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# HOUSE CONCURRENT RESOLUTION

URGING VARIOUS GOVERNMENT ENTITIES TO DEVELOP, UPDATE, AND  
INTRODUCE POLICIES RELATED TO HELICOPTER AIR TOURS AT THE  
STATE AND NATIONAL LEVEL.

1 WHEREAS, the most popular helicopter tour destination on  
2 the island of Hawai'i is Hawai'i Volcanoes National Park, which  
3 recently celebrated its one hundredth anniversary; and  
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5 WHEREAS, Hawai'i Volcanoes National Park is managed by the  
6 Director of the National Park Service, which is a bureau of the  
7 United States Department of the Interior, and has more non-  
8 essential tour helicopter overflights than any other individual  
9 park in the nation; and  
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11 WHEREAS, in 2015, 14,630 flights within Hawai'i Volcanoes  
12 National Park were reported by the helicopter industry; and  
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14 WHEREAS, as one of only three national parks that collects  
15 air tour fees, Hawai'i Volcanoes National Park collected \$356,850  
16 in air tour fees in 2014; and  
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18 WHEREAS, as of September 2016, up to fourteen helicopter  
19 tour companies operated within Hawai'i Volcanoes National Park  
20 under interim operating authority; and  
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22 WHEREAS, helicopter noise as a result of commercial air  
23 tour flights over residential areas in the east Hawai'i region of  
24 the island of Hawai'i has reached an unprecedented level in  
25 recent years; and  
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27 WHEREAS, residents in Hāmākua, Hilo, Mountain View, Puna,  
28 Volcano, and Ka'ū have continued to raise issues of overflights,  
29 noise complaints, and safety with the state Department of  
30 Transportation, Honolulu Flight Standards District Office of the



1 Federal Aviation Administration, and air tour helicopter  
2 operators; and  
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4 WHEREAS, the National Parks Overflight Act of 1987 requires  
5 a minimum altitude of five thousand feet above ground level over  
6 any national park; and  
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8 WHEREAS, due to the absence of a congressionally mandated  
9 Air Tour Management Plan, some tour operators operating within  
10 Hawai'i Volcanoes National Park are allowed to descend to five  
11 hundred feet above ground level and as low as two hundred feet  
12 above ground level over razorback ridges; and  
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14 WHEREAS, these operations pose not just a noise issue but a  
15 flight-safety issue, as well; and  
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17 WHEREAS, the Federal Aviation Administration has  
18 jurisdiction over all airspace in the country and has the power  
19 to regulate all aspects of civil aviation; and  
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21 WHEREAS, in 2000, the National Environmental Policy Act, in  
22 conjunction with the National Parks Air Tour Management Act of  
23 2000, required an Air Tour Management Plan to be implemented at  
24 various national parks throughout the country; and  
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26 WHEREAS, the objective of an Air Tour Management Plan is  
27 "to develop acceptable and effective measures to mitigate or  
28 prevent the significant adverse impacts, if any, of commercial  
29 air tour operations upon the natural and cultural resources,  
30 visitor experiences and tribal lands"; and  
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32 WHEREAS, in 2004, the Federal Aviation Administration and  
33 National Park Service requested public comment on an Air Tour  
34 Management Plan Environmental Assessment relating to managing  
35 commercial air tour overflights at Hawai'i Volcanoes National  
36 Park; and  
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38 WHEREAS, in 2005, the project was upgraded to an  
39 Environmental Impact Statement, and the Federal Aviation  
40 Administration published a notice of opportunity for commercial  
41 air tour operators granted interim operating authority to review  
42 and self-correct annual authorizations; and  
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1 WHEREAS, in 2007, a planning team composed of staff from  
2 the Federal Aviation Administration, National Park Service, and  
3 Volpe National Transportation Systems Center began work on  
4 preliminary alternatives for air tour operations over Hawai'i  
5 Volcanoes National Park; and

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7 WHEREAS, in 2008, Federal Aviation Administration and  
8 National Park Service staff met with Hawai'i air tour operators,  
9 and acoustic monitoring of three sites at Hawai'i Volcanoes  
10 National Park was conducted; and

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12 WHEREAS, in 2011, a preliminary draft Air Tour Management  
13 Plan for Hawai'i Volcanoes National Park was published,  
14 identifying five alternatives for public comment, and three  
15 open-house public meetings on the draft plan were held in April  
16 2011, in Volcano, Paho, and Na'alehu; and

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18 WHEREAS, seven years later, in 2018, there is still no  
19 final Air Tour Management Plan for Hawai'i Volcanoes National  
20 Park; and

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22 WHEREAS, in addition, after more than sixteen years, no Air  
23 Tour Management Plan for any national park in the nation has  
24 been completed; and

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26 WHEREAS, consequently, the only rules that govern  
27 helicopter and fixed-wing air tours over the airspace of the  
28 Hawaiian Islands is the Hawai'i Air Tour Common Procedures  
29 Manual, a Federal Aviation Administration document that was  
30 issued in 2008; and

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32 WHEREAS, the Hawai'i Air Tour Common Procedures Manual  
33 covers rules over all islands and air tour operators that have  
34 been granted interim operating authority; and

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36 WHEREAS, this manual is nearly ten years old, and its rules  
37 and prescribed altitudes for overflights over land are unclear;  
38 and

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40 WHEREAS, in 2010, the United States Census Bureau reported  
41 that the island of Hawai'i, particularly east Hawai'i, was the  
42 fastest-growing region in the State; and



1 WHEREAS, the population of Puna has reached forty-five  
2 thousand residents, and the majority of air tour overflights  
3 transit over these residential areas on their way to Hawai'i  
4 Volcanoes National Park on a daily basis; and  
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6 WHEREAS, furthermore, when air tours depart Hawai'i  
7 Volcanoes National Park, they typically fly a route toward the  
8 waterfall attractions in North Hilo, traveling over Volcano,  
9 Mountain View, Waiākea-Uka, Kaumana, North Hilo, Hāmākua, and  
10 Honoka'a; and  
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12 WHEREAS, it is essential to achieve a balance between  
13 residents and the tour industry that respects the peace and  
14 serenity that all residents in east Hawaii should be able to  
15 enjoy; and  
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17 WHEREAS, the visitors who travel from around the world to  
18 Hawai'i Volcanoes National Park should also be able to enjoy that  
19 same peace and tranquility as well as the precious ecosystems  
20 and wildlife that exist in Hawai'i Volcanoes National Park; and  
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22 WHEREAS, similar concerns relating to noise and flight-  
23 safety from air tours exist in the densely populated Punchbowl  
24 region of Oahu, in and around Punchbowl Crater and the National  
25 Memorial Cemetery of the Pacific; now, therefore,  
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27 BE IT RESOLVED by the House of Representatives of the  
28 Twenty-ninth Legislature of the State of Hawaii, Regular Session  
29 of 2018, the Senate concurring, that the respective government  
30 entities at the state and national level are urged to develop,  
31 update, and introduce policies related to helicopter air tours;  
32 and  
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34 BE IT FURTHER RESOLVED that the Federal Aviation  
35 Administration is urged to complete the Air Tour Management Plan  
36 for Hawai'i Volcanoes National Park, Haleakala, and other  
37 designated national parks throughout the nation; and  
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39 BE IT FURTHER RESOLVED that the United States Department of  
40 Transportation, Federal Aviation Administration, and Honolulu  
41 Flight Standards District Office of the Federal Aviation  
42 Administration are urged to update the nearly decade-old Hawai'i  
43 Air Tour Common Procedures Manual; and



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2 BE IT FURTHER RESOLVED that the Governor, Director of  
3 Transportation, General Aviation Officer of the Department of  
4 Transportation, and Honolulu Flight Standards District Office of  
5 the Federal Aviation Administration are urged to work with  
6 community stakeholders and the local helicopter tour industry to  
7 update air tour flight paths to include a variety of recommended  
8 routes, including off-shore routes; altitudes; reporting  
9 procedures; and noise mitigation operations that can alleviate  
10 helicopter noise pollution, while also providing the highest  
11 level of safety for helicopter tour operators; and  
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13 BE IT FURTHER RESOLVED that the Hawai'i Congressional  
14 delegation is urged to introduce legislation addressing  
15 helicopter tour operations and noise pollution surrounding  
16 America's highly populated cities, towns, and communities; and  
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18 BE IT FURTHER RESOLVED that Hawai'i air tour operators are  
19 urged to meet with community stakeholders once a quarter to work  
20 together to address concerns related to noise complaints and  
21 safety issues; and  
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23 BE IT FURTHER RESOLVED that Hawai'i air tour operators are  
24 urged to operate helicopter air tours no earlier than sunrise  
25 and no later than sunset on normal business days and no earlier  
26 than one hour after sunrise and one hour before sunset on  
27 weekends and holidays, as published by the United States Naval  
28 Observatory on its website for Honolulu; and  
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30 BE IT FURTHER RESOLVED that the Department of  
31 Transportation is requested to convene a working group to  
32 develop state-level policies and procedures for managing air  
33 tours at Hawai'i Volcanoes National Park, Haleakala, Punchbowl,  
34 and other designated locations throughout the State and to  
35 coordinate communications between relevant state departments and  
36 agencies and the Federal Aviation Administration for the  
37 purposes of developing, updating, and introducing policies  
38 related to helicopter air tours; and  
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40 BE IT FURTHER RESOLVED that the working group shall be  
41 comprised of the Director of Transportation or the Director's  
42 designee, Director of Health or the Director's designee, one  
43 member from the Senate Committee on Government Operations or its



1 successor committee to be appointed by the President of the  
2 Senate, one member from the House Committee on Transportation or  
3 its successor committee to be appointed by the Speaker of the  
4 House, and other interested stakeholders as determined by the  
5 Director of Transportation; and

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7 BE IT FURTHER RESOLVED that the working group is requested  
8 to submit a report of its findings and any proposed legislation  
9 to the Legislature no later than twenty days prior to the  
10 convening of the Regular Session of 2019; and

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12 BE IT FURTHER RESOLVED that certified copies of this  
13 Concurrent Resolution be transmitted to the United States  
14 Secretary of Transportation, each member of Hawai'i's  
15 Congressional delegation, Administrator of the Federal Aviation  
16 Administration, Deputy Director of the National Park Service,  
17 Manager of the Honolulu Flight Standards District Office of the  
18 Federal Aviation Administration, Governor, President of the  
19 Senate, Speaker of the House of Representatives, Director of  
20 Transportation, Director of Health, General Aviation Officer of  
21 the Department of Transportation, and Hawaii Helicopter  
22 Association.

