



THE SENATE
STATE OF NEW YORK

**JOINT TESTIMONY OF STATE SENATORS DANIEL SQUADRON AND BRAD
HOYLMAN REGARDING CITY COUNCIL INTRODUCTIONS 858 AND 859**

November 12, 2015

Our names are Daniel Squadron, and Brad Hoylman, and we represent the 26th and 27th Districts in the New York State Senate. The 26th District includes the Manhattan neighborhoods of Tribeca, Battery Park City, the Lower East Side, Chinatown, the Financial District, Greenwich Village, Little Italy, SoHo and the East Village and the Brooklyn neighborhoods of Greenpoint, Williamsburg, Vinegar Hill, DUMBO, Fulton Ferry, Brooklyn Heights, Cobble Hill, and Carroll Gardens. The 27th District includes Greenwich Village, Chelsea, Clinton/Hell's Kitchen, Upper West Side, Times Square, Columbus Circle, Midtown and the East Village.

We would like to thank Environmental Protection Committee Chair Councilmember Costa Constantinides for convening this hearing, and for the opportunity to testify on the ongoing need to ban tourist helicopters, as well as Councilmembers Menchaca, Rosenthal and Chin for sponsoring Introductions 858 and 859 on this issue.

Since 1997, nonessential tourist helicopters have become increasingly concentrated in a few neighborhoods in the city, centered in our districts. Under a 1997 decision by then-Mayor Giuliani, upheld by a 1998 court ruling, the East 34th Street Heliport eliminated tourist helicopter operations. Subsequently, in 2010, a lawsuit settlement also eliminated nonessential tourist helicopter operations from the 30th Street Heliport on the west side. Because of both of these developments, *all* tourist helicopter flights in Manhattan originate and conclude at the Downtown Manhattan Heliport.

In other words, downtown and the neighborhoods in the chop zone now endure the entire impact of tourist flights, even though only a fraction as much chop was unacceptable in other neighborhoods as far back as 1997.

This was a policy outcome that nobody thought a good idea. According to a *New York Times*' report on the 1998 court decision regarding the East 34th Street Heliport, the City intended to eliminate nonessential tourist helicopter operations at the Downtown Manhattan Heliport when they assumed control of it in 2005. In fact, the City's Heliport and Helicopter Master Plan of 1999, which helped make permanent the East 34th Street Heliport's nonessential tourist helicopter ban, said "Air tours, however, are not viewed as transportation and will not be supported at City-owned facilities." This is particularly significant given that the report was overseen by the Economic Development Corporation, who now operates the Downtown Manhattan Heliport.

As is clear from the long history of this issue, every neighborhood impacted by nonessential tourist helicopter noise has found it unacceptable and called for changes, as did the City administration and EDC itself through 1999.

What changed?

Certainly, the impact is still significant and burdensome.

In fact, the cost in and around New York Harbor of tourist flights being prohibited at the city's other heliports is higher than ever. Senator Squadron has long advocated for a Harbor Park -- a Central Park for the center of our city. A big part of our Harbor Park includes Brooklyn Bridge Park, Governors Island, and Hudson River Park, all of which have received enormous city and state investment, and inspiring growth in recent years. Unfortunately, as park users can attest to, nonessential tourist helicopters significantly diminish visitors' park experiences. We would be happy to host EDC, this committee and anyone else to a spring weekend on Governors Island. The chop is deafening and disturbing. It is clear that one cost of concentrating the entire impact of tourist flights in one community is that the City is compromising the experience of thousands park-goers at multi-hundred million dollar parks.

Along with Congressmembers Nadler and Velázquez and a long list of other colleagues, we have repeatedly raised concerns about the disproportionate and relatively recent concentration of tourist helicopters in certain parts of our city, many in our districts. Because of the route of helicopter tours, the impact continues from lower Manhattan, to Brooklyn Heights and Red Hook, and up Manhattan's west side. The distance between the districts of the bill's primary sponsors spans nearly 13 miles along the chop route. Last August, 20 NYC elected officials, led by Congressman Nadler, urged the Administration to ban tourist helicopters from the Downtown Manhattan Heliport including Congressman Velázquez, Borough Presidents Adams and Brewer, State Senators Hoylman, Montgomery, Savino, Assemblymembers Farrell, Jr., Glick, Gottfried, Ortiz, Rosenthal, Silver, and former Assemblymember Millman (who's successor, Assemblymember Simon, is also supportive), Councilmembers Chin, Johnson, Levin, Levine, Menchaca, and Rosenthal. This legislation is also co-sponsored by Public Advocate James, and Councilmembers Lander, Mendez, Rose, and Reynoso.

The fact that all tourist flights have now been shifted downtown is untenable.

Intros. 858 and 859 would require compliance with federal stage 3 noise limits from tourist helicopters departing city-owned heliports. Under the City's own Heliport and Helicopter Master Plan of 1999, which informed decisions including elimination of tourist helicopter flights from the East 34th Street Heliport under the Giuliani Administration, it was clear that the City did not support nonessential tourist helicopter operations at City-owned facilities. While this City Administration could unilaterally act to address these concerns, it has not moved forward.

These bills are so important because of the impact of tourist flights, and they so important because we have tried other solutions. In 2010, as the 30th Street Heliport settlement was finalized during the Bloomberg Administration, and the looming crisis was approaching, Senator

Squadron worked with Congressman Nadler and colleagues to secure new regulations, including changed flight paths, abolishing short flights, and increased city monitoring.

We have tried it, and it has not worked. By the Economic Development Corporation's own account, few, if any, violations have been issued. Until our office's recent intervention, the standard response to 311 complaints for helicopters included a request for helicopter tail numbers, an absurd requirement that caused many of our constituents to give up on reporting the noise at all.

We have heard concern from the City and industry that this could negatively impact jobs created by heliport operation. So let us be clear: we support continued operation of the Downtown Manhattan Heliport. We recognize that the Downtown Manhattan Heliport plays an important role in safety, press, emergency access, and resiliency. But as the City itself has acknowledged, air tours are "nonessential." Essential functions can continue downtown, just as they do elsewhere in the city today. This is about restricting nonessential tourist helicopters and the ensuing quality of life impacts.

Again, we thank Chair Constantinides for the opportunity to testify today, and thank Councilmembers Menchaca, Rosenthal and Chin for introducing this important legislation. Intros. 858 and 859 would have a significant impact on the quality of life for my constituents, and we urge their passage. It is time we finally stop the chop, once and for all.