

MAR 09 2018

SENATE 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 Hawai'i State Department of
30 Transportation, Honolulu Flight Standards District Office of the
31 Federal Aviation Administration, and air tour helicopter
32 operators; and
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1 WHEREAS, the National Parks Overflight Act of 1987 requires
2 a minimum of five thousand feet above ground level altitude over
3 any national park; and
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5 WHEREAS, due to the absence of a congressionally mandated
6 Air Tour Management Plan, some tour operators operating within
7 Hawai'i Volcanoes National Park are allowed to descend to five
8 hundred feet above ground level and as low as two hundred feet
9 above ground level over razorback ridges; and
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11 WHEREAS, these operations are not just a noise issue, but a
12 flight safety issue as well; and
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14 WHEREAS, the Federal Aviation Administration has
15 jurisdiction over all airspace in the country and has the power
16 to regulate all aspects of civil aviation; and
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18 WHEREAS, in 2000, the National Environmental Policy Act, in
19 conjunction with the National Parks Air Tour Management Act of
20 2000, required an Air Tour Management Plan to be implemented at
21 various national parks throughout the country; and
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23 WHEREAS, the objective of an Air Tour Management Plan is
24 "to develop acceptable and effective measures to mitigate or
25 prevent the significant adverse impacts, if any, of commercial
26 air tour operations upon the natural and cultural resources,
27 visitor experiences and tribal lands"; and
28

29 WHEREAS, in 2004, the Federal Aviation Administration and
30 National Park Service asked for comments on an Air Tour
31 Management Plan Environmental Assessment relating to managing
32 commercial air tour overflights at Hawai'i Volcanoes National
33 Park; and
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35 WHEREAS, in 2005, the project was upgraded to an
36 Environmental Impact Statement, and the Federal Aviation
37 Administration published a notice of opportunity for commercial
38 air tour operators granted interim operating authority to review
39 and self-correct annual authorizations; and
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41 WHEREAS, in 2007, a planning team composed of staff from
42 the Federal Aviation Administration, National Park Service, and



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1 Volpe National Transportations Systems Center began work on
2 preliminary alternatives for air tour operations over Hawai'i
3 Volcanoes National Park; and
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5 WHEREAS, in 2008, Federal Aviation Administration and
6 National Park Service staff met with Hawai'i air tour operators,
7 and acoustic monitoring of three sites at Hawai'i Volcanoes
8 National Park was conducted; and
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10 WHEREAS, in 2011, a preliminary draft Air Tour Management
11 Plan for Hawai'i Volcanoes National Park was published,
12 identifying five alternatives for public comment, and three open
13 house public meetings on the draft plan were held in April 2011,
14 in Volcano, Pahoehoe, and Na'alehu; and
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16 WHEREAS, seven years later, in 2018, there is still no
17 final Air Tour Management Plan for Hawai'i Volcanoes National
18 Park; and
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20 WHEREAS, additionally, after more than sixteen years, no
21 Air Tour Management Plan for any national park in the nation has
22 been completed; and
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24 WHEREAS, consequently, the only rules that govern
25 helicopter and fixed wing air tours over the airspace of the
26 Hawaiian islands is the Hawai'i Air Tour Common Procedures
27 Manual, a Federal Aviation Administration document that was
28 issued in 2008; and
29

30 WHEREAS, the Hawai'i Air Tour Common Procedures Manual
31 covers rules over all islands and air tour operators that have
32 been granted interim operating authority; and
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34 WHEREAS, this manual is nearly ten years old, and its rules
35 and prescribed altitudes for overflights over land are unclear;
36 and
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38 WHEREAS, in 2010, the census for the State showed that the
39 island of Hawai'i, particularly east Hawai'i, was the fastest
40 growing region in the State; and
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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, additionally, 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
11

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, visitors that come to Hawai'i Volcanoes National
18 Park from around the world 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; now,
21 therefore,
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23 BE IT RESOLVED by the Senate of the Twenty-ninth
24 Legislature of the State of Hawaii, Regular Session of 2018,
25 that the respective government entities are urged to develop,
26 update, and introduce policies related to helicopter air tours
27 at the state and national level; and
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29 BE IT FURTHER RESOLVED that the Federal Aviation
30 Administration is urged to complete the Air Tour Management Plan
31 for Hawai'i Volcanoes National Park, Haleakala, and other
32 designated national parks throughout the nation; and
33

34 BE IT FURTHER RESOLVED that the United States Department of
35 Transportation, Federal Aviation Administration, and Honolulu
36 Flight Standards District Office are urged to update the nearly
37 decade old Hawai'i Air Tour Common Procedures Manual; and
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39 BE IT FURTHER RESOLVED that the Governor, Hawai'i State
40 Director of the Transportation, Hawai'i State General Aviation
41 Officer, and Honolulu Flight Standards District Office are urged



1 to work with community stakeholders and the local helicopter
 2 tour industry to update air tour flight paths to include a
 3 proposed off-shore route, altitudes, reporting procedures, and
 4 noise mitigation operations that can alleviate helicopter noise
 5 pollution, while also providing the highest level of safety for
 6 helicopter tour operators; and


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 8 BE IT FURTHER RESOLVED that the Hawai'i congressional
 9 delegation is urged to introduce legislation addressing
 10 helicopter tour operations and noise pollution surrounding
 11 America's highly populated cities, towns, and communities; and


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 13 BE IT FURTHER RESOLVED that Hawai'i air tour operators are
 14 urged to meet with community stakeholders once a quarter to work
 15 together to address concerns related to noise complaints and
 16 safety issues; and

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 18 BE IT FURTHER RESOLVED that Hawai'i air tour operators are
 19 urged to operate helicopter air tours no earlier than sunrise
 20 and no later than sunset on normal business days and no earlier
 21 than one hour after sunrise and one hour before sunset on the
 22 weekends and holidays; and

23
 24 BE IT FURTHER RESOLVED that certified copies of this
 25 Resolution be transmitted to the Administrator of the Federal
 26 Aviation Administration, Director of the United States
 27 Department of Transportation, Deputy Director of the National
 28 Park Service, Hawaii's congressional delegation, Manager of the
 29 Honolulu Flight Standards District Office, Governor of the State
 30 of Hawai'i, Hawai'i State Director of Transportation, Hawai'i
 31 State General Aviation Officer, and Hawai'i Helicopter
 32 Association.

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