

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS  
Representative Mark M. Nakashima, Chair  
Representative Scott Z. Matayoshi, Vice Chair  
Monday, March 29, 2021  
2:00 PM

**HOUSE CONCURRENT RESOLUTION 95 / HOUSE RESOLUTION 80**  
**Testimony in Strong Support with Recommendations from the**  
**O'ahu Tour Helicopter Safety and Noise Inter-Action Group**

Aloha Chair Nakashima, Vice Chair Matayoshi and Transportation Committee Members:

Excessive aircraft noise compromises the health and well-being of the Hawaii 's people, and remedies are long overdue for the safety protection and quality of life relief to thousands of suffering citizens in Hawai'i, particularly on O'ahu and Hawai'i Island as well as Kaula'i and Maui.

Tour helicopters have been increasingly inundating and impacting established communities with incessant noise invasion. The crescendo of island-wide community complaints across the State over the past four years has demonstrated this. Despite this public outcry, *tour helicopter operators have been unwilling to change their flight paths to prevent the significant negative effects of helicopter noise within and around these impacted communities.*

Further, tour helicopters are an inherent safety risk to Hawaii's island communities, natural habitats and coastal defense areas. The following commercial helicopter crashes and emergencies have occurred in Hawai'i since September 2018:

- September 18, 2018- Novictor Robinson-44 crash in Wahiawa, O'ahu;
- October 22, 2018- Novictor Robinson-44 crash at Kaneohe Bay recreational sand bar;
- February 21, 2019- K&S "Paradise" Hughes-369E crash in Waipio Valley, Hawai'i Island;
- April 16, 2019- K&S "Paradise" Hughes-369E crash in Sacred Falls State Park, Oah'u;
- April 29, 2019- Novictor Robinson-44 crash with 3 fatalities on a Kailua town street;
- May 21, 2019- Schuman "Magnum" 369D emergency landing in the Diamond Head National Natural Landmark and State Historic Monument Crater Park with 3,300 daily visitors;
- December 26, 2019 - Safari Eurocopter-AS350 crash with 7 fatalities on a Kauai cliff face near the Na Pali Coast;
- March 5, 2020 - Blue Hawaiian Eurocopter 130 crash in Puna, Hawai'i Island;

In 2016, a fatal tour helicopter crash occurred near the USS Arizona memorial and Pearl Harbor nuclear submarine base.

As the National Transportation Safety Board Chairperson has notably stated, "each crash underscores the urgency" for effective tour helicopter safety improvements.

**Protection of the Safety, Health and Well-Being of Hawai'i's Communities is Paramount**

Effective self-regulation, if ever, by Hawaii tour operator associations, especially the Hawaii Helicopter Association among whose members are the most egregious offenders, as well as TOPS (Tour Operators Program of Safety) members, will serve to eliminate ground disruptions by tour helicopter operations that presently relentlessly disrupt Hawaii 's communities, which will be safer with far fewer disruptions if existing regulations are used and enforced to their full extent via tour helicopter management plans.

## **Recommendations**

As the record demonstrates, it is unlikely that tour helicopter companies will “take disciplinary action against (their own) pilots” who violate requested restrictions. Therefore an independent oversight and disciplinary mechanism would be necessary, such as an independent State airport reporting and recording data base system that is publicly accessible with viewable data, and capable of direct reporting to the FAA Flight Standards Office for enforcement with tiered penalties.

In addition to the above recommendations for incorporation within both House Concurrent Resolution 95 and its companion House Resolution 80, we recommend that certified copies be additionally transmitted to the Tour Operators Program of Safety (TOPS) membership, the FAA Western Region Administrator, the Honolulu Airports Air Traffic Control (ATC) Chief Manager, the Honolulu Flight Standards District Office (FSDO) Managers, the Co-Chairs of the Hawaii Air Noise and Safety Task Force (HANSTF) , the Mayors and County Councils of each island, and each O’ahu Neighborhood Board Chairperson.

**HCR-95**

Submitted on: 3/29/2021 3:54:41 AM

Testimony for JHA on 3/29/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
bob ernst	hicop	Support	No

Comments:

**HICOP SUPPORTS AND ASKS YOU TO VOTE TO APPROVE HOUSE House Concurrent Resolution 81 / House Resolution 68 AND House Concurrent Resolution 95 / House Resolution 90**

Aloha House Judiciary and Hawaiian Affairs Committee

Aloha Chair Nakashima,

Aloha Vice Chair Maytayoshi,

Aloha House JHA Members Ichiyama, Kobayashi, LoPresti, Lowen, McKelvey, Nakamura, Takumi, Todd, Tokioka and Ward,

All these House Resolutions recognize, describe the tour copter impacts to your constituents and request the Federal and State agencies to address these issues.

HICoP further asks that the Hawaii Legislature take meaningful action and vote to implement meaningful legislation such as SB17.

Mahalo,

Bob

For the HICoP Board



**HCR-95**

Submitted on: 3/27/2021 8:17:51 PM

Testimony for JHA on 3/29/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dana Keawe	Individual	Support	No

Comments:

I support hcr95

**HCR-95**

Submitted on: 3/28/2021 11:13:37 AM

Testimony for JHA on 3/29/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Thomas T Shirai Jr	The Kawaihapai Ohana	Support	No

Comments:

**Aloha Chair Nakashima,**

**I am testifying both as an Individual and Po'o of The Kawaihapai Ohana which is recognized by The Department of Interior's Office of Hawaiian Relations listed on their list as a Native Hawaiian Organization (NHO). As an Individual I am serving my fourth consecutive term on the North Shore Neighborhood Board Sub-District 1 (Mokule'ia to Ka'ena) along with being a lifetime resident of Mokule'ia and a Piko Ohana of Waialua.**

**I support HCR 95 and HR 80 because tour helicopters are urged to fly the same flight route offshore to avoid flying over residential communities such as mine in Waialua and the North Shore in case they have to make an emergency landing with some resulting in a crash similar to what happened in Kailua.**

**The Army follows the offshore route while transiting our community and has representatives presenting monthly reports to the North Shore Neighborhood Board regarding training dates that impact our community with vehicular or helicopter operations flying to and from their training areas which include Kawaihapai Airfield which is owned by the Army and leased to the State of Hawaii Department of Transportation Airports Division. A great community concern is noise levels impeding on the quality of life for residential areas and this is constantly brought up at our neighborhood board.**

**All Civil Aviation activities are ceased during the training dates.**

**Mahalo nui loa.**

**Thomas T Shirai Jr**

**Mokule'ia, Waialua**

**HCR-95**

Submitted on: 3/28/2021 1:19:03 PM

Testimony for JHA on 3/29/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kalani Kauhane	Individual	Support	No

Comments:

Please pass this resolution as a reasonable request to do something about the out of control disruption of Hawaii residents' lives.

I live in a quiet area except for the constant tour helicopter traffic over our house going up to Haleakala, usually starting at 7 am, sometimes earlier, one after the other. It's not right that residents should be disturbed every day when there are alternatives, like flying a different route not over homes.

COVID has kept tour helicopters away for the past year and although the pandemic is a terrible thing, the peace and quiet has made our lives better in this way.

I'm not against the use of helicopters but now that tourists are coming back to Hawaii, the flights have started up again and there should be better control to preserve our quality of life. Thank you.

**HCR-95**

Submitted on: 3/28/2021 8:34:27 PM

Testimony for JHA on 3/29/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeannine Johnson	Individual	Support	No

Comments:

Due to the significant and growing threat to the safety, health, and well-being of the residents in the State of Hawai'i by tour helicopter and small aircraft industry, I strongly support HCR95 urging helicopter companies to avoid flying over residential neighborhoods except in emergency situations and to take disciplinary action against pilots who violate that restriction.