HOUSE RESOLUTION

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

WHEREAS, the most popular helicopter tour destination on the island of Hawai‘i is Hawai‘i Volcanoes National Park, which recently celebrated its one hundredth anniversary; and

WHEREAS, Hawai‘i Volcanoes National Park is managed by the Director of the National Park Service, which is a bureau of the United States Department of the Interior, and has more non-essential tour helicopter overflights than any other individual park in the nation; and

WHEREAS, in 2015, 14,630 flights within Hawai‘i Volcanoes National Park were reported by the helicopter industry; and

WHEREAS, as one of only three national parks that collects air tour fees, Hawai‘i Volcanoes National Park collected $356,850 in air tour fees in 2014; and

WHEREAS, as of September 2016, up to fourteen helicopter tour companies operated within Hawai‘i Volcanoes National Park under interim operating authority; and

WHEREAS, helicopter noise as a result of commercial air tour flights over residential areas in the east Hawai‘i region of the island of Hawai‘i has reached an unprecedented level in recent years; and

WHEREAS, residents in Hāmākua, Hilo, Mountain View, Puna, Volcano, and Ka‘ū have continued to raise issues of overflights, noise complaints, and safety with the state Department of Transportation, Honolulu Flight Standards District Office of the Federal Aviation Administration, and air tour helicopter operators; and
WHEREAS, the National Parks Overflight Act of 1987 requires a minimum altitude of five thousand feet above ground level over any national park; and

WHEREAS, due to the absence of a congressionally mandated Air Tour Management Plan, some tour operators operating within Hawai‘i Volcanoes National Park are allowed to descend to five hundred feet above ground level and as low as two hundred feet above ground level over razorback ridges; and

WHEREAS, these operations pose not just a noise issue but a flight-safety issue, as well; and

WHEREAS, the Federal Aviation Administration has jurisdiction over all airspace in the country and has the power to regulate all aspects of civil aviation; and

WHEREAS, in 2000, the National Environmental Policy Act, in conjunction with the National Parks Air Tour Management Act of 2000, required an Air Tour Management Plan to be implemented at various national parks throughout the country; and

WHEREAS, the objective of an Air Tour Management Plan is "to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon the natural and cultural resources, visitor experiences and tribal lands"; and

WHEREAS, in 2004, the Federal Aviation Administration and National Park Service requested public comment on an Air Tour Management Plan Environmental Assessment relating to managing commercial air tour overflights at Hawai‘i Volcanoes National Park; and

WHEREAS, in 2005, the project was upgraded to an Environmental Impact Statement, and the Federal Aviation Administration published a notice of opportunity for commercial air tour operators granted interim operating authority to review and self-correct annual authorizations; and

WHEREAS, in 2007, a planning team composed of staff from the Federal Aviation Administration, National Park Service, and Volpe National Transportation Systems Center began work on
preliminary alternatives for air tour operations over Hawai'i Volcanoes National Park; and

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

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

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

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

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

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

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

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

WHEREAS, the population of Puna has reached forty-five thousand residents, and the majority of air tour overflights
transit over these residential areas on their way to Hawai‘i Volcanoes National Park on a daily basis; and

WHEREAS, furthermore, when air tours depart Hawai‘i Volcanoes National Park, they typically fly a route toward the waterfall attractions in North Hilo, traveling over Volcano, Mountain View, Wai‘ākea-Uka, Kaumana, North Hilo, Hāmākua, and Honoka‘a; and

WHEREAS, it is essential to achieve a balance between residents and the tour industry that respects the peace and serenity that all residents in east Hawaii should be able to enjoy; and

WHEREAS, the visitors who travel from around the world to Hawai‘i Volcanoes National Park should also be able to enjoy that same peace and tranquility as well as the precious ecosystems and wildlife that exist in Hawai‘i Volcanoes National Park; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2018, that the respective government entities at the state and national level are urged to develop, update, and introduce policies related to helicopter air tours; and

BE IT FURTHER RESOLVED that the Federal Aviation Administration is urged to complete the Air Tour Management Plan for Hawai‘i Volcanoes National Park, Haleakalā, and other designated national parks throughout the nation; and

BE IT FURTHER RESOLVED that the United States Department of Transportation, Federal Aviation Administration, and Honolulu Flight Standards District Office of the Federal Aviation Administration are urged to update the nearly decade-old Hawai‘i Air Tour Common Procedures Manual; and

BE IT FURTHER RESOLVED that the Governor, Director of Transportation, General Aviation Officer of the Department of Transportation, and Honolulu Flight Standards District Office of the Federal Aviation Administration are urged to work with community stakeholders and the local helicopter tour industry to update air tour flight paths to include a variety of recommended
routes, including off-shore routes; altitudes; reporting procedures; and noise mitigation operations that can alleviate helicopter noise pollution, while also providing the highest level of safety for helicopter tour operators; and

BE IT FURTHER RESOLVED that the Hawai’i Congressional delegation is urged to introduce legislation addressing helicopter tour operations and noise pollution surrounding America’s highly populated cities, towns, and communities; and

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

BE IT FURTHER RESOLVED that Hawai’i air tour operators are urged to operate helicopter air tours no earlier than sunrise and no later than sunset on normal business days and no earlier than one hour after sunrise and one hour before sunset on weekends and holidays, as published by the United States Naval Observatory on its website for Honolulu; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the United States Secretary of Transportation, each member of Hawai’i’s Congressional delegation, Administrator of the Federal Aviation Administration, Deputy Director of the National Park Service, Manager of the Honolulu Flight Standards District Office of the Federal Aviation Administration, Governor, Director of Transportation, General Aviation Officer of the Department of Transportation, and Hawaii Helicopter Association.