

# SEQRA Study Phase and Data Collection – Proposed Final PPR Framework for 2022 Season



April 12, 2022

Bill O'Connor

**Cooley**



# Agenda

Cooley

# Agenda

- Update on Deactivation and Activation Processes
- Announce Final SEQRA Study Phase and Data Collection PPR Framework
  - Framework based on data analyses conducted by HMMH
  - Incorporates public comment from the community and stakeholders received over past month as part of SEQRA draft scoping review

# Update on Activation and Deactivation Processes

Cooley

# FAA Update

- FAA issued “no objection” letter of determination regarding deactivation of HTO on May 17, 2022, at 11:59 pm
- FAA issued “no objection” letter of determination regarding activation of JPX on May 19, 2022, at 09:00 am
  - JPX is the identifier assigned to the East Hampton Town Airport
- FAA and Town are committed to delivering a safe New Airport that has as many operational capabilities as possible
  - Anticipate all capabilities to be available upon opening

# Deactivation

- Deactivation of East Hampton Airport will occur on May 17 at 11:59 pm
  - Postponed to align with timeline requested by FAA
  - FAA confirmed this date
- Upon deactivation, all air navigation facilities will be inoperable
  - Runways, taxiways, navigational aids, etc.

# Activation

- Activation of JPX will occur on May 19 at 9:00 am
  - Agreed to postpone after receiving assurances from FAA
  - May 19 coincides with FAA charting cycles
  - FAA confirmed this date
- Upon activation, all safety and operational capabilities of East Hampton Airport are expected to be available

# New Airport's Capabilities Upon Opening

- When compared to current offering at East Hampton Airport:
  - New identifier (JPX)
  - All communication aids will be available
  - All weather aids will be available
  - All navigational aids will be available
  - Private Air Traffic Control Tower will be available
    - As in the past, opens Saturday before Memorial Day
  - Special procedures—private instrument flight procedures—are expected to be available



# SEQRA Study Phase and Data Collection - PPR Framework for 2022 Season

Cooley

# SEQRA Study Phase and Data Collection

- Goal is to collect actual data regarding impacts of PPR on community and neighboring communities
  - Need to change status in order to do this
  - SEQRA regulations provide exemptions for gathering information to complete related environmental studies
- Town Board retains ability to be flexible and adjust PPR as needed
- This framework incorporates feedback from community and stakeholders

# SEQRA Study Phase and Data Collection

- At end of 2022 Season, the information collected will be included in the DGEIS that is circulated for public comment and Town Board will consider impact of PPR in deciding whether and how to operate the airport in the future

# 2022 Season PPR Framework

- PPR framework is not a ban on any aircraft, operator, or category
- Several permissions working together to balance community concern with aviation interests during 2022 Season
- Will be enforced pursuant to rules and regulations that govern use of the New Airport
- General aviation operators largely have blanket permission to operate during non-curfew hours

# PPR Framework

- No reliance on FAA or air traffic controllers to manage or enforce the PPR
- PPR does not apply to public, military, or emergency operations
- Cumulative Impacts
  - Overall, the SEQRA study period PPR will impact approximately 40% of operations and will address upwards of 70% of complaints and provide real time data for inclusion in the DGEIS
  - **Note** - the percentages referenced above and in the following slides may overlap with the impact of other permissions and are based on available historical data from 2016-2021

# Time-Based Permission

- Permission to operate at JPX:
  - Monday – Thursday: 8 am – 8 pm
  - Friday, Saturday, Sunday, Federal Holidays: 9 am – 7 pm
- Impact
  - Would impact 13% of operations
  - Would address approximately 38% of complaints

# Operator-Based Permission

- Commercial & fractional ownership operators permitted to operate one daily roundtrip per aircraft
  - Applies to Part 135 & Part 91k flights (nearly all helicopters, jets, and seaplanes)
  - Roundtrip = one takeoff and one landing per calendar day
  - This will be tracked and enforced on a registration number basis
- Impact
  - Would impact 13% of total operations
  - Would eliminate 24% of commercial operations
  - Would address approximately 35% of complaints

# Noise-Based Permission

- Aircraft with a noise signature of 91.0 EPNdB or higher are permitted to operate one daily roundtrip
  - Aircraft EPNdB level published by the FAA pursuant to 14 C.F.R. Part 36
    - If aircraft not included on AC-36-1H, presumed to be noisy
- Fixed wing, piston driven aircraft are presumed to be not noisy
- Noisy and Part 91k or 135 aircraft limited to one daily roundtrip
- Impact
  - Would impact 6% of operations; would eliminate 11% of noisy operations
  - Would address approximately 20% of complaints



# Size-Based Restriction

- No permission for aircraft that exceed 50,000/40,000 lbs maximum takeoff weight (MTOW)
  - Generally, excludes aircraft designed to carry 12 or more passengers
  - Preserves lifespan of runways and taxiways
- Impact
  - Would impact XX% of jet operations
  - Would address XX% of jet complaints

# Environmental-Based Permission

- As part of the long-term operations to be studied in the DGEIS, it is contemplated that lead-based fuel will be phased out of the New Airport and not available for sale in the future

# Additional Permissions

- Must have prior written permission from airport director to conduct the following activities:
  - Ultralight vehicles; banner towing; skydiving
  - Operation of Stage 1 or Stage 2 jets
  - Touch-and-go operations
- Requisite written permission may be provided in Attachment C of the rules and regulations or on a per-operator basis

# Enforcement

- Rules and Regulations contain enforcement scheme that includes temporary and permanent rescission of permission for pilots, owners, and/or operators based on violations of the PPR
- Town also may enforce local, county, or state laws for violations of the PPR
- Such mechanisms are part of routine or continuing agency administration and management by a municipality

Questions or Comments?

Cooley