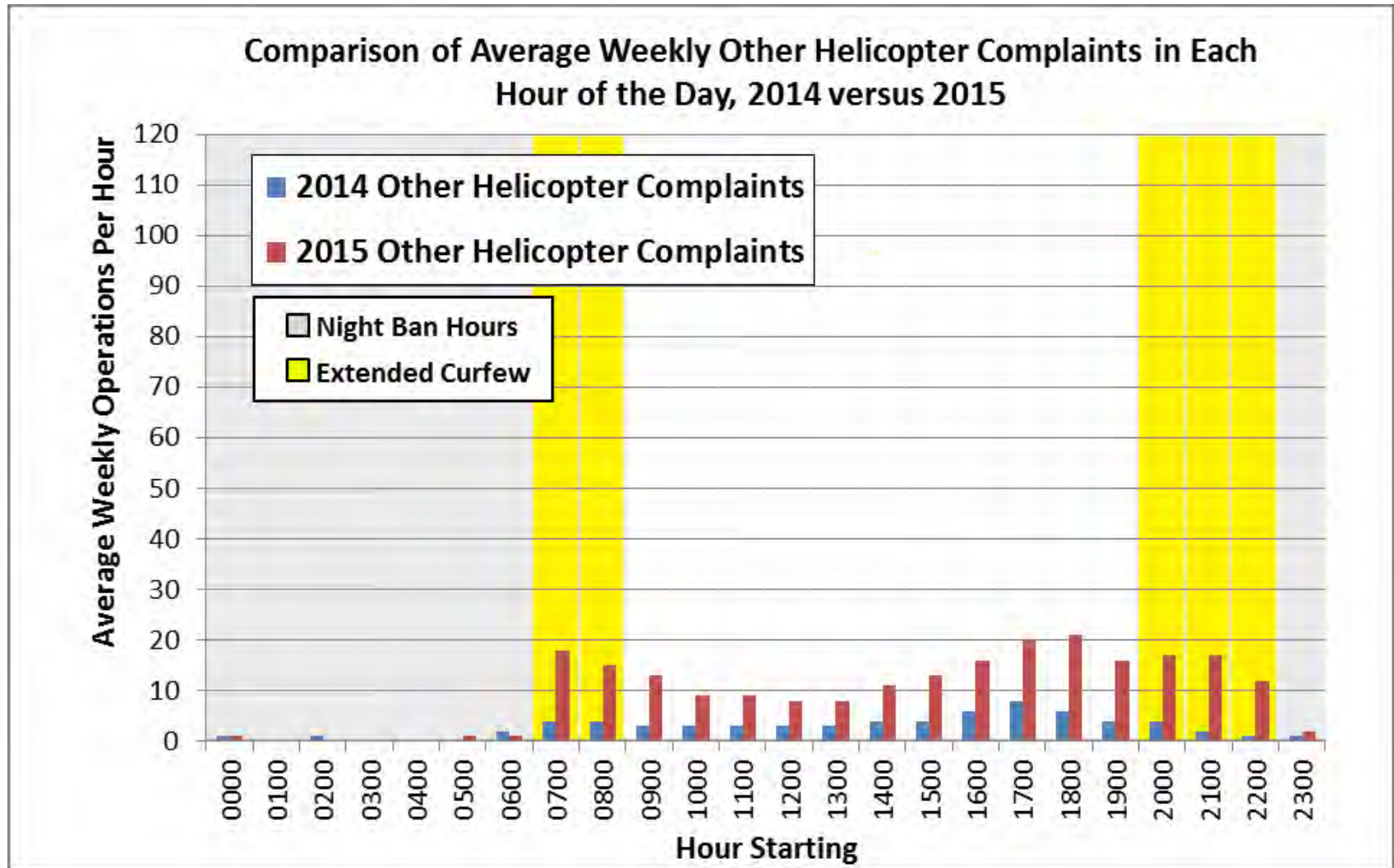
Average weekly noisy helicopter complaints per hour

- For the noise rule “implementation period”



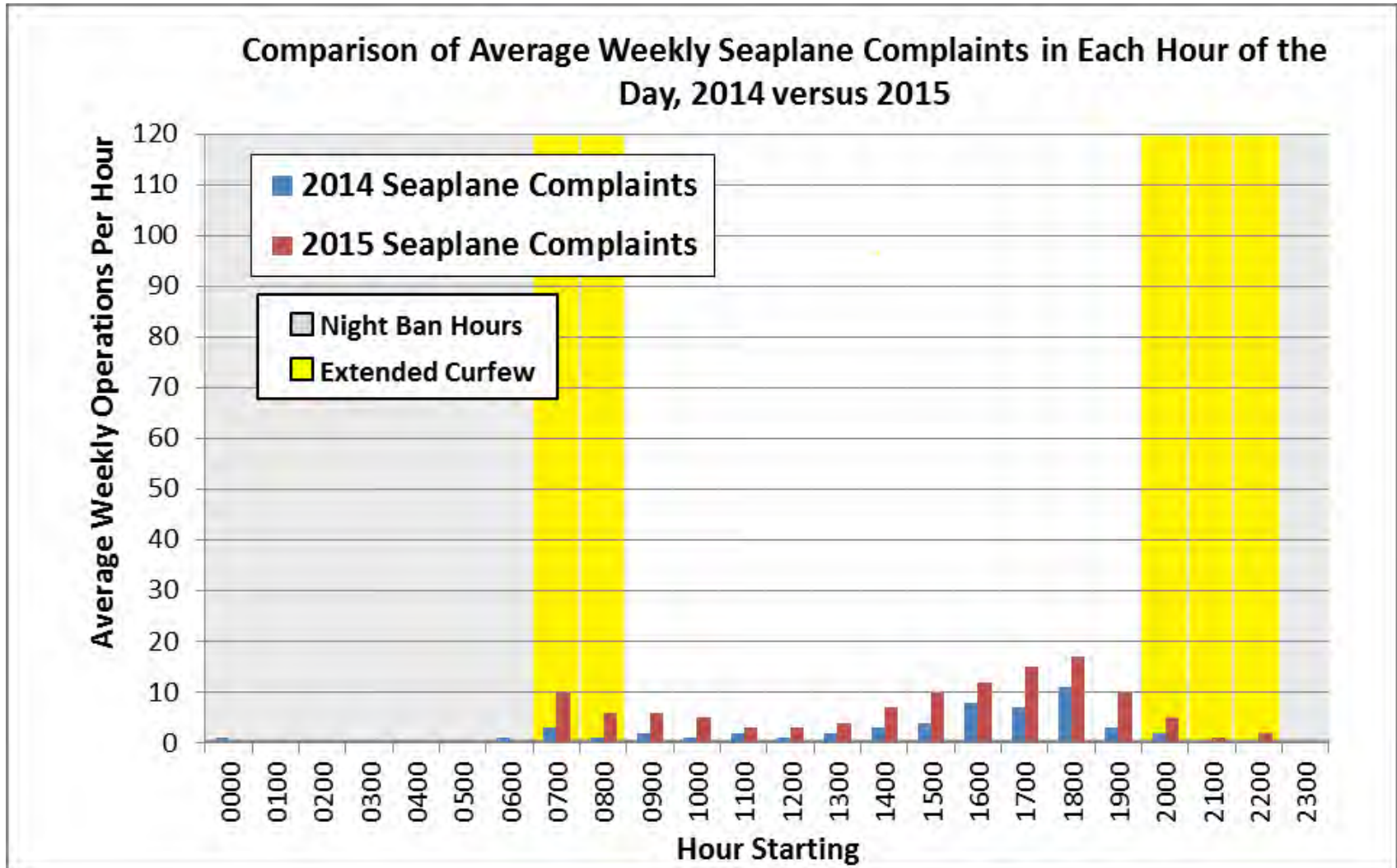
Average weekly other helicopter complaints per hour

- For the noise rule “implementation period”



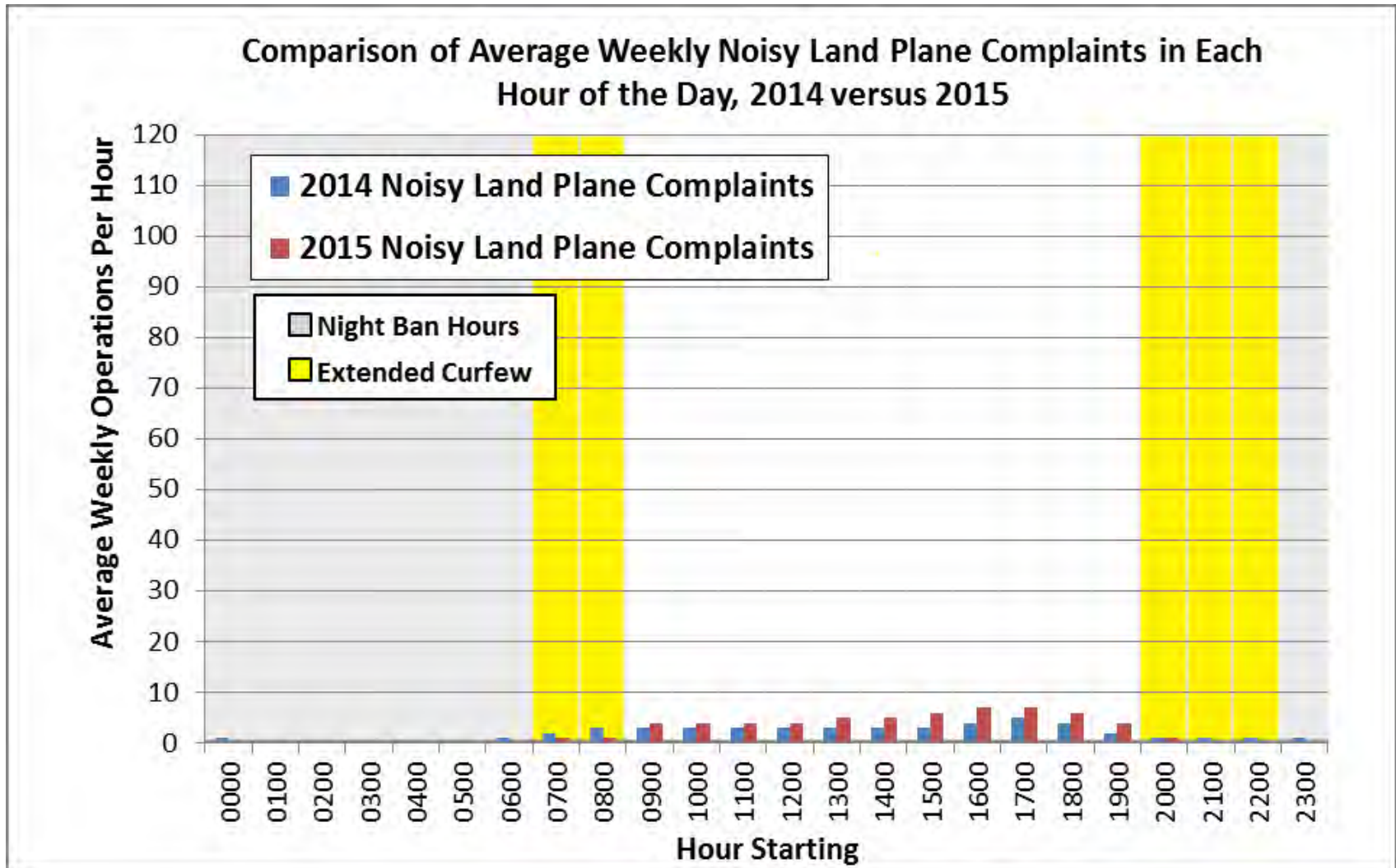
Average weekly seaplane complaints per hour

- For the noise rule “implementation period”



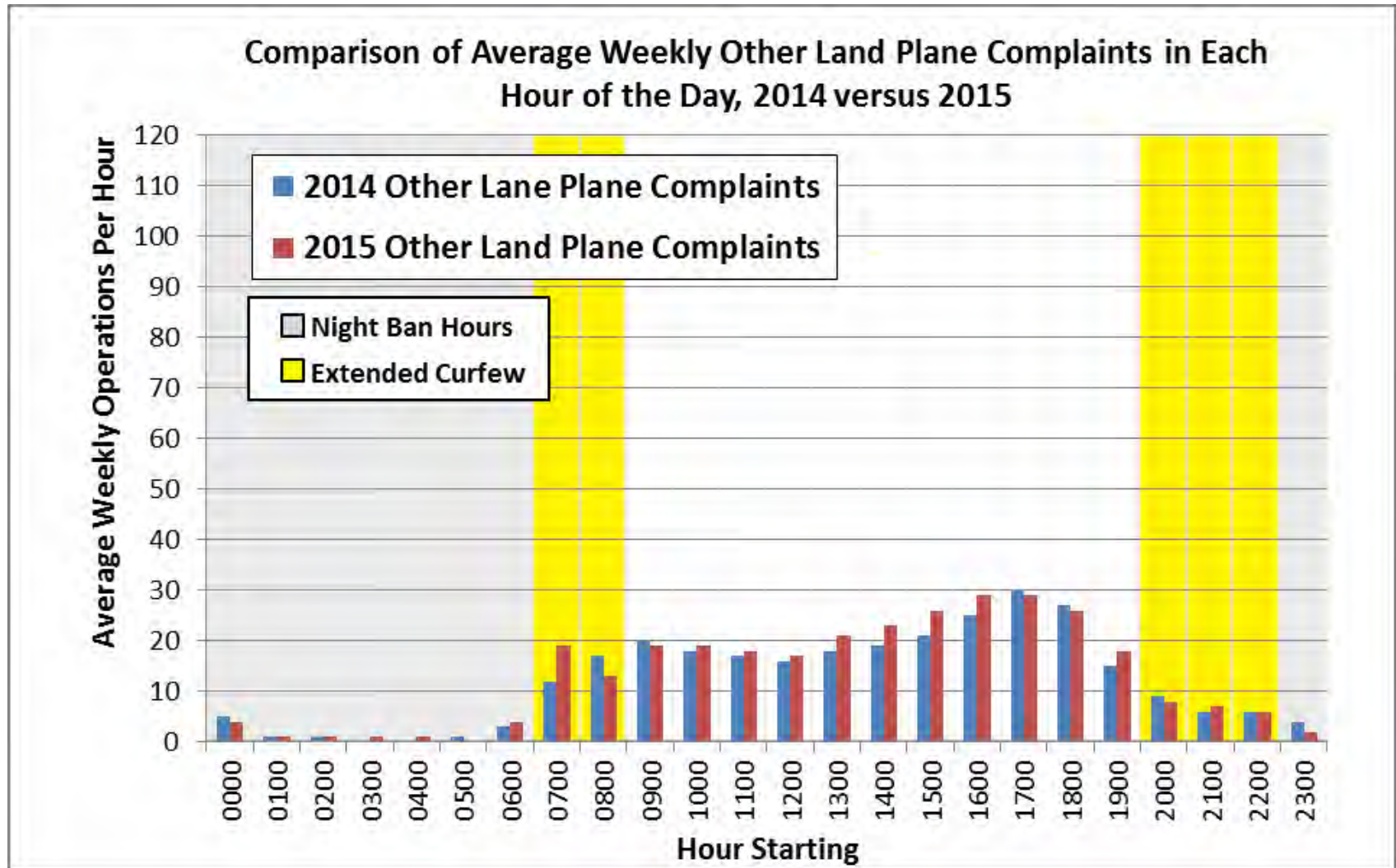
Average weekly noisy land plane complaints per hour

- For the noise rule “implementation period”



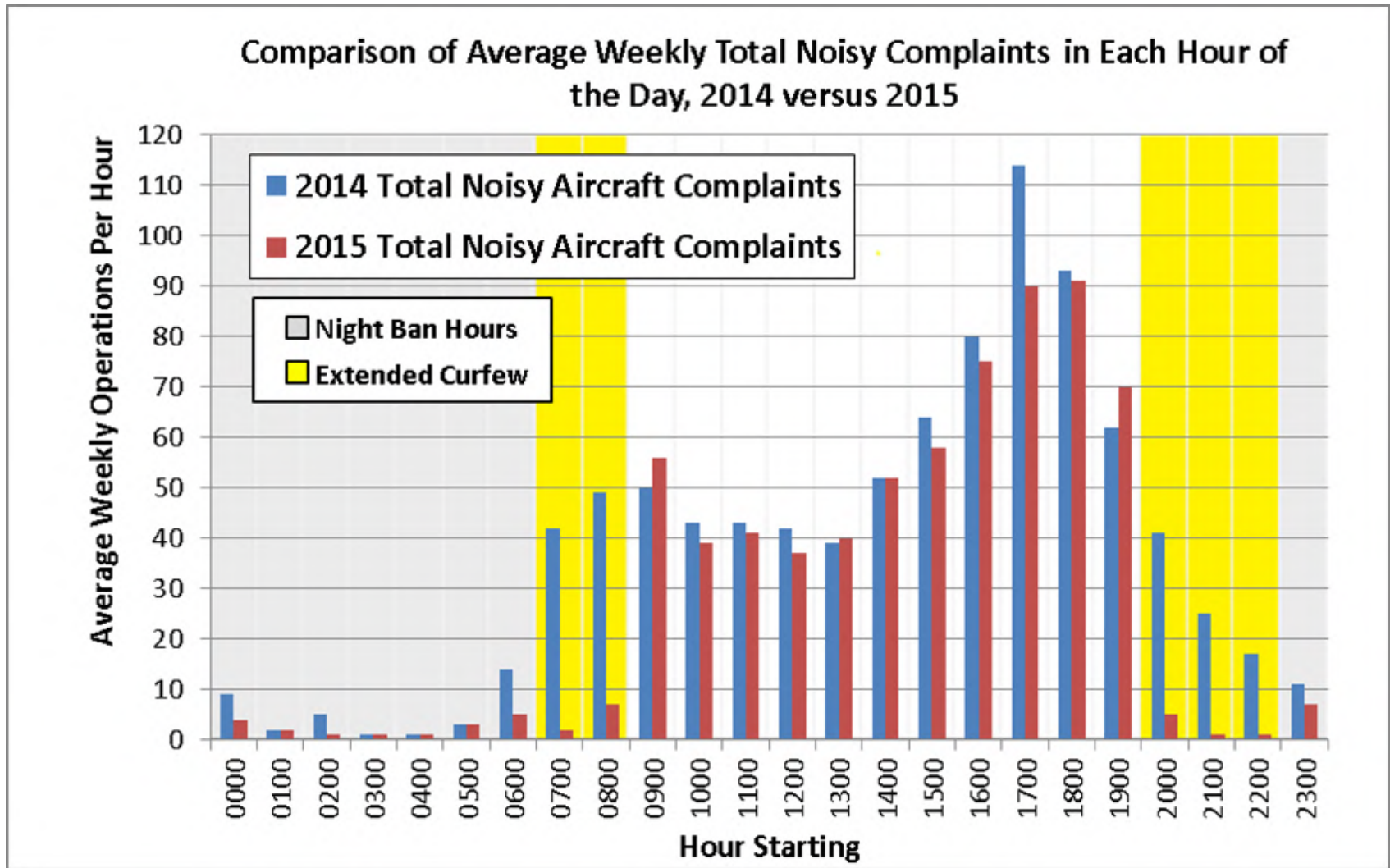
Average weekly other land plane complaints per hour

- For the noise rule “implementation period”



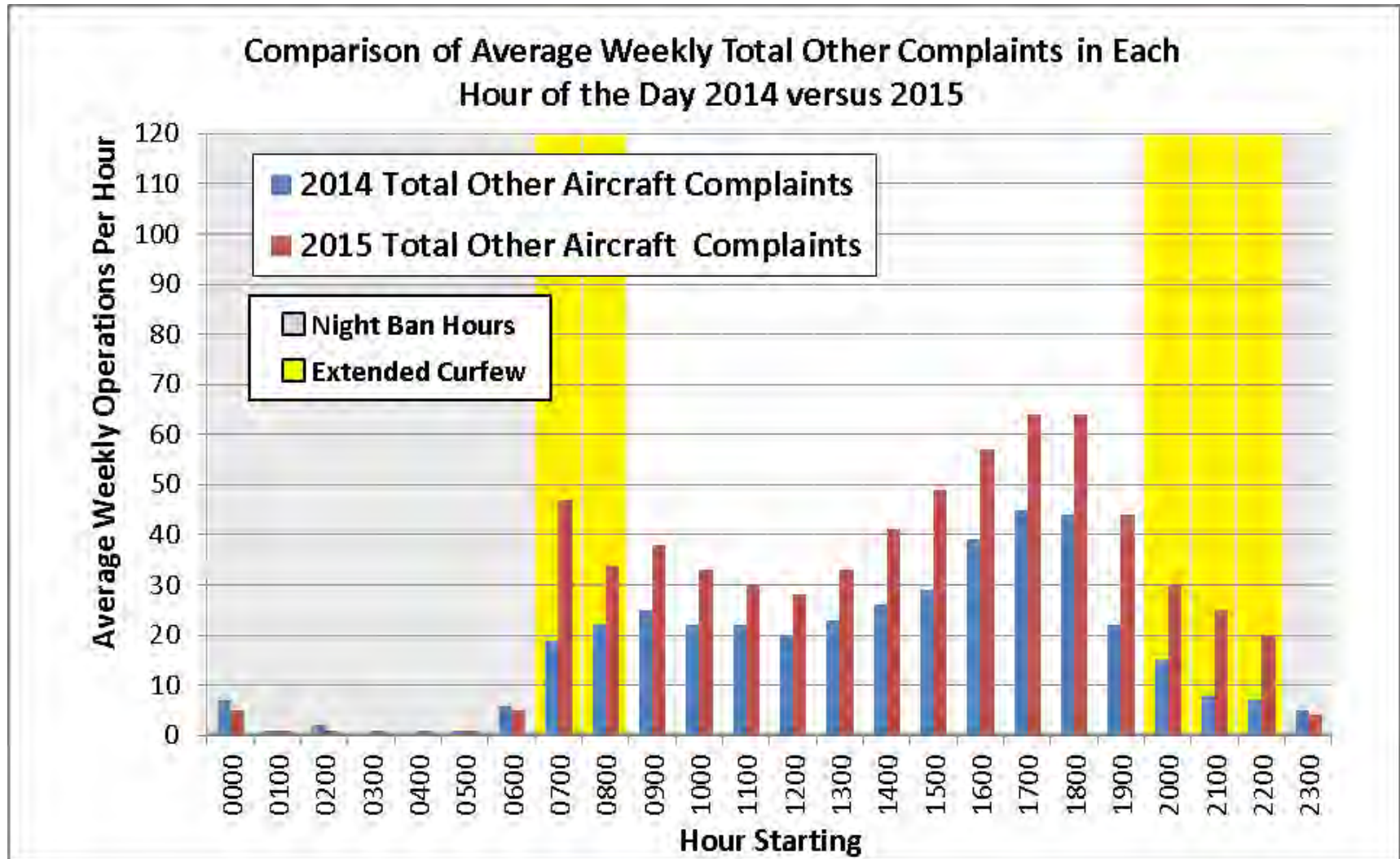
Average weekly total noisy complaints per hour

- For the noise rule “implementation period”



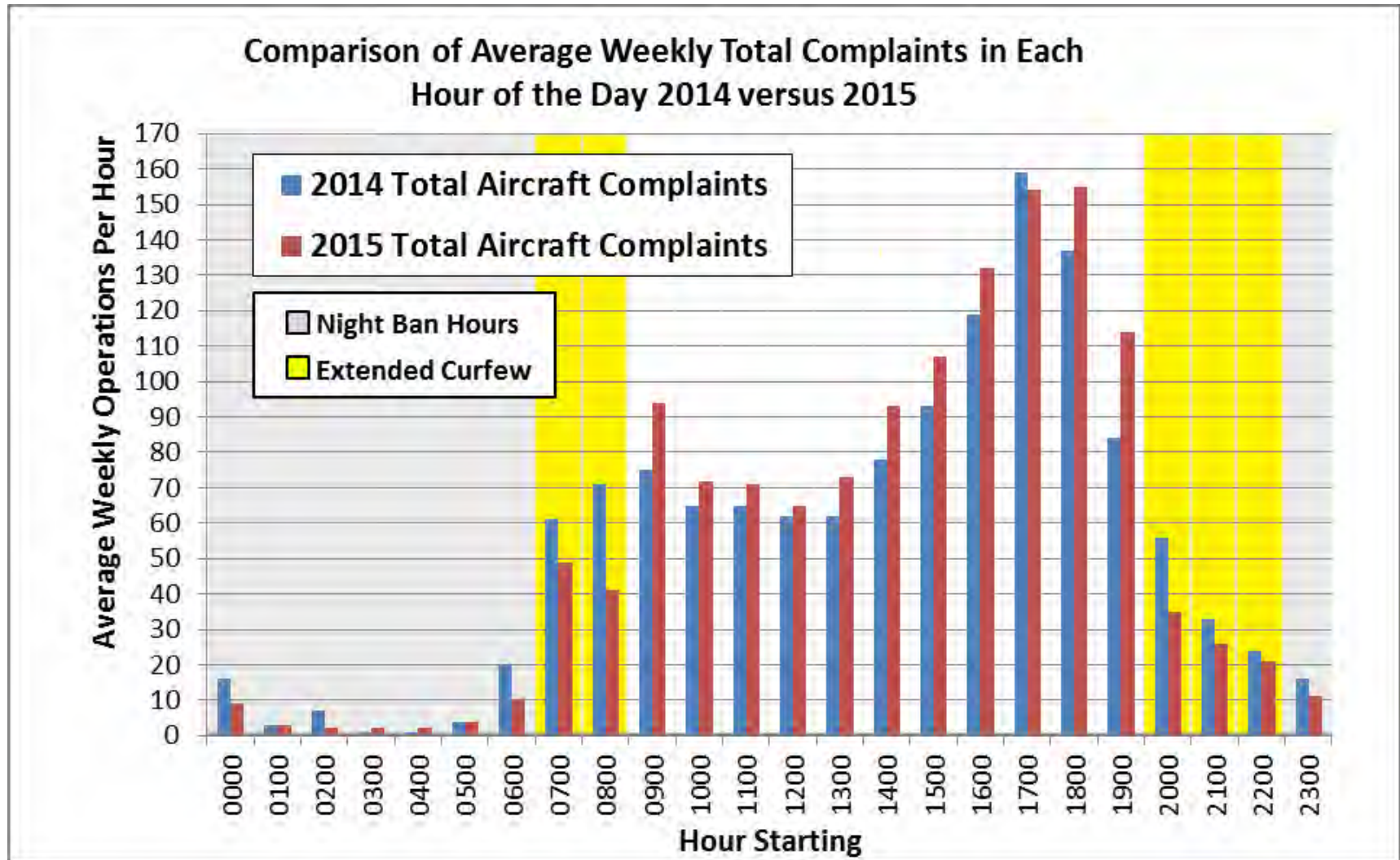
Average weekly total other complaints per hour

- For the noise rule “implementation period”



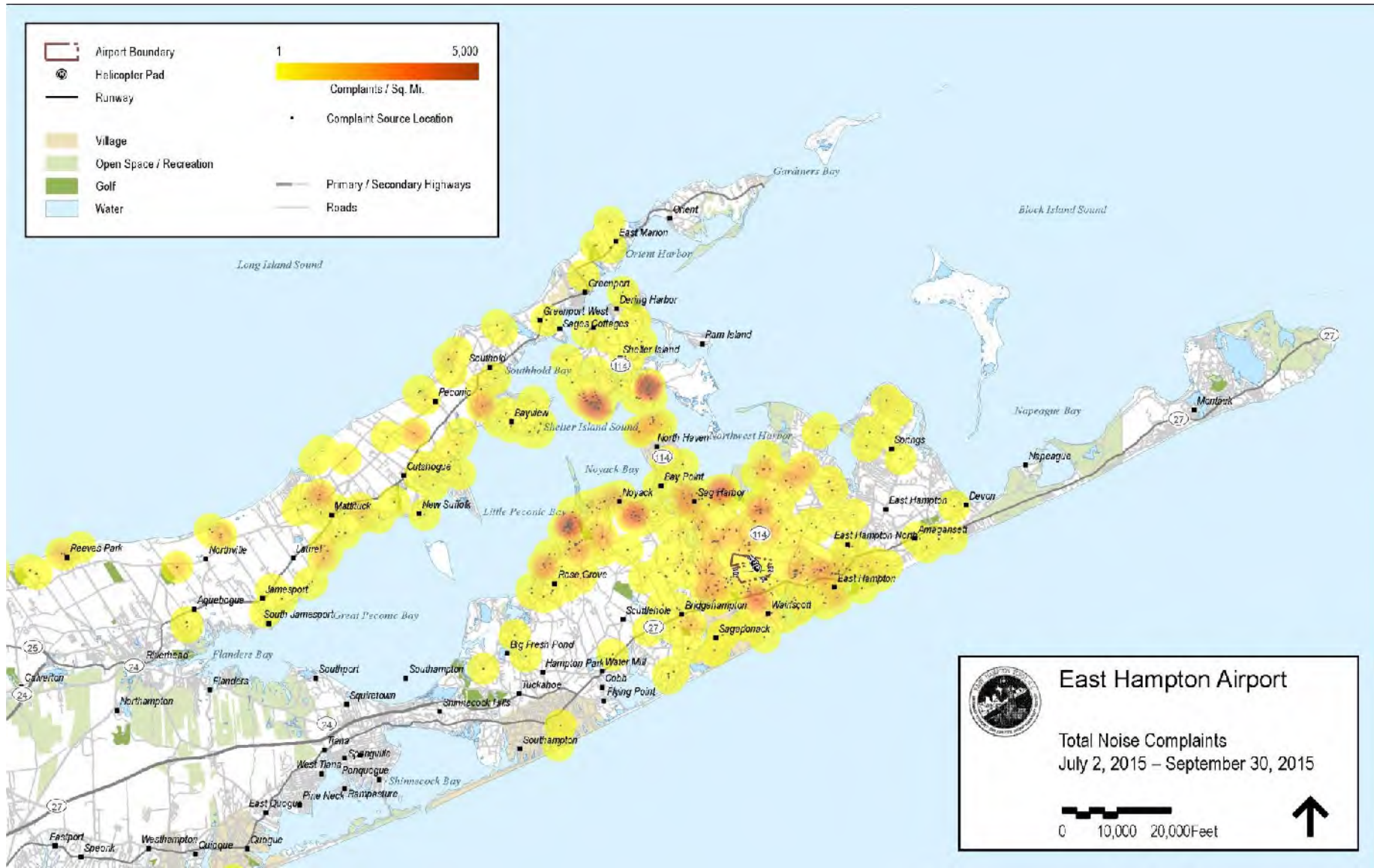
Average weekly grand total complaints per hour

- For the noise rule “implementation period”



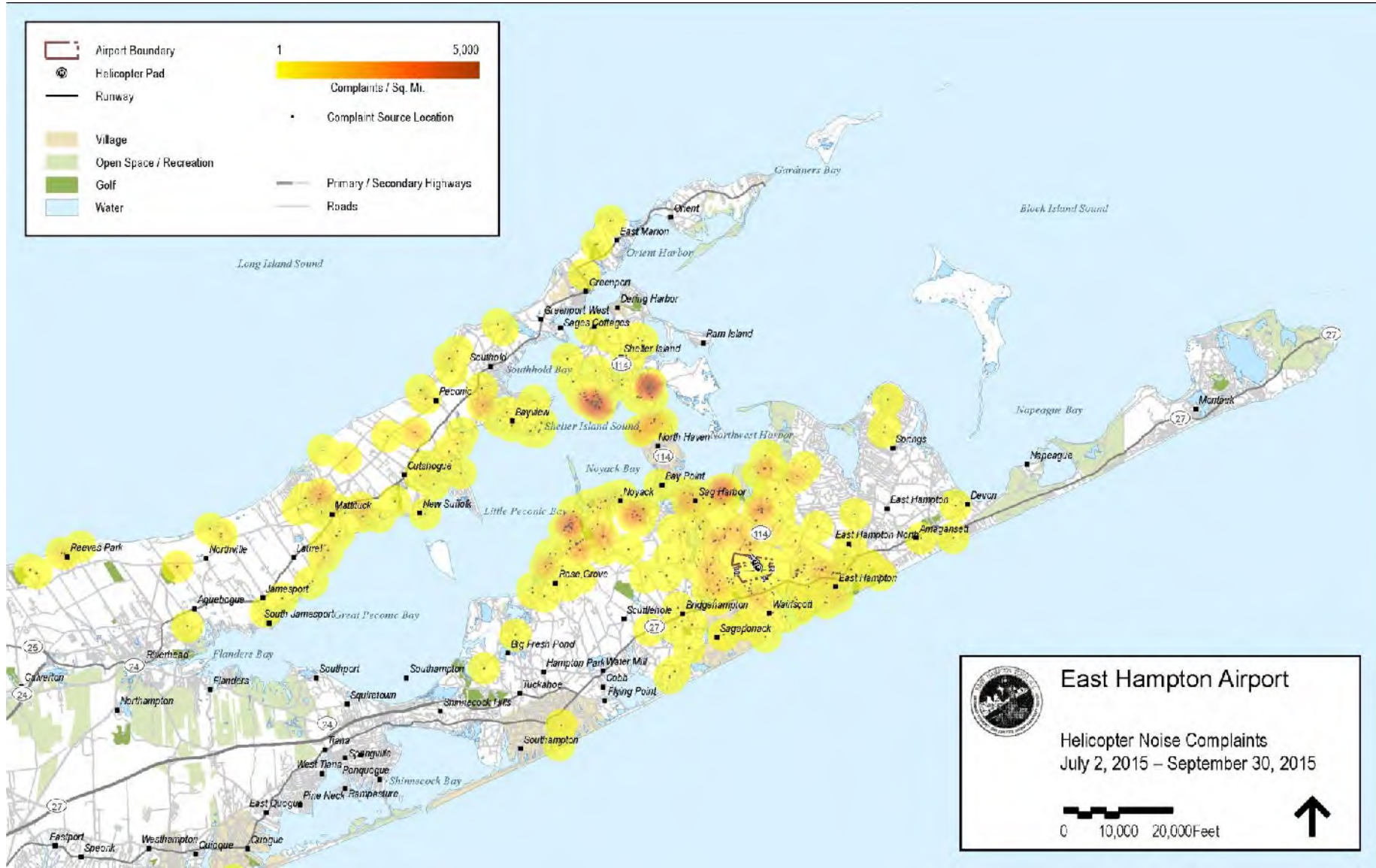
**Maps Showing the Geographic Distribution of Noise
Complaints by Aircraft Category
for the 2015 “Implementation Period”**

Complaint Density for All Complaints



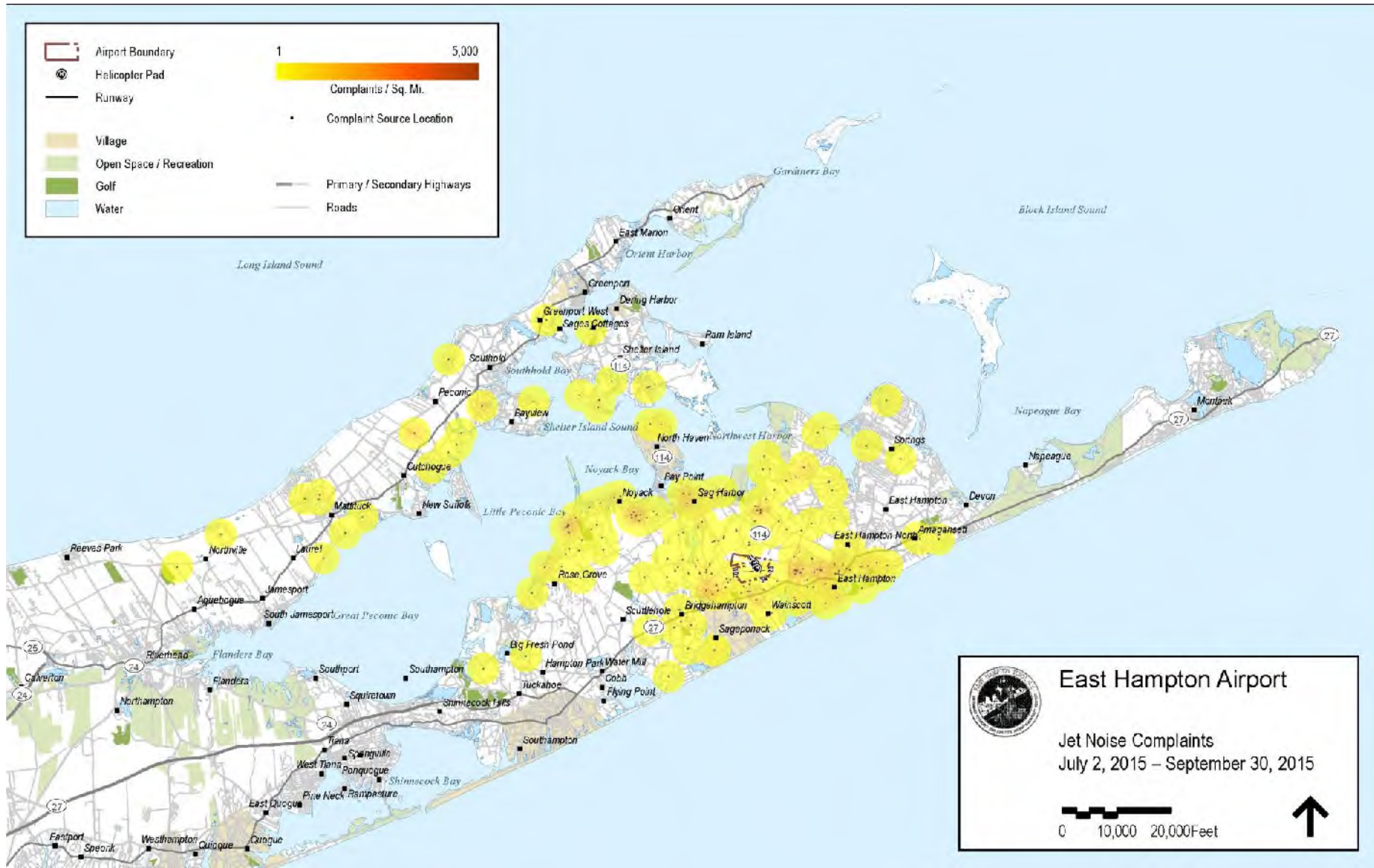
Helicopter Complaint Density

(Based on complainant identification of aircraft type)



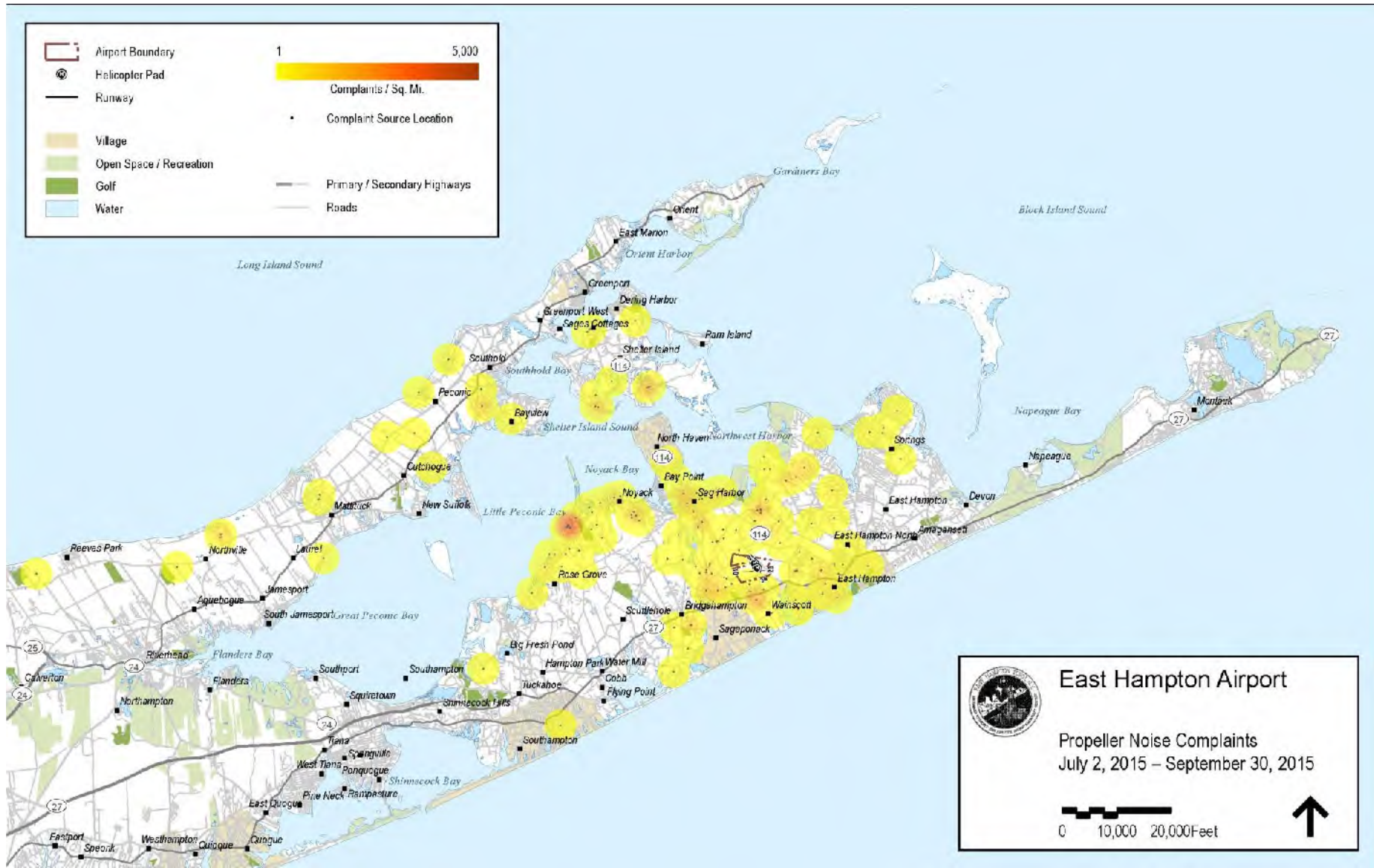
Jet Complaint Density

(Based on complainant identification of aircraft type)



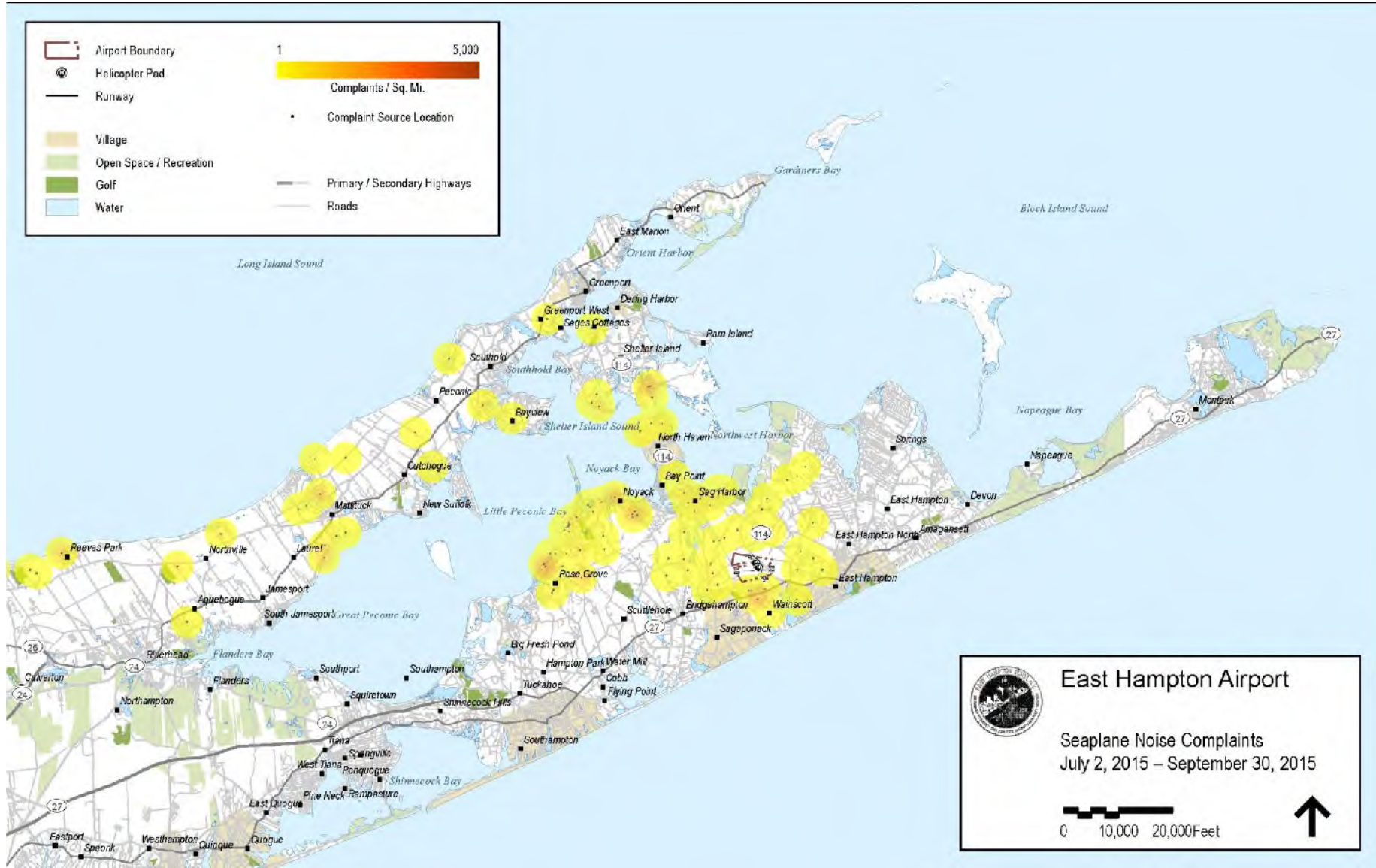
Propeller Noise Complaints

(Based on complainant identification of aircraft type)



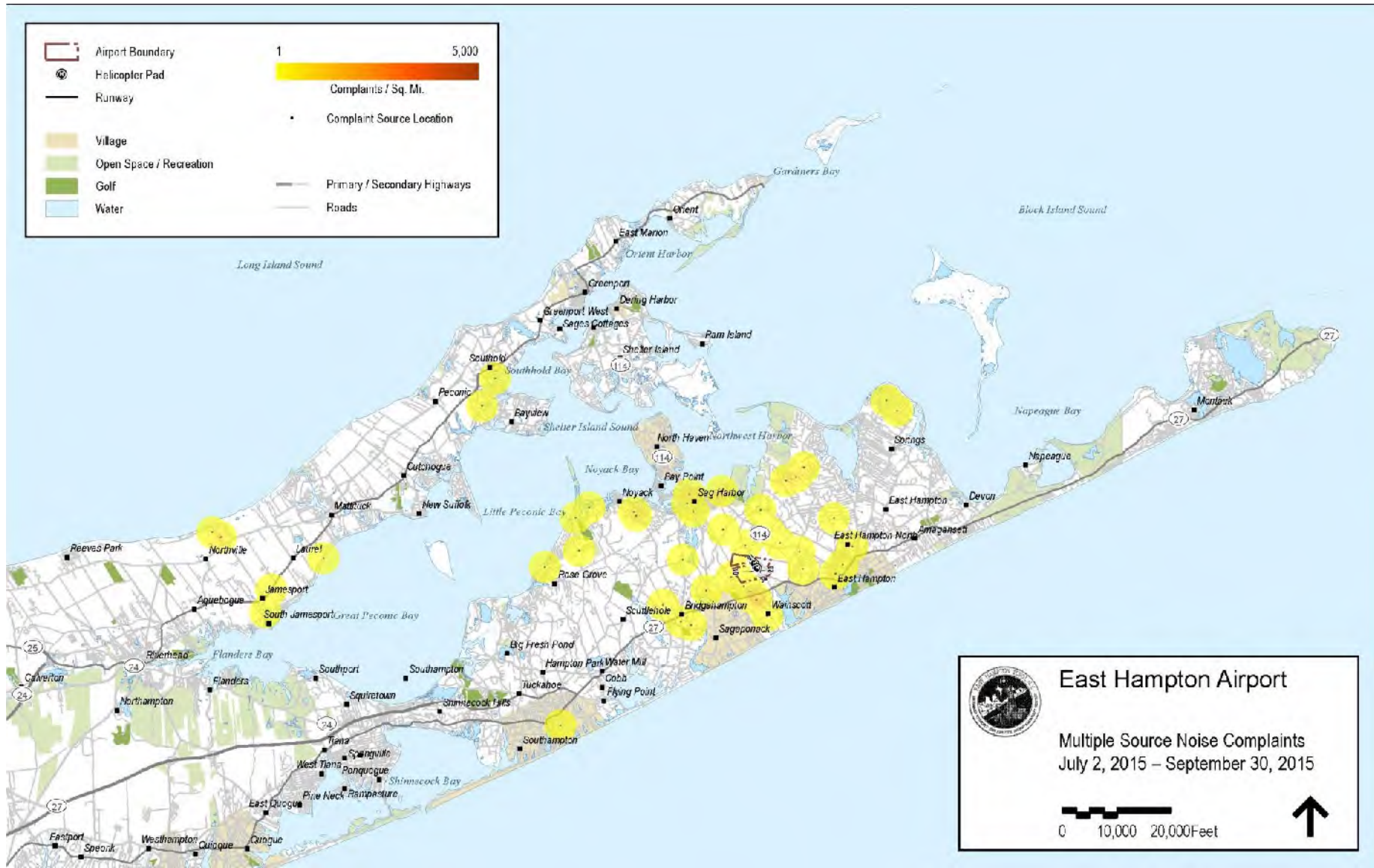
Seaplane Noise Complaints

(Based on complainant identification of aircraft type)



Multiple Aircraft Complaint Density

(Based on complainant identification of aircraft type)



**Tables of 2015 Summer Season
Operations and Complaints
Associated with the Three Town Restrictions**

2015 Season: Total Operations and Complaints Associated with the Restrictions

	Full Summer Season Complaint Comparisons		
	Helicopter	Fixed-Wing	All Aircraft
Operations Affected			
1) 11 PM – 7 AM curfew on all aircraft operations*	8	69	77
2) 8 – 11 PM and 7-9 AM extended curfew on noisy aircraft operations*	199	112	311
3) Noisy aircraft limited to two operations per week in season	2,853	286	3,139
Associated Complaints			
1) 11 PM – 7 AM curfew on all aircraft operations*	530	261	791
2) 8 – 11 PM and 7-9 AM extended curfew on noisy aircraft operations*	970	80	1,051
3) Noisy aircraft limited to two operations per week in season	8,160	147	8,307

* Note that the curfews were not implemented for the full “season.”

What the One-Trip-Per-Week limit would have accomplished in 2015

	Helicopters		Fixed-Wing		All Aircraft	
	# of Operations	% of Total	# of Operations	% of Total	# of Operations	% of Total
Total Ops	5,659	100%	15,147	100%	20,806	100%
# Ops Affected by One-Trip-Per Week Restriction	2,853	50.4%	286	1.9%	3139	51.1%
Total Complaints	17,571	100%	8,369	100%	25,940	100%
# Complaints Affected by One-Trip-Per Week Restriction	8,160	46.4%	147	1.8%	8,307	32%