

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
TRANSPORTATION**

**Wednesday, March 11, 2020
1:15 PM
State Capitol, Conference Room 225**

**In consideration of
SENATE CONCURRENT RESOLUTION 12/SENATE RESOLUTION 13
URGING THE FEDERAL AVIATION ADMINISTRATION TO TAKE ACTION
REGARDING COMMERCIAL HELICOPTER TOUR OPERATIONS IN HAWAII**

Senate Concurrent Resolution 12/Senate Resolution 13 urges the Federal Aviation Administration (FAA) to take action regarding commercial helicopter tour operations in Hawaii. **The Department of Land and Natural Resources (Department) supports these measures and offers the following comments.**

The Department, through its Divisions of State Parks, and Forestry and Wildlife, manages large areas of the State which are subject to constant overflights by tour helicopters, and helicopter noise is a universal complaint of park visitors. The Department is also aware of safety issues, including the proliferation of unauthorized drone usage in areas also frequented by helicopters. The Department's operations are also frequently supported by helicopter transport of staff and equipment to remote areas. The Department believes that encouraging the FAA to increase minimum flight altitudes, mandate offshore tour aircraft routes, and create air tour management plans for parks in Hawai'i would enhance safety and provide higher quality visitor experiences.

The Department suggests amending line 27 of the first BE IT FURTHER RESOLVED on page 2 to include state parks after the national parks.

Thank you for the opportunity to comment on these measures.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Harry Kim
Mayor

LATE



Roy Takemoto
Managing Director

Barbara J. Kossow
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March 10, 2020

Senator Lorraine R. Inouye, Chair
Senator Breene Harimoto, Vice Chair
Committee on Transportation

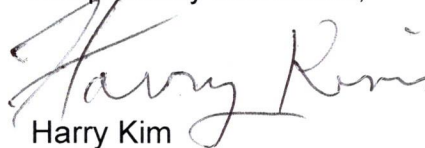
Dear Chair Inouye, Vice Chair Harimoto, and Committee Members:

**RE: SCR 12/SR 13 Urging the Federal Aviation Administration to take
Action Regarding Commercial Helicopter Tour Operations in Hawai'i**

SCR12 and SR 13 are appropriate counterparts to SCR 11 and SR 12, also on today's agenda. Whereas SCR 12/SR 13 call on the Federal Aviation Administration (FAA) to do a better job of regulating tour helicopters by increasing minimum flight altitudes, mandating offshore tour aircraft routes when appropriate, and creating air tour management plans for national parks in Hawai'i, SCR 11/SR 12 go the next step and say that if FAA won't do its job, give the reins to the National Transportation Safety Board (NTSB).

The helicopter industry should be a responsible and considerate corporate member of our community. You might think that the operators would want to achieve that status voluntarily, but the track record indicates that it will take Federal action to achieve that status. Since we do not know whether the FAA or the NTSB is more likely to take the necessary action, I hope you will support SCR 12/SR 13 as well as SCR 11/SR 12.

Respectfully Submitted,


Harry Kim
MAYOR

SCR-12

Submitted on: 3/10/2020 7:18:21 AM

Testimony for TRS on 3/11/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
bob ernst	Testifying for HICoP	Support	No

Comments:

THE SENATE

THE THIRTIETH LEGISLATURE

REGULAR SESSION OF 2020

[COMMITTEE ON TRANSPORTATION](#)

Senator Lorraine R. Inouye, Chair

Senator Breene Harimoto, Vice Chair

NOTICE OF HEARING

DATE: Wednesday, March 11, 2020

TIME: 1:15 PM
Conference Room 225

PLACE: State Capitol

415 South Beretania Street

SCR 11

REQUESTING THE UNITED STATES CONGRESS TO AUTHORIZE THE NATIONAL TRANSPORTATION SAFETY BOARD TO ADOPT AND ENFORCE REGULATIONS FOR INCREASED SAFETY STANDARDS FOR HELICOPTERS AND SMALL

AIRCRAFT THAT CHARGE FEES FOR CARRYING PASSENGERS ON RECREATIONAL FLIGHTS.

SCR 12/13

URGING THE FEDERAL AVIATION ADMINISTRATION TO TAKE ACTION REGARDING COMMERCIAL HELICOPTER TOUR OPERATIONS IN HAWAII.

HICOP TESTIMONY STRONGLY IN SUPPORT ON SCR 11, SCR12, SCR13

Aloha Chair Inouye, Vice Chair Harimoto and Committee Members English, Fevella and Shimabukuro,

As you all well know the FAA has totally abdicated all duties and responsibilities regarding tour copter operations in the State of Hawaii, the most tour copter impacted State in the Nation, with the Island of Hawaii the most tour copter impacted County in the Nation. (FAA/NPS Annual Reports)

Furthermore FSDOHawaii has been accused of collusion/corruption by FAA Whistle-blowers. HICoP observes everyday that FSDOHawaii fails to oversee the tour copter operations.

The FAA has failed to implement many safety measures that the NTSB urged the FAA to implement, and if The FAA had followed the NTSB suggestions, lives would have been saved in Hawaii tour copter crashes, of which you all well know there have been far too many tour copter crashes and also tour copter crash fatalities.

Amendment Suggestion: These resolutions when approved are to be sent to the Hawaii Congressional Delegation, Senators Schatz and Hirono and Representatives Gabbard and Case along with a request that Hawaii CODEL see to it that the contents of these resolutions be implemented either by legislation and/or administration. (Such

as New York CODEL/Schumer did for Long Island with FAA Rule 14 CFR Part 93, where no copters transit over Long Island.)

You all have heard testimony in the past on other bills heard by your committee and know well the need for the State of Hawaii to take responsibility of the tour copter operations, which already exist in the Hawaii required Hawaii Tour Aircraft Permit.

This committee heard and passed unanimously SB 2649 and the Senate unanimously passed and sent to the House SB 2649 SD1. HICoP Mahalos you all for approving unanimously SB 2649.

HICoP thanks you all for representing your constituents/voters/taxpayers and asks you to continue this good government representation by approving these resolutions and also adding the suggested amendment.

Mahalo,

Bob Ernst

Fore the HICoP Board

SCR-12

Submitted on: 3/10/2020 11:28:04 AM

Testimony for TRS on 3/11/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Eileen Hilton	Testifying for Windward Coalition	Support	No

Comments:

SCR-12

Submitted on: 3/11/2020 12:20:30 AM

Testimony for TRS on 3/11/2020 1:15:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Bruce	Testifying for Oâ€™ahu Tour Helicopter Safety and Noise Inter-Action Group	Support	No

Comments:

My name is Bruce Lum and I have lived in my Aiea home for over 58 years and the tour aircraft flying directly over my house has increased from a handful of military helicopters and occasional emergency aircraft over the first 27 years. The present commercial aircraft and helicopter count is as high as 20/hr from 6:45a to 7:45p every day. That means 260 total aircraft over my house from just one of 3 flight tracks daily during the summer. My estimate of an average number of commercial aircraft over my house is 300 to 320 per day, every day, coming from a minimum 3 tracks daily.

BTW, the 300-320 estimate does not include the military helicopters that fly directly over my house as frequently as 60 times a day (out and return flights) from 7am to 10pm every day of the week. They fly at 400ft to 600ft over my house and they are extremely noisy and vibrate my window glass and walls. The frequent and deafening noise is of significant impact, intrusion and disruption upon my home and my community. The very low flight paths, directly over our homes, is very worrisome and puts my entire neighborhood in a state of high risk from helicopter and small aircraft crashes. I am reminded 15 hours a day, every day that our neighborhood has changed drastically from a relatively peaceful and safe environment to a highly volatile residential neighborhood, under siege by a commercial air tour culture that is indifferent to the safety and sanctity of every neighborhood they operate over and around.

I strongly appeal to this honorable committee to adopt and pass SCR 12 to URGE THE FEDERAL AVIATION ADMINISTRATION TO TAKE ACTION REGARDING COMMERCIAL HELICOPTER TOUR OPERATIONS IN HAWAII.

Mahalo for your kind attention,

Bruce Lum

Oâ€™ahu Tour Helicopter Safety and Noise Inter-Action Group member.

SCR-12

Submitted on: 3/11/2020 1:09:18 AM

Testimony for TRS on 3/11/2020 1:15:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Sharlene Chun Lum	Individual	Support	No

Comments:

Under federal law, the Federal Aviation Administration (FAA) has the authority to prescribe regulations on the flight of aircraft, including protecting individuals and property on the ground and preventing collisions. Yet, the FAA has failed to implement recommendations made by the NTSB or to respond to community driven requests for change.

It's time for the FAA to step up and provide tougher regulations for commercial helicopters, including flight paths, frequency, noise pollution, required safety equipments, pilot certification and training, etc. to resulting in better protection for the people using the service as well as people and important places on the ground. The intrusion caused by under-regulated commercial helicopters encroaches on our communities and places our people and environmental places in danger. Who will take responsibility for the next tragic incident?

Please pass the SCR 12 today.

SCR-12

Submitted on: 3/7/2020 1:14:50 PM

Testimony for TRS on 3/11/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
josephine tanimoto	Individual	Support	No

Comments:

Aloha

my family and I Support this measure-with an amendment-Please include Kawaihae on the Big Island.

1-The subdivision where we live, there are homes from shoreline to approximately 1,000 feet. My termite dwelling is near the 1,000 foot elevation; therefore, these helicopters are 500 feet above my vibrating dwelling. No amount of reporting these occurrences have resulted in moving them to open country, or over the sea. We are happy that some sanction is being imposed, but should include for home repair also.

2-This flight alignment allows the helicopters to fly over the historic Heiau's at the National Park at Kawaihae. This needs to stop.

There are two tour companies and private planes as well (including the military) that do this (Sunshine and Blue Helicopters). Mahalo

January 31, 2020

Michael Ferreira
927049 Elele St
Kapolei, HI. 96707

SCR 11

SCR 11 REQUESTING THE UNITED STATES CONGRESS TO AUTHORIZE THE NATIONAL TRANSPORTATION SAFETY BOARD TO ADOPT AND ENFORCE REGULATIONS FOR INCREASED SAFETY STANDARDS FOR HELICOPTERS AND SMALL AIRCRAFT THAT CHARGE FEES FOR CARRYING PASSENGERS ON RECREATIONAL FLIGHTS.

Being a former pilot there are protocol that is put in place for the safety of the general public. Maintenance on the aircraft and accountability, the training of the pilots and also at a higher level if they are flying the public is important. Instrument Flight Rules is an advanced skill set that all pilots flying the public should have at their disposal to counter the fast changing weather and other phenomena that exists in Hawaii.

Restricting airspace so that people on the ground are not annoyed continually by a noise footprint nor having to worry about an airframe falling from the sky on to their homes, businesses or schools is a huge piece of mind that could be easily accommodated by tour operators.

Michael Ferreira
808-679-5370

SCR-12

Submitted on: 3/9/2020 3:05:58 PM

Testimony for TRS on 3/11/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Matson	Individual	Support	No

Comments:

Please include National Natural Landmarks and State Monuments - such as Diamond Head. and Olomana.

Please include the 1-mile offshore rule and Long Island NY guidelines.

Please delete "whenever possible" per WHEREAS #8. Tour chopper operators will simply ignore "whenever possible."

Thank you.

SCR-12

Submitted on: 3/9/2020 9:23:31 PM

Testimony for TRS on 3/11/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Larry Veray	Testifying for Pearl City Neighborhood Board Chair	Support	No

Comments:

The Pearl City Neighborhood Board No. 21 is in total support for this bill per our board resolution related to Tour Helicopters and their negative impact on our community.

In SCR12, please include tour helicopters keeping their distance from Monuments such as Diamond Head and Olomano.

Tour helicopters should fly one mile offshore from residential areas.

Please delete "Whenever possible" per paragraph WHEREAS #8; tour chopper operators ignore "Whenever possible."

SCR-12

Submitted on: 3/9/2020 11:39:48 PM

Testimony for TRS on 3/11/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Debra Laeha	Individual	Support	No

Comments:

The tour helicopter industry has been allowed to operate virtually unregulated throughout the Islands. The volume of these helicopters has now reached a tipping point. Since the FAA has been ineffective in establishing regulations to protect the safety and well-being of the Community, we need the National Transportation Safety Board to have the authority to help adopt, enforce and monitor the regulations for increased safety standards for tour helicopters.

PLEASE support this resolution!

SCR-12

Submitted on: 3/10/2020 10:59:23 AM

Testimony for TRS on 3/11/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bryon Lee	Individual	Support	No

Comments:

I strongly support SCR12.

SCR12 is urgently & immediately needed to provide oversight of the tour helicopter industry that has negatively impacted the residents of Hawaii's health, privacy, pollution/carbon footprint, noise nuisance, and quality of life.

In collaboration with the recent **unanimously passed SB 2649** (sent to the House) the residents of Hawaii will begin to have regulation of the tour helicopter industry that has been **un-enforced** for so long.

Mahalo

LATE

SCR-12

Submitted on: 3/11/2020 9:38:49 AM

Testimony for TRS on 3/11/2020 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rayne	Individual	Support	No

Comments: