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Airspace Above Hudson a Highway With Few Signs

By [AL BAKER](#) and [MICHAEL M. GRYNBAUM](#)

Steven J. Korotky, a flight instructor, called the uncontrolled Hudson River air traffic corridor a “tunnel,” and a tight one at that.

Kenneth Jacobsen, who has been flying privately chartered helicopters in New York since 1982, said that while he considered aviation safe in the congested skies above the river, there could be a dozen or so aircraft to contend with at peak moments.

And Dan Rose, a former Navy pilot, said the electronic warning system in his Cirrus SR-22 squawks its warning — “Traffic, Traffic” — so frequently on weekend flights through the Hudson air route that his head, he said, is “constantly on a swivel.”

Calls for another examination of the issue were re-ignited over the weekend after a small fixed-wing airplane collided with a New York sightseeing helicopter in the air corridor on Saturday, killing nine people.

Over the years, the air above the Hudson River, from the estuary’s surface to an altitude of 1,100 feet, and the business at the heart of it — helicopters conducting tours — has not escaped calls for greater government control.

The [Department of Transportation](#), for instance, has determined that privately chartered aircraft like the helicopters working along the Hudson are less safe and less regulated than major carriers, and called for action. Senator [Charles E. Schumer](#) in 2005 called for shutting the Hudson River corridor entirely to general aviation traffic after a wayward plane caused a security scare.

“We came to the conclusion that it was the Wild West out there, totally unregulated, and no one knows where these pilots are, no one has a flight plan, it is so congested,” said Robert M. Gottheim, district manager for Congressman Jerrold L. Nadler, who represents the West Side of Manhattan.

On Sunday, officials from the [National Transportation Safety Board](#) and the [Federal Aviation Administration](#) said they would gather facts, review the circumstances of the crash and work to impose any regulatory responses that were warranted.

“The reason we are a party to the investigation is so that if we determine there are any safety issues that need to be acted on, we can take those actions,” said Laura J. Brown, the chief spokeswoman for the [F.A.A.](#) Ms. Brown said the agency had done just that after a [fatal 2006 plane crash](#) on the East Side of Manhattan, in the Hudson River corridor’s sister airspace.

On Sunday, as elected officials issued statements and investigators pored over the first bits of radar data and aircraft remains, recovery workers on the Hudson River continued to retrieve the helicopter, the plane and the bodies of the victims. By evening, the helicopter had been brought ashore, seven bodies had been retrieved and sonar readings suggested that the submerged plane had been located.

In a news briefing, Deborah A. P. Hersman, the safety board chairwoman, said it appeared that the pilots of both the airplane — a 1976 Piper PA 32R-300, known as a Lance — as well as the helicopter — a 1997 Eurocopter AS 350BA — were properly licensed.

She said both also had had the proper medical examinations: the private pilot, Steven M. Altman, 60, was required to have a medical exam once every two years by a properly qualified doctor, and his last one was in May; the helicopter pilot, Jeremy Clarke, was required to have a medical exam every year because of his status as a commercial pilot. Records show Mr. Clarke, a native of New Zealand, had logged some 2,700 hours as a helicopter pilot, and was licensed as well to serve as an instructor.

The investigation into the crash, unlike inquiries into accidents involving large commercial jetliners, is hampered because neither the airplane nor the helicopter was required to carry so-called black boxes: a flight data recorder and cockpit voice recorder.

But the safety board did lay out a preliminary chronology of the brief flight of the Lance — including the fact that when the plane was told to contact [Newark Liberty International Airport](#), controllers there heard only silence.

According to Ms. Hersman, the plane’s pilot was cleared for takeoff at 11:49 a.m. at Teterboro Airport, and at 11:52 a.m., controllers at Teterboro completed an “electronic handoff” to controllers at Newark, giving Newark responsibility for tracking it.

At the time of the handoff, controllers at Teterboro told the pilot to change communication frequencies and contact the air traffic control tower at Newark. The last radar contact with the plane was about a minute later, at 14 seconds past 11:53 a.m., when the plane was at 1,100 feet.

The pilot never contacted Newark. It is unclear why the controllers heard nothing from him.

Once a plane is under 1,000 feet and over the Hudson, airport air traffic controllers lack the

ability to issue orders to keep airplanes separated. Thus, all pilots in the area are responsible for avoiding collisions — using the tactic “see and avoid.”

In the absence of definitive findings about the crash’s cause, debate again unfolded about the air corridor above the Hudson and what regulatory changes for helicopters and airplanes might be considered.

Meanwhile, some pilots familiar with what they described as the air highway over the river offered their analyses — and their prescriptions for improving the airspace.

Mr. Rose, a pilot who is also an aviation lawyer, noted that planes designed with a “low wing” design, like the Lance, are often vulnerable because pilots have difficulty seeing below them. At the same time, the rotors on top of helicopters — which usually fly lower than airplanes — make it hard for those pilots to see above them. He said the resulting “blind zone” is dangerous.

“Low wing and high wing,” he said. “Those tend to be the midair collision pairing, if you will.”

Whether the helicopter was in any way at fault, sightseeing helicopters make up much of the air traffic in the corridor. Half of the city’s helicopter flights are for sightseeing purposes, according to [Eastern Region Helicopter Council](#), a pilots’ group.

“New York has the largest and most heavily used helicopter infrastructure of major cities,” said Robert W. Mann, president of R. W. Mann & Company, an airline industry analysis and consulting firm.

The East 34th Street heliport handles about 10,000 flights a year, according to the pilots’ group. The heliport at West 30th Street, which primarily offers sightseeing flights, has about 25,000 flights, and a financial district heliport has about 22,500 flights annually, the group said.

Mayor [Michael R. Bloomberg](#), a licensed pilot who has flown over the Hudson River, indicated in a television interview that he was open to changes to the rules governing the corridor, but said it would be up to federal authorities. Still, he noted the helicopters’ role in the city’s economy.

“Helicopters are very important to the city and used all the time,” the mayor said on “Meet the Press” on [NBC](#). “Tourists seem to love it.”

But such flights have drawn the scrutiny of government officials. Last month, for example, a report issued by the Transportation Department’s inspector general found that fatal accidents happen on flights of small, privately chartered aircraft, a category that includes helicopters, at 50 times the rate of commercial carriers.

Aviation groups have frequently warned about dangers from such flights, which travel with 30

passengers or fewer and are collectively known as on-demand aviation. But many of the F.A.A.'s rules for such flights have not been updated since 1978, and the regulator has yet to institute 16 safety recommendations issued by the safety board since 2002.

Under the current rules, the pilots and crew for these flights can be less experienced, and made to work longer hours, than their counterparts on commercial carriers. The planes themselves are subject to less stringent maintenance standards, and they are not required to install advanced navigation aids that are mandatory on commercial planes. In a formal reply to the Transportation Department's report, the F.A.A. said it agreed with the report's recommendations, but the regulator had no plans to significantly modify its policies.

Mr. Schumer said on Sunday that he had long considered the "virtually unregulated" flight traffic over the Hudson a safety and security risk. Wherever the investigation leads, he said, "the F.A.A., along with the N.T.S.B. and other relevant agencies, must take a long look at toughening up flight restrictions and monitoring of the Hudson River airspace in order to avoid another tragedy."

But many pilots defended the essential safety of the corridor and pointed to the relative rarity of significant accidents. Saturday's collision was the third fatal helicopter accident in New York City since 1990, according to the [safety board's online records](#). Since the 1960s, nine fatal accidents have occurred in the city.

"We're one of the most heavily regulated industries in the aviation business," said Jeffery Smith, chairman of the Eastern Region Helicopter Council. "Our safety record speaks for itself."

Mr. Jacobsen, the helicopter pilot, said one troubled area in the skies above the Hudson are private planes that seem unfamiliar with the corridor.

"It's not so much looking at the other helicopters," Mr. Jacobsen said. "It's watching for the little Pipers. Private planes fly into this area, and they're not aware of the local nuances of flying in the New York area."

Len Levy, the president of the Skywagon Flying Club, based at the Morristown Municipal Airport in New Jersey, said he had been taking friends for tours above the Hudson for more than 25 years. He said he found traffic nominal and conditions safe.

"It would be a pity to have the corridor closed because of one accident," Mr. Levy said.

Reporting was contributed by James Barron, Joseph Berger, Russ Buettner, Ann Farmer, Jason Grant, Derrick Henry, Jennifer Mascia, Patrick McGeehan, Colin Moynihan, Liz Robbins, Nate Schweber and Matthew L. Wald.

This article has been revised to reflect the following correction:

Correction: August 12, 2009

An article on Monday about a debate over restricting the airspace above the Hudson River following the collision on Saturday of a small airplane and a sightseeing helicopter misstated the frequency of the medical exams required of Steven Altman, 60, the pilot of the plane. He had to have an exam once every two years, not three. (Pilots of private planes who are younger than 40 are required to have an examination every five years. And the pilot of the helicopter, Jeremy Clarke, was required to have a medical exam every year because of his status as a commercial pilot.)

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