
HOUSE RESOLUTION

URGING THE DEPARTMENT OF TRANSPORTATION TO IMMEDIATELY CONVENE AN AIRCRAFT NOISE ABATEMENT ADVISORY COMMITTEE TO WORK WITH THE FEDERAL AVIATION ADMINISTRATION TO ESTABLISH EFFECTIVE NOISE ABATEMENT PROCEDURES AND TO ADOPT RULES AND REGULATIONS IN ORDER TO MITIGATE AIRCRAFT NOISE IMPACTS ON NOISE SENSITIVE AREAS.

WHEREAS, the health, welfare, and quality of life of Hawaii's citizens are significantly affected by frequent exposure to aircraft noise impacts from commercial jet aircraft and tour helicopter flights over urban populations; and

WHEREAS, citizens on the ground under and adjacent to arbitrary aircraft flight paths experience aircraft noise impacts that interfere with their daily lives and constitute a denial of their constitutionally protected right to quiet enjoyment of their homes; and

WHEREAS, comprehensive national research and existing local evidence disclose that aircraft noise impacts cause a multitude of negative consequences and health risks, including mental stress and interference with normal living functions, such as interruption of speech and loss of sleep; and

WHEREAS, aircraft noise impacts are also similarly detrimental to the valued experience and enjoyment of Hawaii's natural and recreational resources by residents and visitors alike; and

WHEREAS, community reaction and opposition to continuing commercial jet aircraft and tour helicopter noise impacts over residential and recreation areas during the past two decades warrants public protection from these impacts as these aviation uses increase; and

WHEREAS, the Legislature recognizes that significant noise impacts are caused by tour helicopters and commercial jet aircraft operating over established communities and open recreation areas at all hours of the day and night; and

WHEREAS, the State of Hawaii owns and operates airports within the state and has the legal right and the moral obligation to protect its citizens from aircraft noise impacts, as many other states have done; and

WHEREAS, the Director of Transportation is responsible for adopting standards, procedures, and rules commensurate with and for the purpose of protecting and ensuring the general public interest with regard to aviation within the state; and

WHEREAS, a federal grant has enabled the state Department of Transportation (DOT) to upgrade the Honolulu International Airport aircraft noise and operations monitoring system, and air traffic control flight tracking data will soon be integrated with this system; and

WHEREAS, Hilo International Airport on the island of Hawaii will have the same aircraft noise and operations monitoring system in the near future to benefit the public interest; and

WHEREAS, the airport noise and operations monitoring program provides for a quarterly review and audit of noise monitoring data, which is essential for evaluation of flight operation procedures and practices concerning aircraft noise abatement; and

WHEREAS, old Stage II aircraft technology is banned from all states except Hawaii and Alaska, and in some states, several noise-critical Stage III models are restricted to certain daytime hours; and

WHEREAS, there is no process for the verification of records that tour helicopters operate in compliance with Federal Aviation Administration (FAA) Special Federal Aviation Regulation No. 71 (SFAR No. 71); and

WHEREAS, SFAR No. 71 establishes certain procedural, operational, and equipment requirements for air tour operators in the state of Hawaii; and

WHEREAS, International Civil Aviation Organization climb

procedures and continuous descent approach procedures are proven effective aircraft noise abatement controls; and

WHEREAS, in addition to reducing aircraft noise impacts, continuous descent approach procedures save time approaching the airport, save fuel consumed on approach, and reduce toxic aircraft emissions such as benzene, hydrocarbons, and carbon oxides; and

WHEREAS, it is in the public interest to combine in a balanced forum the technical expertise and aviation experience of airline industry personnel with the first-hand knowledge and concerns of the affected communities to cooperatively achieve aircraft noise impact reduction in those communities; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, Regular Session of 2007, that the DOT is urged to do everything within its authority to protect the public interest, health, and welfare by working with federal agencies to alleviate aircraft noise impacts on the general public; and

BE IT FURTHER RESOLVED that DOT immediately implement an aircraft noise abatement community master plan and program for the close and distant vicinities of Honolulu and Hilo International Airports, and subsequently for any qualified state airports as determined in the future; and

BE IT FURTHER RESOLVED that DOT develop comprehensive aircraft noise abatement rules, standards, and procedures to protect the public health, welfare, and quality of life in the close and distant vicinities of state-owned and operated airports, including but not limited to the following:

- (1) Identifying aircraft noise impact areas and designating aircraft noise abatement zones in the close and distant vicinities of each airport;

- (2) Establishing community noise equivalent levels for urban residential land uses with typical Hawaiian construction and cross-ventilation, with reference to community reaction, including interference with speech and loss of sleep;

(3) Establishing community noise equivalent levels for national and state landmarks and monuments and local public parks, with reference to community reaction, including disruption of the experience and enjoyment of the public resource;

(4) Using single-event noise levels instead of day-plus-night sound averaging to determine community noise level impacts;

(5) Using a threshold noise level ten decibels below the numerical value of the community noise equivalent level for implementation of the aircraft noise standards; and

(6) Recognizing unique geographic features in measurement plans for locations where community noise equivalent level monitoring is impractical, such as 45 decibel locations where aircraft noise is amplified by mountain slope walls;

and

BE IT FURTHER RESOLVED that DOT establish a process for verifying that tour helicopters operate in compliance with FAA SFAR No. 71, Special Operating Rules for Air Tour Operators in the State of Hawaii, Section 6(a) and (b); and

BE IT FURTHER RESOLVED that DOT establish a "Fly Quiet" program that encourages aircraft owners and operators to use noise abatement procedures and promotes participatory compliance by monitoring aircraft noise in real time and grading performance with published scores in quarterly public adherence reports; and

BE IT FURTHER RESOLVED that DOT consider establishing a nominal airport passenger ticket fee solely for furthering aircraft noise abatement; and

BE IT FURTHER RESOLVED that DOT maintain in good and consistent operation the airport noise and operations monitoring system at Honolulu and Hilo International Airports, and any state airports determined in the future to be qualified for the airport noise and operations monitoring system, and that this monitoring system become more extensive and technically improved over time; and

BE IT FURTHER RESOLVED that DOT request and work with the FAA and the Air Traffic Control Center work shift supervisors to accomplish noise abatement procedures to minimize aircraft noise impacts; and

BE IT FURTHER RESOLVED that the Legislature requests that aircraft noise abatement procedures include, but not be limited to, the following:

(1) Effective noise abatement departure profiles combined with preferential runway use selections and flight path techniques;

(2) Effective noise abatement departure and arrival flight paths vectored over water; and

(3) Effective minimum altitudes and climb and descent procedures for noise abatement;

and

BE IT FURTHER RESOLVED that DOT encourage and work with aircraft owners and operators and the military to accomplish the following:

(1) Restrict the use of Stage II and noisy Stage III aircraft flights to daytime hours with night time noise abatement hours of 7 p.m. and 7 a.m., except in emergencies; and

(2) Phase out use of Stage II and noisy Stage III aircraft with replacement by aircraft classes with lower noise level characteristics, including cleaner, quieter Stage IV aircraft technology;

and

BE IT FURTHER RESOLVED that DOT immediately convene for the purpose of aircraft noise abatement, an advisory committee for both Honolulu and Hilo International Airports comprising representatives of the following:

(1) Each affected community in the close and distant vicinities of both the Honolulu and Hilo International

Airports;

- (2) Each interested environmental organization;
- (3) The FAA's Air Traffic Control Center;
- (4) The FAA's Flight Standards District Office;
- (5) Each of the local commercial airlines;
- (6) Each local tour helicopter owner or operator;
- (7) The Airline Transport Association or similar air carrier association; and
- (8) The DOT's Airports Division;

and

BE IT FURTHER RESOLVED that the aircraft noise abatement advisory committee meaningfully participate in the development, acceptance, and implementation of a comprehensive aircraft noise abatement master plan, including aircraft noise abatement policies and objectives, assessment of aircraft noise impacts on close and distant areas surrounding the airport, and a compliance verification process to be reviewed quarterly; and

BE IT FURTHER RESOLVED that DOT establish, in conjunction with the present aircraft noise complaint hotline, an aircraft noise abatement web site to provide for new levels of community awareness relative to airport and aircraft noise abatement operations; and

BE IT FURTHER RESOLVED that DOT is requested to submit the aircraft noise abatement community master plan and program and any proposed legislation to the Legislature no later than 20 days prior to the convening of the Regular Session of 2008; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the Director of Transportation and the members of Hawaii's Congressional Delegation.