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STATE COMPTROLLER



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STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

August 29, 2007

Ms. Connie Fishman
President
Hudson River Park Trust
Pier 40, West Street at West Houston Street
New York, NY 10014

Re: West 30th Street Heliport
Safety and Security
Report 2006-S-23

Dear Ms. Fishman:

Pursuant to the State Comptroller's authority as set forth in Article X, Section 5 of the State Constitution; and Section 7, paragraph 12 of the Hudson River Park Act, we reviewed the adequacy of safety and security-related practices and procedures for the West 30th Street heliport and for helicopters using the facility. The audit covered the period from January 1, 2004 to September 30, 2006. Companion audits (Reports 2007-S-7 and 2007-S-8) were done on the two other public heliports based in New York City, the Downtown Manhattan Heliport, and the East 34th Street Heliport, respectively.

A. Background

The West 30th Street Heliport is managed by Air Pegasus Heliport, Inc. (Pegasus) pursuant to a lease agreement with the Hudson River Park Trust (Trust). The heliport hosts thousands of landings and take-offs each year. Most of those using the facility are sightseeing, corporate, and charter helicopter carriers. Each helicopter can carry several passengers, including a pilot, and can hold at a minimum dozens of gallons of combustible fuel.

The New York State Anti-terrorism Preparedness Act of 2004 requires general aviation airports and heliports to register and file a triennial security plan with the New York State Department of Transportation (DOT). The plan should contain a self-prepared risk assessment and prescribe safety and security enhancements (i.e., security measures such as lighting, fencing, etc.) based on the assessment. Officials at the West 30th Street heliport have filed such a plan as required. We utilized several of the enhancements in the plan as criteria for our audit.

All helicopter operators must register their craft with the Federal Aviation Administration (FAA). Such registration requires trained pilots, periodic inspection, and required maintenance of the helicopters. Since a federal agency is responsible for this aspect of helicopter safety, we did not include it in our audit scope.

B. Audit Scope, Objective and Methodology

We audited safety and security practices at the West 30th Street heliport. Our audit covered the period from January 1, 2004 to September 30, 2006. The objective of our audit was to determine the adequacy of safety and security-related practices and procedures for the heliport and for helicopters using the facility. To achieve this objective, we met with sightseeing operators and Trust and Pegasus officials. We also met with DOT and FAA officials to determine their respective roles in heliport safety and security. We reviewed available policies, procedures, and safety and security plans, and observed actual security operating practices at the sites between April 4, 2006 and September 7, 2006. We were accompanied by New York State Office of Homeland Security and New York City Police Department Counter-terrorism personnel on our walk-through of the heliport. We conducted our performance audit in accordance with generally accepted government auditing standards.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions and public authorities, some of whom have minority voting rights. These duties may be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our opinion, these functions do not affect our ability to conduct independent audits of program performance.

C. Results of Audit

Detailed results of our audit were provided to Trust and heliport operating officials during the conduct of our audit. The details of our findings and recommendations are not included here due to the security-sensitive nature of the information and the potential risk associated with the release of such information. We also provided our detailed results to the appropriate federal, State, and local authorities charged with homeland security and law enforcement.

Recommendation

Implement the specific recommendations that were provided to Trust officials during the audit.

Within 90 days of the final release of this report, as required by Section 170 of the Executive Law, the Trust shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendation contained herein, and, if not implemented, the reasons therefor.

A draft copy of this report was provided to Trust officials for their review and comment. Their comments were considered in preparing this report, and are included as Appendix A.

Major contributors to this report include Frank Patone, Anthony Carbonelli, Salvatore D'Amato, Anthony Carlo, and Sue Gold.

We wish to express our appreciation to the management and staff at the Trust and heliport for the courtesies and cooperation extended to our auditors during this audit.

Very truly yours,

William P. Challice
Audit Director