

Congress of the United States
House of Representatives
Washington, DC 20515-3008

February 23, 2023

Billy Nolen
Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington DC 20591

Charles F. Sams III
Director
National Park Service
1849 C Street, NW
Washington, DC 20240

Dear Administrator Nolen and Director Sams:

Thank you for working to develop commercial air tour management voluntary agreements with air tour operators for the Statue of Liberty National Monument and Governors Island National Monument and your willingness to limit flight operations to safeguard national park resources, visitor experiences, and aviation safety. However, I am concerned that the voluntary agreements, designed to limit commercial air traffic near Ellis Island and Liberty Island, fail to protect local families who will experience increased noise pollution in and around Liberty State Park ("LSP").

LSP is a beloved natural, recreational, and cultural oasis for New Jersey residents and visitors who are constantly surrounded by the sounds of cars, sirens, and other street-level noise. I can personally attest to this as my wife and I take our two young children to LSP whenever we can - it is a true urban gem. With recreation areas for residents of our densely packed district, views of the Statue of Liberty and Ellis Island, a Grove of Remembrance for those lost on 9/11, and unique and environmentally sensitive habitats, LSP is one of our nation's most important and sacred public spaces.

Unfortunately, however, low frequency vibrations from commercial air tours cause significant disruptions to park visitors and surrounding communities, impairing the quality of life for those who seek out all the benefits LSP has to offer and generally impacting communities that have disproportionately shouldered adverse environmental consequences because of poor planning, management, and oversight by both private and public sector participants. I know we all want to correct this moving forward. So while I am glad you took steps to consider LSP in your revised agreement, I am not convinced the LSP avoidance area along the east side of the park sufficiently protects visitors from noise pollution, leaving the door open to highly disruptive flights west of Freedom Way and along the southeast and northeast areas of the park. Furthermore, it is my understanding that the buffer zones around Liberty and Ellis Islands currently stand to push flight traffic closer to LSP's waterfront area - this of course is not ideal.

Luxury helicopter tours should not - and cannot - come at the expense of families who deserve to peacefully enjoy the limited public spaces we get to call our own. ***I strongly urge you to designate the entirety of LSP as an avoidance area and prioritize the consideration of alternative flight routes that do not bring disruptive flight traffic in close proximity to Hudson County's waterfront.*** Such measures may include, without limitation, assessing the feasibility of limiting commercial flight routes to the middle of the Hudson River.

Finally, given the clear public harm posed by these agreements, I respectfully request a briefing from you and your staff on the voluntary agreements and your decision-making process. Specifically, I request that you: (1) provide an analysis of recent changes made to the agreements and how those changes will impact communities in New Jersey's Eighth Congressional District, including impacts to the environment, LSP visitors, and residents; (2) explain the agencies' decision-making process, including how you analyzed whether commercial air tours governed by the agreements harm the communities under their flight paths; and (3) provide an overview of your stakeholder engagement in New Jersey prior to entering into these agreements.

Thank you for your attention to this matter, and I look forward to working with you to ensure the air tour management voluntary agreements safeguard the wellbeing of New Jersey's communities.

Sincerely,



Robert J. Menendez
New Jersey's Eighth Congressional District
Member of Congress