


REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: November 4, 2011

TO: Honorable Members of the Intergovernmental Relations Committee

FROM: Gerry F. Miller 
Chief Legislative Analyst

Council File No. 11-0002-S116
Assignment No. 11-08-0722

CLA'S RECOMMENDATION: ADOPT Revised Resolution to SUPPORT H.R. 2677, the "Los Angeles Residential Helicopter Noise Relief Act of 2011," which would direct the Administrator of the Federal Aviation Administration (FAA) to issue regulations to reduce helicopter noise pollution in residential areas of Los Angeles County, IF AMENDED (a) to provide that the FAA Administrator shall exempt from such regulations helicopter operations undertaken for emergency, law enforcement, public utilities or military purposes, including helicopter training operations for these same purposes; and (b) to provide that the FAA Administrator shall consider providing greater authority to law enforcement agencies to establish and enforce Temporary Flight Restrictions when such restrictions would likely improve air safety conditions, as initiated in part by Resolution (Koretz-LaBonge-Garcetti).

SUMMARY:

Resolution (Koretz-LaBonge-Garcetti), introduced on July 29, 2011, calls attention to the longstanding complaints of Los Angeles residents who live near local airports where helicopters are based of the nuisance and disruption of helicopter noise, the physical hazards posed by low-flying helicopters, and the intrusion of helicopter crews on residential privacy. Some residents argue that the significant level of helicopter traffic in their Los Angeles neighborhoods is particularly excessive on the part of news media who are monitoring traffic situations or chasing after news stories. Some argue that the increasing occurrence of helicopter noise has negatively impacted the quality of life in airport-adjacent neighborhoods and cite studies showing that the excessive noise of low-flying aircraft in residential neighborhoods has contributed to increased levels of anxiety, stress, hypertension, sleep disturbance, decreased school performance, and stress, among many other conditions which have become problematic for Los Angeles communities.

The Resolution proposes that the City of Los Angeles support H.R. 2677, "The Los Angeles Residential Helicopter Noise Relief Act of 2011," introduced by Congressman Howard L. Berman on July 28, 2011.

BACKGROUND

H.R. 2677 (Berman, D-CA): This bill (1) would require the Administrator of the Federal Aviation Administration (FAA), within one year after enactment, to issue regulations for helicopter operations in Los Angeles County, including requirements relating to the flight paths

and altitudes associated with helicopter operations in order to reduce helicopter noise pollution in residential areas; and (2) would authorize the Administrator to exempt helicopter operations related to emergency, law enforcement or military activities from the regulations to be issued.

City Departments' Responses to H.R. 2677: The CLA contacted representatives of the City departments that operate helicopters (Fire, Police, Water and Power) or that operate facilities used by City helicopters (General Services, Airports). We received responses as summarized below. *All responding departments recommend that the City seek amendment to H.R. 2677 to provide that the FAA Administrator "shall" (instead of "may") exempt City helicopter operations from any regulations established for helicopter operations in Los Angeles County.*

Fire Department (LAFD) - In a Bill Response Report dated October 7, 2011, the Fire Department states that its Air Operations would be negatively impacted if made subject to the helicopter regulations called for by H.R. 2677. Any FAA rules requiring flight route diversions and higher rotorcraft altitudes would increase flight times, operation costs and the likelihood of rotorcraft incursions with fixed wing aircraft in the congested Los Angeles Basin. More specifically, flight route diversions could add as many as 5 to 8 minutes to current flight times. The Department's large aircraft have an operation cost of \$5,425.00 per hour, and a six-minute diversion would add \$542.50 to that flight cost.

The LAFD flew over 2,000 missions in 2010, of which 1,200 were directly related to emergencies and 800 were for training or other related, non-emergency purposes. The Department operates six (6) helicopters, which are based at the Air Operations Facility at Van Nuys Airport.

LAFD recommends that the City seek amendment to H.R. 2677, at a minimum, to require (i.e., not simply authorize) the FAA Administrator to exempt emergency operations from the FAA regulations to be established for helicopter operations in Los Angeles County.

Los Angeles Police Department (LAPD) - In a Bill Response Report dated August 22, 2011, the Police Department states that any H.R. 2677 and any FAA regulations regarding flight routes and altitudes would negatively impact the work of its Air Support Division within the City. Such regulations could prohibit all aerial patrol operations over the geographic areas of Newton, Southwest, Southeast and 77th Street Divisions, as well as the Foothill, Van Nuys, Mission and North Hollywood Divisions. LAPD aircraft often operate south of the 10 Freeway and north of the 105 Freeway, an area known as the Los Angeles Class B surface area.

LAPD aircraft already comply with the Code of Federal Regulations, which requires its aircraft to operate below 900 feet above ground level, as directed by the Los Angeles International Airport (LAX) Control Tower. When operating aircraft west of the 110 Freeway between the 105 Freeway and Florence Avenue, LAPD aircraft are further restricted to altitudes below 500 feet above ground level by the LAX Control Tower.

When LAPD aircraft may be operating in the vicinity of the Burbank, Van Nuys, Whiteman, Santa Monica, Hawthorne and Torrance Airports, any FAA requirements to fly at higher altitudes could cause LAPD aircraft to interfere with the normal flow of arrivals and departures at those airports or could restrict LAPD aircraft from operating near those airports. H.R. 2677 potentially could limit LAPD Air Support to Regular Operations at higher altitudes, which would hamper its ability to conduct law enforcement duties and would place air crews in greater danger by requiring LAPD to share the same, congested airspace as that occupied by fixed wing aircraft.

The CLA has been advised that LAPD operates 17 helicopters, based at Hooper Heliport, at Piper Tech.

LAPD recommends that H.R. 2677 be amended, at a minimum, to require the FAA Administrator to exempt law enforcement and other emergency services from the regulations to be established for helicopter operations within Los Angeles County. This would provide a vertical separation between emergency services aircraft and civil aircraft, creating a safer environment for Air Safety Division personnel and giving some noise relief to residents below.

LAPD recommends further that H.R. 2677 be amended to provide law enforcement agencies with greater authority to establish and enforce Temporary Flight Restrictions (TFR), which can be used for major events where civilian aircraft have appeared in such great numbers that they have caused emergency personnel to be concerned about air safety and excessive noise levels for aircraft personnel, spectators and others on the ground.

Department of Water and Power (DWP) - In a Bill Response Report dated October 3, 2011, the Water and Power Department states that H.R. 2677 could negatively impact the Department's helicopter operations, which are used on a daily basis to ensure security, public safety, and to prevent interruptions in the City's supply of water and electric power. The Department states that its security flights are essential to protect the infrastructure that supplies both water and electric power to the City's residents and businesses. During in-basin patrols, 86 key locations and facilities are surveyed, including generation facilities, distribution stations, receiving stations, water tanks, filtration plant, aqueducts, transmission lines and other critical facilities.

DWP notes that it partners with LAPD in the LA Shield Program, wherein DWP is responsible for surveying identified, critical assets and to input data to the LAPD Anti-Terrorism Bureau. The collected data is analyzed and any anomalies are identified so that the appropriate response can be coordinated.

DWP's in-basin flights have varied routes and schedules to increase the effectiveness of the security flights. H.R. 2677 would require the FAA to establish rules relating to altitudes for helicopter operations. Such rules prevent DWP from flying low enough to physically view anomalies and to be able to recognize and identify criminal activities and/or personnel errors. DWP helicopters may fly as close as 60 feet above the ground to ensure proper surveillance.

The CLA has been advised that DWP operates four (4) helicopters, based at Hokison Heliport at a DWP facility in Sylmar.

DWP recommends that the City seek amendment to H.R. 2677 to require (not simply authorize) the FAA Administrator to exempt helicopter operations related to emergency, law enforcement, military activities or utility operations from the requirements to be established under this law.

General Services Department (GSD) - GSD chose not to provide a formal response to H.R. 2677 because it does not own or operate any helicopters. However, GSD operates a maintenance facility for LAFD's helicopters at Van Nuys Airport. A GSD representative estimated that some 1,000 - 1,500 maintenance flights may arrive at or depart from this facility annually.

Department of Airports/Los Angeles World Airports (LAWA) - A LAWA representative has advised informally that LAWA works with the FAA to develop appropriate helicopter ingress and egress routes in the immediate vicinity of LAX. Helicopters are subject to various FAA rules and regulations, but none are specific to LAX or to Los Angeles County.

LAWA's representative further advised that the Department does not monitor the number of helicopter operations at LAX and that no City-operated helicopters are based at LAX. As mentioned above, GSD operates a maintenance facility for LAFD's helicopters at Van Nuys Airport, which is one of the three airports owned and operated by LAWA.

CLA's Recommendation: The City's Fire Department, Police Department and Department of Water and Power have all expressed concerns that H.R. 2677 could negatively impact their respective helicopter operations, which are integral and critical to the basic responsibilities of the Departments. Therefore, each of these Departments has recommended that H.R. 2677 be amended to require (not merely authorize) the FAA Administrator to exempt helicopter operations related to emergency, law enforcement or military activities from the regulations to be issued by the Administrator pursuant to this law.

Furthermore, to ensure that the bill would exempt the City's helicopter operations in support of water and power operations and training operations, as well as to provide law enforcement agencies with greater authority to establish Temporary Flight Restrictions (TFR) when warranted, the CLA recommends that the City SUPPORT H.R. 2677 IF AMENDED to provide as follows:

“(b) EXEMPTIONS PERMITTED.—In issuing regulations under subsection (a), the Administrator ~~may~~ shall exempt helicopter operations related to emergency, law enforcement, public utilities or military purposes, including helicopter training operations for these same purposes, from requirements described in such subsection. The Administrator also shall consider providing greater authority to law enforcement agencies to establish and enforce Temporary Flight Restrictions when such regulations would likely improve air safety conditions.”

DEPARTMENTS NOTIFIED: Fire, Police, Water and Power, General Services, Airports

BILL STATUS:

Introduced on July 28, 2011.

Heard on October 28, 2011 by the House Committee on Transportation and Infrastructure,
Subcommittee on Aviation.



Christine Yee Hollis
Analyst

Attachments: Revised Resolution
Bill Response Reports from Fire, Police and Water and Power Departments
Resolution (Koretz-LaBonge-Garcetti), introduced on July 29, 2011
H.R. 2677 (Berman, D-CA), introduced on July 28, 2011

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, for many years, Los Angeles communities have made various complaints relative to the increasing helicopter traffic over our City, which has contributed to urban noise pollution and has generated concerns related to local residents' safety and privacy; and

WHEREAS, helicopter traffic in many parts of Los Angeles has become more intrusive, as helicopters are used to cover news events, no matter how large or how small, if only to provide possible stories for the upcoming radio or TV news or print media, while imposing noise pollution and safety hazards on the tranquility of local backyards and neighborhoods; and

WHEREAS, studies show that excessive noise pollution of low-flying aircraft in residential areas can cause adverse impacts on affected populations, such as anxiety, hypertension, sleep disturbance, decreased school performance, and stress, among many other conditions; and

WHEREAS, on July 28, 2011, U.S. Congressman Howard L. Berman introduced H.R. 2677, the Los Angeles Residential Helicopter Noise Relief Act of 2011, which would require the Administrator of the Federal Aviation Administration (FAA), within 12 months of enactment, to issue regulations to restrict helicopter flight paths and set minimum altitudes for helicopter flights over Los Angeles residential areas, and would allow the Administrator to exempt from such regulations helicopter operations related to emergency, law enforcement or military activities; and

WHEREAS, the City of Los Angeles and other public agencies do use helicopters to respond as quickly as possible to public emergencies, such as natural or human-caused disasters, crime scenes, traffic hazards, wildfires or other public dangers, as well as to patrol water and power facilities; and

WHEREAS, H.R. 2677 would direct the FAA Administrator to issue regulations to reduce helicopter noise pollution in residential areas of Los Angeles County; but it also should require the Administrator to exempt certain, specified helicopter operations of the City of Los Angeles and other public agencies so that they may carry out their respective public duties and responsibilities as efficiently as possible, including helicopter training operations for these same purposes, and it also should require the Administrator to consider providing greater authority to law enforcement agencies to establish and enforce Temporary Flight Restrictions when such restrictions would likely improve air safety conditions;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2011-2012 Federal Legislative Program **SUPPORT** of H.R. 2677, entitled the "Los Angeles Residential Helicopter Noise Relief Act of 2011," which would direct the Administrator of the Federal Aviation Administration (FAA) to issue regulations to reduce helicopter noise pollution in residential areas of Los Angeles County, California, **IF AMENDED** (a) to provide that the Administrator shall exempt from such regulations helicopter operations undertaken for emergency, law enforcement, public utilities or military purposes, including helicopter training operations for these same purposes;; and (b) to provide that the Administrator shall consider providing greater authority to law enforcement agencies to establish and enforce Temporary Flight Restrictions when such restrictions would likely improve air safety conditions, as initiated in part by Resolution (Koretz-LaBonge-Garcetti).

CITY OF LOS ANGELES

BILL RESPONSE REPORT

DEPARTMENT/BUREAU/OFFICE FIRE		BILL NO. H.R. 2677	AUTHOR: Congressman Howard L. Berman				
PREPARED BY Captain II - Paul Egizi	EXT. (818) 756-8635	DATE 10-07-11	AMENDED DATE				
BILL SUBJECT/TITLE:							
<p>I. Describe the impact this bill will have on your department or the City, its program(s), and/or its constituency (state existing law or practice, a summary of the effect the bill will have on existing department operations, etc.).</p> <p>This bill would have a negative impact on the Fire Department's Air Operations Section (LAFD) if it doesn't completely exempt Fire Department aircraft. The two major areas of concern are flight route diversions and higher rotorcraft altitudes during flight. Route diversions would have a fiscal impact on the Fire Department with an overall increase in flight times. Higher rotorcraft altitudes would increase the likelihood of rotorcraft incursions with fixed wing aircraft in the already congested Los Angeles Basin.</p> <p>The LAFD flew over 2000 missions in the year 2010, of which 1200 of these flights were directly related to emergencies. The bill H.R. 2677 doesn't address the return of helicopters from these emergency incidents or the 800 training and non-emergency related missions.</p>							
<p>II. Give estimate of cost or savings to your department (include SB 90 reimbursements, if applicable).</p> <p>There would be a cost associated with diverting aircraft to alternate arrival and departure routes. These diversions could add as many as 5 to 8 minutes to current flight times. To put this into perspective our large aircraft have an operating cost of \$5425.00 per hour, so a 6 minute diversion would cost \$542.50.</p>							
<p>III. Arguments both "For" and "Against" this bill.</p> <table border="1"> <tr> <td>For:</td> <td>The Fire Department has no formal opinion/comment in support of this bill.</td> </tr> <tr> <td>Against:</td> <td> <p>This bill does not allow for a complete exemption to Fire Department aircraft. It states in Section 2, paragraph (b), "Issuing regulations under subsection (a), the Administrator <i>may</i> exempt helicopter operations related to emergency, law enforcement, or military activities from requirements described in such subsection."</p> <p>The Fire Department would need to be completely exempt from any noise abatement legislation that would negatively impact our ability to complete both emergency and non-emergency essential missions.</p> </td> </tr> </table>				For:	The Fire Department has no formal opinion/comment in support of this bill.	Against:	<p>This bill does not allow for a complete exemption to Fire Department aircraft. It states in Section 2, paragraph (b), "Issuing regulations under subsection (a), the Administrator <i>may</i> exempt helicopter operations related to emergency, law enforcement, or military activities from requirements described in such subsection."</p> <p>The Fire Department would need to be completely exempt from any noise abatement legislation that would negatively impact our ability to complete both emergency and non-emergency essential missions.</p>
For:	The Fire Department has no formal opinion/comment in support of this bill.						
Against:	<p>This bill does not allow for a complete exemption to Fire Department aircraft. It states in Section 2, paragraph (b), "Issuing regulations under subsection (a), the Administrator <i>may</i> exempt helicopter operations related to emergency, law enforcement, or military activities from requirements described in such subsection."</p> <p>The Fire Department would need to be completely exempt from any noise abatement legislation that would negatively impact our ability to complete both emergency and non-emergency essential missions.</p>						

FOR CLA USE ONLY

Position Noted _____

Committee _____

Analyst _____

Council _____

Program No. _____

Position _____

IV. Recommended position and justification:

☐ No Position ☐ Support ☐ Oppose ☒ Amend

Describe reasons for recommended position (include relevant existing City legislative policy, and any proposed amendments in underline and strike-out format).

The wording of paragraph (b) could prove to be problematic for firefighting, medi-vac and search & rescue operations. It states that the FAA *may* exempt "emergency" activities. If the FAA chooses not to exempt these emergency activities, it would allow significant restrictions to conducting emergency operations. Should the bill continue to go forward, it is recommended at a minimum, to be modified as to read "*shall* exempt emergency operations."

V. Interested Parties:

Indicate any interest other departments or organizations may have on the bill. Also, list any contacts you made in preparing this information.

In preparing this report I consulted LAFD's Command Pilot - Scot Davison (818) 756-8635 at Air Operations.

Other Parties that would have interest in this bill:

- Los Angeles County Fire Department – Air Operations (818) 890-5755
- Los Angeles County Sheriff's Department – Aero Bureau (562) 421-2701

CITY OF LOS ANGELES

RECEIVED - CLA
BILL RESPONSE REPORT
2011 SEP 27 PM 3:58

DEPARTMENT/BUREAU/OFFICE POLICE		BILL NO. H.R. 2677	AUTHOR U.S. Congressman Howard L. Berman
PREPARED BY Captain II William D. Sutton	EXT. (213) 473-8180	DATE 08/22/11	AMENDED DATE
BILL SUBJECT/TITLE:		<i>Los Angeles Residential Helicopter Noise Relief Act of 2011</i>	
<p>I. Describe the impact this bill will have on your department or the City, its program(s), and/or its constituency (state existing law or practice, a summary of the effect the bill will have on existing department operations, etc.).</p> <p>The impact of this bill will be negative towards the Los Angeles Police Department (LAPD), Air Support Division (ASD) operations since it would double or triple our current operating altitudes. This restriction will prohibit all aerial patrol operations over the geographic Areas of Newton, Southwest, Southeast, and 77th Divisions within the City of Los Angeles. Additionally, it will significantly impact ASD operations in the geographic Areas of Foothill, Van Nuys, Mission, and North Hollywood Divisions. When LAPD aircraft operate south of the 10 Freeway and north of the 105 Freeway, they are flying in what is known as the Los Angeles Class B surface area. Among abiding by the normal Code of Federal Regulations (CFRs), imposed by the Federal Aviation Administration (FAA), Department aircraft are also required to operate below 900 feet Above Ground Level (AGL) as directed by the Los Angeles International Airport (LAX) control tower. When Department aircraft operate west of the 110 Freeway between the 105 Freeway and Florence Avenue, they are further restricted to altitudes below 500 feet AGL by the Los Angeles International Airport control tower. When operating in the vicinity of the Burbank, Van Nuys, Whiteman, Santa Monica, Hawthorne, and Torrance Airports, the higher altitudes would cause Department aircraft to interfere with those airports normal flow of arriving and departing aircraft, thus restricting LAPD/ASD from operating near those airports. This bill has the potential of limiting Air Support to Regular Operations (ASTRO) to the areas of Wilshire, Olympic, Rampart, Central, Hollenbeck, and Northeast Divisions. Operating at these higher altitudes not only limits ASD aircraft from conducting law enforcement duties, it places its aircrews in greater danger by sharing the same already congested airspace as fixed wing airplanes.</p>			
<p>II. Give estimate of cost or savings to your department (include SB 90 reimbursements, if applicable). N/A</p>			
<p>III. Arguments both "For" and "Against" this bill.</p> <p>For: Air Support Division personnel have noticed an increase in low flying sight-seeing helicopters. In years past, the sight-seeing helicopters were operating above 1000 feet AGL, but not only have they been flying lower (ASTRO altitudes), but their numbers have increased over the last six years. Provided that law enforcement is guaranteed an exemption, the bill could be beneficial.</p> <p>Against: The bill does allow for an exemption to law enforcement. It states in Section 2, paragraph (b), "In issuing regulations under subsection (a), the Administrator <i>may</i> exempt helicopter operations related to emergency, law enforcement, or military activities from requirements described in such subsection." The wording of paragraph (b) could prove to be problematic for Airborne Law Enforcement. It states that the FAA <i>may</i> exempt law enforcement. If the FAA chose not to exempt law enforcement, it would allow significant restrictions that could hamper airborne operations. Should the bill continue to go forward, recommend at a minimum, to be modified as to read "<i>shall</i> exempt law enforcement."</p>			

(See Other Side)

IV. Recommended position and justification:

No Position ☐ Support ☐ Oppose ☒ Amend

Describe reasons for recommended position (include relevant existing City legislative policy, and any proposed amendments in underline and ~~strike-out~~ format)

The simple recommendation would be to embrace the bill with the modification of changing the exemption clause from *may* to *shall*. This would establish a floor in which civil aircraft would be required to operate, allowing vertical separation between emergency services aircraft and civil aircraft, thus creating a safer environment for ASD personnel and giving some noise relief to the citizens petitioning passage of HR 2677.

The more difficult recommendation would be to seek a more in-depth bill not only exempting law enforcement, fire, and military; but by giving law enforcement greater authority to establish and enforce Temporary Flight Restrictions (TFR).

Temporary Flight Restrictions are typically used for forest fires, Presidential visits, Dodger baseball games, and other major events deemed worthy by the FAA. There have been many occasions such as major sporting events (Lakers basketball games), the Michael Jackson funeral, and other unusual occurrences where excessive civilian aircraft have caused a safety concern with ASD aircraft as well as a noise problem for both spectators and ground officers.

V. Interested Parties:

Indicate any interest other departments or organizations may have on the bill. Also, list any contacts you made in preparing this information.

This legislation will surely be challenged by the Airplane Owners and Pilots Association (AOPA), the Airborne Law Enforcement Association (ALEA), and the Helicopter Association International (HAI). These are national and international airborne law and non-law enforcement associations.

Contacts: All below personnel assigned to LAPD/Air Support Division can be contacted at (213) 495-2600:

Lieutenant II+2 Phillip A. Smith, Serial No. 25921, Sergeant II+3 Jorge Gonzalez, Serial No. 24261; Chief Pilot, Police Officer II+6, Robert Price, Serial No. 30674.

CITY OF LOS ANGELES

BILL RESPONSE REPORT

RECEIVED - CLA

DEPARTMENT/BUREAU/OFFICE		BILL NO.	2011 OCT -5 PM 1:52 AUTHOR
Department of Water & Power		HR2677	Berman
PREPARED BY	EXT.	DATE	AMENDED DATE
Lisa Tashiro	(213) 367-0648	10/3/11	
BILL SUBJECT/TITLE:	Los Angeles Residential Helicopter Noise Relief Act of 2011		
<p>I. Describe the impact this bill will have on your department.</p> <p>HR2677 could potentially negatively impact the Department of Water & Power (DWP). DWP uses helicopters on a daily basis to ensure security, public safety, and to prevent interruptions in the supply of water and electric power.</p> <p>The DWP security flights are essential to protect the critical infrastructure that supplies both water and electric power to the residents and businesses of the City of Los Angeles. During DWP's in-basin patrols, 86 key locations and facilities are surveyed, including: generation facilities, distribution stations, receiving stations, water tanks, filtration plant, aqueducts, transmission lines and other critical facilities. The DWP and the LAPD are in a partnership under the LA Shield program. DWP's responsibility is to survey identified critical assets and input data to the LAPD Anti-Terrorism Bureau. The data is collected and newly inputted data is analyzed. Anomalies from previous flights are identified so that appropriate response can be coordinated. The measure indicates that the FAA will include requirements relating to the flight paths associated with helicopter operations to reduce noise pollution, however DWP's in-basin flights have varied routes and schedules to increase the effectiveness of this security measure. The measure also mandates the FAA to include requirements relating to the flight altitudes associated with helicopter operations to reduce noise pollution. DWP must fly low enough to physically view anomalies and be able to recognize and identify criminal activities and/or personnel errors. In some cases, DWP helicopters will fly as close as sixty feet from the ground to ensure proper surveillance.</p> <p>The helicopters are also used to ensure public safety. DWP patrols approximately 700 circuit miles within the Los Angeles County. The patrols include identifying low hanging wires and trees in close proximity to transmission lines as well as human encroachments within the safety zone for extra high voltage lines.</p>			
<p>II. Give estimate of cost or savings to your department (include SB 90 reimbursements, if applicable).</p> <p>N/A</p>			
<p>III. Arguments both "For" and "Against" this bill.</p> <p>For:</p> <p>Against: It is essential that the DWP be included in the exemption language of this bill in order to adequately protect the DWP's assets and to ensure a continuous supply of water and electric power to the residents and businesses of the City of Los Angeles. Additionally, DWP recommends that the language mandate the FAA to provide the exemption, rather than the current language which states the Administrator "may" exempt certain helicopter operations.</p>			

(See Other Side)

FOR CLA USE ONLY

Position Noted _____

Committee _____

Analyst _____

Council _____

Program No _____

Position _____

IV. Recommended position and justification:

No Position

Support

Oppose

Amend

Describe reasons for recommended position (include relevant existing City legislative policy, and any proposed amendments in underline and ~~strike-out~~ format)

(b) EXEMPTIONS PERMITTED. – In issuing regulations under subsection (a), the Administrator ~~may~~ shall exempt helicopter operations related to emergency, law enforcement, ~~or~~ military activities, or utility operations from requirements described in such subsection.

V. Interested Parties:

Indicate any interest other departments or organizations may have on the bill. Also, list any contacts you made in preparing this information.

11-0002-S114

INFORMATION TECH. & GOVT. AFFAIRS

RESOLUTION

JUL 29 2011

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, for many years, Los Angeles communities have made various complaints relative to the increasing helicopter traffic over Los Angeles, which has created noise pollution, and has generated concerns related to resident safety and privacy; and

WHEREAS, most recently, the helicopter traffic significantly increased during "Carnageddon," the closure of a section of the 405 freeway, which served as a tipping point for residents' concerns and frustrations; and

WHEREAS, helicopter traffic in the Los Angeles area has been cited as excessive, as helicopters have been used for car chases, small fires, and even car accidents, creating unintended consequences for residents such as additional noise pollution which has arguably impacted the quality of life of individuals, increased concerns regarding safety, and an invasion of privacy with limited accountability; and


WHEREAS, studies show that adverse consequences to surrounding households due to excessive noise pollution of low-flying aircraft in residential areas have been linked to anxiety, hypertension, sleep disturbance, decreased school performance, stress, and many other conditions which are highly problematic for the communities in Los Angeles; and


WHEREAS, on July 28, 2011, U.S. Congressman Howard L. Berman introduce H.R. 2677, the Los Angeles Residential Helicopter Noise Relief Act of 2011, which would require the Federal Aviation Administration (FAA) to restrict helicopter flight paths and set minimum altitudes over Los Angeles residential areas in Los Angeles within 12 months of enactment, with certain exemptions for emergency responders and the military; and

WHEREAS, action as detailed in H.R. 2677, would mitigate many issues which have been created as a result of heavy low-flying helicopter traffic over residential areas, and would serve as a great relief to the people of Los Angeles;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles, hereby includes in its 2011-2012 Federal Legislative Program SUPPORT of H.R. 2677, which would require the Federal Aviation Administration (FAA) to restrict helicopter flight paths and set minimum altitudes in Los Angeles County.

PRESENTED BY:


PAUL KORETZ
Councilmember, 5th District


TOM LABONGE
Councilmember, 4th District

SECOND BY: 

cc

JUL 29 2011

ORIGINAL

112TH CONGRESS
1ST SESSION

H. R. 2677

To direct the Administrator of the Federal Aviation Administration to issue regulations to reduce helicopter noise pollution in residential areas of Los Angeles County, California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2011

Mr. BERMAN introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To direct the Administrator of the Federal Aviation Administration to issue regulations to reduce helicopter noise pollution in residential areas of Los Angeles County, California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Los Angeles Residen-
5 tial Helicopter Noise Relief Act of 2011”.

6 **SEC. 2. RESIDENTIAL HELICOPTER NOISE RELIEF.**

7 (a) **REGULATIONS REQUIRED.**—Not later than 1 year
8 after the date of enactment of this Act, the Administrator

1 of the Federal Aviation Administration shall issue regula-
2 tions for helicopter operations in Los Angeles County,
3 California, that include requirements relating to the flight
4 paths and altitudes associated with such operations to re-
5 duce helicopter noise pollution in residential areas.

6 (b) EXEMPTIONS PERMITTED.—In issuing regula-
7 tions under subsection (a), the Administrator may exempt
8 helicopter operations related to emergency, law enforce-
9 ment, or military activities from requirements described
10 in such subsection.

○