

# Los Angeles Area Helicopter Noise Coalition

*Citizens seeking relief from helicopter noise – A problem for more than 40 years*

President  
**Bob Anderson**  
Sherman Oaks  
Homeowners Association

April 9, 2013

Vice President  
**Richard Root**  
Riviera (Torrance)  
Homeowners Association

Treasurer  
**Dave Garfinkle**  
Tarzana Property Owners  
Association

**George Abrahams**  
Beachwood Canyon  
Neighborhood Association

**John Bailey**  
Southeast Torrance  
Homeowners Association

**Gerry Hans**  
Friends of Griffith Park

**Jeffrey Prang**  
Mayor, West Hollywood

**David Rankell**  
Van Nuys Airport  
Citizens Advisory Council

**Mike Savidan**  
City of Lomita Councilman

**Gerald A. Silver**  
Homeowners of Encino

**Rudy Whitcomb**  
Rolling Hills Estates

**Wayne Williams**  
Van Nuys Airport  
Citizens Advisory Council

Mr. David C. Suomi  
Acting Regional Administrator  
Federal Aviation Administration  
Western-Pacific Region  
Post Office Box 92007  
Los Angeles, CA 90009-2007

Dear Administrator Suomi,

**Subject: LAAHNC Response to FAA Helicopter Noise Question Responses**

Reference: FAA Letter AWP-1-20130122-01 dated March 28, 2013, David Suomi to Bob Anderson, President, LAAHNC

The LAAHNC thanks the FAA for responses to the questions that we raised at our December 2012 meeting, as provided in the referenced letter. However, we are concerned that the FAA responses tend to hint more of roadblocks than solutions to the helicopter noise problems that plague areas throughout Los Angeles County. We were hoping to see inroads to potential solutions, especially with the Next Generation Air Transportation System (NextGen) that the FAA is currently developing. It is difficult for us to understand the FAA's apparent reluctance to control helicopter noise, given that it has the authority and responsibility to "protect the public health and welfare from aircraft noise" per 49 USC §44715(a)(1)(A).

LAAHNC has provided our responses to each FAA response, and hope that these can serve as an opportunity for further consideration. For completeness, we have provided our original question, the FAA response to our question, and our response to the FAA.

## Section A from Referenced Letter

Federal Aviation Administration (FAA) responses to the nine questions received from the LAAHNC in a letter dated January 21, 2013.

**LAAHNC Question 1:** What is the status of the Airport Cooperative Research Program (ACRP) Helicopter Noise Model Study?

**FAA Response:** The ACRP Helicopter Noise Model Study (02-44 Helicopter Noise Modeling Guidance) just completed the request for proposal process on February 7, 2013. Work is planned to begin in June 2013 and should take 16 months.

# Los Angeles Area Helicopter Noise Coalition

*Citizens seeking relief from helicopter noise – A problem for more than 40 years*

President  
**Bob Anderson**  
Sherman Oaks  
Homeowners Association

Vice President  
**Richard Root**  
Riviera (Torrance)  
Homeowners Association

Treasurer  
**Dave Garfinkle**  
Tarzana Property Owners  
Association

**George Abrahams**  
Beachwood Canyon  
Neighborhood Association

**John Bailey**  
Southeast Torrance  
Homeowners Association

**Gerry Hans**  
Friends of Griffith Park

**Jeffrey Prang**  
Mayor, West Hollywood

**David Rankell**  
Van Nuys Airport  
Citizens Advisory Council

**Mike Savidan**  
City of Lomita Councilman

**Gerald A. Silver**  
Homeowners of Encino

**Rudy Whitcomb**  
Rolling Hills Estates

**Wayne Williams**  
Van Nuys Airport  
Citizens Advisory Council

The ACRP project is intended to review, evaluate, and document current helicopter noise models and identify potential improvements to better capture the unique complexity of helicopter operations. In addition, the ACRP project is also tasked to create a supplemental document to provide additional information regarding modeling and presenting helicopter noise prediction data.

**LAAHNC Response to FAA:** LAAHNC feels that this is an important study that can provide keen insights into on-the-ground noise caused by helicopter operations and how to mitigate such noise. We hope that the FAA can provide us with interim status reports on the study, and would be pleased to provide input to the study.

**LAAHNC Question 2:** What effect will the FAA's proposed Stage 3 helicopter noise standards for new helicopter designs have on the current Stage 2 helicopter fleet? When will it be implemented?

**FAA Response:** The Stage 3 noise standard, currently in the federal rulemaking process, will implement an international standard from the International Civil Aviation Organization (ICAO). The FAA's notice of proposed rulemaking was published in the Federal Register on 9/18/2012 (Docket No. FAA-2012-0948; Notice No. 12-06), and the comment period closed on November 19, 2012. Implementation will take place following the issuance of the final rule, anticipated in early 2014.

The Stage 3 helicopter noise standard applies to all new helicopters that will be certified after the implementation date. It does not affect Stage 2 helicopters. As older helicopters are retired and new helicopters are bought, Stage 2 helicopters will diminish as a percentage of the fleet and Stage 3 helicopters will increase. Since the international standard is already in place and many manufacturers sell worldwide, many existing helicopters in the US fleet already meet the Stage 3 standard. This issue will also be addressed in the forthcoming Los Angeles Helicopter Noise Initiative Final Report.

**LAAHNC Response to FAA:** LAAHNC is very concerned that, even with the new rule in place, older and noisier Stage 2 helicopters will be flying over Los Angeles County for decades to come. In parallel with the rulemaking process for the Stage 3 noise standard, we recommend that the FAA immediately implement a Stage 2 helicopter phase-out plan for Los Angeles County. Only in this way will noisier helicopters be retired and replaced with Stage 3 helicopters, similar to what was accomplished when Stage 2 aircraft were phased out.

**LAAHNC Question 3:** Were any environmental impact studies done prior to establishing any transit or arrival/departure routes in Los Angeles? If so, what were the conclusions? If not, why not?

**FAA Response:** The Los Angeles helicopter routes were established over 15 years ago. There is no available documentation of the environmental analysis done for these routes. FAA Order 1050.1E, Environmental Impacts: Policies and Procedures, provides an option to

# Los Angeles Area Helicopter Noise Coalition

*Citizens seeking relief from helicopter noise – A problem for more than 40 years*

President  
**Bob Anderson**  
Sherman Oaks  
Homeowners Association

Vice President  
**Richard Root**  
Riviera (Torrance)  
Homeowners Association

Treasurer  
**Dave Garfinkle**  
Tarzana Property Owners  
Association

**George Abrahams**  
Beachwood Canyon  
Neighborhood Association

**John Bailey**  
Southeast Torrance  
Homeowners Association

**Gerry Hans**  
Friends of Griffith Park

**Jeffrey Prang**  
Mayor, West Hollywood

**David Rankell**  
Van Nuys Airport  
Citizens Advisory Council

**Mike Savidan**  
City of Lomita Councilman

**Gerald A. Silver**  
Homeowners of Encino

**Rudy Whitcomb**  
Rolling Hills Estates

**Wayne Williams**  
Van Nuys Airport  
Citizens Advisory Council

document a proposed action that has been categorically excluded and where no extraordinary circumstances exist. However, such documentation is optional, not mandatory.

**LAAHNC Response to FAA:** It appears to LAAHNC that the FAA's response to this question is that no environmental impact studies were done because the routes were considered "categorically excluded" and there were no "extraordinary circumstances." We do not fully understand why the FAA did not perform environmental impact studies. FAA Order 1050.1E, paragraph 311 lists potential categorical exclusions which includes "establishment of helicopter routes that channel helicopter activity over major thoroughfares" (311h), but not all routes in Los Angeles are channeled in this way, especially in the case of helicopter transition or arrival/departure routes, some of which are not over major thoroughfares.

Furthermore, paragraph 304 lists potential "extraordinary circumstances" which override categorical exclusions. At least four of the listed extraordinary circumstances obviously seem to apply to helicopter routes in Los Angeles County: (304d) cause a division or disruption of an established community, or a disruption of orderly, planned development, or an inconsistency with plans or goals that have been adopted by the community in which the project is located; (304f) an impact on noise levels of noise-sensitive areas; (304i) effects on the quality of the human environment that are likely to be highly controversial on environmental grounds; and (304 k) likely to directly, indirectly, or cumulatively create a significant impact on the human environment. Any of these should have invoked the requirement for at least an Environmental Assessment or potentially an Environmental Impact Statement.

Finally, LAAHNC does not believe that any notice was given to the affected public prior to any of the routes being established. Therefore, we do not understand how the FAA could have evaluated whether or not the proposed routes would be "controversial" (per subparagraph 304i) if the affected public was unaware that the routes were being considered.

**LAAHNC Question 4:** How did the FAA arrive at 2,000 feet as the recommended altitude for all aircraft in Advisory Circular 91-36D?

**FAA Response:** Advisory Circular 91-36D, Visual Flight Rules (VFR) Flight Near Noise Sensitive Areas, stems from an interagency agreement that was made between the National Park Service of the Department of Interior, the Fish and Wildlife Service of the Department of the Interior, and the Federal Aviation Administration in 1984. That agreement acknowledged the flying public's right to use navigable airspace and the need to protect the national resources whether they are natural, cultural, or wildlife. The intent of the 2,000 foot recommendation was to reduce the number of complaints of low flying aircraft disrupting wildlife and the enjoyment of noise-sensitive areas while still allowing the flying public the maximum amount of airspace.

**LAAHNC Response to FAA:** The FAA response explains the circumstances surrounding the need for the decision, but does not answer the specific question of why the 2,000-foot altitude was selected. The response could apply equally to altitudes of 1,000 feet, 3,000 feet, or even 4,000 feet. Based on the response, it appears that there was no basis for that altitude

# Los Angeles Area Helicopter Noise Coalition

*Citizens seeking relief from helicopter noise – A problem for more than 40 years*

President  
**Bob Anderson**  
Sherman Oaks  
Homeowners Association

Vice President  
**Richard Root**  
Riviera (Torrance)  
Homeowners Association

Treasurer  
**Dave Garfinkle**  
Tarzana Property Owners  
Association

**George Abrahams**  
Beachwood Canyon  
Neighborhood Association

**John Bailey**  
Southeast Torrance  
Homeowners Association

**Gerry Hans**  
Friends of Griffith Park

**Jeffrey Prang**  
Mayor, West Hollywood

**David Rankell**  
Van Nuys Airport  
Citizens Advisory Council

**Mike Savidan**  
City of Lomita Councilman

**Gerald A. Silver**  
Homeowners of Encino

**Rudy Whitcomb**  
Rolling Hills Estates

**Wayne Williams**  
Van Nuys Airport  
Citizens Advisory Council

other than compromise between multiple Federal agencies. However, as noted in the response, setting the altitude at 2,000 feet still allows the flying public the “maximum amount of airspace.” Thus, there should be sufficient airspace to allow helicopters to fly safely above that altitude.

The FAA’s 2004 Report to Congress on the Nonmilitary Helicopter Urban Noise Study states that “current helicopter high-altitude boundaries are flexible enough to facilitate noise abatement if desired and requested by pilots ... The opportunity to request higher altitudes for operations, in the interest of noise abatement, is unconstrained by regulation.” Therefore, to be consistent with Advisory Circular 91-36D (noted in the FAA response), there is no reason why the FAA could not add a notation to the Los Angeles Helicopter Route Chart requesting that pilots fly at least 2,000 feet above ground level (2,000 feet AGL). In fact, a similar notation already exists on the New York Helicopter Route Chart.

In addition, LAAHNC is concerned that there is such disparity between the voluntary practices in Advisory Circular 91-36D and actual helicopter operations. This Advisory Circular includes such voluntary practices as “(8a) avoidance of noise-sensitive areas, if practical, is preferable to overflight at relatively low altitudes” and “(8b) pilots operating noise producing aircraft (fixed-wing, rotary-wing and hot air balloons) over noise-sensitive areas should make every effort to fly not less than 2,000 feet above ground level (AGL), weather permitting.” In reality, we see little of such voluntary practices, even though the Circular includes the broad definition that “an area is noise-sensitive if noise interferes with normal activities associated with the area’s use. Examples of noise-sensitive areas include residential, educational, health, and religious structures and sites, and parks, recreational areas (including areas with wilderness characteristics), wildlife refuges, and cultural and historical sites where a quiet setting is a generally recognized feature or attribute.”

**LAAHNC Question 5:** Does the FAA have any independent studies that show the relationship between helicopter altitude and noise on the ground? What do they show?

**FAA Response:** The FAA has conducted numerous studies and data collection regarding helicopters over the years both alone and in association with the National Aeronautics and Space Administration (NASA).

In August 1995, FAA and Helicopters Association International (HAI) conducted a flight test of eight helicopters during the FAA/HAI Helicopter Flight Operations Noise Test Program. The program emphasized the gathering of an extensive database of acoustic characteristics and flight path information associated with typical enroute and heliport operations, including level flyovers. This study showed that when helicopters are flying level flyovers, an increase of altitude of 500 feet can decrease the Sound Exposure Level (SEL) by between 0.1 and 1.5 decibels at 2000 feet to the sideline. This study can be found at <http://www.volpe.dot.gov/coi/ees/acoustic/docs/1980-1989/1985-1.pdf>.

In 2004, the FAA, on behalf of the Secretary of Transportation, developed a Report to Congress titled “Nonmilitary Helicopter Urban Noise Study.” This report, which examined the noise effects on individuals, consisted of a response to public and industry comments and

# Los Angeles Area Helicopter Noise Coalition

*Citizens seeking relief from helicopter noise – A problem for more than 40 years*

President  
**Bob Anderson**  
Sherman Oaks  
Homeowners Association

Vice President  
**Richard Root**  
Riviera (Torrance)  
Homeowners Association

Treasurer  
**Dave Garfinkle**  
Tarzana Property Owners  
Association

**George Abrahams**  
Beachwood Canyon  
Neighborhood Association

**John Bailey**  
Southeast Torrance  
Homeowners Association

**Gerry Hans**  
Friends of Griffith Park

**Jeffrey Prang**  
Mayor, West Hollywood

**David Rankell**  
Van Nuys Airport  
Citizens Advisory Council

**Mike Savidan**  
City of Lomita Councilman

**Gerald A. Silver**  
Homeowners of Encino

**Rudy Whitcomb**  
Rolling Hills Estates

**Wayne Williams**  
Van Nuys Airport  
Citizens Advisory Council

views on reducing noise from helicopters, and noise modeling and analysis. The modeling and analysis were conducted to establish the helicopter source noise effects with an urban environment and helicopter altitude-noise sensitivity. The report is available on the FAA website at [http://www.faa.gov/regulations\\_policies/policy\\_guidance/envir\\_policy/media/04Nov-30-RTC.pdf](http://www.faa.gov/regulations_policies/policy_guidance/envir_policy/media/04Nov-30-RTC.pdf). The major finding of the report was that helicopter sideline noise levels decrease as helicopter altitude increases, at least for sideline distances up to 1000 feet and elevation angles greater than 18 degrees.

**LAAHNC Response to FAA:** The initial part of the FAA response points to a 1995 study that has marginal relevance for several reasons. First, the FAA and the Helicopter Association International (HAI) conducted the study. The latter organization represents the helicopter industry and is not an “independent” organization. Second, the study includes testing on the Robinson R-22 (a two-seat, 1,300-pound helicopter with a cruise speed of 83 knots) but not the larger R-44 (a four-seat, 2,500-pound helicopter with a cruise speed of 117 knots). The R-44 is one of the most common civil helicopters used in Los Angeles County today, especially for sightseeing tours, and it would have a very different noise spectrum. Third, the FAA’s interpretation of the 1995 study focuses solely on noise levels 2,000 feet to the sideline of flyovers, and not noise levels directly below the flyovers. The report states that when flying level, an increase in altitude of 500 feet (doubling altitude from 500 to 1,000 feet) can decrease Sound Exposure Levels (SELs) by between 0.1 and 1.5 decibels at 2,000 feet to the sideline. We believe the study actually shows the correct SEL reductions to be between 0 and 3.2 decibels, respectively. More importantly, the study shows that the increase in altitude significantly lowered the SEL directly below the flyovers by between 3.8 and 6.0 decibels. Although these noise reductions are significant, they are still smaller than amounts that would be expected, since the HAI states that a doubling of height or distance should generally result in a 6 to 7 decibel reduction in noise on the ground directly below the helicopter.

Fourth, the 1995 study was done on flat terrain in relatively low humidity (54 percent). Los Angeles includes many mountains and canyons, and often has higher humidity, especially on summer mornings (where humidity averages about 85 percent). Both terrain and humidity are factors that generally lead to higher helicopter noise levels on the ground. Even without these additional factors, the study showed that the helicopters produced high noise levels on the ground. The SEL directly below the flyovers ranged from 78.0 to 90.3 decibels at an altitude of 500 feet, and 73.5 to 84.7 decibels at 1,000 feet.

The second part of the FAA response points to its 2004 Report to Congress, the Nonmilitary Urban Helicopter Noise Study. In that study the FAA found that “Noise reduction benefits can be achieved with higher altitude flight. With more conclusive demonstrations addressing safety, such noise mitigation approaches could be integrated within ATC design planning in specific urban airspaces.” LAAHNC agrees with this finding and recommends that the FAA take the suggested steps to achieve such noise mitigation.



# Los Angeles Area Helicopter Noise Coalition

*Citizens seeking relief from helicopter noise – A problem for more than 40 years*

President  
**Bob Anderson**  
Sherman Oaks  
Homeowners Association

Vice President  
**Richard Root**  
Riviera (Torrance)  
Homeowners Association

Treasurer  
**Dave Garfinkle**  
Tarzana Property Owners  
Association

**George Abrahams**  
Beachwood Canyon  
Neighborhood Association

**John Bailey**  
Southeast Torrance  
Homeowners Association

**Gerry Hans**  
Friends of Griffith Park

**Jeffrey Prang**  
Mayor, West Hollywood

**David Rankell**  
Van Nuys Airport  
Citizens Advisory Council

**Mike Savidan**  
City of Lomita Councilman

**Gerald A. Silver**  
Homeowners of Encino

**Rudy Whitcomb**  
Rolling Hills Estates

**Wayne Williams**  
Van Nuys Airport  
Citizens Advisory Council

**LAAHNC Question 6:** Does the FAA have a position on what level of noise is acceptable for helicopters in transit over noise-sensitive areas?

**FAA Response:** The FAA has land use compatibility guidelines for noise-sensitive areas. These guidelines apply to both fixed-wing aircraft and helicopter noise. The land use compatibility is based on the day-night average sound level (DNL) noise metric. DNL is a 24-hour average of noise levels with a 10 dBA penalty for noise occurring at night (10 pm to 7 am). [The large table on “Land-Use Compatibility with Yearly Day-Night Average Sound Levels” was removed for clarity.]

**LAAHNC Response to FAA:** LAAHNC’s understanding is that the Day-Night Average Sound Levels (DNLs) referenced in the FAA response are primarily intended for airport planning and land use compatibility. Apparently, the FAA has no standard for an acceptable sound level when a helicopter is in level flight over noise-sensitive residential areas and not near an airport. HAI’s Fly neighborly Guide states that 65 dBA maximum is the generally accepted criterion for a single event flyover; however, their more recent Noise Abatement Training CD indicates it would be lower than 65 dBA in lower ambient noise level environments (such as exist in many of our residential neighborhoods).

It appears that no basic or comprehensive testing has ever been done on helicopter noise in the Los Angeles area that takes into account local conditions, including flight patterns, hovering, types of helicopters flown, volume of flights, weather, geographic conditions, ambient noise levels, and helicopter noise on the ground. Given the large number of helicopter noise complaints across Los Angeles County, this is a significant omission. LAAHNC strongly recommends that the FAA arrange for independent testing to measure the significance of the helicopter noise problem, develop a standard for an acceptable level of noise, and design helicopter flight patterns that will keep noise on the ground within this acceptable level.

**LAAHNC Question 7:** Will the NextGen system of air traffic management have any feature that will help enable helicopter pilots to fly at higher altitudes?

**FAA Response:** The Next Generation Air Transportation System (NextGen) will offer significant benefits to the entire aviation community. For example, Automatic Dependent Surveillance (ADS-B) Out will allow Air Traffic Control to use improved accuracy, integrity and reliability of satellite signals over radar as a means for controllers to monitor and safely reduce the mandatory separation between aircraft.

ADS-B In will allow pilots to see what controllers see: other aircraft in the sky around them. Pilots are also able to see – and avoid – bad weather and receive flight information such as temporary flight restrictions. The improvement in situational awareness for pilots greatly increases safety.

ADS-B also provides greater air traffic surveillance coverage, since ADS-B ground stations are so much easier to place than radar. Remote areas without radar coverage, like the Gulf of Mexico and parts of Alaska, are now covered by ADS-B.

# Los Angeles Area Helicopter Noise Coalition

*Citizens seeking relief from helicopter noise – A problem for more than 40 years*

President  
**Bob Anderson**  
Sherman Oaks  
Homeowners Association

Vice President  
**Richard Root**  
Riviera (Torrance)  
Homeowners Association

Treasurer  
**Dave Garfinkle**  
Tarzana Property Owners  
Association

**George Abrahams**  
Beachwood Canyon  
Neighborhood Association

**John Bailey**  
Southeast Torrance  
Homeowners Association

**Gerry Hans**  
Friends of Griffith Park

**Jeffrey Prang**  
Mayor, West Hollywood

**David Rankell**  
Van Nuys Airport  
Citizens Advisory Council

**Mike Savidan**  
City of Lomita Councilman

**Gerald A. Silver**  
Homeowners of Encino

**Rudy Whitcomb**  
Rolling Hills Estates

**Wayne Williams**  
Van Nuys Airport  
Citizens Advisory Council

However, the NextGen system of air traffic management does not have any specific tools to enable helicopter pilots to fly at higher altitudes.

**LAAHNC Response to FAA:** The FAA response states that the NextGen system has no specific tools to enable helicopter pilots to fly at higher altitudes. However, it also states that the “ADS-B In” portion of the system will enable pilots to see what controllers see – other aircraft in the sky around them – and that this “greatly increases safety.” The NextGen system is in its formative stage and seems to offer the FAA a cost-effective opportunity to rapidly implement features to manage helicopter traffic. These features would in turn help reduce helicopter noise in Los Angeles and other impacted urban areas.

LAAHNC recommends that the FAA consider implementing NextGen features that enable helicopter pilots to fly more safely at higher altitudes in order to reduce their noise footprint on the ground. These features could include: (1) the ability to track and manage helicopter traffic at all altitudes to facilitate a 2,000 feet above ground level minimum elevation flight rule; (2) rapid phase-in of a requirement that all helicopters operating in the Los Angeles County airspace be equipped with and required to operate any transponders, collision avoidance, or other equipment necessary to implement such a system; and (3) a method of assessing penalties for violations of the minimum altitude and hotspot avoidance features.

**LAAHNC Question 8:** What other avenues do residents/stakeholders have should new enforcement rules not be enacted as a result of the ongoing helicopter noise study?

**FAA Response:** Although there is no process in place specifically for helicopter noise, avenues currently exist for residents/stakeholders to register noise complaints. Complaints can be submitted via email, postal mail or by telephone to the airport authority or directly to the FAA. In addition, the FAA Office of Environment and Energy houses the Noise Ombudsman who receives noise complaints by email, telephone, or postal mail. The Ombudsman communicates with local officials, Congressional offices, and other interested parties regarding aircraft noise issues, in coordination with responsible FAA offices.

**LAAHNC Response to FAA:** Unfortunately, as noted in the FAA response and verified through our own studies, there is no easy-to-use complaint system for helicopter noise in Los Angeles County. Although complaints can be sent to the FAA, local airport authorities, or elected officials, there is no way to correlate these complaints with actual air traffic and no way to integrate the complaints across the county to identify local noise “hot spots”. LAAHNC feels that such a system would be invaluable to residents, communities, helicopter pilots/operators, and elected officials. Wouldn’t it be wonderful to have one telephone number to call and report helicopter noise anywhere in Los Angeles? To have maps of local areas showing where helicopter traffic is highest and most annoying? To identify that one helicopter pilot who does not follow the rules and damages responsible helicopter pilots?

LAAHNC hopes that the FAA would appreciate and support such a system. Having complaint data available would facilitate safe, responsible, and quieter helicopter operation in Los Angeles. Such systems do exist today thanks to modern technology, and could be in place very quickly.

# Los Angeles Area Helicopter Noise Coalition

*Citizens seeking relief from helicopter noise – A problem for more than 40 years*

President  
**Bob Anderson**  
Sherman Oaks  
Homeowners Association

Vice President  
**Richard Root**  
Riviera (Torrance)  
Homeowners Association

Treasurer  
**Dave Garfinkle**  
Tarzana Property Owners  
Association

**George Abrahams**  
Beachwood Canyon  
Neighborhood Association

**John Bailey**  
Southeast Torrance  
Homeowners Association

**Gerry Hans**  
Friends of Griffith Park

**Jeffrey Prang**  
Mayor, West Hollywood

**David Rankell**  
Van Nuys Airport  
Citizens Advisory Council

**Mike Savidan**  
City of Lomita Councilman

**Gerald A. Silver**  
Homeowners of Encino

**Rudy Whitcomb**  
Rolling Hills Estates

**Wayne Williams**  
Van Nuys Airport  
Citizens Advisory Council

In addition, we feel that complaints regarding violation of minimum altitude and hotspot avoidance regulations should result in penalties for pilots who disregard those regulations, particularly those pilots who repeatedly ignore those regulations. Regulation is basically useless unless violators can easily be identified and subsequent action taken against them.

**LAAHNC Question 9:** Please provide us with the following data to help us fully understand the helicopter noise problem:

- How many helicopter flights were there over Los Angeles County in 2011?
- How many helicopter flights were there over Los Angeles County in 2012?
- At what altitude were those flights?
- What was the noise level on the ground from those flights?

**FAA Response:** Due to the limited capabilities of the FAA's current tracking system, the FAA is unable to provide the number of helicopter flights over Los Angeles County. No method exists for tracking flights being operated under Visual Flight Rules (VFR), flights (helicopter or fixed wing) operated below radar coverage or those choosing not to participate in VFR flight following. Future systems may have the capability to track VFR flights that are currently below radar coverage, however there are limited resources to expand the current system to VFR operations at this time. Limited resources have forced the FAA to prioritize tracking IFR controlled airspace and commercial transport operations. Given the lack of data currently available the FAA is unable to provide altitude information on VFR flights that occur. Furthermore, the FAA does not actively measure the noise in metropolitan areas.

**LAAHNC Response to FAA:** LAAHNC finds it quite distressing that the FAA is not able to collect data on helicopter traffic in Los Angeles County. With the large number of helicopter noise complaints being made to neighborhood groups and elected officials, we think that the FAA would want to understand the problem in order to develop possible corrective actions and solutions. The FAA is currently completing their Los Angeles Helicopter Noise Initiative Final Report projected for release in May 2013. LAAHNC wonders how such a study can be effectively performed without data to back up the conclusions and recommendations.

Furthermore, having a reliable tracking capability would help FAA prosecutors in their enforcement of violations. When LAAHNC met with the FAA in December 2012, the FAA legal team stated that prosecution is "almost impossible and a waste of money" and that "radar evidence is always completely necessary." One specific suggestion is that the FAA institute a requirement that all aircraft flying in populated areas of Los Angeles be required to operate a transponder whether flying VFR or IFR. The FAA response that "Future systems may have the capability to track VFR flights ..." is simply not sufficient. For both noise mitigation and safety considerations, future systems must have the ability to track all aircraft flying in populated areas.

## **Section B from Referenced Letter**

The following information is provided by the FAA in response to a request for clarification regarding equipment required for helicopters flying off shore and a request for additional



# Los Angeles Area Helicopter Noise Coalition

*Citizens seeking relief from helicopter noise – A problem for more than 40 years*

President  
**Bob Anderson**  
Sherman Oaks  
Homeowners Association

Vice President  
**Richard Root**  
Riviera (Torrance)  
Homeowners Association

Treasurer  
**Dave Garfinkle**  
Tarzana Property Owners  
Association

**George Abrahams**  
Beachwood Canyon  
Neighborhood Association

**John Bailey**  
Southeast Torrance  
Homeowners Association

**Gerry Hans**  
Friends of Griffith Park

**Jeffrey Prang**  
Mayor, West Hollywood

**David Rankell**  
Van Nuys Airport  
Citizens Advisory Council

**Mike Savidan**  
City of Lomita Councilman

**Gerald A. Silver**  
Homeowners of Encino

**Rudy Whitcomb**  
Rolling Hills Estates

**Wayne Williams**  
Van Nuys Airport  
Citizens Advisory Council

information regarding the applicability of environmental review for voluntary helicopter routes. This request for clarification on these two issues was received by the FAA via email from Mr. Richard Root [of LAAHNC] following a public meeting held in December 2012.

**FAA response to the request for clarification regarding equipment required for offshore helicopter operations:** Federal Aviation Regulation (FAR) Part 91, General Operating and Flight Rules, prescribes the rules for all aircraft being operated in the U.S. Aircraft, including helicopters, being operated under Part 91 are not required to carry any special equipment for off shore operations. Helicopters being flown on test flights are covered by Part 91 and are therefore not required to carry any special equipment when operating off shore.

FAR Part 135 - Operating Requirements: Commuter and on Demand Operations and Rules Governing Persons On Board Such Aircraft. Part 135 applies to helicopter operators conducting air tours and requires the helicopter to have special equipment if the air tour will be conducted offshore. This special equipment is fully described in FAR Part 135.167, Emergency Equipment: Extended Overwater Operations.

**LAAHNC Response to FAA:** The FAA response makes it clear that non-commercial helicopters (e.g., test flights, news gathering, corporate, private) can fly offshore without being required to have special equipment. However, the FAA response makes no mention of FAR Part 135.183 (the actual subject of the request for clarification), which seems to require commercial helicopters flying over water to be equipped with flotation devices. Instead, the FAA response only refers to Part 135.167, which requires numerous safety items (such as life preservers) for “extended” overwater operations, but does not mention flotation devices. Therefore, it is still not clear what equipment is required for helicopters that follow the shoreline. But the fact is, instead of flying off the shoreline, both commercial and non-commercial helicopters fly directly above the shoreline causing unnecessary noise over beaches, nature preserves, and coastal communities. LAAHNC recommends that a mandatory offshore helicopter route be established for the Los Angeles shoreline, such as the mandatory helicopter route that the FAA recently established a mile off the north shore of Long Island in New York. Alternatively, the FAA could establish a voluntary offshore route, publish it on the Los Angeles Helicopter Route chart, and strongly encourage pilots to use it.

In addition, LAAHNC recommends that commercial helicopters (e.g., tours, travel) that transit along Los Angeles shorelines be required to have whatever equipment is necessary to safely allow them fly farther off shore. We believe this would enhance safety for pilots, passengers, and the public, while also helping to mitigate noise.

**FAA response to the request for clarification regarding Voluntary Helicopter Routes not Subject to Environmental Review:** The Federal Aviation Administration (FAA) Order 1050.1E, Environmental Impacts: Policies and Procedures and the implementing regulations issued by the Council on Environmental Quality (40CFR parts 1500-1508) apply to actions directly undertaken by the FAA, and where the FAA has sufficient control and responsibility to effect project approval of a non-Federal entity. Chapter 2 of FAA Order 1050.1E provides guidance to the responsible FAA official, approving official, and decision maker in the National Environmental Policy Act (NEPA) process to determine whether an action is

# Los Angeles Area Helicopter Noise Coalition

*Citizens seeking relief from helicopter noise – A problem for more than 40 years*

President  
**Bob Anderson**  
Sherman Oaks  
Homeowners Association

Vice President  
**Richard Root**  
Riviera (Torrance)  
Homeowners Association

Treasurer  
**Dave Garfinkle**  
Tarzana Property Owners  
Association

**George Abrahams**  
Beachwood Canyon  
Neighborhood Association

**John Bailey**  
Southeast Torrance  
Homeowners Association

**Gerry Hans**  
Friends of Griffith Park

**Jeffrey Prang**  
Mayor, West Hollywood

**David Rankell**  
Van Nuys Airport  
Citizens Advisory Council

**Mike Savidan**  
City of Lomita Councilman

**Gerald A. Silver**  
Homeowners of Encino

**Rudy Whitcomb**  
Rolling Hills Estates

**Wayne Williams**  
Van Nuys Airport  
Citizens Advisory Council

advisory (not subject to NEPA procedures), categorically excluded, or whether it requires an Environmental Assessment (EA) or Environmental Impact Statement (EIS).

Environmental issues are identified and considered early in an action's planning process but the required level of environmental review may not be known until the development phase of the proposed action or project is completed. This is particularly true when a proposal is not specifically addressed in FAA Order 1050.1E, such as voluntary helicopter routes.

Additionally, even if an action is specifically identified as categorically excluded, like "establishment of helicopter routes that channel helicopter activity over major thoroughfares" listed in paragraph 311h, the decision maker must also consider whether extraordinary circumstances, described in paragraph 304 of the Order, exists before making a final decision on the level of environmental review.

Any proposal to modify or establish voluntary helicopter routes must be fully studied before the FAA can determine the required level of environmental review. Some examples of details include, but are not limited to, where and how the routes are published or made public, what are the proposed routes and altitudes, and what is overflown by the proposed routes. Once a proposed project or action has been studied, the FAA can determine the level of environmental analysis needed.

**LAAHNC Response to FAA:** The original request for clarification was whether or not establishing voluntary helicopter routes is subject to environmental review (FAA Order 1050.1E). The FAA's response is contradictory. On one hand, the response indicates that voluntary helicopter routes are advisory and, as such, are not subject to FAA Order 1050.1E (presumably not requiring any environmental review). On the other hand, the response indicates that any proposal to establish or modify voluntary helicopter routes must be studied before the FAA can determine the required level of environmental review. This latter statement says voluntary routes are subject to the Order. Instead of clarifying the issue, the FAA's response adds to the confusion.

LAAHNC believes that most pilots will in fact use helicopter routes established by the FAA, even if they are voluntary. Therefore, all routes in Los Angeles County have potential environmental impacts and all routes must be subject to environmental review before being established, with no exceptions.

Thank you. If you have any questions, please contact me at 213-364-7470 or by email at [BobHillsideOrdinance@roadrunner.com](mailto:BobHillsideOrdinance@roadrunner.com).

Sincerely,



Bob Anderson  
President, Los Angeles Area Helicopter Noise Coalition

cc: Concerned elected officials and other interested parties