



CITY OF BEVERLY HILLS STAFF REPORT

Meeting Date: September 20, 2012

To: Honorable Mayor & City Council

From: Cheryl Friedling, Deputy City Manager

Subject: Request by Vice Mayor Mirisch to Support HR 2677, the Los Angeles Residential Helicopter Noise Relief Act of 2011

Attachments: Article dated August 7, 2012 from *Los Angeles Times* Press Release - Office of Congressman Howard Berman

INTRODUCTION

Representative Howard Berman (Valley Village) has sponsored legislation that would direct the Federal Aviation Administration (FAA) to establish flight paths for helicopters and set minimum altitudes at which they can operate over certain areas of the country. This bill would allow the FAA to exempt certain emergency, law enforcement and military helicopter operations from the regulations it develops for civilian aircraft.

DISCUSSION

This legislation was introduced at the request of homeowners in the San Fernando Valley, who have experienced disruptive low-flying helicopter traffic which jeopardizes residential quality of life. The Los Angeles City Council has voted to endorse this legislation.

FISCAL IMPACT

No fiscal impact is anticipated.

RECOMMENDATION

Staff seeks City Council direction regarding this request.

Cheryl Friedling



Approved By

Attachment 1

latimes.com/news/local/la-me-chopper-noise-20120808,0,6731816.story

latimes.com

L.A. Basin residents complain about helicopter noise at hearing

Rep. Howard Berman and two FAA officials listen to complaints from several hundred people, including customers and officials from the Hollywood Bowl.

By Dan Weikel, Los Angeles Times

10:21 PM PDT, August 7, 2012

Zev Yaroslavsky was listening to a Beethoven concerto at the Hollywood Bowl last week when the thunder of a passing helicopter muffled a beautiful violin solo.

"This was an outrage," the Los Angeles County supervisor testified Monday night before a panel of top federal aviation officials. "The Hollywood Bowl is a national treasure. These helicopters are dangerous and disruptive. We don't have years to wait for a solution."

Yaroslavsky was one of several hundred residents from throughout Los Angeles County who attended the public hearing in Sherman Oaks and demanded that Congress and the Federal Aviation Administration do something about the annoying helicopter flights over their neighborhoods.

For more than two hours, residents from the Palos Verdes Peninsula, Brentwood, the San Fernando Valley and other area communities complained to Rep. Howard L. Berman (D-Valley Village) and two top-ranking FAA officials, including William C. Withycombe, the regional administrator for four western states, including California.

One after another they testified about the window-rattling din of rotor blades that made it difficult to talk on the telephone or have a normal conversation.

The president of the Torrance Riviera Homeowners Assn. said there have been as many as 50 flights a day over the community, which is near Torrance Airport and Robinson Helicopter Co., one of the largest producers of helicopters in the world.

People from Los Angeles neighborhoods that have landmarks or celebrity residents testified that they are under constant assault by choppers carrying sightseers, paparazzi and even real estate agents.

Still others questioned the dispatching of noisy, low-flying police helicopters for routine calls, and residents who live near popular flight paths were just as concerned about the volume.

"They come in low and fast over the Sepulveda Pass to go to Van Nuys Airport," said Wayne Williams,

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a member of the airport's citizens advisory council. "I've had enough and so have a lot of other people. These helicopters need to be made quieter or they need to be removed."

Leni Boorstin, director of community and government affairs for the L.A. Philharmonic Assn., testified that the Hollywood Bowl averages five helicopter overflights an evening and has had as many as nine despite past warnings to pilots.

The problem, Boorstin said, is becoming an impediment to broadcasting concerts and, more important, attracting top conductors to the popular venue.

At Berman's request, the FAA held the hearing to help determine the extent of the noise problem, where it is the loudest, which operators are the worst offenders, what safety issues do the flights raise, and what can be done to reduce the noise and risk.

Federal regulators, who also want to meet with helicopter operators in the months ahead, hope the discussion will contribute to a report due within a year that could form the basis for regulatory action.

"My promise to you is that we will follow up on this," Withycombe told the audience. "I can't promise I will solve this overnight. But I will try to solve as many of the problems as I can."

Though he has received constant complaints about helicopters, Berman said, he did not seek a formal hearing until after an onslaught of gripes related to Carnageddon — the weekend closure of the 405 Freeway last July to tear down a section of the Mulholland Bridge. During the work, helicopters carrying media, tourists and other curiosity seekers hovered for hours over and near the site.

Last year, Berman introduced in Congress the Los Angeles Helicopter Relief Act, which has a companion bill written by Sen. Dianne Feinstein (D-Calif.). There has been little action on the measures, which call on the FAA to develop altitude and flight path requirements for helicopters in Los Angeles County with possible exceptions for public safety, emergency and military flights.

Compared to airplanes, helicopters have fewer restrictions. While planes must fly at an altitude of 1,000 feet above heavily populated areas and 500 feet over less congested areas, helicopter pilots usually do not have to comply with the minimum requirements if they don't endanger lives or property.

Helicopter pilots and operators agree there are things that can be done. The industry has already promulgated a number of voluntary programs with recommendations for pilots.

"I am sensitive to the noise issue," said Larry Welk, president of the Professional Helicopter Pilots Assn. "But I don't want to see knee-jerk legislation or arbitrary legislation. Unintended consequences are my biggest fear."

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For Immediate Release
July 28, 2011

Congressman Howard Berman Heeds Calls From Valley Residents, Introduces Bill to Curb Helicopter Related Noise and Safety Concerns

Washington, D.C. - Today, Congressman Howard L. Berman introduced legislation to provide Los Angeles County residents relief from the ear-shattering noise and safety concerns caused by low-flying helicopters above residential neighborhoods. The Los Angeles Residential Helicopter Noise Relief Act of 2011, H.R. 2677, would force the Federal Aviation Administration (FAA) to restrict helicopter flight paths and set minimum altitudes within 12 months.

“Residents deserve relief from the thunderous clacking of helicopter blades hovering directly over their homes, and instead all they’ve been getting is the runaround from government agencies,” said Congressman Berman. “The buck stops here because it is simply unacceptable for residents to be forced to contend with these brazen helicopter operators on their own. This bill requires the regulations that will give residents the relief and increased safety they are so desperately looking for.”

“Helicopters are hovering right above our homes at all hours of the morning and night. It’s the wild, wild West up there and until now nobody has been taking control,” noted Richard Close, President of the Sherman Oaks Homeowners Association. “Our community appreciates Congressman Berman’s willingness to work with us and tackle this issue head on. This is about our quality of life and the safety and privacy of residents across the Valley. Finally, someone is listening and something is being done.”

Currently, residents across Los Angeles are battling intrusive and disruptive low-flying helicopter traffic above their neighborhoods. San Fernando Valley residents suffer more than most from the foundation-rattling flyovers due to the heavy helicopter traffic in and out of the Van Nuys Airport. When residents have attempted to address this disturbance they’ve reached a dead end, unable to find a way to require helicopter operators to change their behavior.

The FAA has refused to regulate helicopter flights above Los Angeles. This failure to act is what allows helicopter operators to fly in a manner that creates excessive noise pollution and jeopardizes the safety and privacy of residents in their homes. Additionally, this refusal by the FAA to set regulations above Los Angeles has left residents without any means to seek and secure relief from the problem.

Congressman Berman’s bill solves this problem by requiring the FAA to exercise its

explicit legal authority to regulate helicopter operations above Los Angeles within 12 months of being signed into law. Specifically, the bill calls for the Administrator of the FAA to set guidelines on flight paths and minimum altitudes for helicopter operators in residential areas of Los Angeles County. Exemptions would be allowed for law enforcement, emergency responders, and the US military.

Earlier this year, Senator Charles E. Schumer of New York successfully included an amendment to the FAA Reauthorization Bill, which passed the Senate, requiring similar regulations to helicopter operations above Long Island. This legislative precedent lays the groundwork to require regulations be put in place to curb aggressive helicopter operations above residential areas in Los Angeles.

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