

# URBAN WATERFRONT ACTION GROUP

February 5, 2004

## MINUTES

### Expansion of the Sterling Heliport at Penn's Landing

#### Attendees

Kelly LeMunyon	Sterling Helicopter	klemunyon@sterlinghelicopter.com
Dawn Fithian	Sterling Helicopter	dfithian@sterlinghelicopter.com
Fred Pourday	Philadelphia International Airport	fred.pourkay@phl.org
Michele Sarkos	Philadelphia City Law Department	michele.sarkos@phila.gov
Bill Jenkins	Army Corps of Engineers	william.h.jenkins@usace.army.mil
Jill Munsch	U.S. Coast Guard	jmunsch@msogruphila.uscg.mil
Ray Casher	U.S. Coast Guard	rcasher@msogruphila.uscg.mil
Paul Scally	Delaware River Basin Comm.	pscally@drbc.state.nj.us
William Muir	U.S. EPA Region 3	muir.william@epa.gov
PJ Dhillon	PADEP WM	pjdhillon@yahoo.com
Everald McDonald	PADEP CZM	emcdonald@state.pa.us
Larry Toth	PADEP CZM	latoth@state.pa.us
Kenneth R. Anderson	PADEP SERO	kanderson@state.pa.us
Randy Brown	PADEP SERO	rabrown@state.pa.us
Roger Moog	DVRPC	rmoog@dvrpc.org
Reiner Pelzer	DVRPC	rpelzer@dvrpc.org
Skip Coon	DVRPC	scoon@dvrpc.org
Chris Linn	DVRPC	clinn@dvrpc.org
David Ottow	Urban Engineers	dlottow@urbanengineers.com

1. The meeting was called to order at 10:10 a.m.
2. Chris Linn of DVRPC chaired the meeting. Members of the UWAG committee and the applicants introduced themselves.
3. Mr. Linn introduced Mr. Roger Moog, Manager of Aviation Planning at DVRPC, who presented the project to the UWAG.
4. Mr. Moog explained that DVRPC advises the state DOT's and the FAA on where they should focus their capital expenditures in order to most effectively address the aviation needs of a 12-county area centered on Philadelphia. In that capacity, DVRPC is now supporting expansion of the Sterling Heliport.

Mr. Moog distributed maps and aerials depicting the project location. He also distributed a written response from the master plan engineer to his project description. Finally, Mr. Moog distributed a memo from December of 2002 to the FAA that attempted to establish the need for, and the appropriateness of, the Sterling Heliport expansion.

Mr. Moog explained the history of the project. In 1982, DVRPC adopted its original Regional Systems Plan for Aviation. This plan has since been revised and projected forward to the year 2025 and will soon be updated to 2030. All versions of the Systems Plan show the need for a public use heliport to serve Center City Philadelphia. This need is underscored by the current heavy public and private use of the Sterling Heliport, which is currently Center City's main public use heliport. In 1991 PIDC received money to conduct a study to find alternative sites for a heliport. At that time, Sterling did not have a long-term lease at Penn's Landing. The study identified four locations: one near 30<sup>th</sup> Street station; one near the old Phila Convention Center in West Phila; one near the former sanitation station at Spring Garden St. and Delaware Ave.; and one site along the river in South Phila that is now the location of a union hall. Since the study's completion, Sterling Heliport received a long-term lease from Penn's Landing. As a result, the owners of the facility have invested heavily in the heliport. The Heliport has also received more than \$100,000 of public funds from PennDOT. However, the Heliport needs more landing and take-off space to meet existing demands and to accommodate larger helicopters. They would also benefit from more 'parking space' for helicopters. As a result, Sterling would like to lengthen (but not widen) the existing pier out to the historic pier line. Lengthening the pier would also allow aircraft to more easily clear neighboring piers and would move noise impacts farther away from developed areas.

Mr. Moog stated that preliminary cost estimates for the expansion came in at \$10 million and that Sterling is currently seeking funding from the State and the FAA to conduct an environmental assessment (EA) and feasibility study for the project. The results of this study will in turn give the FAA the assurances it will need to invest larger capital sums in the project. Before any money can be received from FAA, FAA has three provisos. First, the project requires a public sponsor. Penn's Landing Corp. has come forward as a public sponsor and is awaiting legal clearances from the FAA and the City to be cleared as a "valid public sponsor". Second, FAA wanted all of the environmental regulatory agencies

and stakeholders to agree that this project could move forward. This was a primary reason for bringing the project to the UWAG. Third, FAA wanted Sterling to define how many residences would be affected by the 65 LDA noise contour created by helicopter traffic. If the heliport were extended out into the river, Mr. Moog postulated that fewer residences would be affected by noise.

If the results of the EA are favorable, the FAA and the State would need to work out a funding formula, although Penn's Landing is not obligated at that point to go through with the project.

Mr. Moog mentioned that there had been some talk of having the Aviation Division of the Phila Commerce Department sponsor the project, but it was agreed that Penn's Landing should sponsor the project. Regardless of the sponsor, Phila International Airport is highly supportive of the project because it would take helicopter traffic away from the airport and would free it up to handle more fixed wing aircraft. Mr. Moog added that Sterling is a favored site because it has excellent access to Center City and because it is the location of an operating business where several million dollars of private monies have been invested. Furthermore, some of the alternative sites that had been identified by the '91 study are no longer available, and in any case, Sterling's site along the river is an ideal alternative because the approaches for the aircraft are over water, not over land.

Ms. LeMunyon stated that future civilian versions of the "Osprey" tilt-rotor aircraft would require more room to land and take-off than what is currently available at Sterling. If the heliport were expanded, they would be able to handle tilt-rotor aircraft.

5. Mr. Toth asked about the original dimensions of the pier and its former use. He also asked what is currently in the water and when the old pier was removed. Mr. Toth inquired as to the use of the neighboring piers. Ms. LeMunyon replied that Pier 32 is now the site of a large apartment building and that Pier 34 was the nightclub pier that had collapsed several years ago. Mr. Toth asked if the existing Sterling pier was on pilings or fill (it is on pilings). Mr. Toth asked if the extension would be pilings or fill. Mr. Moog thought it would be pilings. Mr. Moog asked if he should respond to these questions by email at a later date. Mr. Toth said that perhaps he could come back to UWAG with the project engineer.

Mr. Toth asked if any new alternatives had been identified since the completion of the '91 study. Mr. Toth mentioned the former Warminster Naval Air Warfare Center that was decommissioned in 1991. Mr. Moog responded that this site was no longer available and in any case it wouldn't be able to serve Center City. Mr. Toth responded that an airport is not a "water-dependent use" and that a search for other sites would need to be conducted before the State could consider the approval of a permit. Mr. Anderson added that the '91 study didn't consider newly or more recently vacated spaces and that the applicant would need to consider current site alternatives.

6. Mr. Anderson asked whether the applicant intended to go through the NEPA process, or if they planned on coming in for a standard permit. Mr. Anderson stated that the NEPA process would involve “scoping, purpose and need”.
7. Mr. Scally suggested performing a literature analysis on comparable sites. He also pointed out that PWD would be able to identify any combined sewer overflows (CSOs) in the study area.
8. Mr. Moog stated that because Sterling is an operating heliport it makes good planning sense to expand operations at that location, rather than trying to build a heliport from scratch at another location. So, from a planning standpoint, the benefits of expanding the existing heliport far outweigh the costs.
9. Mr. Moog asked if the fact that the existing Sterling pier had at one time extended to the pier line had any influence on the agencies’ thinking, or if they considered this project to be new construction. Mr. Jenkins replied that it would be considered new construction.
10. Mr. Moog explained that all the questions the regulators were posing would be sorted out in an EA, but that he needed sign-off from the regulators before he could get funding to conduct the EA. Mr. Moog felt that the agencies wanted him to conduct an EA before they would sign-off on anything, and he asked if there was any way to deal with this conundrum.
11. Mr. Anderson asked if a bathymetry analysis out to the pier line had been performed. Mr. Moog did not know if this had been done. Mr. Anderson stated that such an analysis would show whether or not there were still old pilings under the water.

Mr. Anderson suggested that the applicant come into DEP’s and the Corps’ offices to research existing permits and make sure that those permits are proper and up-to-date.

Mr. Anderson stated that the applicant should figure out if they need to go through the NEPA process because this process is very demanding on DEP’s staff.

Mr. Anderson suspected that the FAA would require the applicant to go through the NEPA process. Mr. Anderson asked the applicant to find out whether or not this was indeed the case.

12. Mr. Moog speculated that the permitting and funding situation might be different if the FAA clearly believed that this was a public applicant for a public facility.
13. Mr. Anderson stated that the permit application would have to come from Penn’s Landing and that Penn’s Landing should identify the conditions of their lease agreement with Sterling in the application.
14. Mr. Anderson explained that first thing DEP does is look for site alternatives that would not involve the river. If it is determined that no alternatives are available, then DEP looks at different arrangements and designs that would minimize the impacts of the project on the

river. The applicant has an obligation to demonstrate to DEP that they have minimized their impacts on the river. If an applicant does that and shows that there will be no adverse impacts on the environment, they will get a permit.

15. Mr. Moog asked if the impact on the river was a make or break situation or if other factors were considered by DEP, such as costs. Mr. Moog acknowledged that a heliport could be constructed at a different Center City location, but stated that it may cost twice as much as expanding the Sterling facility. Mr. Moog asked if he was in a 'trade-off' situation, or if he should eliminate the Sterling site as a possibility because they would have to re-build the pier into the river.

Mr. Anderson replied that DEP would consider comparative costs, but that they only consider the costs of 'bricks-and-sticks' at one site versus the costs of 'bricks-and-sticks' at another site. DEP would not consider the costs of finding and acquiring another site.

16. Mr. Toth suggested that the entire heliport could be relocated to Pier 32 upriver, thereby avoiding the need to extend a pier into the river. (Pier 32 is now the location of an apartment building that slightly resembles a ship)
17. Mr. Anderson, acknowledged that other external costs, such as noise impacts, could be factored into DEP's decision-making process.
18. Mr. Anderson stated that the 1991 PIDC alternatives analysis should be updated to reflect current opportunities and constraints. Mr. Moog asked if the new alternatives analysis could be part of the EA.
19. Mr. Pelzer asked UWAG if they could get something in writing from the Committee to give to Harrisburg stating that DEP needs to see an EA and an alternatives analysis before they can grant a 105 Encroachment Permit. Mr. Anderson thought that the applicant was requesting an acknowledgement from DEP that they know an EA is about to be prepared and that they will review that EA once it is complete and that it (the EA) will then become the basis for the issuance of a 105 Permit.
20. Mr. Jenkins stated that the review of off-site alternatives in the EA would be significant. Mr. Anderson added that a document would need to be produced that demonstrates that the applicant has thought in detail about possible site alternatives, i.e., the alternatives analysis needs to be legitimate.
21. Mr. Andersons pointed out that the applicant would need to demonstrate that they have a demolition / removal plan. The applicant would also have to provide documentation of their long-term lease. That documentation is probably included in HB 212. HB 212 may also have broadened the scope of projects that can occur at Penn's Landing, which could have an impact on this project.
22. Mr. Anderson told the applicant to look at other projects that have gone through the NEPA process to see how they completed the process.

23. The meeting adjourned at 11:55.