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STATE COMPTROLLER



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STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

September 13, 2007

Mr. Robert C. Lieber
President
New York City Economic Development Corporation
110 William Street
New York, NY 10038

Re: East 34th Street Heliport
Safety and Security
Report 2007-S-8

Dear Mr. Lieber:

Pursuant to the State Comptroller's authority as set forth in Article 3 of the General Municipal Law, we reviewed the adequacy of safety and security-related practices and procedures for the East 34th Street heliport and for helicopters using the facility. The audit covered the period from January 1, 2004 to September 30, 2006. Companion audits (Reports 2006-S-23 and 2007-S-7) were done on the two other public heliports based in New York City, the West 30th Street Heliport and the Downtown Manhattan Heliport, respectively.

A. Background

The East 34th Street Heliport (Metroport) is managed by MacQuarie Aviation pursuant to a lease agreement with the New York City Economic Development Corporation (EDC). 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 Metroport 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 Metroport. 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 Metroport and for helicopters using the facility. To achieve this objective, we met with sightseeing operators, and EDC and Metroport 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 walkthrough 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 EDC 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 relevant federal, State, and local authorities charged with homeland security and law enforcement.

Recommendation

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

Within 90 days of the final release of this report, we request that EDC report to the State Comptroller 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 EDC 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 EDC and heliports for the courtesies and cooperation extended to our auditors during this audit.

Very truly yours,

William P. Challice
Audit Director



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August 30, 2007

Mr. William P. Challice
Audit Director
Office of the State Comptroller
Division of State Government Accountability
123 William Street – 21st Floor
New York, NY 10038

Dear Mr. Challice:

This is in response to the draft report 2007-S-8, addressing the safety and security-related practices and procedures for the 34th Street Heliport. Thank you for the opportunity to comment on your draft findings and recommendations.

We appreciate your comments and recommendations and look forward to working with your office, Metroport, the current Heliport operator, Federal Aviation Administration, Transportation Securities Administration, United States Coast Guard, New York State Department of Transportation and the general aviation industry to identify the appropriate security and safety measures which can be implemented at the 34th Street Heliport.

Sincerely,


Deo Singh
Controller