

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ECONOMIC  
DEVELOPMENT  
Jointly with the  
COMMITTEE ON STATE AND  
FEDERAL LEGISLATION

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Tuesday, November 29, 2022  
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HELD AT: COMMITTEE ROOM - CITY HALL

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Shaun Abreu, Chairperson

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## A P P E A R A N C E S (CONTINUED)

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3 SERGEANT AT ARMS: Good morning, and welcome to  
4 today's hybrid New York City Council hearing for the  
5 Committees on State and Federal Legislation joining  
6 with Economic Development. To minimize disruptions,  
7 please place all electronic devices to vibrate or  
8 silent mode. If you would like submit testimony,  
9 please send via e-mail to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).  
10 Thank you for your cooperation. Chairs, we are ready  
11 to begin.

12 [GAVEL]

13 CHAIRPERSON FARIAS: Good morning everyone, and  
14 welcome to this joint hearing of the Committees on  
15 Economic Development and State and Federal  
16 Legislation of the New York City Council. Today is  
17 Tuesday, November 29th, and my name is Amanda Farias.  
18 I have the privilege of chairing the Committee on  
19 Economic Development. I am joined today by my Co-  
20 Chair, Councilmember Shaun Abreu as well as  
21 Councilmembers Kagan and Marte. Today's hearing is  
22 exciting as we are taking a meaningful look at  
23 heliports and helicopters in New York City, which has  
24 not occurred since the previous administration. The  
25 purpose of today's hearing is to take a close look at  
how the city can reduce noise pollution for New York

3 City residents, determine any and all environmental  
4 impacts, get a better sense of the overall management  
5 of the many helicopters that fly over New York City  
6 every day, and to really hear from the New Yorkers  
7 who are impacted.

8 Roughly 30,000 sightseeing flights and countless  
9 charters and other flights take off each year from  
10 the downtown Manhattan heliport, clogging the skies  
11 and creating a nuisance for residents across the  
12 city. From oncology patients at NYU Langone to  
13 students at The Harbor School, I have heard along  
14 with many of my colleagues directly regarding the  
15 many concerns and issues that are faced. Less data  
16 is available regarding the exact number of flights  
17 that operate out of the East 34th and West 30th  
18 Street heliports. However, we know thousands of  
19 corporate and charter flights use them each year as  
20 well, compounding the noise of loud, low-flying  
21 aircraft at all hours of the day and night.

22 And this is not a new problem. Since at least  
23 1999, the city has made sporadic attempts to address  
24 the quality of life issues created by persistent  
25 helicopter noise. The Giuliani administration  
26 commissioned a study which found that sightseeing

1 flights specifically should be prohibited from all  
2 city-owned heliports. At the time, the city's power  
3 to regulate helicopters was limited due to a number  
4 of outstanding agreements with the operators of those  
5 heliports. It took a little over a decade until  
6 those agreements were ultimately sorted out, and  
7 since 2010, sightseeing tours have been restricted to  
8 the downtown Manhattan heliport. Since then, the  
9 city has worked with the Economic Development  
10 Corporation, the Federal Aviation Administration, and  
11 helicopter tour operators to alleviate noise produced  
12 by sightseeing helicopters. In 2016, the Council  
13 achieved some concessions, being route changes,  
14 restrictions on operational days and hours, and  
15 reporting on deviations from agreed-upon routes.  
16 However, complaints from city residents continue.  
17 Last year, the city's 311 system received almost  
18 26,000 helicopter complaints, and total complaints  
19 are up over 2300% over the past 5 years. More  
20 clearly remains to be done. The Economic Development  
21 Corporation completed an RFP this past summer to  
22 select a new operator of the downtown Manhattan  
23 heliport. While we acknowledge a new vendor has not  
24 yet been selected, we on the Council see this as a  
25

3 prime opportunity to reiterate our concerns regarding  
4 safety, noise, air pollution, and route selection,  
5 and hope some mitigation measures can be built into  
6 the new vendor's contract. We also hope to work with  
7 our colleagues at the federal level to see if they  
8 would consider amending flight rules to alleviate  
9 some of the strain on city residents caused by these  
10 flights. These requests are not without precedent.  
11 In 2008, Senator Chuck Schumer and former  
12 Representative Tim Bishop worked with the FAA to  
13 amend the so-called North Shore Helicopter Route in  
14 2008 to reduce noise over parts of Queens and Nassau  
15 County. In 2018, the FAA issued an emergency order  
16 prohibiting doors-off helicopter tours in response to  
17 a fatal crash that year in the East River where 5  
18 people lost their lives. We recognize that the  
19 Economic Development Corporation's direct authority  
20 with respect to achieving these goals is somewhat  
21 restricted. However, we hope that the EDC will work  
22 with community advocates and consult with the FAA,  
23 the Port Authority, and the operators of other  
24 heliports near the city in their efforts to develop  
25 these goals.



3 With that being said, I would like to thank the  
4 committee staff, Senior Counsel, Alex Polinov, Senior  
5 Policy Analyst, William Hongash, and Finance Analyst  
6 Glen Martinelli, for all of their hard work putting  
7 this hearing together.

8 I will now turn it over to my colleague, Chair  
9 Shaun Abreu for his words.

10 CHAIRPERSON ABREU: Thank you so much for that  
11 introduction, Councilmember Farias. Good morning  
12 everyone. My name is Shaun Abreu, and I serve as  
13 Chair to the Committee on State and Federal  
14 Legislation. As my colleague just mentioned today,  
15 today we are here to discuss New York City heliport  
16 operations. While the federal government maintains  
17 jurisdiction over all airspace in the United States,  
18 including ours, I would like to take this opportunity  
19 to delve into the impact of air traffic congestion in  
20 New York. Anyone living in our city can attest to  
21 its greatness, but they can likely attest to its  
22 loudness. Noise pollution may be commonplace in big  
23 cities, but it does not mean that we cannot do our  
24 part to lessen its effect while maintaining safety  
25 and efficiency with our city's airspace.

2 Sightseeing is fun and an integral aspect of  
3 getting to know a city, whether you are a new  
4 resident or just visiting temporarily. And while I  
5 am sure that a bird's eye look at New York City via  
6 helicopter tour would be beautiful and exciting,  
7 helicopters have created enough of a nuisance for New  
8 Yorkers that there have been a large amount of  
9 complaints over the years. These complaints have led  
10 to major reform, like the limitations of routes and  
11 tour lengths. However, as Chair Farias just stated,  
12 there were still nearly 26,000 helicopter-related  
13 complaints made to 311 last year. That number is a  
14 big part of why we continue to revisit this issue.  
15 New Yorkers have made it clear there is still room  
16 for improvement. Helicopter transportation can be  
17 essential, and circumstances such as health and  
18 safety emergencies are necessary travel from places  
19 without convenient airport access. But we need to be  
20 able to account for how much noise pollution comes  
21 from these necessary means of travel, versus how much  
22 comes from frequent sightseeing.

23 I look forward to examining this through the lens  
24 of my committee, as this is not only a local issue,  
25 but one that is at the nexus of state and federal

2 government. Today, I will be looking to see how we  
3 can work with our counterparts at the state and  
4 federal levels, and to learn more about any ongoing  
5 work and conversations that may already be taking  
6 place.

7 Before we get started with testimony, I would  
8 like to thank you to everyone who has taken time to  
9 be here today both in person and virtually. We  
10 appreciate your time and feedback on how we can make  
11 improvements to heliport operations to ensure we can  
12 work on solutions to the issues surrounding them. I  
13 would also like to thank committee staff and my own  
14 staff for their work on this hearing, and I will now  
15 turn it over to our moderator for some procedural  
16 items.

17 COUNSEL: Alex Polinov, senior counsel. Members  
18 of the administration, would you please raise your  
19 right hands?

20 Do you swear or affirm to tell the truth, the  
21 whole truth, and nothing but the truth at your  
22 testimony, and to respond honestly to Councilmember  
23 questions?

24 BOTH: I do.

25 COUNSEL: Great. You may begin when ready.

2 MR. GENN: Good morning, Chair Farias and Chair  
3 Abreu, and members of the Economic Development, and  
4 State and Federal Legislation Committee. My name is  
5 Andrew Genn, and I serve as the Senior Vice President  
6 for Transportation for the New York City Economic  
7 Development Corporation, and I am joined by my  
8 college, Mikelle Adgate. She is Senior Vice  
9 President in our Government and Community Relations  
10 Department.

11 I will give a brief overview of EDC's oversight  
12 of the tour helicopter industry, and its management  
13 of two of the city's heliports. After my testimony,  
14 we will be glad to answer questions you may have.

15 They City of New York owns two heliports: The  
16 East 34th Street Heliport and the Downtown Manhattan  
17 Heliport. Both heliports are public use heliports,  
18 an FAA designation meaning a heliport available for  
19 use by the general public without a requirement for  
20 prior approval of the owner or operator. Public use  
21 facilities operate as the refueling stations for  
22 helicopters traversing throughout the Northeast and  
23 Tri-State area. As public use facilities, we cannot  
24 turn a helicopter away. For example, one that took  
25 off from outside New York City that wants to land at

2 one of our heliports, even if there is no prior  
3 approval. These facilities are used by a wide range  
4 for entities for a wide range of purposes, including  
5 hospitals with organ transplants, news agencies  
6 reporting on breaking news, the New York City Police  
7 Department and Fire Departments responding to  
8 emergency calls, chartered and private flights, tour  
9 flights and other critical city operations. The  
10 downtown Manhattan heliport, by design, is the only  
11 heliport that admits tour flights, private flights,  
12 N.Y.P.D., and other emergency services. It is the  
13 only heliport in New York City that can accommodate  
14 presidential flights by Marine 1 and its supporting  
15 aircraft.

16 The East 34th Street heliport focuses on  
17 emergency services, essential organ transport to  
18 nearby hospitals, chartered and private flights, city  
19 operations, and the media. We believe that  
20 organizations like NYU Langone Medical Center and  
21 Mount Sinai will be submitting written testimony in  
22 connection with today's hearing, highlighting the  
23 critical role that the East 34th Street heliport  
24 plays in supporting their lifesaving medical  
25 operations.

3 At both heliports, EDC acts as a contract  
4 administration for the concession agreements between  
5 the city and the heliport operators. Day-to-day  
6 management of heliport operations is handled by  
7 Atlantic Aviation at East 34th Street, and Saker  
8 Aviation at the Downtown Manhattan heliport. The  
9 concession agreements set forth the terms and  
10 conditions under which each facility operates, hours  
11 of operation, maximum manual flight volumes,  
12 insurance levels, reporting requirements including  
13 air quality monitoring and route compliance, and in  
14 terms of payment, among other things. The East 34th  
15 Street heliport is open on weekdays from 8 a.m. to 8  
16 p.m. and is closed on Saturday and Sunday, except for  
17 emergency flights. The Downtown Manhattan heliport  
18 is open to general traffic from 7 a.m. to 10 p.m. on  
19 weekdays, and 7 a.m. to 7 p.m. on Saturday, and 7  
20 a.m. to 5 p.m. on Sunday. However, DMH limits tour  
21 flights to Monday through Saturday from 9am to 7pm  
22 and does not permit tour flights at all on Sundays.  
23 From October 2021 to October 2022, East 34th Street  
24 heliport handled 6,507 flights and DMH handled 23,499  
25 flights. EDC is committed to being good stewards of  
the city's heliport assets. We support innovation

2 across this sector, while ensuring New Yorkers  
3 quality of life and safety remain top of mind. In  
4 our role as stewards for example, we work to promote  
5 more rapid adoption of electric helicopters, which  
6 are quieter and greener. Our team regularly meets  
7 with organizations that are advancing these  
8 technologies to understand the current technological  
9 landscape and how EDC can incentivize quicker  
10 adoption. As you... as you may have seen in recent  
11 news reports, startup helicopter manufacturers are  
12 partnering with established air carriers to introduce  
13 new shuttle service from our airports... from our  
14 heliports to local airports on quiet and green  
15 electric helicopters. Our understanding per  
16 conversations with the industry is that these  
17 electric helicopters could be available for  
18 commercial use within five years.

19 In addition, we are looking to better leverage  
20 our heliport assets by diversifying uses. For  
21 example, we are committed to the blue highway, by  
22 introducing marine freight at heliports, which will  
23 reduce polluting truck trips from the outer boroughs  
24 into Manhattan. We are working with companies that  
25 are actively piloting waterborne freight concepts in

1 Hunts Point in the Bronx, and in Sunset Park and Red  
2 Hook in Brooklyn. We are pleased to have recently  
3 been awarded a \$5.1 million federal grant to advance  
4 infrastructure improvements at up to six marine  
5 landings, including DMH, to support this waterborne  
6 freight network. New York City will be the first US  
7 city to introduce last-mile waterborne freight  
8 delivery, and we are excited to work with you to  
9 implement this groundbreaking vision.  
10

11 Against the backdrop of these benefits, we  
12 recognize that members of our community have raised  
13 quality-of-life concerns about helicopter uses. We  
14 have always sought to address these concerns with the  
15 spirit of transparency, collaboration, and  
16 partnership with the Council.

17 In 2016, for example, we worked with the City  
18 Council, the DMH operator, tour flight companies and  
19 the Federal Aviation Administration to creatively  
20 reduced the number of tour flights operating out of  
21 DMH from 60,000 flights per year to 30,000 flights, a  
22 50% reduction. Additionally, we eliminated one of  
23 the tour routes that flew over a section of northern  
24 Manhattan and the Bronx, and tour helicopters are no  
25



2 longer permitted to fly over land and must at all  
3 times fly over the water.

4 Moreover, we ban tour helicopters that do not  
5 have doors, and tour flights are never permitted on  
6 Sundays. Lastly, we overhauled our 311 noise  
7 complaint review process and added review by an  
8 independent third party consultant. The Council's  
9 partnership was crucial to help push forward these  
10 improvements.

11 At both DMH and East 34th Street, there are  
12 annual flight caps: 30,000 tour flights at DMH, as  
13 previously mentioned, and 28,000 flights at East 34th  
14 Street. EDC regularly monitors compliance with these  
15 annual volume caps, the operating hour restrictions,  
16 and adherence to the over-water-only tour routes. We  
17 take responsibility very seriously, and we are  
18 committed to working with the Council to address  
19 noise complaints from helicopter operations.

20 To this end, EDC monitors public complaints  
21 related to all helicopter flights over New York City,  
22 not just flights to and from the two EDC-run  
23 heliports. Under our process, after a member of the  
24 public lodges a complaint through the city's 311  
25 portal, this data is transmitted to EDC and the DMH

operator for review. The 311 data then undergoes two rounds of analysis, first by our operator, and then by an independent third party consultant with expertise in analyzing flight paths. Once both rounds of analysis are complete, EDC compiles reports that are transmitted to the city Council, elected officials, and relevant community boards on a monthly basis. We welcome the opportunity to work with the Council on how the data is presented in these reports. In addition, we are committed to responding individually to each and every complaint.

To give some context for this, let's look at the 311 complaint data for October 2022. We received 1,917 311 noise complaints. After the two rounds of analysis were completed it was found that 57% of complaints concern helicopter flights that take off from New Jersey, 38% concern other flights which include private and charter flights, New York State Police, among others, 2% concern NYPD flights, and 2% concern media flights.

In addition, it was found that there was one substantiated complaint of a tour flight that went over land. Pursuant to establish protocol, Saker Aviation, our operator advised us that they issued a

1 warning to the operator, and the next violation will  
2 result in a fine.  
3

4 Historically, less than 5% of the 311 noise  
5 complaints are due to tour flights originating at the  
6 downtown Manhattan heliport. We believe that the low  
7 number of complaints from DMH-based tour flights is  
8 due to the requirement that these tours fly over  
9 water not land. We are committed to continuing to  
10 work with the Council to achieve our shared goals and  
11 address the quality of life concerns that have been  
12 voiced by communities adjacent to the heliports and  
13 tour routes that we are able to regulate. EDC  
14 currently has an open procurement, as you mentioned,  
15 for an operator the DMH as the current concession  
16 agreement will expire in April 2023. EDC issued a  
17 request for proposal last summer. We have received a  
18 robust response. We are now in the selection phase  
19 with the aim to give New York City the maximum  
20 control over tour flight operations to advance post  
21 pandemic business recovery while continuing to  
22 prioritize quality of life concerns and ensure safe  
23 operations. Our goal is to select an operator with  
24 the highest and safest quality aviation services.  
25

2 In addition, through the RFP, EDC explicitly  
3 sought innovative responses that would provide the  
4 basis for introducing quieter and greener electric  
5 helicopters.

6 Finally, the RFP sought information on exploring  
7 additional uses for heliports for public benefit,  
8 including waterborne freight to reduce local truck  
9 traffic, cinematography, and community-focused  
10 events.

11 We look forward to updating you once the new  
12 concession agreement is finalized and an operator is  
13 selected. New York City's city run heliports are a  
14 critical component of our transportation network and  
15 are essential for business and the growth of the  
16 local economy. We are committed to continuing our  
17 partnership with the Council to ensure the usage of  
18 our heliports for the public benefit while also  
19 addressing quality of life concerns.

20 Thank you for the opportunity to speak with you  
21 today. And Mikelle and I are happy to answer any  
22 questions you may have. Thank you.

23 CHAIRPERSON FARIAS: Okay. Hi. Good morning.  
24 Thank you for your testimony. I'm just going to get  
25 right into some of the questions.

3 So in regards to the heliports owned by EDC, can  
4 you get into specifics outside of your testimony? I  
5 know we went over the types of flights operated out  
6 of downtown and East 34th heliports, but how... can  
7 you talk about what type of flights, and then can you  
8 kind of discuss if there's any way for -- [coughs]  
9 I'm sorry, I'm sorry. I'm getting over a cold from  
10 like a week and a half ago, and it's just lingering  
11 with me. If you can discuss if there's any way from  
12 someone on the ground to distinguish those types of  
13 flights? Yeah, the type of fights operated out of  
14 downtown East... and East 34th, and then if anyone on  
15 the ground could perhaps distinguish between the type  
16 of fights that are operating out of it.

17 MR. GENN: Sure. Thank you. Thank you,  
18 Councilmember. I appreciate that. So downtown  
19 Manhattan heliport if... is primarily tour flights.  
20 95% of the flights from DMH are tour flights, and 5%  
21 are other flights.

22 East 34th Street is much more diverse. There are  
23 no tour flights. Medi... Medivac to the local  
24 hospitals are about 20% of the total. Corporate  
25 flights are, you know, are about 30%. Shared rides,  
which is the Blades and the Zips, the ones where, you

2 know, basically it is like an airplane, is 30% of the  
3 total. Private owner aircraft is 15%. And then  
4 aerial photo aircraft is 5%. And the... And in  
5 response to your to next question the... there is...  
6 there are ways to distinguish different types of  
7 aircraft. We don't expect the general public to know  
8 all of these things, but generally when reporting  
9 complaints, and I will... I will say that members of  
10 the public are really good at identifying the tail  
11 numbers, the color, and the location of the... if we  
12 have those information, we can generally pinpoint  
13 each flight and respond to that individual complaint.

14 CHAIRPERSON FARIAS: Okay. And so just... just  
15 to clarify, you said, I believe in the testimony, we  
16 have about 26,000 of the flights that come out of  
17 the... where most of the tourist flights are,  
18 correct?

19 MR. GENN: Yes, that's right.

20 CHAIRPERSON FARIAS: Okay, so we went from 60,000  
21 to slashing by 50% of under 30,000, but yet we're  
22 still under 30,000, right?

23 MR. GENN: Right now.  
24  
25

2 CHAIRPERSON FARIAS: Okay, so there could be room  
3 for potentially slashing or cutting down that a bit  
4 more, since we haven't gotten over the 30,000 limit?

5 MR. GENN: Um, in the past year. And in previous  
6 years, you know, we've used... we've gone up to that  
7 limit.

8 CHAIRPERSON FARIAS: You've gone up to about  
9 30...

10 MR. GENN: To the 30,000. Yeah.

11 CHAIRPERSON FARIAS: Okay.

12 MR. GENN: Closer to the 30,000.

13 CHAIRPERSON FARIAS: And then in terms of  
14 monitoring the flights, is anyone monitoring them?  
15 How are they tracked? And how does the public access  
16 this information? I appreciate you saying we have  
17 folks on the ground that can find tail numbers and  
18 colors. I don't quite necessarily know if I could do  
19 that if I was on the ground, right? But I do know  
20 one of the main issues that we have been hearing from  
21 the public and that I've tried to, in moments where  
22 I've gone to the Harbor School, or am downtown -- my  
23 mom works at NYU Langone, so I pick her up quite  
24 frequently, since she knows I work down here and have  
25 to pass her on the way home -- but I do you know, one

2 of the larger complaints that we ended up getting is  
3 like their, you know, tailgate... tail numbers are  
4 not mentioned, or they're not being, I guess, placed  
5 out or, you know, for the public to see.

6 So how are we monitoring these fights and  
7 tracking all of that? And how does the public  
8 actually get access to that information?

9 MR. GENN: Flight information is an open door...  
10 I'm sorry, um, open platform, open data. So there is  
11 sources. There are websites that we can look at to  
12 track flights, the same you can do, you can track,  
13 you know, every vessel on the water in the world, you  
14 know. All of the helicopters have to have  
15 transponders that are on, and in that way, you know,  
16 you can go to that website and see flights, you know,  
17 in real time. And after this, we can send, you know,  
18 links to those websites.

19 And, you know, in terms of identifying, you know,  
20 numbers, the numbers should be prominent enough to  
21 read. It depends on the altitude of the aircraft.  
22 So sometimes if they're flying too high, it may be  
23 difficult. But the color is important, and the  
24 location and time of day, I should mention as well.  
25 And with... with that information, which on the 311



2 portal, it specifies, you know, that that's the  
3 information that the general public should be looking  
4 at. And... And like I said, we, we have some pretty  
5 good observers out there. But at the same time, our  
6 third party consultant is always continuously  
7 monitoring complaint data and assessing whether or  
8 not that resulted from one of the tour flights. And  
9 as I said before, it's a very small percentage that  
10 are resulting from tour flights.

11 CHAIRPERSON FARIAS: Okay. And in terms of  
12 public access to information like that, do we get to  
13 see differentiators? And I will be very honest with  
14 you, I don't haven't been on the apps too frequently  
15 myself, but as you can imagine, I know that they  
16 exist, right? I have lots of folks from the public  
17 keeping me informed of what's happening and... and  
18 what they're experiencing. So I've seen flight  
19 patterns. I've seen the timing, I've seen the lack  
20 there of public information. So in terms of, you  
21 know, the types of flies and why the colors are  
22 important, does that differentiate like if this is an  
23 essential flight, versus a tourist flight, versus  
24 like an organ donation flight, versus... like is that  
25 way the colors are important?

2 MR. GENN: We... With that information, it's like  
3 a little forensic science. You can... We can figure  
4 that out generally. Not in all cases, but we can.

5 CHAIRPERSON FARIAS: And is that given to the  
6 city in a report or in any...?

7 MR. GENN: EDC does get that report, and then we  
8 do distribute that to the to the Council on a monthly  
9 basis.

10 CHAIRPERSON FARIAS: Okay.

11 MR. GENN: So we... It sounds like we have more  
12 work to do, though, but that...

13 CHAIRPERSON FARIAS: Yeah, I mean, we won't dive  
14 too deep into this report. I have the report in  
15 front of me. Which is this, correct? Which I don't  
16 know. Yeah? Um, this doesn't show me anything. I  
17 mean, like, I'm being very honest and transparent in  
18 this moment, in that when I first saw this  
19 information, and I was looking through this. You  
20 know, the reason why this is like top one question  
21 for me is, because I want to see where we are  
22 compliant and where we are not compliant. This is  
23 not telling me much of anything outside of yes, we  
24 are compliant, which I... I initially said, "Great.  
25 But what does that mean in terms of being compliant?"

2 And I, you know, even just with the question right  
3 now that I asked: How do we know what flights are  
4 occurring by what color pattern? How many violations  
5 do we have of flights that have occurred that haven't  
6 shown their tail number, things like that, that I  
7 think the public deserves to know -- and quite  
8 frankly, I do -- is not in this report. So we won't  
9 dive too deep, because I do think this is a  
10 conversation that operators... like it's a  
11 conversation that has to happen with operators, since  
12 they are the ones giving EDC information that then  
13 comes to us. But we do need to dig a little deeper  
14 on to how we can get more information on these  
15 monthly reports.

16 MS. ADGATE: Thank you, Chair. And I'll just add  
17 on to that, that the template for this particular  
18 report was sort of borne out of that 2016 exercise  
19 that that you referenced earlier. And I certainly  
20 think that there's room for us to come back and talk  
21 with you and the rest of the Council about ways that  
22 we can better represent this data. I think that at  
23 the time, because there was so much focus on tour  
24 flights that were originating from EDCs two  
25 heliports, like that's where the focus was. But

2 obviously, given the fact that there are, you know,  
3 increasing numbers of tour flights coming from New  
4 Jersey, where we... we don't have that level of data,  
5 right?, or the same level of restrictions that we do  
6 from the city heliports. We're certainly happy to  
7 talk with you about what data you and your  
8 constituents think is critical to be represented  
9 here, and how and if we can better share that.

10 CHAIRPERSON FARIAS: Yeah, I mean, I... Again,  
11 I'd love to talk more about that and figure out ways  
12 that we can do that, only because I do believe the  
13 public, one, deserves to have the transparent  
14 information. But also, I would like to speak on  
15 behalf of most New Yorkers and say that folks are  
16 amenable to emergency flights. People are  
17 understanding of noise because of you know, hospital  
18 meeting access to something. But because there isn't  
19 transparency in this area, there's room for people to  
20 feel misled. There's room for people to feel or be  
21 apathetic towards their government working for them.  
22 And I mean, for me, it is one of my biggest goals is  
23 to ensure that we are making government work for  
24 people and meeting them where they're at. And this

2 isn't even meeting me where I'm at. So we've got to  
3 talk more about that.

4 Okay, so I'd like to... In terms of the flights  
5 that are operated out of both of the heliports,  
6 the... what times do these flights operate during the  
7 day? Are there some times that are more heavier than  
8 others? I'm realizing we now have like, helicopter  
9 sharing opportunities, which I didn't realize was a  
10 thing. But are we seeing just like how we see  
11 congestion in the city with rush hour? Are we seeing  
12 that there are heavier times or is it you know,  
13 different timings different days, different weeks?  
14 We see variations?

15 MR. GENN: You know, certainly with the... with  
16 tour flights, it's very much seasonal, very much  
17 tracks to when tourism... when the... the peak  
18 periods for tourism. So spring, summer, and then  
19 during major holidays, is when we see the most of the  
20 tour flights. In terms of the other... the other  
21 flights, you know, it really is... I think more...  
22 it's more even across the day, in terms of charters  
23 and corporates, but probably more, you know,  
24 linked... certainly correlating with rush hours just  
25

2 like everything else. There's a rush hour in the  
3 air.

4 CHAIRPERSON FARIAS: Great. Thank you. And an  
5 RFP for the new heliport operator contract for DMH  
6 was issued this past summer, and we understand that  
7 EDC is currently in the process of evaluating bids.  
8 What is the expected duration of the new heliport  
9 contract? And is it possible to make periodic  
10 amendments during that time?

11 MS. ADGATE: Yeah. Thank you for the question.  
12 You know, as you mentioned in your opening remarks,  
13 the concession agreement currently for the operator  
14 at DMH expires in April... at the end of April 2023.  
15 So, EDC is obligated to put out an RFP to ensure that  
16 we you know, find the best possible operator, and our  
17 goals here are really to find an operator that has  
18 the highest and safest quality of services that will  
19 work with EDC, the city, the Council, and community.  
20 And, you know, as Andrew mentioned, looking at  
21 opportunities to diversify our heliport uses, both  
22 on, you know, the Marine freight opportunities, using  
23 those spaces for community benefits and so on, and  
24 really thinking about how to diversify the revenue  
25 streams.

2 So in terms of the expected duration for the new  
3 contract, that will end in five years with a five-  
4 year extension to renew. And in terms of being able  
5 to make periodic amendments, you know, it's very  
6 similar to all of EDC and the city's applicable rules  
7 that are laid out for concession agreements. So, you  
8 know, typical of those contracts, there are  
9 opportunities to amend, as it's permitted under the  
10 original contract.

11 CHAIRPERSON FARIAS: Thank you.

12 CHAIRPERSON ABREU: I have a question on that.  
13 What would be... Under that periodic amendment, what  
14 would give rise to the ability to give... to have an  
15 amendment under this new contract?

16 MS. ADGATE: Yeah, I think that's very case  
17 specific, right? So if there are, you know...  
18 something that was agreed to originally, but is no  
19 longer feasible, and we have to readjust...

20 CHAIRPERSON ABREU: Alright. What about in the  
21 case of this contract?

22 MS. ADGATE: I'm sorry. I mean, for the contract  
23 itself, let's say in year two, there's something that  
24 had been negotiated in the contract that now needs to  
25 be amended or changed. Depending on what that

2 circumstance is, would drive the conversation of what  
3 is amendable or changeable. So it really matters...  
4 or is specific to the issue at hand, right? Like not  
5 every...

6 CHAIRPERSON ABREU: I have done contract law  
7 before. And when there is something that gives rise,  
8 you have to articulate what that standard is, in  
9 order for something to be amended. What is that  
10 standard being articulated in this new contract?

11 MS. ADGATE: Yeah. Andrew, please jump in if...

12 MR. GENN: I would... The best answer is to say  
13 is that what we are... we're sticking with what has,  
14 in our mind works... has worked well in the past,  
15 which is the restrictions on flights, the number...  
16 the number of flights, you know, at each... at  
17 downtown, the operating hours for the tour flights,  
18 and, you know, health and safety protocols.

19 CHAIRPERSON FARIAS: And just... just a question  
20 on the maintenance of each heliport: How much does  
21 the city spend to maintain each heliport?

22 MS. ADGATE: So at this time, the city doesn't  
23 spend anything to maintain the heliports. The  
24 maintenance is fully funded by the operators.



2 CHAIRPERSON FARIAS: Great, and how much does the  
3 city receive in revenues from each of the heliports?

4 MS. ADGATE: So EDC took over these assets from  
5 the Port Authority in 2008. And since then, revenues  
6 have ranged from \$1.2 million to \$2 million annually  
7 at each heliport. And so with the new RFP now  
8 closed, we're currently negotiating the terms for the  
9 next concession agreement. And once those  
10 negotiations are complete, we're happy to come back  
11 and talk about the new revenue structure with the  
12 Council.

13 CHAIRPERSON FARIAS: Okay, just... just to  
14 reiterate, you said about \$2 million?

15 MS. ADGATE: Yeah. Ranging from \$1.2 to \$2  
16 million per heliport.

17 CHAIRPERSON FARIAS: Okay. And does that feel  
18 worth it? In terms of all the complaints that we  
19 have?

20 MS. ADGATE: You know. So I think for, for EDC,  
21 it's not just about the revenue. It's also about  
22 being able to control flight paths, particularly for  
23 the tours. Being able to cap the number of tour  
24 flights and hours that we're able to get through that  
25 contractual relationship. And so, you know... And I

2 think we've alluded to this, but there is the  
3 question that if we were to restrict the number of  
4 tour flights even further, would that market then  
5 move to New Jersey, where we then don't have any  
6 control? Because, you know, tour flights that come  
7 from New Jersey don't have the same requirements  
8 obligating them to only fly over water, per se.

9 So it's, it's beyond revenue. It's about, you  
10 know, the transportation network, maintaining these  
11 assets and, you know, part of the city's, you know,  
12 larger efforts.

13 CHAIRPERSON FARIAS: Yeah. I mean, I completely  
14 hear that argument quite often about operators moving  
15 to a different city or a different state. I mean, we  
16 have operators right now that are working out of New  
17 York City that are still flying people to Capri. So  
18 I feel like they're working in other places already.  
19 But the place to be is in New York City. And so that  
20 really doesn't move me per se, and like having more  
21 restrictions or being a bit harder on transparency,  
22 because truthfully, like, we need that in order to  
23 continue operating. It's a shame that we don't have  
24 the operators here today to, you know, speak on their  
25 own behalf about why they're essential. But I think

2 the nuisance seems to be beyond just having control  
3 of the flight patterns.

4 And, you know, FAA still regulates most of this,  
5 that's the other larger thing that we get pushback  
6 on, is we can only regulate so much. And so we need  
7 to be able to regulate what we can. But thank you  
8 for the explanation. I... I understand where you're  
9 coming from.

10 So in terms of noise reduction, what has the EDC  
11 done to... to reduce any of the noise generated by  
12 the helicopters?

13 MR. GENN: I would say the number one thing we've  
14 done is regulating the routes that we can regulate,  
15 which is the tour flights and creating the... the two  
16 routes that only fly over water, and at the same time  
17 working with the industry to promote and hopefully to  
18 accelerate the adoption of cleaner, greener, quieter  
19 helicopters in the future.

20 CHAIRPERSON ABREU: Yeah. I'll begin my round of  
21 questions. But before I do that, I'd like to  
22 acknowledge the new members that have joined us,  
23 Councilmember De La Rosa, Gale Brewer, Aviles, and  
24 Lincoln Restler. Joined before... before that was  
25 Marte and Kagan.

2 So how would someone on the ground register a  
3 complaint for helicopter noise? I know you went into  
4 that a bit in your opening.

5 MR. GENN: Yeah.

6 CHAIRPERSON ABREU: If you could please walk us  
7 through the procedure of making a helicopter noise  
8 complaint.

9 MR. GENN: Sure. And it really begins with  
10 observing, you know, the flight and trying to  
11 identify, if you can, the flight number or the color  
12 of the aircraft, it's... as well as its location...  
13 where you are, and the time of day, then either  
14 phoning it into the 31... 311 phone number or to go  
15 into the 311 portal. And... And that is the best way  
16 to do you know, to register your complaint.

17 CHAIRPERSON ABREU: Does that seem simple or  
18 straightforward to you?

19 MR. GENN: We can always improve. And we are  
20 open to suggestions to improve.

21 CHAIRPERSON ABREU: Good answer. Good answer.

22 MR. GENN: Yes.

23 CHAIRPERSON ABREU: Do you think the person on  
24 the ground is equipped with enough information to be  
25

2 able to identify the type of helicopter they're  
3 complaining about?

4 MR. GENN: I think that it is... that given the  
5 criteria -- location and time of day -- we can  
6 usually find it because of the open data and the  
7 ability for us to track. So you know, color and...  
8 and the number of the aircraft is extra and really  
9 more helpful. But that is something we are committed  
10 to working on to do better.

11 CHAIRPERSON ABREU: Thank you for that.

12 MR. GENN: You're welcome.

13 CHAIRPERSON ABREU: You know, it would seem that  
14 it would be ideal if anyone at any given moment,  
15 could just turn their phone on and say, hey, that's  
16 this plane, and be able to submit a complaint that  
17 way. Right?

18 MR. GENN: You can take a picture. I meant to  
19 say that. You can take a picture as well and put it  
20 in the portal.

21 COUNCILMEMBER BREWER: (inaudible)

22 CHAIRPERSON ABREU: Yeah, you can jump in.

23 CHAIRPERSON FARIAS: Can I just ask a quick  
24 question? So I feel like there's a... somewhat of a  
25 disconnect with what you just stated and what we

2 receive in terms of 311 complaints, because folks are  
3 not able to quite... with the amount of complaints  
4 that we have, and the different sections and areas of  
5 differentiation between what they see, what they're  
6 experiencing and what they're putting down. I don't  
7 think those two things match up.

8 MR. GENN: Then I think that's something we  
9 should work on more closely. I'm not disagreeing.

10 CHAIRPERSON FARIAS: Okay. And then just... just  
11 quickly, I wanted to ask: In terms of the 311  
12 monthly report, we have a section... I have a section  
13 in front of me that has other complaints by borough,  
14 but they're the most... they're the most section...  
15 they're like the most complaints that we have by  
16 borough. So I don't have... you do have a similar  
17 copy in front of you?

18 MR. GENN: Yes.

19 CHAIRPERSON FARIAS: I printed my own so... So  
20 in the other complaint section, can we dive into what  
21 those potentially could be? I see like... I have the  
22 month of September in front of me -- not the most up  
23 to date, but month of September -- Brooklyn has 53  
24 other complaints in comparison to six NYPD and two  
25 EMG complaints.

2 MR. GENN: Yeah. That can be state... state  
3 helicopters, like state police helicopters. It can  
4 be federal. It could be other, you know, just  
5 helicopters that we just are not able to identify as  
6 either, you know, charter or... or private  
7 helicopters.

8 CHAIRPERSON FARIAS: So can... I mean, this is  
9 coming from the same operator, right. Saker submits  
10 both of these to us?

11 MR. GENN: Yes. But again, these are sort of  
12 citywide.

13 CHAIRPERSON FARIAS: Right. Why couldn't those  
14 be differentiated? Like Why could we not get a  
15 breakdown of what each of those, like "other"  
16 complaints are, in terms of helping identify... or  
17 answer at least, to the complaints that were put in?  
18 Like this was a state flight not under our  
19 jurisdiction, or, you know, so on and so forth?

20 MR. GENN: Yeah, there's... there's a lot of  
21 general aviation. There can also be helicopters  
22 flying between... over New York from other states,  
23 and they're just passing through, and we just don't  
24 have a record of it. But we do know... we do have  
25 the flight path. I think that we can say that we can

2 get back to with a... with at least a deeper  
3 understanding if we can get better at that category.

4 CHAIRPERSON FARIAS: Sure. I think that would be  
5 appreciated. And is this... is this something  
6 around... also that like, potentially, maybe the FAA  
7 needs to be more communicative with the state and the  
8 city on the type of flights?

9 MR. GENN: Well, we do coordinate closely with  
10 the FAA. And we can certainly ask them. They are  
11 very... they are responsive.

12 CHAIRPERSON FARIAS: Okay. And also in this 311  
13 report, comparatively across the board, and for  
14 Brooklyn, Lower Manhattan... Manhattan and Governors  
15 Island, there is zero air tour complaints. Like...  
16 Like that seems... I don't -- I get a little anxious,  
17 and I smile -- like that seems really disingenuous,  
18 in terms of the numbers of complaints coming in. The  
19 number of tour flights that we actually know occur.  
20 Like I was on Governors Island and speaking with  
21 students, and it was impossible to talk to them  
22 outside, because of the amount of helicopters going  
23 in. I... Maybe it was that many emergencies in a 45  
24 minute block. But to see zero complaints across the  
25 board seems very disingenuous.



2 MS. ADGATE: Yeah. We certainly hear you on...  
3 on how we need to relook at this report. I think  
4 what's causing some of the confusion is our reporting  
5 out on 311 complaints for air tours that originated  
6 from DMH, right? The tours that only go over water,  
7 versus air tours that originate from New Jersey, that  
8 we... that are not captured under this air tour  
9 section. Because we were so again, I mentioned, you  
10 know, at the time in 2016, so focused on those  
11 originating from DMH.

12 So if I'm hearing you correctly, I think what  
13 you're saying is having that parsed out to  
14 understand, yes, complaints that... for air tours  
15 that originate in DMH, but also complaints for air  
16 tours that have originated in other locations, the  
17 ones that are more likely to be flying over land or  
18 flying on Sundays, for instance, so that we can  
19 better see the totality of air tours, and not just  
20 ones that are, you know, governed under our current  
21 restrictions.

22 CHAIRPERSON FARIAS: Yeah. I mean, there is a  
23 section here that says "Likely New Jersey  
24 Complaints." And so for Lower Manhattan and  
25 Manhattan, we have numbers. I mean, Manhattan has

2 638 complaints, which is a pretty large number on  
3 this bracket.

4 MS. ADGATE: Yeah.

5 CHAIRPERSON FARIAS: But I mean, I do think we  
6 need more explanation. I do think we really need to,  
7 frankly, speak to operators about what they're  
8 logging as air tour complaints. There's absolutely  
9 no way that they're at zero. In comparison to where  
10 we can guesstimate New Jersey is violating and coming  
11 over 638 times. Right comparatively? Even if... I  
12 mean maybe there needs to be a differentiation  
13 between like New Jersey and the type of flight for  
14 New Jersey, whether that's a tourist flight, or  
15 that's an essential flight.

16 MS. ADGATE: Right. Exactly.

17 CHAIRPERSON FARIAS: But looking at this  
18 breakdown of 311 helicopter complaint data, like I'm  
19 sorry, but there is absolutely no way there can be  
20 zero across the board of the heliports for air tour  
21 complaints, especially when we know there are 26,000  
22 of them occurring annually. Thank you.

23 CHAIRPERSON ABREU: Thank you, Chair Farias.  
24 What has EDC done to reduce the noise generated by  
25

2 these helicopters? And to that end, what authority  
3 does EDC have over helicopter noise?

4 MR. GENN: We will just start by saying that our  
5 greatest control is the concession agreement and our  
6 ability to regulate the tour industry through that  
7 concession agreement, which includes the mandated  
8 tours occurring only over water, and the volume  
9 caps... the 30,000 flights per year. In addition to  
10 that is our ability to work with the industry, with  
11 the FAA, with... with others, on the... and aircraft  
12 manufacturers on innovation. As I said, in the  
13 testimony, looking at, hopefully rapid... more rapid  
14 adoption of quieter and cleaner helicopters.

15 CHAIRPERSON ABREU: How does a concession  
16 agreement help reduce the noise generated by these  
17 helicopters?

18 MR. GENN: It... It really goes back to setting  
19 the limits, you know?, having that authority to set  
20 limits on the number of flights and the time of day.  
21 So limiting them to that... the 9am to 7pm period was  
22 one. Also, totally eliminating flights over land was  
23 also one of the things... one of the mechanisms that  
24 we have that, you know, we... we don't have that

2 control over flights... tourist flights emanating  
3 from New Jersey.

4 CHAIRPERSON ABREU: Thank you. What authority  
5 does the FAA have?

6 MR. GENN: That's federal. Through federal  
7 legislation, they... they have a lot of authority  
8 over routes, you know, that fly interstate, and also  
9 the protocols used to license the helicopters, the  
10 types of aircraft, the personnel, what they're  
11 allowed to do, you know, the doors on, doors off,  
12 those kinds of things. So the wide gamut of  
13 regulations of... all the things aviation comes  
14 through the FAA.

15 CHAIRPERSON ABREU: How does EDC work with FAA  
16 specifically on noise issues?

17 MR. GENN: We talk to them a lot. We... What we  
18 seek to do... For instance, importantly, when we  
19 modified... We worked with the FAA on modifying the  
20 routes that go over Long Island Sound, you know, that  
21 fly over Queens, in particular northern queens, so,  
22 those kinds of discussions, but we've also had  
23 conversations with them about the tour flights and  
24 helping us to create safe... safer flight paths over  
25 the water. They definitely played a role in helping

2 us to define those corridors where we could... where  
3 the tour industry could... could operate, as well as  
4 reducing the nuisance complaints.

5 CHAIRPERSON ABREU: Thank you. How does the city  
6 track noise complaints that are specific to  
7 helicopters? And which neighborhoods have the most  
8 complaints?

9 MS. ADGATE: So in terms of complaints by  
10 neighborhood, we're seeing the most coming from the  
11 Upper West Side, Midtown East, and Brooklyn Heights.

12 CHAIRPERSON ABREU: Sorry. How does the city  
13 track noise complaints?

14 MS. ADGATE: So once a complaint is entered into  
15 the 311 system, DoITT sends that report over to EDC  
16 and the DMH operator for review. And as Andrew  
17 mentioned in our testimony, that data goes through  
18 two rounds of analysis. So first the DMH operator,  
19 cross-references the 311 complaints against their  
20 logbook, and their log tail runs... excuse me tail  
21 numbers. They also check by flight times, and each  
22 complaint is assigned a specific code. So that's  
23 where it's like, you know, out of jurisdiction, air  
24 tour, NYPD, news media, and so on.

2 We mentioned that we also have a third party  
3 consultant. So that consultant analyzes a random  
4 sampling of 75 of the complaints to 311. And they  
5 use this sophisticated technology called Automated  
6 Dependent Surveillance Broadcast System. And then  
7 they cross reference the complaints with their logs,  
8 and they do compliance monitoring. So it's like an  
9 additional check against the DMH operator's work.  
10 And they're looking both at the flight path and our  
11 flight cap. You know, as we mentioned, at DMH, the  
12 flights are capped to 30,000 per year, and on East  
13 34th, it's 28,000 per year.

14 CHAIRPERSON FARIAS: Sorry. Mikelle, can you  
15 repeat that one more time? You said the  
16 automated...?

17 MS. ADGATE: Yeah, it's called the Automated  
18 Dependent Surveillance Broadcast. So it is a  
19 mouthful. But it is the way that they are able to  
20 take that random sample and cross check against what  
21 the DMH operator has already reviewed.

22 CHAIRPERSON ABREU: And how does ED... How does  
23 EDC then respond to these complaints once you've  
24 received them?

2 MS. ADGATE: Yeah. So once the operator has  
3 compiled the consultants analysis into its report,  
4 then we send it to Councilmembers and anyone else  
5 who's been asked to add to our distribution list.  
6 Our EDC team then goes into the 311 Open Data System  
7 to manually resolve the complaint by categorizing the  
8 source of aircraft, and the complainant is supposed  
9 to receive a notification that there's been a  
10 resolution of their complaint. We understand that  
11 there has been a backlog on that final resolution  
12 piece, largely because of the uptick in complaints  
13 that we saw particularly during COVID. And so we are  
14 working to, you know, close those out. But I should  
15 be clear that even if it has not been formally closed  
16 out to the complainant, that data is still shown in  
17 the reports that are submitted to the Council every  
18 month. So while there's a backlog in the close out,  
19 the data is still up to date and accurate when we  
20 send it to you.

21 CHAIRPERSON ABREU: Thank you. This is my last  
22 two questions before we turn over my colleagues.

23 Several Councilmembers have received complaints  
24 from their constituents that they are dissatisfied  
25 with how the city's 311 system handles their

2 helicopter noise complaints. What is the city doing  
3 to improve their handling of helicopter noise  
4 complaints?

5 MS. ADGATE: Yeah. You know, I think as we said  
6 earlier, we're certainly open to discussions with you  
7 and your constituents about how that process can be  
8 better. You know, things that worked in 2016 don't  
9 necessarily work as we're going into 2023. And  
10 there's room for improvement. And there's room for  
11 collaboration as we work with you. I think,  
12 generally speaking, you know, we hold regularly  
13 interdepartmental meetings with DoITT, with the DMH  
14 operator. We're always trying to upgrade the  
15 methodologies that we're using, so that we're getting  
16 to that point of resolution, because we understand  
17 that if you are someone who's submitting a 311  
18 complaint, you want a timely resolution to know that  
19 that's been addressed. And you know, it's... it's  
20 not satisfactory for us to say, well, you know, we've  
21 reported it out monthly to you. You want to be able  
22 to know that we've looked at it, that we've addressed  
23 it if it needed further follow up. And so we're...  
24 we're working to resolve that.



2 CHAIRPERSON ABREU: Thank you. I'll turn it over  
3 to our my colleague, Councilmember Ari Kagan, for  
4 questions.

5 COUNCILMEMBER KAGAN: Thank you so much for  
6 hosting this hearing in the first place. Though I  
7 represent out in Brooklyn. I'm not a stranger to  
8 Manhattan, and hear complaints from Manhattan all the  
9 time, especially about helicopter noise. Some of the  
10 questions are like adverse to me. For example, we  
11 talking about almost 26,000 complaints in 2021. And  
12 then your report today says it's 1,917 complaints in  
13 October of this year. Which means if you multiply  
14 two by 12, it's 24,000 a year, meaning almost no  
15 reductions this year over the last year, meaning we  
16 have the same... almost same number of complaints  
17 about noises here, as it was last year. So there is  
18 no improvement. And nobody in the city will complain  
19 about emergency calls, about fire department, about  
20 NYPD, hospitals. You mentioned media: No problem.  
21 But when I hear about charter and corporate flights,  
22 you mentioned, you quoted like 38% concern other  
23 flights, and you included New York State Police, but  
24 he also included private and charter flights. He  
25 also said about 30% corporate flights, and of course

2 tour flights. So this all could be regulated by you,  
3 could be easily controlled by you, could be easily  
4 reduced by you.

5 And second question is about New Jersey. So New  
6 Jersey is not like Canada or like other country, you  
7 know, like... and you're saying you talk to the  
8 Federal Administration... Aviation Administration on  
9 a regular basis. So how many Zoom meetings -- forget  
10 about physical visits -- but zoom meetings did you  
11 with your colleagues in New Jersey, to reduce number  
12 of tour flights from New Jersey to us? That's my two  
13 questions.

14 MR. GENN: I think I want to begin by saying that  
15 we're committed to reducing the complaints. That's  
16 the first thing. Having said that, our tools at EDC  
17 are limited to the tour flights, because the rest of  
18 it, it generally falls under general aviation  
19 categories. And therefore, we do have to work with  
20 the FAA. We have reached out to the New Jersey  
21 constituencies as well. We've participated in task  
22 forces that have been held on the issue and...  
23 including all of those actors, and we'll continue to  
24 do that.

2 COUNCILMEMBER KAGAN: So but... what about again,  
3 all of these tour flights, corporate flights, charter  
4 flights, all of these flights, you're saying like you  
5 have zero control whatsoever. Tour flights, you have  
6 zero control over... zero control.

7 MR. GENN: No tour... tour flights from the  
8 downtown heliport we do have control. And that's...  
9 and let me just add, we have the ability to impose  
10 violations and fines if they are out of conformity  
11 with the prescribed routes. But that's the... really  
12 the only tools that we have, you know, short of...  
13 you know, with... you know, in terms of general  
14 aviation. With general aviation, we continue to work  
15 with the... with the FAA and the and the other  
16 constituencies.

17 COUNCILMEMBER KAGAN: But again, judging from  
18 24,000 complaints this year, which is expected from  
19 your statistics, it means your efforts are not very  
20 successful.

21 MR. GENN: You know, the other... the other thing  
22 that we can do, and we're excited about is to  
23 incentivize the adoption of quieter aircraft in the  
24 future. And that's... And from what we understand,  
25 as we... in our testimony, as we said, there are

2 there's a lot of innovation, and we will continue to  
3 work, and we'll continue to share with the Council  
4 what we know about that innovation.

5 COUNCILMEMBER KAGAN: How many fines did you  
6 impose this year on tour flights that broke rules?  
7 How many fines in total? The number of fines you  
8 imposed this year for any violations, noise  
9 violations, complaints that you control? How many  
10 fines? What was the punishment for, like making life  
11 unbearable for so many residents of Manhattan?

12 MR. GENN: The tour flights that we control from  
13 downtown heliport, we found less than 5% of the total  
14 complaints were from the tour flights from the  
15 heliport.

16 COUNCILMEMBER KAGAN: So basically everything is  
17 okay?

18 MR. GENN: I'm not saying that. I'm... We can  
19 always do better, and we're... and we're happy to  
20 work with the Council.

21 COUNCILMEMBER KAGAN: I believe the current  
22 situation is completely unacceptable. 26,000  
23 complaints last year, 24,000 this year. 5% you send  
24 like violations. You have no control over New  
25 Jersey. You have no control over charter. No

2 traffic control corporate flights. You talk to  
3 federal aviation, but like you can't control  
4 anything. We cannot do anything. That's what you're  
5 saying.

6 MR. GENN: What I'm saying is that we're  
7 committed to working on this problem and continuing  
8 to work with the Council to identify betterments.

9 COUNCILMEMBER KAGAN: I believe, I... Okay. I  
10 express myself. It's totally unacceptable.

11 CHAIRPERSON FARIAS: Next up, we'll have  
12 Councilmember Marte.

13 COUNCILMEMBER MARTE: Thank you, Chairs, for  
14 hosting this hearing. And thank you for being here  
15 today. I represent Lower Manhattan. And I expect,  
16 and I take a good guess that most of those complaints  
17 are coming from my district. And we're having this  
18 hearing today because the current system isn't  
19 working. It isn't working for residents. It isn't  
20 working for people that work in my district, students  
21 that learned in my district have all complained to  
22 our office about helicopter noise complaints.

23 I think outside of rat complaints, noise  
24 complaints are the second most complaints that my  
25 office hears. And so we need to have a drastic

2 change. We want to leave this hearing knowing that  
3 there will be concrete steps, like in 2016, when you  
4 cut the amount of tourism helicopter flights in half.

5 And one thing I think we can address and I think  
6 you haven't really mentioned this is the hours of  
7 use. Currently, there's no flights leaving...  
8 helicopter flights, tourism flights leaving on  
9 Sunday, how about eliminating on Saturday, and  
10 limiting the hours, instead of 7pm -- as we all know,  
11 families get back home around 6pm to 5pm, or even  
12 earlier. I think that's something within your power  
13 that you can control. And whether someone wants to  
14 go to New Jersey to take a helicopter flight, I think  
15 that's out of our scope. We shouldn't worry about  
16 that. If someone's going to do that they're going to  
17 do that anyways, whether it's for better prices, or  
18 longer durations, right?, we're talking about our  
19 constituents, New York City residents, and making  
20 sure that their quality of life can improve.

21 MR. GENN: And... I agree with your statement. I  
22 think though one... one thing I'd like to say, and to  
23 not to push back but to make the point that we are  
24 good managers of these assets. We are able to track.

2 We are able to set limits. We don't... if we lose  
3 that control mechanism, then...

4 What we saw during the COVID period was more  
5 flights emanating from the New Jersey heliports  
6 flying really wherever they wanted to fly. And what  
7 we're doing is managing the flights effectively, in  
8 our view, and I think it does worry us that losing  
9 that control would certainly, as you said a  
10 Councilmember, I mean people are still going to take  
11 air tours, and unless there was a total solution to  
12 you know, and whether that's state or federal, it  
13 behooves us to maintain control where we can.

14 That's... that's what I would say, and respectfully  
15 understand about the complaints. And, again, we, you  
16 know, we want to work with you to address those  
17 complaints.

18 COUNCILMEMBER MARTE: And my second question is:  
19 Last year, New Yorkers voted on a green amendment for  
20 cleaner air, access to air, cleaner environment. As  
21 we know, helicopter use is super pollutant. And we  
22 have to change that, right? I forget the statistics,  
23 but I'm sure Stop The Chops can tell you how many  
24 cars idling compared to one helicopter just flying  
25 around their neighborhood. And knowing that lower

2 Manhattan does have some of the highest asthma rates,  
3 what steps are you doing, and immediately not waiting  
4 for a potential super helicopter five years down the  
5 line to become mainstream, to address this  
6 environmental impact?

7 MR. GENN: Certainly through the RFP, we stressed  
8 that we want quieter helicopters. We want... we want  
9 to incentivize quieter helicopters, but we will also  
10 want to see more rapid adoption of the quieter and  
11 greener... the non-diesel helicopters, electric  
12 helicopters.

13 COUNCILMEMBER MARTE: And my final question: For  
14 this new contract, as you look at the RFP proposals,  
15 why don't you just mandate that they use the green...  
16 most-greener efficient helicopter use, then just make  
17 it something on your checklist?

18 MR. GENN: I think the response is, just  
19 realistically, we just don't have the... the numbers  
20 are available that would result in a viable... any  
21 viable helicopter service, if we did that. So what  
22 we can do though is, is choose an operator who will  
23 work with us, and worked with... with you all to more  
24 rapidly adopt the greener technology.



2 COUNCILMEMBER MARTE: And my final question is,  
3 if you do spend time down at the helicopter site, and  
4 I... I cycle through there all the time. It's one of  
5 my most common are routes. There is a lot of car  
6 traffic that affects that area because of the  
7 helicopter use. And it's right off the highway, and  
8 it creates a really dangerous situation. So what is  
9 EDC doing to either incentivize people who don't use  
10 a taxi to get there or a vehicle use to get there  
11 instead of other alternative transportation methods?

12 MR. GENN: That's a great question. We have been  
13 working with DOT on the entryway, to improve the  
14 entryway to make it safer. And that's been a process  
15 because of... triggered by the new concession  
16 agreement. So I appreciate that. So maybe we can  
17 follow up on that as well.

18 COUNCILMEMBER MARTE: Thank you.

19 CHAIRPERSON FARIAS: I just have a quick follow  
20 up. Thank you, Councilmember Marte. Just on the on  
21 the charter flight: Can... Can the flights be  
22 mandated to slowly go over water? Like tourism  
23 versus what we have right now? For the charter  
24 flights, can they be mandated to go over water like  
25 our tourism flights?

2 MR. GENN: Unfortunately, no. They... The  
3 charter flights, use general aviation rules and they  
4 are... they are able to fly over prescribed routes  
5 set by the FAA.

6 CHAIRPERSON FARIAS: Okay. Another FAA problem  
7 we have.

8 MR. GENN: We don't have a tool unfortunately.

9 CHAIRPERSON FARIAS: I will call up Councilmember  
10 Restler.

11 COUNCILMEMBER RESTLER: Thank you so much, Chairs  
12 Farias and Abreu. I greatly appreciate your  
13 leadership. I especially want to thank Chair Farias  
14 for being so outspoken on this issue. And... And for  
15 setting up this... and for you both for setting up  
16 this hearing today. And I want to thank my other  
17 colleagues who have... we're co primes on our bill  
18 Intro 551. I know Councilmembers Marte and Avilés  
19 were with us on day one on this one, and Gale Brewer  
20 not only was with us on day one, but has been leading  
21 on this issue for more years than I can count. So  
22 that's a lot of years. That's when I graduated from  
23 high school. So thank you, Gale. The... But in all  
24 seriousness, I really want to thank my colleagues for  
25 the leadership on this issue. And I really want to

2 thank Stop The Chop, and the BHA, and all the groups  
3 that have been pushing here. I like the EDC, so I  
4 take no pleasure in beating up on you, but on this  
5 issue, I think you really deserve it. New Yorkers  
6 shouldn't be forced to suffer from severe noise and  
7 air pollution so that the privileged few can get to  
8 the Hamptons or JFK faster, or so that a few tourists  
9 can see Brooklyn Bridge Park from above. I can  
10 promise you it's perfectly beautiful from the ground.

11 Every day, helicopters take off from public  
12 health pads to serve the rich view at the expense of  
13 our environment and our well-being. This isn't just  
14 a quality of life issue. It's a climate issue.  
15 Every month, there are 4000 non-essential helicopter  
16 flights from our city, EDC owned helepads, accounting  
17 for a monthly average of more than 50,000 gallons of  
18 fuel. We introduced Intro 551, with 23 co-sponsors  
19 to ban these non-essential flights once and for all.  
20 And the reason we did is because as I look back on  
21 this 2016 agreement, and I worked in the previous  
22 administration, during this time, I see it as a total  
23 failure. We have no choice but to take the extreme  
24 action of eliminating this non-essential travel  
25 because your efforts to regulate and manage this

2 industry have come up short. And, so... You know,  
3 when I look back at the data, in 2016, when this  
4 agreement was made, there was an average of 84  
5 complaints a month around noise to 311. Now, six  
6 years later, we're at over 2,046 is the average  
7 number of complaints per month. It has increased 24  
8 times over these six years, despite whatever  
9 agreement was made six years ago. It is an utter and  
10 total failure. So I'd like to just pause there and  
11 say I strongly support the elimination of non-  
12 essential helicopter travel from city heliports. It  
13 should happen tomorrow. And I hope that our bill to  
14 make that happen will get a hearing in the near  
15 future. And I think the groundswell of support that  
16 you'll hear today for greater oversight and  
17 regulation of this industry is a step in that  
18 direction.

19 So I'd like to shift a little on my questioning,  
20 though, to some of the environmental issues that  
21 Councilmember Marte just referenced. Is EDC  
22 monitoring idling times. And I asked this because a  
23 controller report from 2018 found that 20% of flights  
24 are idling for at least 10 minutes. One helicopter  
25 idling has the same impact as 40 cars idling, and as

2 my good friend formerly of DP knows well, three  
3 minutes of an idling car can lead to a fine on the  
4 streets of New York. 40 cars idling is the  
5 equivalent of one helicopter. 20% of helicopters are  
6 idling for 10 minutes on average at a time. This has  
7 a major environmental impact. What are you doing to  
8 rein in the egregious idling and the environmental  
9 impacts that it's having in our community?

10 MR. GENN: Councilmember, thank you for your  
11 comments. And we take them seriously, of course. On  
12 the air quality issue, we do monitor air quality at  
13 the downtown heliport, and we are looking at, you  
14 know, exceedences of thresholds. We do not... We are  
15 not registering threshold exceedances at downtown...

16 COUNCILMEMBER RESTLER: But you're not monitoring  
17 idling in particular, which has huge impacts not just  
18 on the environment, but on noise. When you get... I  
19 mean, you cannot enjoy an afternoon in the park, an  
20 afternoon on your stoop, an afternoon in your  
21 backyard, when you have a helicopter sitting above  
22 you for 10 minutes at a time. It is so loud, I can't  
23 have a conversation with the person next to me. What  
24 are you doing to monitor and regulate this particular  
25 issue?

2 MR. GENN: We monitor every flight that goes into  
3 and out of downtown heliport and East 34th Street.  
4 So we... we are compiling data on that. In terms of  
5 actual time on the ground idling, we can get back to  
6 you on that. I don't have an answer on that...  
7 whether we are monitoring...

8 COUNCILMEMBER RESTLER: And idling above.

9 MR. GENN: ...that. That's a fair question.

10 COUNCILMEMBER RESTLER: Right? It's both. It's  
11 both idling on the ground and idling above that  
12 causes serious issues.

13 MR. GENN: Can I... On the one... One thing I  
14 would like to point out is that the tour flights do  
15 not hover. There was no hovering allowed in the  
16 flights. They... they have to continue on their  
17 route.

18 COUNCILMEMBER RESTLER: I can tell you as  
19 somebody who grew up in Brooklyn Heights, we have a  
20 very different lived experience. And I would really  
21 caution you to que... on the accuracy of that  
22 statement. That is not what my neighbors experience  
23 every day. And it is our office that receives these  
24 complaints. If you think 311 is hearing about it,  
25 just take a day of receiving phone calls at 410

2 Atlantic in the 33rd. You will be overwhelmed with  
3 the number of people who are pissed about how  
4 upset... how egregious the helicopter noise is in our  
5 community. So and I... You mentioned [bell  
6 rings]... Just if I may for one final question. You  
7 mentioned your concern about this industry shifting  
8 more to New Jersey, if there were greater regulations  
9 that limited or eliminated heliport travel from city  
10 heliports. But a substantial number of these trips  
11 are folks that are going to JFK or the Hamptons.  
12 There is no world in which somebody is going to drive  
13 to New Jersey to get on a helicopter to go to JFK or  
14 the Hamptons. We could eliminate that travel all  
15 together. Why not do it today? Doesn't our  
16 environment and our quality of life require it?  
17 London and Paris, excuse me, eliminates all of these  
18 nonessential travel of helicopters over there... over  
19 the city. Aren't we a great global city like Paris?

20 MS. ADGATE: Yeah, thank you, Councilmember. So  
21 just to clarify that... that earlier comment about  
22 control and whether the market is going to move to  
23 New Jersey: That conversation is really specifically  
24 about the tour flights, right?, because that, as per  
25 our concession agreements is the types of flights

2 that we actually can control in terms of the caps and  
3 the routes. So, for example, you referenced  
4 constituents calling about idling, either like above  
5 their homes or over a park or so on. So to be clear,  
6 the tour flights that originate from the downtown  
7 Manhattan heliport should only be flying over water,  
8 and those are not hovering over water. So when  
9 you're seeing helicopters that are tour flights that  
10 are, you know, above Central Park or above a park in  
11 your community, those are the types of tour flights  
12 that are originating outside.

13 COUNCILMEMBER RESTLER: But we're a waterfront  
14 district. So I've got folks who live on the  
15 waterfront. If you go to Brooklyn Bridge Park, where  
16 we have millions of folks a year that come to enjoy  
17 this majestic waterfront park in Brooklyn, they are  
18 experiencing helicopters right over their head. And  
19 it is a problem.

20 MS. ADGATE: I understand.

21 COUNCILMEMBER RESTLER: And they are coming from  
22 your helipads. So like I take... I take umbrage at  
23 this notion that they're just hanging over the water  
24 and it's not impacting our communities. That is not  
25 our lived experience every day. Otherwise, you



2 wouldn't see a 24-fold increase from 84 complaints a  
3 month to 2046 average complaints a month over these  
4 last six years. [bell rings] I know I've talked too  
5 much. I'm sorry. But this is a serious problem, and  
6 I don't think you all are doing anything to regulate  
7 it. It is getting much worse, it is...

8 CHAIRPERSON ABREU: Thank you, Councilmember.

9 COUNCILMEMBER RESTLER: Thank you.

10 CHAIRPERSON ABREU: I would also like to I'd like  
11 to introduce the inimitable staunch advocate against  
12 helicopter noise, Gale Brewer.

13 COUNCILMEMBER BREWER: Thank you very much. I  
14 did recently take a helicopter from New Jersey.  
15 Doors open. And it was a good experience to see how  
16 horrific it is. Literally you fly over the...  
17 Coming to the West Side, Central Park, right over  
18 Brooklyn, in terms of what Lincoln Restler was  
19 talking about, and circling 10 times Governors  
20 Island. Lovely space to not be able to hear yourself  
21 think, and then around and around and around the  
22 Statue of Liberty.

23 So two questions: Are you differentiating?  
24 Obviously, if I... if I do the... the FlightRadar24,  
25 I can figure it out. But are you differentiating?

2 Do you know how many New Jersey flights are versus  
3 New York? And how many complaints, 311, are from New  
4 Jersey versus New York? And can you give me those  
5 numbers?

6 MR. GENN: We do. We can differentiate  
7 Councilmember and...

8 COUNCILMEMBER BREWER: You don't have them today?

9 MR. GENN: 57% of the flights over the last  
10 period that we monitored were in New Jersey, but the  
11 other complaints...

12 COUNCILMEMBER BREWER: Okay. But of the 2000  
13 that Lincoln Restler mentioned -- and I have the same  
14 numbers, whatever it is -- of that month, do you know  
15 how many are New Jersey, and how many are New York,  
16 specifically?

17 MR. GENN: I don't know offhand. But I would  
18 imagine it's still a higher percentage from New  
19 Jersey.

20 COUNCILMEMBER BREWER: Okay. And then what do  
21 you... I've met with the governor, Councilmembers,  
22 Mayors, elected officials, town, state and federal.  
23 What have you done to talk to New Jersey,  
24 specifically? Don't say you can't. That is not  
25 correct. I won't... won't use a bad word. You can

2 talk to New Jersey. Something called the Port  
3 Authority. Have you heard of them? So what is this  
4 Mayor doing to talk to New Jersey about this issue?

5 MR. GENN: The last time we spoke with the New  
6 Jersey jurisdictions, they told us that they were not  
7 getting complaints.

8 COUNCILMEMBER BREWER: That's not correct. That  
9 is absolutely not correct. When was the last time  
10 you spoke to them?

11 MR. GENN: Just a couple of months ago.

12 COUNCILMEMBER BREWER: Okay, well, that is not  
13 correct. So you need to have a much more... much  
14 broader discussion with the folks in New Jersey. If  
15 that's what the issue is.

16 Number two: Congressman Nadler has a bill. Do  
17 you support it to end all flights... non-essential  
18 helicopter over cities of 8 million or more? Do you  
19 support that bill?

20 MS. ADGATE: Thank you, Councilmember. I think  
21 at this time, what we're want... what we'd like to do  
22 is really work with the Council to address the  
23 questions and the concerns at this point. You know,  
24 the law department is still reviewing the bill, we're  
25 still discussing it internally. So we're not

2 prepared to say our support or non-support either way  
3 of it. I think though, what we are... really are  
4 hoping to communicate here is that we understand that  
5 these are very serious issues and very serious  
6 challenges, with very complicated responses.

7 COUNCILMEMBER BREWER: I have 30 pages here of  
8 complaints, 30 pages. And you know, it's... it's the  
9 number one. And you've got to get rid of these non-  
10 essential helicopters. You... so one way or another,  
11 we're going to do it. So I would suggest that you at  
12 least tell the public that you're on the path to try  
13 to do that. It was suggested earlier. I think  
14 Councilmember Marte. If you're not... If you're  
15 non... If you're non diesel and your're electric,  
16 then that should be the only possibility for your  
17 ability to fly out of lower Manhattan. If you...  
18 It's like everything else. If we say we have to have  
19 electric cars, then we will have electric cars. If  
20 we don't tell people that they have to be electric,  
21 they're not going to be electric. If you don't tell  
22 them to compost, these lazy... my lazy neighbors will  
23 not compost. Same thing. You've got to say in your  
24 contract: Non-essential and electric only.  
25 That's... If nothing... You have no idea how upset

1 people are. And the 311... If you're not getting the  
2 calls, like we are, you don't know.  
3

4 So my other question, what's the cost of the  
5 complaint system? You have a con... You said you  
6 have a consulting center. What's the cost of that  
7 complaint system? For the contract that you have  
8 that is working with all the complaints? I'm  
9 wondering if it adds up to \$1.2 million?

10 MR. GENN: The cost is borne by the operator,  
11 Councilmember.

12 COUNCILMEMBER BREWER: So you don't pay at all  
13 for any... all those complaints that... Who pays for  
14 it specifically?

15 MR. GENN: Saker aviation.

16 COUNCILMEMBER BREWER: So they're paying for the  
17 complaints?

18 MR. GENN: For the system... For the management  
19 system.

20 COUNCILMEMBER BREWER: But there's a consultant.  
21 EDC is not paying for the consultant?

22 MR. GENN: It comes through the... through the  
23 agreement.

24 COUNCILMEMBER BREWER: Okay. What is your  
25 definition of tours? We have two kinds. We have

2 those who are literally doing tourism and supposedly  
3 they're flying on the water. We never really  
4 actually know. I know you think that you're  
5 monitoring it. Don't forget, if you live near the  
6 water, it sucks. You can't sit on your balcony. You  
7 can't hear. So even though I was there. I was in  
8 the room with Nadler and de Blasio when that was cut.  
9 I know that. But it's still too noisy.

10 What's the... How many between the... the  
11 tourism, which I call literally tourism, versus those  
12 flying that you apparently cannot control to the  
13 Hamptons? What's the difference in terms of numbers?

14 MR. GENN: So... From downtown about 95% is just  
15 the tour flights.

16 COUNCILMEMBER BREWER: Okay. The tour flights  
17 meaning those that are tourism.

18 MR. GENN: Tourism. That's correct.

19 COUNCILMEMBER BREWER: Okay. And then... But  
20 then those that are... How do you know... Out of what  
21 flights... What air... heliports the... going to the  
22 airport, going to the Hamptons are coming from? How  
23 many of those are coming out of New York City?

2 MR. GENN: The total... We can monitor that. I  
3 don't know the number offhand, but I can... we can  
4 get back to you.

5 COUNCILMEMBER BREWER: You can get... get back to  
6 us on that. Okay.

7 I just want to finally say this problem is  
8 horrific. It's not in every neighborhood. But it is  
9 something that we absolutely... if you want to be a  
10 an administration that is responsive to New Yorkers,  
11 you would end those non-essential helicopter flights.  
12 People are beside themselves. Beside themselves.  
13 Just a suggestion. Thank you.

14 COUNCILMEMBER FARIAS: Thank you, Councilmember  
15 Brewer. Next up is Councilmember Avilés.

16 COUNCILMEMBER AVILÉS: Thank you, Chairs, for  
17 this hearing. Thank you to the EDC team for being  
18 here. I, you know, cannot underscore enough what my  
19 colleagues are saying: That New Yorkers... We want a  
20 full ban on non-essential flights. So what I'm  
21 understanding from your testimony is that the EDC who  
22 owns these two heliports has no control over flights  
23 other than tour flights? Is that what you're  
24 suggesting?

2 MR. GENN: Just... Councilmember, it's good to  
3 see you, and thank you. I want to amend an answer  
4 that we made. We... we can work on a voluntary basis  
5 with the charter flights to amend routes if they are  
6 offensive, we can work with them to... We can't  
7 mandate, per se, as we do with the tour flights but  
8 we can work with the charters to improve routes  
9 and... and address issues.

10 COUNCILMEMBER AVILÉS: So the EDC has no control  
11 over who lands and who leaves from its heliport?

12 MR. GENN: They are general, you know, use  
13 heliports and so they... we cannot restrict, because  
14 they are public... they are public facilities. So we  
15 cannot restrict. What we can do with tour  
16 helicopters is reduce the number... redu... regulate  
17 operating hours and number of flights.

18 COUNCILMEMBER AVILÉS: So, what is it in this  
19 equation? What can the EDC control on these  
20 heliports?

21 MR. GENN: The... the hours of op...

22 COUNCILMEMBER AVILÉS: As in tour flights?

23 MR. GENN: Well, we can work with the tour...  
24 with the... with the charters, with the non-tour  
25 flights. You know, there are programs like... that



2 the charters are able to do voluntary programs that  
3 would improve routes, or would reduce particular  
4 flights that may be a nuisance, so we can certainly  
5 work with them at East 34th Street or downtown to  
6 amend those routes.

7 COUNCILMEMBER AVILÉS: And why is it that the  
8 downtown heliport is operational, or accepting  
9 flights through 10pm at night?

10 MR. GENN: It's open until 10. It's... The tour  
11 flights end at 7, but it... because it's a general  
12 use, those are the hours where we just know there may  
13 be flights that are coming in whether they are  
14 emergency flights, whether they are, you know, police  
15 or media or any of those other kinds of flights.

16 COUNCILMEMBER AVILÉS: Can you distinguish the  
17 flight differentials. Like, how much of that is non-  
18 essential versus essential that are using the  
19 heliport from the time of 6pm to 10pm?

20 MR. KIMBELL: 95% of the flights from downtown  
21 are tour flights. 5% are other flights.

22 COUNCILMEMBER AVILÉS: So it definitely seems  
23 like this... the hour of operation is a critical  
24 element here. 10pm is just way too late. And we

2 want to restrict the usage here... restrict the hour  
3 of... of operation is critical here.

4 MR. GENN: The only... Yes, but the only caveat  
5 is that we don't have tour flights past 7pm.

6 COUNCILMEMBER AVILÉS: All right. In terms of...  
7 In your testimony, you referenced one of my favorite  
8 topics, and it felt like a very strange addition to  
9 the topic at hand. So I'd like you to clarify a  
10 little bit around why it's even in here, and how  
11 these two are connected in terms of last mile  
12 facilities, and the Heliports.

13 MR. GENN: Yes.

14 COUNCILMEMBER AVILÉS: Can you... Can you  
15 explain?

16 MR. GENN: So in our role, EDC is delegated  
17 responsibility over maritime facility facilities.  
18 And so downtown Manhattan heliport, in addition to  
19 being an aviation facility can also be used for  
20 maritime use. And one thing that we've been hearing  
21 from the industry is that there is demand for last-  
22 mile freight service by water. And this specifically  
23 is meant to address you know, the last mile centers  
24 that have been built in your district and other  
25 districts around the city in a way that we can use

2 the back door to bring freight from, say, your  
3 district to Manhattan, instead of by truck. And what  
4 we were very pleased to see in the response to the  
5 RFP was that there were responses that were very  
6 robust towards that goal.

7 COUNCILMEMBER AVILÉS: So the Heliport will be  
8 used as a last mile freight.

9 MR. GENN: That is our goal.

10 COUNCILMEMBER AVILÉS: Interesting. Okay, we'll  
11 get we'll have to talk more about my favorite topic.

12 One last question, in terms of... You mentioned,  
13 in terms of green helicopters, [bell rings] more  
14 rapidly adopting greener technology. What does that  
15 specifically look like? Are we talking about a 10-  
16 year horizon? And what's the investment scale?  
17 Like, honestly, what does that mean? Because for us,  
18 it means nothing. Because the market is not there.  
19 And I don't think folks are investing.

20 MR. GENN: One thing that we specified in the RFP  
21 was that we were looking for operators who can bring  
22 in those types of helicopters... electric  
23 helicopters, more rapidly. And the good news is it  
24 now...

2 COUNCILMEMBER AVILÉS: What does that mean  
3 specifically, bring in green helicopters?

4 MR. GENN: Meaning that...

5 COUNCILMEMBER AVILÉS: Does that mean buy  
6 helicopters? So what does that mean specifically?

7 MR. GENN: We... At this... at this point, I  
8 think it would be a, you know... a phasing in of more  
9 of these types of aircraft. Right now, you know, we  
10 are talking to companies that are developing and  
11 building those... those types of aircrafts. I think  
12 this is such a large market -- We have a market  
13 presence, obviously, New York City -- that we would  
14 hope that, because of that power, we would be able  
15 to, you know, set the right table for more  
16 investments in greener helicopters. And I think what  
17 we've done with the RFP is really set the bar for  
18 that.

19 COUNCILMEMBER AVILÉS: So what's the scale... the  
20 scope of this? I'm trying to I'm trying to get some  
21 texture here. Like are we talking about generally...  
22 is it 2000 helicopters, and we're talking about two  
23 of the 2000. What's the scale and scope of the  
24 feasibility?

2 MR. GENN: That's... I would... I will say that  
3 I'm excited to give you the answer, but I don't have  
4 the answer right now because it's part of the RFP  
5 process. But we'll... we will get back to you with an  
6 answer. Yeah.

7 COUNCILMEMBER AVILÉS: Okay.

8 CHAIRPERSON FARIAS: I just have a quick follow  
9 up. And I also want to acknowledge Councilmember  
10 Gennaro has been here this whole time, but I forgot  
11 to acknowledge.

12 Just really quickly. Why can't... Why can we  
13 regulate the tourism flights, but not others. Like  
14 do they have a certain designation. Is there a  
15 certain ruling? Are they? Yeah? Can you just  
16 clarify that?

17 MR. GENN: Because they stay within the limits of  
18 New York City. So they originate and... Their  
19 flights originate and ends with... at the downtown  
20 heliport. They don't cross boundaries. And there's  
21 also just sort of, by mutual convention, when the  
22 tour flights moved from East 30th street, or I'm  
23 sorry... from West 30th street to downtown in 2008,  
24 that whole... the whole industry moved to downtown.

2 COUNCILMEMBER FARIAS: Okay, so it's solely  
3 because we have more oversight and regulation of the  
4 tourism flights, solely because they stay within the  
5 five borough radius.

6 MR. GENN: Mm-hmm. Yes. Because...

7 COUNCILMEMBER FARIAS: So why can't we fully ban  
8 New Jersey flights from coming over into our five  
9 borough radius?

10 MR. GENN: Because it's crossing state  
11 boundaries. It's federally... Then... Then the  
12 federal rules are... Yeah.

13 COUNCILMEMBER AVILÉS: Sure for that. So in  
14 terms of, you know, these commuter flights that are  
15 coming from JFK, of which it's a significant amount,  
16 is my understanding, they are not crossing  
17 boundaries. Why can't we regulate those?

18 MR. GENN: Those are...

19 COUNCILMEMBER AVILÉS: Those are clearly  
20 nonessential flights to, you know...

21 MR. GENN: Those... Those are... Because they're  
22 going between two different points, they're regulated  
23 differently. The federal regulations... The FAA has  
24 different regulations for those kinds of flights.

2 Tourist flights... non... or, you know, discretionary  
3 flights take off and land at the same point.

4 COUNCILMEMBER AVILÉS: So it would be great if  
5 you offered the Council a clear plan of advocacy.  
6 And what... what your timeline and plan of action is  
7 in terms of engagement with the FAA, and what does  
8 that clearly look like over this next year? Because  
9 I don't think we... we see it very clearly what is  
10 happening and what is being advocated for, and with  
11 what rigor, quite frankly, given the scale and scope  
12 of the problem.

13 And just to end, we must ban non-essential  
14 flights. As a waterfront community, it is absurd,  
15 what is happening here for a million dollar return on  
16 investment. Quite frankly, if the EDC thinks that  
17 that is a good management of assets, I think we have  
18 bigger problems that we need to address. So thank  
19 you very much.

20 CHAIRPERSON FARIAS: You took my next question  
21 right out of my mouth. So thank you so much for  
22 that. And any feedback you folks can give us in  
23 regards to that would be great.

24 Next up is Councilmember De La Rosa.  
25

2 COUNCILMEMBER DE LA ROSA: Thank you so much.

3 And I want to thank Chairs Farias and Abreu for their  
4 leadership here and my colleagues, who I think have  
5 been thoughtful in elaborating the constituent  
6 concerns that we are often receiving. I don't  
7 represent Lower Manhattan. I represent Upper  
8 Manhattan. And although maybe the complaints aren't  
9 as frequent as we see our colleagues on the Upper  
10 West Side, parts of Brooklyn, and the lower parts of  
11 Manhattan, we do and are continuing to see an  
12 increased pattern of helicopter noise and... and, you  
13 know, routes going all the way up to Upper Manhattan,  
14 and parts of the Bronx. And so I want to ask, first  
15 of all, why the increase, from what... at least the  
16 increase in complaints we're getting, seems to  
17 reflect that there's an increase in routes or  
18 patterns that are leading up to Upper Manhattan. And  
19 so I want to know if there's a specific reason for  
20 that, other than viewing our beautiful parks in upper  
21 Manhattan.

22 MR. GENN: Thank you, Councilmember. The...

23 Probably what you're seeing is an uptick in just...  
24 there is a route that runs that runs over the Bronx  
25 and down the Hudson River that's federally... is one



2 of the federally controlled routes. And probably  
3 what you're seeing is an increase due to just  
4 economic recovery. And those are not tourist  
5 helicopters from... per se, but... but most likely,  
6 that's why you're seeing an uptick.

7 COUNCILMEMBER DE LA ROSA: So what type of  
8 helicopters are there?

9 MR. GENN: They're probably charters or private  
10 helicopters, but they can also be... they could also  
11 be media helicopters as well.

12 COUNCILMEMBER DE LA ROSA: Does the EDC regulate  
13 the routes, so if a helicopter veers off a route,  
14 there is no tracking of that?

15 MR. GENN: If it is a tour flight originating at  
16 downtown Manhattan helicopter... heliport, we  
17 regulate those flights. And we can we can track and  
18 we can issue violations, but those are the only ones  
19 that we have control over.

20 COUNCILMEMBER DE LA ROSA: And what do the  
21 violations look like?

22 MR. GENN: Well, you get a warning for your first  
23 violation, flying over land or doing something  
24 unsafe. And then generally, if you do it again, you  
25 get... there's \$1,000 fine.

2 COUNCILMEMBER DE LA ROSA: So I would suggest you  
3 eliminate the warning, and go straight to the fine.  
4 You know, drivers don't get warnings, they get  
5 stopped for speeding and they get a ticket. And so I  
6 think when it comes to enforcement, we have to make  
7 sure that we are not lax on that portion of it,  
8 because we don't want to encourage behavior that puts  
9 New Yorkers' quality of life or their lives in  
10 general at risk.

11 And then the other question that I had was  
12 regarding the Federal Aviation. So I think  
13 Councilmember Brewer's concern... concerns or  
14 comments about New Jersey are on point.

15 In my district, I have the upper Manhattan Port  
16 Authority. And we are often in communication with  
17 the New Jersey side around the George Washington  
18 Bridge. So I wonder why there isn't some sort of  
19 task force, or some sort of, you know, coalition or  
20 group that meets regularly on these types of issues  
21 with county officials. And, you know, local  
22 officials as well.

23 MR. GENN: There had been one, and we were  
24 members of it. We're certainly open to participate  
25 in that type of task force.

2 COUNCILMEMBER DE LA ROSA: And who would have to  
3 convene that type of task force? Would... Would it  
4 be the federal government? The state government?  
5 The town governments? Who could create such an  
6 entity?

7 MS. ADGATE: I think, Councilmember that it... it  
8 really could be any of those entities, right? It's  
9 really about the... having the open conversation and  
10 having the dialogue. I think from... from our  
11 perspective, it's more about having the right players  
12 in the room, and ensuring that the jurisdictions are  
13 clear, the rules are clear. And so while I don't  
14 think one of these has been convened recently, and  
15 I'm looking to Andrew, because he's been at EDC  
16 longer than I have, you know, I think one of the key  
17 pieces of feedback we're taking away from today is  
18 that it's time to revisit that level of engagement.  
19 And I think it's clear, you know, revisiting the...  
20 the reporting structure and other items, to ensure  
21 that, you know, we're being clear and transparent  
22 about these issues.

23 COUNCILMEMBER DE LA ROSA: So, could EDC  
24 proactively convene?

2 MS. ADGATE: I mean, we could proactively start  
3 engaging with folks, certainly, and whether that...  
4 you know, however, that looks like whether that is us  
5 convening a task force versus us having, you know,  
6 regular conversations, we can certainly kickstart  
7 that process.

8 COUNCILMEMBER DE LA ROSA: Yeah. I think that  
9 would be great. [bell rings] And I think you have  
10 some colleagues here that would be more than  
11 interested in being part of something like that.

12 MR. GENN: The former Manhattan Borough President  
13 had a very effective Task Force.

14 COUNCILMEMBER BREWER: I have a very strong  
15 feeling about this. Yes.

16 COUNCILMEMBER DE LA ROSA: Thank you for...

17 COUNCILMEMBER BREWER: Phillip Cohen,  
18 Councilmember, New Jersey, has the coalition already.

19 COUNCILMEMBER DE LA ROSA: Okay, good.

20 COUNCILMEMBER BREWER: So there is a heliport on  
21 34th Street on the West Side, and it is controlled by  
22 the governor and by you, the mayor. Everyone wants  
23 to get rid of a heliport in a park. What are you  
24 doing to work with the governor? The... I'm probably  
25 talking out of turn, but Hudson River Park Trust is

2 willing to get rid of it. It costs... they would  
3 lose \$1.7 million per year. They're happy to do it.  
4 Happy might be too strong a word. They're willing to  
5 do it. What are we doing to get rid of that  
6 heliport, in a park?

7 MR. GENN: To respond to that. The West 30th  
8 heliport. We have been involved in efforts that  
9 you're describing. We've talked about planning  
10 different... re-siting of that heliport, and we're  
11 happy to participate in those conversations. But  
12 there hasn't been much coming to us. I'll be... I'll  
13 be honest about that heliport and change...

14 COUNCILMEMBER BREWER: I wrote a letter a while  
15 ago. Should I write another one?

16 MR. GENN: Mm-hmm.

17 COUNCILMEMBER BREWER: Okay. You need to talk to  
18 the governor's office. Talk to the folks at the  
19 Hudson River Park Trust... Noreen Doyle, and so on.  
20 And, again, when you're standing in a park, and you  
21 have idling and helicopters taking off constantly,  
22 I'm not saying that they're doing anything wrong.  
23 They're living within the guidelines of the heliport.  
24 But it's... You can't have a heliport in a park.  
25 It's craziness.

2 So you will... Can I have your word that you  
3 will, if asked -- if that's the only way to do it,  
4 okay -- convene some conversations with the other  
5 parties to discuss this topic?

6 MS. ADGATE: Yes.

7 COUNCILMEMBER BREWER: Thank you.

8 CHAIRPERSON FARIAS: Thank you so much, and  
9 seeing no other members here with questions, we will  
10 move over to public testimony. I do just want to  
11 reiterate... I want to thank EDC and the admin for  
12 coming today and for your testimony. We really  
13 appreciate it, especially answering all of our tough  
14 questions and really showing us that you're ready and  
15 willing to collaborate on... on a lot of the items  
16 that we brought up today. So thank you.

17 I do want to stress to the public that we're  
18 giving you three minutes. And that is a lot of time.  
19 We hope you submitted written testimony. You do not  
20 need to read exactly what you wrote, but please  
21 express your sentiment within three minutes, because  
22 I have a lot of people up for public testimony, and  
23 we want to get to everyone. And I don't want to have  
24 to pay rent for living in City Hall for today's  
25

2 testimony. So we want to get through it all. And  
3 I'll turn it over to our moderator.

4 COUNSEL: Thank you chair. As the Chair  
5 mentioned, we will now turn to public testimony. As  
6 she mentioned, due to the large number of public  
7 participants at today's hearing, each panelist will  
8 be given three minutes to speak. If you are  
9 testifying in person, please come to the dais when  
10 your name is called and wait for your turn to speak.  
11 For panelists who are testifying remotely, once your  
12 name is called, a member of our staff will unmute you  
13 on Zoom, and the sergeant at arms will give you the  
14 go ahead to begin. Please wait for the sergeant to  
15 announce that you may begin before delivering your  
16 testimony.

17 The first panelist will be Andrew Rosenthal,  
18 Graham van Korff and Katia Veraza. Please come to  
19 the dais to give your testimony.

20 Mr. Rosenthal, you may begin when ready.

21 MR. ROSENTHAL: [28 seconds silence: Speaking  
22 with no microphone] and charter flights. We do not  
23 mean police, military, news, or medical flights.  
24 Helicopters have created many serious problems for  
25 the citizens of New York City. The numerous and

2 regular fatal crashes, the negative impacts of noise  
3 on the quality of life, health and cognitive  
4 abilities of all New Yorkers, especially children and  
5 environmental justice communities are well  
6 documented.

7       Currently, there are approximately 70,000 non-  
8 essential helicopter flights over New York City each  
9 year. That number will continue to grow if we let  
10 it. That is approximately 200 flights per day.  
11 Imagine if your phone rang 200 times each day.

12       One of the current operators at DMH just placed  
13 an order for 100 single person helicopters that they  
14 intend to rent to anyone who has taken a one-hour  
15 course. What could go wrong with 100 people at a  
16 bachelor or bachelorette party flying around our  
17 skies? It is abundantly clear that New Yorkers want  
18 action to eliminate these non-essential flights.  
19 Complaints to 311 have skyrocketed over the last few  
20 years, even though New York City has made it much  
21 harder to report, and the fact that most people  
22 stopped filing complaints when they realize it  
23 accomplishes little.

24       The FAA has ultimate jurisdiction over the skies  
25 of New York City, but it does not have sole



2 jurisdiction over the lands such as the downtown  
3 Manhattan heliport and the East 34th Street heliport.  
4 The City Council can and must act to reduce the  
5 negative impacts of non-essential helicopters.

6 While more action is required, leaders have taken  
7 numerous steps to address this problem. Mayor  
8 Giuliani shut down the east 60th Street heliport in  
9 1997. The city has closed the East 34th Street  
10 heliport on weekends. In 2016, the city capped the  
11 number of tourist flights allowed from city-owned  
12 heliports and banned tourist flights on Sunday. Out  
13 of 66 million tourists who visit New York City  
14 annually, less than 1 in 1000 takes a helicopter  
15 trip. These helicopters siphon off tourist dollars  
16 that could be spent on many other attractions, such  
17 as the Circle Line or any of the magnificent  
18 observation decks we have in the city.

19 The aviation industry will tell you that no  
20 action is needed, as they will soon have quiet  
21 helicopters, eVTOLs. These craft are many years, if  
22 not a decade away from certification to fly over the  
23 most densely populated area of the country. Many of  
24 the current helicopters flying over New York are  
25

2 decades old and will be flying decades from now if we  
3 let them.

4 We implore the City Council to take the following  
5 steps: Close to city-owned heliports to non-  
6 essential flights this year. The current contracts  
7 or concession agreements that can be cancelled city  
8 at will and 30 days or less. The flights will not  
9 just move to West 30th street that is operating at or  
10 near capacity, as set by a binding legal settlement.  
11 Work with the mayor and governor to closed West 30th  
12 Street Ella port which is currently operating just  
13 inches from the busiest bike and pedestrian path in  
14 North America. Ban eVTOLs from taking off or landing  
15 anywhere in New York City until the technology is  
16 proven safe and quiet. And in closing, many problems  
17 facing New York are very hard or expensive to solve.  
18 This problem...

19 CHAIRPERSON ABREU: Thank you for your testimony.

20 MR. ROSENTHAL: This problem could be solved  
21 overnight with essentially no cost to the taxpayers.

22 Thank you.

23 Mr. Van Korphe, you may begin when ready.

24 MR. VAN KORFF: Good morning chairs and the  
25 members of the committee. I'm here today on behalf

2 of Brooklyn Borough President Antonio Reynoso and  
3 Manhattan Borough President Mark Levine to express  
4 their commitment to ridding our city skies of non-  
5 essential helicopter travel. Helicopters are simply  
6 not necessary for either tourism or commuting, and  
7 their outside impacts on noise and air pollution far  
8 outweigh any convenience they may provide. Even  
9 according to the helicopter industry, the noise that  
10 helicopters generate flying at 500 or even 1000 feet  
11 over the city is well within the range considered  
12 dangerous by the Hearing Health Foundation. With  
13 thousands of non-essential helicopter trips around  
14 New York City every week, it's no wonder that New  
15 Yorkers submitted approximately 26,000 Helicopter  
16 noise complaints to three on one last year. This  
17 noise is disruptive to residents who live along  
18 flight paths including much of Manhattan and  
19 Brooklyn's waterfronts, as well as north and central  
20 Brooklyn along the JFK routes. And the constant  
21 exposure can cause health impacts such as stress and  
22 anxiety. In addition to quality of life issues.

23 We appreciate the changes that the city has  
24 already implemented on the helicopter tourism  
25 industry such as reducing the number of tourists

2 flights and restricting flight patterns to over the  
3 waterways. However, the presence of tourists  
4 helicopters along our waterfronts is still extremely  
5 disruptive. Among other issues, the noise negatively  
6 impacts the experience for residents and tourists  
7 enjoying relaxation and our city's open spaces,  
8 especially Riverside Park, Hudson River Park, Battery  
9 Park and Brooklyn Bridge Park where the noise from  
10 tourist helicopters is constant. New Yorkers have  
11 invested billions of public dollars into supporting  
12 and improving these parks only to have their  
13 enjoyment of them diminished. Meanwhile, flights  
14 originating in New Jersey plague Manhattan  
15 communities and users of Central Park and commuter  
16 flights to the airports in the Hamptons continue over  
17 Prospect Park and Brooklyn's residential  
18 neighborhoods unchecked.

19 Yet noise pollution is not the only issue and so  
20 proposed regulations to noise levels only address  
21 part of the problem. Recent reports indicate that  
22 commuter Helicopters use about 43 to 88 gallons of  
23 fuel per hour depending on the model, which is  
24 significantly more than what an average car uses per  
25 hour. Again, with 1000s of non-essential trips every

2 day, the tourist and commuter helicopter industry is  
3 a major source of air pollution in our city.

4 Allowing this to continue runs counter to the city  
5 stated goals of reducing greenhouse gas emissions by  
6 80% from 2005 levels and developing strategies to  
7 achieve carbon neutrality by 2050.

8 We are aware that this issue requires a regional  
9 solution with many levels of government at the table.  
10 The most effective solution would be for the Federal  
11 Aviation Administration to ban non-essential  
12 helicopter travel from New York City's airspace as  
13 outlined and Councilmember brewers resolution 291.  
14 This would address concerns from NYC EDC that an NYC-  
15 only ban will push more traffic to helicopters in New  
16 Jersey which have less restrictive regulations. In a  
17 letter to us sent earlier this year NYC EDC President  
18 Andrew GENN outlined the 2016 collaborative effort  
19 between NYC EDC, the helicopter industry, the  
20 downtown Manhattan heliport operator, and tour flight  
21 companies which resulted in updated regulations.  
22 They did it before they can do it again.

23 In the meantime, we must work with the tools that  
24 we have at our disposal. That is why we support  
25 Councilmember Restler's Intro 551, which would ban

2 non-essential helicopters from operating at city  
3 owned heliports. For all the reasons outlined the  
4 city should not be supporting this industry in its  
5 current form. Notably the concession license  
6 agreements...

7 CHAIRPERSON ABREU: Thank you for your testimony.

8 MR. VAN KORFF: One minute please... that allow  
9 helicopter operators to use the city heliports do not  
10 require a cause for termination. In conclusion we  
11 don't believe our constituents should have to suffer  
12 from noise or air pollution for another day just so  
13 tourists can view the city from above, or so  
14 commuters can pay over \$1,000 Get to the Hamptons  
15 faster until such time as the helicopter industry can  
16 sufficiently demonstrate that it can operate in a way  
17 that does not disrupt residents quality of life, does  
18 not pose a threat to public health, and does not use  
19 fossil fuels that result in carbon emissions. We  
20 support a ban of non-essential flights from our city  
21 heliports thank you for the opportunity to speak  
22 today.

23 Our offices look forward to working with the  
24 Council on any other necessary partners to get a  
25 solution.

2 CHAIRPERSON FARIAS: Thank you. I just want to  
3 reiterate if you hear it, wrap it up. I will begin  
4 to be rude, and I don't want to. Thank you,  
5 Councilmember Abreu for jumping in these times. Next  
6 up, we have Miss Shane. Thank you. I'm sorry. I'm  
7 so sorry about that. Katia Veraza. My apologies.

8 MS. VERAZA: All right. Hello, and thank you  
9 members of the Committee on Economic Development and  
10 State and Federal Legislation for convening this  
11 oversight hearing today. My name is Katia Veraza,  
12 and I am the manager of government affairs and  
13 regional relations for the Helicopter Association...  
14 for Helicopter Association International. I  
15 appreciate the opportunity to speak on behalf of the  
16 vertical flight industry today. For more than 70  
17 years, ATI has provided support, services, and set  
18 the industry safety guidelines for the international  
19 helicopter community. We leverage, innovate,  
20 advocate and expand the unique operational abilities  
21 of vertical flight on behalf of our members, and for  
22 the benefit of our society. Our members perform a  
23 variety of helicopter services across the country  
24 that helps save lives, serve, and protect our  
25 country. Just as helicopter services are extremely

2 important across the nation. They are also part of  
3 the vast, complex systems of transportation that  
4 connect New York City to the global economy.

5 The city's three public use heliports constitute  
6 an aviation system that supports the city's economy,  
7 emergency services, and security network. The three  
8 heliports provide valuable revenue and employment to  
9 the City Hall ports are used by small businesses that  
10 provide a variety of high-paying jobs to New Yorkers  
11 in all five boroughs. Maintaining all heliports will  
12 reinforce the enhanced attractiveness of Manhattan as  
13 allocation for major corporate tenants and small  
14 businesses. It is important to recognize that the  
15 rapid and efficient flow of people in and out of New  
16 York City requires multiple modes and services that  
17 can meet the time requirements of different  
18 industries.

19 Helicopters are essential for those time  
20 sensitive industries that seek to avoid the uncertain  
21 patterns of congestion caused by surface  
22 transportation, and for the same reason they are  
23 essential for emergency uses. Government agencies  
24 use helicopters to manage all types of emergencies,  
25 monitor the city's airspace, and gather information.



2 As observed during the pandemic, helicopters played  
3 an essential role in the city's effort to combat the  
4 virus, helping hospitals provide air medical  
5 transport and other critical services.

6 The pandemic prove that helicopters are  
7 irreplaceable when it comes to saving lives.

8 Now we understand that noise is a common concern  
9 associated with heliports. Therefore, ATI constantly  
10 seeks to forge relationships between communities and  
11 helicopter operators. Together we focus on  
12 establishing noise mitigation techniques and  
13 innovating solutions to fly neighborly. Our industry  
14 is bringing innovative technologies such as AM and  
15 eVTOL to improve community compatibility and overall  
16 accessibility. Technology such as eVTOL will  
17 revolutionize transportation and generate good  
18 quality jobs, investment in AM infrastructure will  
19 support the city's comprehensive efforts to meet the  
20 transportation needs of tomorrow. We firmly believe  
21 that in Manhattan's Heliports are a critical  
22 component of New York's transportation networks and  
23 support the operation of the city's businesses and  
24 the growth of this economy. Thank you.

2 CHAIRPERSON FARIAS: Thank you so much. Next up  
3 I'd like to call Mary Arshane, Kenneth Lay, Daniel  
4 Watts, and James Boyd.

5 Oh, and I'd also like to acknowledge  
6 Councilmember Salamanca, who's joining us today.

7 I just want to do one call for Mary Shane. Are  
8 you virtual? Or just not present?

9 Great. So Kenneth, whenever you're ready, you  
10 can begin.

11 MR. LAY: Good morning, members of the Council  
12 Committee on Economic Development. I'm giving this  
13 testimony regarding New York City's heliport  
14 operations to urge the Council to abolish the use of  
15 New York City Public Heliports for non-essential  
16 helicopter flights. I live in Carroll Gardens where  
17 my neighbors and I now experience upwards of 30 low  
18 flying helicopter flights directly overhead every  
19 single day. The flights operate from around 7am to  
20 11pm most days. They're definitely loud. Walkers in  
21 the street in the area are forced to stop talking to  
22 one another when a helicopter passes overhead. The  
23 noise can be heard throughout any building in the  
24 area on any floor even if all the windows are closed.  
25 I'm routinely awakened by these flights, and my

2 permanent building which is well constructed, well  
3 maintained, often vibrates when these flights pass  
4 overhead. After some investigatory work using  
5 publicly available flight checking information, I  
6 turned the nearly all of these flights over my home  
7 over 95% are non-essential commuter flights ferrying  
8 people to and from the three publicly owned Manhattan  
9 heliports, Pier 6, East 34th Street, and West 30th  
10 Street. Most flights are going towards or coming  
11 from JFK or the Hamptons. The problem is not only  
12 confined to Carroll Gardens and surrounding areas.  
13 Some of New York... New York's finest parks including  
14 Central Park, Brooklyn Bridge Park, Governors Island,  
15 Liberty Island, et cetera, are constantly besieged by  
16 the din of tourist and commuter helicopters.

17 I understand that while the West 30th Street  
18 heliport is jointly operated by the city in the state  
19 of New York, the two airports in the East Side of  
20 Manhattan are entirely under the city's jurisdiction.  
21 I find it unconscionable that the city permits the  
22 use of its heliports for unnecessary tourism and  
23 commuter flights. Not only is the nuisance extreme,  
24 but it's dangerous to have low flying helicopters  
25 traveling regularly over densely populated areas of

1 Brooklyn, Manhattan and Queens. A helicopter crashed  
2 into the East River in 2018. Another one in  
3 Manhattan and 2019. What if such a crash were to  
4 occur in Brooklyn on the way to JFK? Dozens would be  
5 injured or killed, not to mention the property  
6 damage, legal costs, et cetera, such a crash would  
7 cause.

9 I will also note that as the climate crisis  
10 accelerates, unnecessary helicopter flights, which  
11 produce three to five times more emissions than a  
12 diesel car are clearly incompatible with emissions  
13 reductions goals we must achieve to combat global  
14 warming. New York City is already spending millions  
15 on climate resiliency. Why does it turn around and  
16 tolerate the very behaviors requiring such  
17 expenditures in the first place?

18 Finally, I would like to inform the Council that  
19 over the past eight months I've submitted or over 150  
20 noise complaints by the 311 system to EDC. None of  
21 them have been looked into or processed in any way.  
22 (inaudible) 10 days, and every one of them remains in  
23 progress.

24 The city may not be able to regulate its  
25 airspace, airspace, but it can absolutely regulate

2 who may use the heliports. I urge the Council to  
3 consider the serious environmental health, safety and  
4 quality of life impacts permitting commuter and  
5 tourism flights and public heliports. These  
6 helicopters are endangering all of us harming our  
7 environment, and ruining our quality of life for very  
8 little benefit except to the very wealthy who can  
9 afford such flights. Please help all of us who are  
10 suffering every day from the deleterious impacts of  
11 these flights by banning them. Thank you

12 CHAIRPERSON ABREU: I very much thank you for  
13 your testimony, and keep submitting complaints, and  
14 having faith in the system.

15 CHAIRPERSON FARIAS: I just wanted to ask, if you  
16 by any chance have the 311 complaints logged, if you  
17 can send them to my office...?

18 MR. LAY: Mm-hmm. I have them.

19 CHAIRPERSON FARIAS: ... so I can look into them.  
20 That'd be great. Thank you.

21 Daniel Watts?

22 MR. WATTS: If I can use that... microphone  
23 there?

24 Just turn it on. How about that? That's better.  
25 Alright. Super.

2 My name is Daniel Watts. I'm a Brooklyn  
3 resident. Thank you very much Chairperson Farias and  
4 Chairperson Abreu, and all of... all of you who are  
5 participating. I appreciate your time. Thank you,  
6 in particular for providing me with the opportunity  
7 to testify regarding New York City's heliport  
8 operations.

9 I have read the commercial air tour voluntary  
10 agreement between the National Park Service, the FAA,  
11 and the commercial air tour operators, and that  
12 agreement recognizes that helicopter operations  
13 "impact the acoustic and visual experience of  
14 visitors" and the agreement aims to "reduce potential  
15 disturbances caused by commercial air tours." The  
16 agreement also points to the risk of terrorist  
17 activity, which calls for a higher level of  
18 helicopter safety around the parks. It's the city  
19 Council's responsibility to protect New York City  
20 residents in the same way that the National Park  
21 Service is protecting its parks. The city Council  
22 should protect New Yorkers from the constant and  
23 overwhelming noise from nonessential helicopter  
24 traffic and from the potential of a terrorist attack  
25 in the heart of our city.

2 I've been a resident of Brooklyn since 1971, and  
3 I have an office in downtown Manhattan. The noise  
4 from nonessential helicopter flights is unending and  
5 deafening for me, and for all residents, workers,  
6 students, park goers and visitors, whether on the  
7 Brooklyn waterfront, the Brooklyn Bridge, lower  
8 Manhattan, the west side of Manhattan, or in district  
9 11 in the Bronx. There is no excuse for it. The  
10 harm caused by nonessential helicopters vastly  
11 outweighs the paltry fees earned by the city, and the  
12 enjoyment of the few privileged tourists who take the  
13 flights.

14 Please take the obvious and simple step of ending  
15 the concession for tourist helicopters at the  
16 downtown Manhattan heliport. All the other city hall  
17 airports no longer allow these flights. And these  
18 non-essential flights constitute the vast majority of  
19 all helicopter flights in our airspace. Taking this  
20 step will be a major improvement in the quality of  
21 life in our great city.

22 CHAIRPERSON FARIAS: Thank you. I will now call  
23 up... Oh, I'm sorry, James... James Boyd. I'm so  
24 sorry about that. I'm already jumping ahead. Please  
25 give us your testimony.

2 MR. BOYD: Fellow citizens, the Hudson River Park  
3 Trust VIP heliport at West 30th Street can no longer  
4 exist in a healthier, safer, fairer New York, and  
5 should be closed immediately. For 24 years, New  
6 Yorkers have asked for its closure and the trust  
7 refuses. Any helicopter use should be out of the  
8 question during the train wreck of our climate  
9 crisis. The petty pleasure of helicopter tourism and  
10 the toxic privilege of private helicopter use are  
11 cynical entitlements hardly essential for economic  
12 development. The Hudson River Park Trust claims  
13 environmental stewardship while it profits from the  
14 corrupt sale of toxic privilege to wealth at its  
15 elite heliport in our park, a virtual chain-link gas  
16 chambers feeling deadly air and noise pollution. In  
17 2007, New Yorkers won a comprehensive New York  
18 Supreme court settlement against the trust mandating  
19 the heliport's complete closure by 2014. As a result  
20 of that citizens action, the trust ended tourist  
21 flights at West 30th.

22 Although the trust does not entertain questions  
23 or comments from the public, I organized a single  
24 public discussion in 24 years with the trust about  
25 their heliport, at a CB-4 meeting in June 2021. 18



2 months later, the public and press cannot contact the  
3 trust directly at all.

4 The New York City Council does have contact with  
5 trust members and should demand that they honor the  
6 2007 settlement by publicly announcing the immediate  
7 closure of the West 30th Street heliport. The trust  
8 claims it has no jurisdiction to close their own  
9 franchise. This is disingenuous considering that the  
10 successful settlement brought directly against the  
11 trust, forced them to at least end tourist flights.  
12 The trust does not and cannot possibly ensure the  
13 safety of this very dangerous franchise.

14 While the trust profits from those flights,  
15 nothing can safeguard citizens from their incessant  
16 air and noise pollution or from crashes like 2019's  
17 at the heliport. It is an open terrorist target with  
18 no TSA screening, has an 8000 gallon jet fuel tank on  
19 the tarmac leaking runoff, into the Hudson, up to 20  
20 chauffeured SUVs illegally idling for hours in the  
21 parking lot. The reasons for closure are so many and  
22 so clear, that only wealth and influence can explain  
23 the trust's irresponsible evasion of its essential  
24 promise and environmental stewardship. Only its  
25 donor class uses heliports to commute to private

2 estates far from public parks. 5 million daily New  
3 York City subway riders do not use helicopters, no  
4 one needs private aviation. Please do not believe  
5 the lobbying about electric helicopters. They will  
6 be produced in fossil fuel manufacturing plants in  
7 poor countries using wage labor, and the toxic mining  
8 required for electric batteries is extremely  
9 polluting and involves child labor. Thank you.

10 CHAIRPERSON FARIAS: Thank you all for your  
11 testimony.

12 I would like to call up Michael Popper, Charles  
13 Kominoff, John Ost, and Ashwin Padmanabhan. I hope I  
14 said that correctly. If not, I apologize.

15 Okay. While giving one more seconds.

16 Okay, you can begin.

17 MR. POPPER: My name is Mike Popper. I live in  
18 Carroll Gardens, as Kenneth as well. I've been there  
19 for 32 years. I wrote a nice little speech, but I'm  
20 going to not bother to give it. I wanted to speak to  
21 a couple points that came up today.

22 CHAIRPERSON FARIAS: You need to turn on your  
23 microphone.

24 MR. POPPER: [muted] I want to speak...

25 CHAIRPERSON FARIAS: No?

2 MR. POPPER: It was on. Anyway. Here we go.

3 Complaint system: Helicopters have been going over  
4 my home for years now. And the frequency has grown  
5 substantially. These are commuter flights. They're  
6 going to JFK. I called 311 several times in June of  
7 2021. I was given a nice number. I was told that  
8 they will get back to me within 10 days. They never  
9 did. Who wants to make a call like that each time it  
10 happens? You know doesn't take long to figure out if  
11 no one's going to respond to you, you are going to  
12 stop. So what do I do? I look at the Blade site.  
13 And Blade is the commuter operator. They have a  
14 beautiful website. Nice map. Their planes  
15 supposedly go down the Upper Bay, I think it's  
16 called, through Verizon or narrows, lower bay, out to  
17 JFK. No way. Their brochures a lie. Those things  
18 come over my house on a regular schedule. Low, loud  
19 and nasty.

20 So what can I do? Nothing. But I can implore  
21 you to put an end to the leases, the operating rights  
22 for these people. That seems to be the... the easy  
23 switch to turn on. And I'd like you to do it. Thank  
24 you.

2 CHAIRPERSON FARIAS: Thank you so much for your  
3 testimony. Ashwin?

4 MR. PADMANABHAN: Hi, my name is Ashwin  
5 Padmanabhan, and I'm a resident of Northern Battery  
6 Park City. A lot has been said already in my  
7 testimony. So I'll only say the things that have not  
8 been said.

9 My kids are woken up by helicopters every  
10 morning. The apartment shakes. 6:30 without fail, a  
11 shitty commuter helicopter from one of the airports  
12 headed to West 30th by the way.

13 I love the self-congratulatory note of you know  
14 reducing the cap to 30,000. But that is just  
15 ridiculous. 30,000 is two flight paths. 60,000.  
16 200 working days. That's 300 flights a day, 10  
17 hours, one flight every two minutes. That's just the  
18 tourists from the downtown heliport, every two  
19 minutes. Our place: Every 30 seconds there is...  
20 there is a helicopter. Every 30 seconds. You  
21 can't... we stopped using the park. We have stopped  
22 family picnics. We have not gone to Governors  
23 Island. We pray for foggy, dry days, which are the  
24 only days you can use the park. And this is  
25 Rockefeller Park. This is all of Hudson River Park.

2 This is all of the Brooklyn waterfront. I moved here  
3 from London. I've been here 12 years, this is the  
4 most bizarre thing I have seen, for 8 million New  
5 Yorkers to suffer for what? I just... I just don't  
6 get it. I've seen my daughter and her friends trying  
7 to play soccer and not able to call out to someone 10  
8 feet away because there's a chopper overhead.

9 Always. Just go there right now. It's always there.

10 This is... I mean, I don't understand this debate.

11 Honestly. And yes, we know we live in a messy  
12 democracy, but this is ridiculous. This doesn't...  
13 address even economic arguments. So please stop  
14 them. Do something.

15 CHAIRPERSON FARIAS: I appreciate your testimony.

16 And I do want to vocalize like, this hearing has  
17 happened and is happening today because of the  
18 conversations I've been having, because of the people  
19 coming into each of our offices, and the complaints.

20 We want to hear from folks like you to better  
21 understand how we need to push harder. And so I just  
22 want to say thank you for showing up for yourself,  
23 for New Yorkers, for your kids, for the soccer team.

24 It's appreciated. You know we're... we're going to  
25 work from this day on... forward, we're going to work

2 harder on trying to find mitigations and work towards  
3 the bills that we have.

4 I will now call up... Thank you both. I'll try  
5 one time just in case, Charles Kominoff and John Ost?  
6 Okay. And if there's anyone here that has not been  
7 called up to give public testimony, please raise your  
8 hand and notify me. If not we're going to move  
9 towards the virtual testimony that we have.

10 Sure. What's your name?

11 You can come up. Yes, you can come and give  
12 public testimony.

13 You're the one. I'm calling you up.

14 Fern, just state your name before you begin for  
15 the record, okay?

16 MS. ZIMMER: My name is Fern Zimmer. Can hear  
17 me? I'm a recent member of Stop the Chop, and I  
18 probably can't add anything more than Andrew said.  
19 But I am concerned about the noise and air... air  
20 pollution and the impact of the amount of fuel that  
21 would have to use proportional to the community.  
22 It's outrageous. We have to get rid of fossil fuels  
23 anyway. And I'm... I'm concerned about quiet  
24 helicopters in the future, I just not sure that...  
25 that'll solve the problem. Even... it'll just make

2 noise that maybe humans might not be sensitive to it,  
3 you still have change in frequency of air, which can  
4 be damaging, especially. I haven't heard any  
5 animals' testimony today.

6 So we need a diverse environment, especially in  
7 New York City. And Central Park is sort of a haven  
8 for that. And in my experience, it has been  
9 interrupted any kind of a restful and healing  
10 experience which nature can do immediately. And  
11 that... that is true vibrationally. You can pick up  
12 the vibrations of other people even as soon as you  
13 step from the park. You get to the... the buildings  
14 and in the cement, your vibe changes completely.

15 And so the vibration of a helicopter that might  
16 not be as loud, it still gives a vibration of  
17 technology that is adverse to our physiological  
18 systems. I question also the automated systems,  
19 working in the hospital systems, under biomedical  
20 engineering for 17 years in New York City hospitals.  
21 What made it systems get just things more complicated  
22 and people who use them don't understand them? Like  
23 if you have a temperature monitor to automatically  
24 people don't know the concept of whether it's the  
25 test what the alarm is for, so I don't have

2 confidence in just increasing in technology also.  
3 And in experienced shamanistic experience in the  
4 park, of I have had a bird come up to me to try to  
5 give information, they could tell that I'm an acute  
6 hearing person, a little over my head direct just  
7 right over twice and then did a dance for way over  
8 two or three minutes that you're allowing here. They  
9 wanted my attention. And soon after that, bike  
10 riders went quickly, with electric bikes, without  
11 helmets without looking at who's in the crossway and  
12 an elderly woman was saying someone should talk to  
13 the officials. So I think it is a message that their  
14 air space will be affected by bird flights, specially  
15 water. You've been fighting over water. And so I  
16 really want to ban completely unessential helicopter  
17 use completely. That's just the thing to do. And  
18 it's within your power, I think.

19 CHAIRPERSON FARIAS: Thank you so much for your  
20 testimony. We're now going to move to the public  
21 testimony... public virtual testimony. I'd like to  
22 call Eric Eisenberg, Steve Anderson and Melodie  
23 Bryant. Eric, You can go when you are ready.

24 I'm just calling once again. Eric Eisenberg  
25 you're unmuted but we're calling.



2 Okay, so we're going to move on from Eric until  
3 he's actually ready. I'm going to call up Steve  
4 Anderson. You can begin.

5 MR. ANDERSON: Can you hear me okay now?

6 CHAIRPERSON FARIAS: Yes.

7 MR. ANDERSON: Well, thank you. My name is Steve  
8 Anderson, and I am a 40 year resident of the Upper  
9 West Side, and I serve as the President of the  
10 Theodore Roosevelt Park Neighborhood Association, and  
11 the Upper West Side Coalition of Block Associations  
12 and Community Groups. Let me be brief and clear.  
13 There's lots of details and data. But  
14 Councilmembers, and my fellow New Yorkers, let's keep  
15 it real. This situation is simply nuts. 60,000 or  
16 30,000 flights, and almost all unnecessary. The  
17 level of helicopter activity is an aerial assault on  
18 our community, unacceptable harassment, and of  
19 course, it must be curtailed. And this is a  
20 situation that demands comprehensive attention,  
21 timely attention by the Council and in coordination  
22 with state and federal agencies. Let's talk about  
23 what can be done, not what we haven't been able to  
24 do. This is not about visitors to our city. It  
25 looks and sounds all too often like we're under

1 attack. Stop this aerial bombardment, is what I say.  
2  
3 Leave the skies for those aiding people in distress,  
4 seeking to increase security, and providing news  
5 reporting about events occurring within our city. We  
6 did not sign up for this, this incessant harassment.  
7 It is as if we have been taken hostage on a never  
8 ending no-doors chopper nightmare. Close the doors,  
9 New York City Council. End this bad trip. Special  
10 thanks to all who have worked so hard in this cause,  
11 especially to Stop The Chop coalition, and my own  
12 Council member Gale Brewer. It's now up to you in  
13 New York City Council. Join this movement. Thank  
14 you.

15 CHAIRPERSON ABREU: Thank you, Mr. Anderson.  
16 Next, we'll hear from Melodie Bryant, followed by  
17 Alexis Arcos Duntov, and then Arlene Bronzeff.  
18 Melody Bryant, you can begin when the sergeant's call  
19 time.

20 SERGEANT AT ARMS: Time has begun.

21 MS. BRYANT: You can hear me? Yes.

22 COUNSEL: Yes.

23 MS. BRYANT: Okay. My name is Melody Bryant. So  
24 thank you for taking my testimony today. Helicopters  
25 over our parks, our adjacent islands, our botanical

1 gardens, our waterfronts have made both rivers and  
2 their adjoining parks unlivable. We do not need a  
3 new operator of these heliports. We need there use  
4 to be drastically reduced to emergency and hospital  
5 uses, not expanded for waterborne freight or any  
6 other purposes. No cities in Europe have these, and  
7 New Yorkers deserve better. Air tourism is not a  
8 fait accompli as NY EDC would have us believe, and if  
9 by the way, anyone really wants a great overhead view  
10 of New York City. It would behoove tourists and  
11 residents of New York to visit the Queens Museum  
12 panorama It is fantastic. You'll find your own house  
13 there.

14  
15 The industry knows full well what it's doing.  
16 These heliports stink up our greenways in promenade  
17 the wind carries the smell of benzene up and down the  
18 waterfront, and electric helicopters are noisy. To  
19 say otherwise as an outright lie. Electric  
20 helicopters under rivers or overland will be noisy  
21 harassment.

22 As for reporting, I understand the app may be  
23 better but where we used to be able to report on 311,  
24 we are now forced to report to the two organizations  
25 which are pro-business or pro-aviation, the NY EDC,

1 or the FAA. I call on the city to reinstate straight  
2 up 311 Helicopter complaints where our comments are  
3 not analyzed by the very organizations which have an  
4 interest in ignoring them. I personally have given  
5 up reporting because of this. Furthermore, the NY  
6 EDC and FAA will never be collaborators with New  
7 Yorkers that their business is harassing. To call  
8 them that is disingenuous at best.

10 These heliports are used and sometimes abused by  
11 the NYPD, which flight radar 24 shows off joy rides  
12 over us and harasses free speech protests like Black  
13 Lives Matter and FDNY. They're used by news  
14 organizations which could easily be handled  
15 collectively and most efficiently by drones. They're  
16 used for wealthy commuters and others will address  
17 this inequity in tour flights.

18 But clearly the biggest issue was the tour  
19 flights. Even if all of these flights keep to the  
20 rivers. They make the promenade along the rivers a  
21 punishing experience. We can't go to them anymore if  
22 we want any peace. I visited the Brooklyn waterfront  
23 to see an art exhibit and I agree with Lincoln  
24 Restler, the den of helicopters idling and circling  
25 the Brooklyn Bridge literally drove us out. And the

1 same goes for the... the rivers further down on in  
2 Manhattan. Like electric helicopters won't change  
3 this.  
4

5 I call on the city to close these hellebores to  
6 non-essential flights including news organization  
7 flights which can be placed by drones, to drastically  
8 reduce NYPD and FDNY flights, and to refuse it any  
9 permits for last-mile freight use. Truly emergency  
10 and hospital uses are the only ones that should be  
11 allowed. Instead of these punishing heliports, New  
12 Yorkers and tourists could have hockey rinks, roller  
13 rinks more Parkland for people and dogs, gardens,  
14 restaurants, event spaces, and other more creative  
15 and quieter, safer uses. [bell rings]

16 SERGEANT AT ARMS: Time expired.

17 MS. BRYANT: Please give us back our waterfronts  
18 and our Parklands as refuge from daily commerce. Let  
19 us once again have places to walk, think, dream, and  
20 have a conversation and peace. Thank you.

21 CHAIRPERSON ABREU: Thank you Miss Bryant. Next  
22 we'll hear from Alexis Arkus Duntov, followed by  
23 Arline Bronzaft, and Beth Browde. Alexis Arkus  
24 Duntov, you can begin when the sergeant's call time.

25 SERGEANT AT ARMS: Time has begun.

2 MR. MANNING: Hi, actually, this is Roger  
3 Manning. For some reason the email link that I got  
4 makes my name show up as Alexis. My name is Roger  
5 Manning. I'm from the Metro Area Governors Island  
6 Coalition. And Governors Island in the middle of New  
7 York Harbor is a unique public space with a historic  
8 district, national monument, high school, parklands,  
9 and many arts and environmental projects.

10 Sightseeing helicopter noise seriously impacts  
11 the island on a daily basis. Particularly due to the  
12 peacefulness of the island, the overhead traffic has  
13 been described as soul crushing. Nearly all the  
14 helicopters affecting Governors Island are  
15 sightseeing helicopters. The bulk of the bulk of the  
16 loudest flights come from Manhattan. And of course  
17 there are many tourists coming from New Jersey as  
18 well. Rerouting over water doesn't help in the East  
19 River and Buttermilk... Buttermilk Channel, which  
20 separates Brooklyn from Governors Island, because  
21 those are very narrow. It's... The flights are  
22 practically overland in those area... areas. It  
23 should be noted that most of Governors Island users  
24 are not aware of 311 reporting for helicopters, which  
25 might explain lower complaints from that area.

2 Limiting to daytime hours over Governors Island  
3 doesn't work at all because that's when Governors  
4 Island is most active, particularly with the high  
5 school, and the tour flights do not end at 7 pm, and  
6 Sundays are inundated with sightseeing helicopters.

7 Councilmember Brewer is correct: The only answer  
8 is eliminating unessential helicopter flights in New  
9 York City via Congress... Congressman...,  
10 Congressperson Nadler's bill.

11 A New York City Audubon member, by the way is  
12 doing a study regarding helicopters effect on birds.  
13 I hope to see that at some point. MAGIC has a new  
14 YouTube... YouTube video series called Choppers Per  
15 Hour, and this statement is being... a written copy  
16 of this statement is being submitted. There'll be  
17 links in that. Thank you very much.

18 COUNSEL: Thank you Mr. Manning. Next we'll hear  
19 from Arline Bronzaft, followed by Beth Browde, and  
20 Debra Lapadula.

21 MS. BRONZAFT: Arline Bronzaft. You can hear me?

22 COUNSEL: Yup. We can.

23 MS. BRONZAFT: Yes?

24 COUNSEL: Yes.

2 MS. BRONZAFT: Thank you. I'm a professor  
3 emeritus of the City University of New York, and I  
4 also serve on the Board of GROWN NYC overseeing its  
5 noise activities. I do research and write on the  
6 adverse impacts of noise on mental and physical  
7 health. I also speak internationally on the noise  
8 pollution. Noise pollution damages our health.  
9 Let's use the correct word. We talk about quality of  
10 life, but what that means is we're not living a  
11 healthy lifestyle. We cannot enjoy our backyards,  
12 our patios, our parks. We cannot sleep because of  
13 noise intrusions. And it diminishes our ability to  
14 engage in normal activities that are needed for a  
15 decent quality of life and decent health.

16 Furthermore, noise has been shown to increase  
17 stress, cause loss of sleep, lead to physiological  
18 disorders, and yes, it can lead to cardiovascular  
19 disorders, and an increase in admissions to hospitals  
20 for these disorders. The literature is plentiful.  
21 In my written statement, I attached citations to the  
22 literature.

23 What is failing is that the policy and the  
24 actions to reduce noise lag behind. We know what to  
25 do about it. I heard Councilmember Gale Brewer and



2 Mr. Rosenthal speak to it. We know what to do. We  
3 just haven't had the will to do it. Noise is a  
4 health hazard. Noise diminishes the ability of our  
5 children to learn in schools exposed to noise, and my  
6 research on that was landmark research conducted over  
7 40 years ago.

8 So I want to put... put this straight to the  
9 Council: Should you need my assistance, you could  
10 always personally contact me. You can go to AOL,  
11 Google, and get the articles that I've written, and  
12 they are readily accessible.

13 But let me add another point. In hearing EDC  
14 talk, I heard them say they react to the complaints.  
15 They do take action, but they didn't specify the  
16 actions. And they didn't do one other thing: Did  
17 these actions lead to a reduction? Did they do the  
18 adequate studies? Yes, I'm an academic. Yes, I've  
19 taught statistics. And I know in the movie, Jerry  
20 Maguire, it said show me the money. I would say show  
21 me the data that has definitely... [bell rings]

22 SERGEANT AT ARMS: Time expired.

23 MS. BRONZAFT: indicate... Thank you very much  
24 and should you need my personal assistance, please  
25 contact me. Thank you.

2 COUNSEL: Thank you, Ms. Bronzaft. Next we'll  
3 hear from Beth Browde, followed by Debra Lapadula and  
4 Elizabeth Chow. You can start when given the  
5 sergeant's call.

6 SERGEANT AT ARMS: Starting time.

7 MS. BROWDE: My name is Beth Browde. And I am a  
8 perfect case study for Arline. I live half a block  
9 from Central Park on 85th Street. And I... although  
10 I have a small apartment I'm very lucky to have a  
11 large private garden which I've attended for almost  
12 30 years, from being a dump to being this beautiful  
13 respite. But over the past three years, helicopter  
14 traffic has become a constant. Rarely do we have  
15 more than 5 to 10 minutes respite from the noise, and  
16 it is a huge stressor, it disrupts my train of  
17 thought when I'm working. During the summer I  
18 couldn't take a work call from the garden without  
19 wearing noise cancelling headphones. And at the end  
20 of the day, especially on Fridays, I can't sit in the  
21 garden and relax because the noise is nonstop, and it  
22 is harming my physical and mental health. It raises  
23 my blood pressure. It makes me constantly on the  
24 edge. And then the last time I went to do the one  
25 stress reliever that I love the most, running, I was

1 running on the Hudson River Park and it was like  
2 running on a runway. It was nonstop helicopters.  
3 It's the same very often in Central Park, but I was  
4 especially astonished at the level of noise in Hudson  
5 River Park. Very little, if any, of this noise is  
6 necessary. Tourists and impatient rich people should  
7 not have the right to inflict this kind of stress and  
8 damage on others. Even news organizations don't need  
9 to hover for hours getting B roll footage of a  
10 concert in the park. In that, I ask the city Council  
11 to do everything you can to prevent any nonessential,  
12 police, or medical emergency traffic anywhere in the  
13 city. Thank you.

14  
15 COUNSEL: Thank you, Ms. Browde. Next we'll hear  
16 from Debra Lapadula, followed by Elizabeth Chow, and  
17 then Ken Coughlin. Deborah, you may begin when the  
18 sergeant calls time.

19 SERGEANT AT ARMS: Starting time.

20 MS. LAPADULA: Good afternoon. Hello. Can I be  
21 heard?

22 COUNSEL: Yep. Yep, we hear you.

23 MS. LAPADULA: Okay, yes. Good afternoon. Thank  
24 you for allowing me to speak today. I've heard many  
25 speaking from Manhattan and Brooklyn. Well, I'm on

2 the other end here in Queens by JFK Airport. JFK is  
3 almost a few steps from my place to residents of the  
4 Lindenwood Howard Beach area. 25 years a resident  
5 here, it was a peaceful time. In these last six  
6 years or so, I would say once I have the issue is  
7 with Blade and the... whatever air taxi services.  
8 They fly over my home and my community is more mostly  
9 single family homes, and six-level high rise  
10 condominiums and co-ops which I'm in a high rise  
11 condo, six levels high. From 7:01 every morning  
12 until 11 pm at night, these helicopters fly lower and  
13 lower. On bad windy days, rainy days, even snowy  
14 days, they come lower that I feel they're going to  
15 come right through the roof of my building. I have  
16 an 85-year-old mother who is with a stroke patient,  
17 had six heart attacks. This is impacting her well-  
18 being. She suffers daily headaches from this. I  
19 myself can't even think half the time. These  
20 helicopters. I'm on phone calls for working all.  
21 And people are like, "Are you at the airport?" I'm  
22 like, "Pretty much." They need to cease this. I  
23 have reached out for these last several years, to  
24 local officials to my congressman, to my city Council  
25 who is new as of this year. And recently, I was told

2 by her chief of staff, it's a business, there's  
3 nothing we can do about it. You just have to  
4 tolerate it. No, we should not have to tolerate this  
5 type of behavior. I've sent a lot of videos showing  
6 birds flying in the path of these helicopters. And  
7 they're every two minutes going over our heads.  
8 They're over the schools, they're over a house of  
9 worship. There's a senior home just in the path.  
10 Something has to be done to cease it. Even going the  
11 waterways is not going to make a solution for this.

12 I wish that someone would do a study here on my  
13 corner, by my home to see the... the quality of life  
14 that's being destroyed here. Our health is being  
15 impacted here in many ways. I have veterans that  
16 live in my building. And speaking with one of them  
17 says, "I feel like I'm back at war." This is not  
18 fair to us, for Blade for their five minute enjoyable  
19 lack of congestion, for \$200, to fly over our homes  
20 needs to cease immediately. There should be no other  
21 solution but to cease them. And I feel sorry for  
22 those that are being exposed to the tourists also.

23 SERGEANT AT ARMS: Time expired.

24 MS. LAPADULA: So please, someone help us out  
25 here in Queens. No one is helping us out here.

2 COUNSEL: Thank you, Ms. Lapadula.

3 MS. LAPADULA: Thank you.

4 COUNSEL: Next, next we'll hear from Elizabeth  
5 Chow, followed by Ken Coughlin and Marie Timell. Ms.  
6 Chow, you may begin when the sergeants call the time.

7 SERGEANT AT ARMS: Starting time.

8 MS. CHOW: Yes, thank you, Council members for  
9 holding today's hearing, and thank you to the  
10 Economic Development Council for their testimony on  
11 this important topic. And thank you for allowing me  
12 to testify. I'm a resident of Manhattan. I live on  
13 the Upper East Side. And I want to urge the city  
14 Council to do everything it can to ban all non-  
15 essential helicopter traffic in the skies above New  
16 York City. This traffic is polluting in terms of  
17 air, noise, and adds a level of danger to our city  
18 that we can hardly tolerate in such a densely  
19 populated space. It's hard for me to measure the  
20 impact of this army of non-essential helicopters on  
21 the quality of air I breathe. It's likewise hard for  
22 me to predict when and where one of these accident  
23 prone vehicles will fall from the sky and land on me,  
24 or my children, or my neighbors. But what I can know  
25 is the impact of the noise that these invaders make

2 in our community. When I'm sitting in my apartment  
3 and I hear helicopters flying by on their way to  
4 Central Park, my concentration and work efficacy are  
5 degraded. When I am taking a walk in Central Park  
6 seeking a brief respite from the noise and chaos of  
7 the city as so many New Yorkers do, the peace is  
8 shattered continuously and constantly by helicopters  
9 flying in from New Jersey, Long Island, other parts  
10 of New York City and who knows where else, and  
11 hovering over the park for minutes, and minutes, and  
12 minutes on end.

13 This increasing prevalence of non-essential  
14 helicopters has degraded the quality of life for all  
15 New Yorkers. Why? So that a very few wealthy  
16 tourists can have an exciting sightseeing experience,  
17 and so a few extremely wealthy residents of New York  
18 and its environs can get to the airport faster than  
19 the rest of us, or get to their mansions in the  
20 Hamptons by flying over the heads of their fellow New  
21 Yorkers who have to suffer the noise, and air  
22 pollution, and hazardous conditions they create.

23 This is clearly a situation that requires local  
24 government intervention to curb the excesses of these  
25

2 abusers and the helicopter operators who enable and  
3 profit from their selfish behavior.

4 Please act now to ban all non-essential  
5 helicopter traffic in and around the skies of New  
6 York. New York can be a leader in this regard, and  
7 set the example for other locales like New Jersey,  
8 and please engage soon and vigorously with other  
9 entities with which we must contend in this fight  
10 against the quality of life here in New York City.

11 Engaged with New Jersey. Engage with the FAA.

12 There's no reason that New York City residents should  
13 have to accept that helicopters coming across from  
14 New Jersey are ruining our lives here in Manhattan.

15 Thank you very much for listening. And thank you  
16 for holding this hearing.

17 COUNSEL: Thank you, Miss Chow. Next we'll hear  
18 from Ken Coughlin, followed by Marie Timell, and then  
19 Mark Bierman. Mr. Coughlin, you may begin when the  
20 sergeants call time.

21 SERGEANT AT ARMS: Starting time.

22 MR. COUGHLIN: Thank you, Committee Chairs Farias  
23 and Abreu for holding this important hearing. And  
24 thank you, Councilmember Brewer for your yearslong  
25 leadership on this issue. My name is Ken Coughlin,



2 and I'm speaking on behalf of Manhattan Community  
3 Board 7. Community Board 7 encompasses the Upper  
4 West Side of Manhattan from 59th Street to 110  
5 streets. Over the last several years, our district  
6 has experienced an unprecedented surge in tourist and  
7 commuter helicopter flights traveling up and down the  
8 Hudson River, and across the district to and from  
9 points east.

10 In city fiscal year 2022, helicopter noise was  
11 the top complaint to the 311 system in our community  
12 district, accounting for more than 10,000 complaints  
13 filed. In January 2020, our community board voted  
14 unanimously to support our elected officials efforts  
15 to reduce helicopter traffic in the city, including  
16 federal legislation that would prohibit all non  
17 essential (meaning tourist and commuter) helicopter  
18 flights within New York City airspace. One year  
19 later, also by unanimous vote, we called on the city  
20 to end its promotion of tourist and other non-  
21 essential helicopter flights on the website NYC And  
22 Company, which is the taxpayer-supported official  
23 destination marketing organization for the five  
24 boroughs. This promotion of helicopter flights  
25 subsequently ended.

2 Manhattan Community Board 7 urges city agencies  
3 to end the excessive and harmful noise pollution,  
4 terrorism risks, and climate, and environmental  
5 impacts of non-essential helicopter flights by  
6 completely eliminating them over New York City skies.  
7 Although we haven't yet taken a position on specific  
8 Council legislation, we support closing New York City  
9 Hall upwards to nonessential flights. Thank you

10 COUNSEL: Thank you, Mr. Coughlin. Next we'll  
11 hear from Maria Timell, followed by Mark Bierman, and  
12 Stephanie Meket. Ms. Timell, you may begin when the  
13 sergeant's call time.

14 SERGEANT AT ARMS: Starting time.

15 MS. TIMELL: Hello, I'm Marie Timell. I live on  
16 the Upper West Side of Manhattan. I've been involved  
17 in the helicopter matter for since 2012, attending  
18 City Council meetings, testifying at town halls,  
19 attending rallies, and I'm sorry to say we haven't  
20 had much progress. In fact, things are worse now.  
21 At each meeting I ask this question: How is this a  
22 democracy, when the needs of the few outweigh the  
23 good of the many, or the millions? How? I live  
24 between two of the greatest parks in the world on the  
25 Upper West Side: Central Park and Hudson River

2 Riverside Park. These parks are strafed continually  
3 by helicopter traffic. My block is a main route down  
4 my street to get to these parks. These parts are  
5 major destinations for helicopter traffic as far away  
6 as Boston and Philadelphia. They come to go over our  
7 reservoir and disturb the walkers there. Our parks  
8 were made for the people of New York to enjoy peace  
9 and solace. How is it that we cannot have peace and  
10 solace in our parks? Noise is not just noise. It's  
11 also vibration. My experiences I've been woken up at  
12 6 am and at midnight by low-flying, fast-traveling  
13 helicopters, shaking in my bed from the vibration of  
14 these wildcats and joy riders. Call me OCD but I've  
15 been tracking these machines for many years using the  
16 flight... the plane-finder app. You can see exactly  
17 what is in the air. I have hundreds if not thousands  
18 of screenshots of misbehaving aircraft. Nothing that  
19 the New York EDC testified to reflects my experience  
20 in observing these flights on the app. In fact, I'm  
21 very concerned. At Carolyn Maloney's townhall issue  
22 on the matter, I was told that helicopters were given  
23 the right to turn their transponders off in case  
24 investment bankers were being tracked to deal  
25 locations. You know what I'm finding now? Most of

1 them don't have their transponders on. I can't take  
2 screenshots of their misbehavior anymore. And  
3 they're misbehaving worse than ever, flying low,  
4 flying fast, doing whatever they want. Nobody's  
5 watching them, and all I think about is 911 and  
6 terror from the air. Not to mention that these  
7 aircraft are inherently unstable, and in 2012, I  
8 provided a complete list of every helicopter crash...

9  
10 SERGEANT AT ARMS: Time expired.

11 MS. TIMELL: Thank you. I thank the members.

12 Thank you.

13 COUNSEL: Thank you, Ms. Timell. Next is Mark  
14 Bierman, followed by Stephanie Meket, and then we'll  
15 try one more time for Alexis Arkus Vintoff after  
16 that. Mr. Bierman, you may begin when the sergeants  
17 call time.

18 SERGEANT AT ARMS: Starting time.

19 MR. BIERMAN: Thank you. Thank you for holding  
20 this hearing, and for members of the committee. I'm  
21 sorry most of left already. But I'm going to  
22 abbreviate my remarks. I know you've heard a lot of  
23 this but: A Sikorsky S92A helicopter, the same  
24 helicopter made for the military, known as the  
25 Blackhawk, is modified for civilian use for 19

1 passengers, thunders a few hundred feet, directly  
2 over my apartment. I could feel my heart start to  
3 race, my blood pressure rise, my anxiety levels soar.  
4 The walls of my apartment literally shake and vibrate  
5 from the explosive ear-splitting sounds of the twin  
6 CT7-8A 2520 horsepower engines and beating 56 foot  
7 blades. According to the FAA noise studies, these  
8 helicopter sounds can exceed 100 decibels at  
9 altitude, where hearing damage can occur at over 80  
10 decibels. In the past year. Helicopters flying at  
11 extremely low altitudes have proliferated, criss-  
12 crossing my residential neighborhood, sometimes as  
13 often as once every five minutes. They begin as  
14 early as 5 am and sometimes go until after midnight.  
15 It is unbearable. It is hellish. It is  
16 unsustainable. It is making residential  
17 neighborhoods throughout New York City in these  
18 flight paths unlivable. It is impacting the lives,  
19 and health, and well-being of hundreds of thousands  
20 of New Yorkers. It is subjecting infants and  
21 children to the perpetual deafening sounds of these  
22 helicopters. It is subjecting New Yorkers to the  
23 high levels of toxic jet fuel exhaust they emit. It  
24 makes it impossible to enjoy one's home and family  
25

1 time, to work at home, to study at home, to put  
2 children to sleep. A walk in the park is becoming  
3 like a walk along the jet airport landing strip or a  
4 military air base. Our homes have become prisons of  
5 an inescapable constant extreme explosions of  
6 deafening noise. Noise levels that have been shown  
7 to contribute to or exacerbate illness.  
8 Irresponsible and arrogant owners and boards of these  
9 helicopter companies have refused reasonable requests  
10 that they fly destination flights over the water not  
11 residential neighborhoods. These operators in the  
12 boards have shown that they care nothing for New York  
13 or its residents. Some operators and their board  
14 members apparently believe that they're well placed  
15 political connections afford them unbridled licence  
16 to destroy our neighborhoods. That these operators  
17 are allowed to use publicly owned facilities to make  
18 New York sound like a warzone is a travesty. It must  
19 stop, and it must stop now. And I just want to say  
20 that I understand that the West Side facility is...  
21 is subject to state control. And I think that the  
22 city Council in addition to shutting down these East  
23 side's facilities really needs to make a concerted  
24 effort to work with the Governor's Office, the state  
25

2 senators and assemblymembers, the FAA, Chuck  
3 Schumer's office and the EDC to shut down this...  
4 this West Side facility. It is making...

5 SERGEANT AT ARMS: Time expired.

6 MR. BIERMAN: Well thank you very much for your  
7 time. I appreciate it.

8 COUNSEL: Thank you Mr. Bierman.

9 Next, we'll hear from Stephanie Meket, and then  
10 Alexis Arkus Duntov. And as a reminder, if you have  
11 signed up to testify and your name has not yet been  
12 called, please use the zoom raise hand function on  
13 Zoom, or raise your hand if you're here in person.  
14 Ms. Meket, you may begin when the sergeant's call  
15 time.

16 SERGEANT AT ARMS: Starting time.

17 COUNSEL: Stephanie Meket, are you here?

18 MS. MEKET: Can you hear me?

19 COUNSEL: Yes. We can hear you now.

20 MS. MEKET: Okay, great. Thank you for hosting  
21 this... this meeting. I really appreciate it. My  
22 comments... First of all, I second everything that  
23 has been expressed so far, I wish to use my time to  
24 focus on two or three detailed points as followup to  
25 what I heard today.

2 First of all: And this is somewhat for city...  
3 more for City Council, then perhaps EDC. You know,  
4 something to think about. If... if the helicopters  
5 can zoom around the way they do under the guise or  
6 premise of economic development, then why is it that  
7 other major metropolitan cities of our size, Paris,  
8 London, et cetera, can somehow develop their economic  
9 prosperity without the city proper becoming a  
10 heliport, as if to say, economic development, and the  
11 well-being of the residents are not mutually  
12 exclusive. And I would implore you all to think  
13 about that.

14 As a corollary to that, if it's good enough for  
15 the Disney Corporation, to -- with all of their  
16 political and money connections -- ban helicopters  
17 over all Disney properties, then by God, it's good  
18 enough for the 8 million residents of New York City.

19 So that's one thing. Secondly, it literally made  
20 me sick to my stomach to hear that the fines are...  
21 the mild rub on the wrist of a warning, and then  
22 \$1,000 fine for major corporations that make millions  
23 of dollars? That's appalling. And it seems to me  
24 that the City Council has the power to impose a  
25 bigger stick and a sharper stick for violators. I



mean, I don't get a warning for a parking ticket.

That's ridiculous. It made me sick to my stomach.

Thirdly, this 311 call in charade: I second those who say, "Listen, I called in, and then I stopped calling in because it was a joke." Here's the joke. You call in. The operators do... they read off a list. It's very formulaic. Okay? Then you're grilled... you know, a public citizen who like has a business to run and a life who lead. I'm grilled about color and this or that.

SERGEANT AT ARMS: Time expired.

MS. MEKET: And... and I have to prove that it was a tourist helicopter. The EDC does not follow up on those calls. I can personally testify to that fact. So I am encouraging the City Council to step it up. The EDC is not doing their job in terms of follow up, in terms of fines, in terms of a balance between economic development and the well-being of residents. And this... oh, and lastly, related to the 311 calls, less than 5% of complaints are regarding non-essential helicopters. That's nonsense. That's a false negative. You have folks like me who... who have a life. I'm not running around with apps and...

2 SERGEANT AT ARMS: Time expired.

3 MS. MEKET: Okay, I think you get the idea.

4 CHAIRPERSON ABREU: We do. We do. We do. Thank  
5 you.

6 CHAIRPERSON FARIAS: Thank you so much for your  
7 testimony. As we don't see any other hands raised or  
8 anyone here identifying that they have any testimony,  
9 I will begin to close. I just want to state: Thank  
10 you to the public for showing up today, and really  
11 giving us the largest perspective of what you are all  
12 dealing with.

13 Sorry. I just noticed in our virtual testimony,  
14 Alexis Arcus Duntov. If you are ready to testify,  
15 you'll have to accept the unmute. And you can  
16 begin...

17 SERGEANT AT ARMS: Starting time.

18 MR. VAN DER VALK: Okay. Can you hear me? Yes.

19 My name is not Alexis. My name is Lowell Van der  
20 Valk. I'm president of Carnegie Hill Neighbors a  
21 preservation and quality of life organization, a  
22 membership organization on the Upper East Side.  
23 We... we border Central Park, and I can tell you that  
24 in the last six years, the problem of helicopter  
25 noise has accelerated. And we... you know, we were

2 in early touch with... some four years ago with  
3 Council member Carolyn Maloney. And at that time, it  
4 was considered that a letter to the FAA would be  
5 appropriate, but it turned out that that was going  
6 nowhere. And that is when she drafted the  
7 legislation that we are all aware of. And that has  
8 been joined by Jerry Nadler and Nydia Velázquez and  
9 others. However, we know that it's very difficult to  
10 get any legislation through Congress at this time.  
11 We are concerned about the... about the noise. And,  
12 and the unfairness, of course... I don't want to say  
13 unfair, but it's not... it's not reasonable to allow  
14 the few to impose such hardships on the many. And,  
15 you know, Central Park is an exemplar of the great  
16 parks of New York City. It was built to be a respite  
17 from city life. And now... now, we have all these  
18 helicopters that are destroying that experience and  
19 that is multiplied all over the city. So we are...  
20 we are... we would support eliminating non-essential  
21 helicopters, that is tourism helicopters and commuter  
22 helicopters, if possible. And if other measures  
23 could be taken to go in that direction, we would be  
24 supportive of that.

2 We thank this committee for... for refocusing on  
3 this matter. We hope this committee will... will  
4 continue to pursue this matter over the coming  
5 months, and even years, because we know things take  
6 time to accomplish. And so we just want to thank  
7 you.

8 And I want to add one more thing. We thought at  
9 first that all these helicopters were coming from New  
10 Jersey, and there was nothing we could do because  
11 it's another state. And now we learn that so many  
12 helicopters are originating in New York City and from  
13 these very heliports that we mentioned, that you are  
14 concerned with. So this... this may be a fruitful  
15 first... first avenue for you to pursue. Thank you  
16 so much for allowing us to speak and voice our  
17 concerns. Thank you.

18 CHAIRPERSON FARIAS: Thank you so much.

19 MR. VAN DER VALK: Oh, by the way, I will submit  
20 a written statement.

21 CHAIRPERSON FARIAS: Wonderful. I love written  
22 statements. Thank you so much for your testimony and  
23 for being patient with us as we walked through  
24 getting everyone heard today.

2 With that, seeing no one else in the room, and no  
3 one would have raised a hand online, I'd like to just  
4 say thank you again to everyone for testifying today.  
5 There is a lot more work that needs to be done and  
6 your testimony has brought a lot of that to light. I  
7 think this Council is excited and engaged to see what  
8 we can work with the EDC on, and how we can keep  
9 advocating for all of the concerns that were brought  
10 forward.

11 So with that, I'd like to conclude this hearing  
12 and thank everyone again.

13 [GAVEL]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date 12/05/2022