



**UNITED
STATES
PARACHUTE
ASSOCIATION**

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February 22, 2021

Senator Karl Rhoads, Chair
Senate Committee on Judiciary
Hawaii State Capitol, Room 204

Senator Donovan Dela Cruz, Chair
Senate Committee on Ways and Means
Hawaii State Capitol, Room 208

Senators Rhoads and Dela Cruz:

The United States Parachute Association (USPA) represents over 37,000 members, including more than 300 who reside in the state of Hawaii. USPA respectfully submits these comments on behalf of those members, especially the more than 130 of our members who are employed at Kawaihapai Airfield and live in the nearby North Shore communities.

USPA supports SB 1368, SD1 which will create the Kawaihapai Airfield Revitalization Task Force to keep Kawaihapai Airfield open while addressing the issues and concerns that would hinder its long-term use and viability. USPA looks forward to assisting the task force and its members, in whatever way we may be needed, in their good faith efforts. Thank you for your efforts to continue to ensure Kawaihapai Airfield remains open and operating safely.

Sincerely,

A handwritten signature in blue ink, which appears to read "Albert Berchtold". The signature is fluid and cursive, written over a white background.

Albert Berchtold
Executive Director

The Soaring Society of America, Inc.
P. O. Box 2100
Hobbs, NM 88241-2100
575-392-1177
575-392-8154 (fax)



Subject: SB 1368 Relating to Airfields
Hearing Date: February 22, 2021

The Soaring Society of America (SSA) is an organization with approximately 10,000 members that was created in 1932 to foster and promote all phases of gliding and soaring. The Society is involved in safety programs and flight training, technological research and development, and representation to government agencies.

The SSA supports SB 1368 Relating to Airfields.

Kawaihapai Airfield (formerly Dillingham) is one of the best known sport aviation facilities in the world. It is a thriving civil airport with 11 aviation businesses that employ over 100 people and which attracts over 50,000 visitors annually to the remote North Shore of Oahu Island. The airport provides aviation-related jobs and exemplifies how much of an asset a successful general aviation airport can be to the surrounding community.

Kawaihapai is a unique aviating environment. Transferring the current operations to other locations on Oahu would be unfeasible and unsafe, there are no suitable alternatives for these activities.

The SSA encourages the Legislature to pass SB 1368 to keep Kawaihapai Airfield open, prohibit the eviction of tenants in good standing, and require the HDOT to cooperate with any entities conducting economic feasibility studies of Kawaihapai.

Regards,

/signature/

Stephen Northcraft, Chairman
Government Liaison Committee
Soaring Society of America



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February 22, 2021

The Honorable Donovan Dela Cruz
Chair, Senate Committee on Ways and Means
Hawai'i State Capitol, Room #208
415 S. Beretania Street
Honolulu, HI 96813

The Honorable Karl Rhoads
Chair, Senate Committee on Judiciary
Hawai'i State Capitol, Room #204
415 S. Beretania Street
Honolulu, HI 96813

Dear Senators Dela Cruz, Rhoads and members of the committees:

Thank you for the opportunity to comment regarding SB 1368 SD1, relating to airfields. The Aircraft Owners and Pilots Association (AOPA) is the world's largest aviation organization and represents the general aviation interests of over 1,000 members in Hawai'i. **AOPA strongly supports SB 1368 SD1**, legislation that would create the Kawaihapai Airfield Revitalization Task Force to keep Kawaihapai Airfield open.

Kawaihapai airfield provides countless positive community contributions and value to the North Shore and the State of Hawai'i. Kawaihapai Airfield brings over 50,000 visitors from around the world annually to the airfield and the North Shore resulting in a direct economic impact of 12.6 million dollars. Additionally, the airfield is home to 47 based aircraft and 11 airport businesses, including flight schools, soaring, and skydiving operations, who employ more than 130 people. Given the importance of the Kawaihapai Airfield to the North Shore economy and to the health of general aviation, AOPA is interested in bringing our deep insights and expertise of general aviation airports to the Task Force. It is in this spirit that we can add tremendous value to the important work that will be accomplished by this Task Force.

AOPA urges the committee to pass SB 1368 SD1 and supports keeping Kawaihapai airfield open to civil use, ensuring the Airfield remains a strong community asset and home to thriving businesses for years to come. If you have questions or require additional information, please contact me directly at 301-695-2228 or Melissa.McCaffrey@aopa.org

Respectfully,

Melissa McCaffrey
Regional Manager, Government Affairs
Aircraft Owners and Pilots Association

AIRCRAFT OWNERS AND PILOTS ASSOCIATION

SB-1368-SD-1

Submitted on: 2/19/2021 4:19:34 PM

Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Philip Nerney	Individual	Support	No

Comments:

Businesses at Dillingham Airfield employ many people and are a significant driver of economic activity. Many families would suffer significantly if the numerous existing jobs were lost. The economy would suffer if long established and thriving businesses were needlessly closed.

Moreover, general aviation should be promoted and encouraged.

Please pass SB 1368 SD1.

SB-1368-SD-1

Submitted on: 2/19/2021 4:29:20 PM

Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Herman Tuiolosega	Individual	Oppose	No

Comments:

I strongly oppose this bill; subsidizing a million dollars annually so private companies at Kawaihapai Airfield can earn \$12,000,000 a year is not justified.

This airfield is an eyesore and is a problem that the State of Hawaii is better off without.

Thanks.

SB-1368-SD-1

Submitted on: 2/20/2021 8:50:15 AM

Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
kelii ho	Individual	Support	No

Comments:

Support

SB-1368-SD-1

Submitted on: 2/20/2021 12:21:32 PM

Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Frank TK Hinshaw	Individual	Oppose	No

Comments:

Aloha,

I provided the sole individual written opposition to this bill earlier when it was before the transportation committee. I again wish to provide written opposition again to the new form of this measure as well as the task force it will form, as I truly believe it will be a waste of time and resources of the people involved for the reasons I will now expand upon.

Most importantly, this task force will be chaired by the Director of the Department of Transportation or his representative. DOT has for decades been in command of the situation at PHDH (Dillingham/Kawaihapai Airfield). They at the last hearing made it clear that they have made the determination that they must be absolved of the airfield and its responsibilities, so how can they in good faith work in the opposite direction from their own determination? DOT has allowed the airfield to come to the state that it is in today. DOT allowed some tenants to violate the rules that they pushed on to only a select few, which is why there are unpermitted structures and activities occurring at the airfield often. DOT has actively retaliated against tenants who have asked to improve safety or the conditions at the airfield. DOT has participated in active economic discrimination. DOT has been aware of the unsafe conditions at the airfield and instead chose to neglect the situation and pleas for help for a generation. I don't see how they can chair this task force in good faith for the benefit of the public and airfield users.

Second, I believe that representatives on the board should NOT have commercial interest or private tenancy at the airfield and rather all stakeholders of the airfield should be represented by their own individual vote. Commercial tenants, private tenants, aviation users and non-aviation public users should all have an equal voice on this task force if it moves forward. Part of DOT's success in preventing progress at PHDH has been to keep tenants at each other's throats, and I wouldn't say peace and harmony prevail among all airfield users. I suggest looking at each tenant and/or user's history with their neighbors at the airfield. Those found to be frequent violators of the rules, FARs, or even those who have multiple TROs (conflicts) with their neighbors should be looked at very carefully as if they gain power they will wield it to benefit themselves, as seen in action at the airfield.

The five issues raised as reasons to close the airfield:

(1) Securing a long-term lease with the United States Department of the Army.

-This has been a never ending story with DOT and the Army. If they haven't been able to do it in the last 20+ years why would they be able to figure it out now? This issue, with the tenants all being on RPs is the reason why permanent structures up to code aren't around. Who is going to put money into property that DOT will just take away from you in 30 days? The Army, according to DOT will never ever give DOT or anyone who leases the airfield a long term lease. I don't see how this will be resolved by the creation of the Task Force, I'd rather see the Army work with a Non-Government Organization in my personally held opinion.

(2) Resolving the permanent management of water infrastructure on the site;

-Honestly the water system is a problem because inadequate maintenance, upkeep, reinvestment, etc. has occurred with the water system. It's always been a "not my problem" kind of problem with DOT. How many times has water been unfunctional at the airfield in recent years? Bathrooms have been out at the airfield for days at a time. With hundreds of users at the airfield daily, this becomes a human waste problem too with people having nowhere to go, our local residents, and our tourists forced to deal with problems you shouldn't have to face on federal property in America. Why not just reinvest in this system, and start charging users to pay for upkeep and maintenance? The water has been free of charge for years because they don't want to test it. My point being again, that if it were properly managed we'd be sitting on a money generating asset instead of this unmaintained system that's a falling apart money pit. Change the management, and yes you might solve the problem. I'd make DOT pay for it though, they created the problem they should pay to return the system to servicable instead of getting to walk away like nothing happened.

(3) Ensuring all airfield structures and infrastructure obtain and meet all required permits and applicable standards;

-Again, this has to do with revocable permits and who DOT allows to violate the rules. Look at how long users are allowed to violate the rules, and look at who profits commercially by violating the rules. Some violate the rules simply because there is no feasible way to be in compliance. Others are not in compliance because they were just given a pass by DOT looking the other way long enough. If a long term lease with the Army is secured, many businesses who also get a long term lease can then finance construction of appropriate facilities (What crazy financial institution out there gives out loans for aviation facilities on 30 day revokable permits?). These appropriate facilities would also provide revenue on the land they occupy, instead of nobody being able to do anything with the way things are. This problem could be easily solved with good management, instead of DOT kicking the problem down the road for their grandchildren to have to lose out on having a wonderful airfield on the north shore of Oahu open to civil aviation.

(4) Ensuring all airfield operations meet all applicable safety requirements and best practices; and

-This will require enforcement of rules on users accustomed to not having to follow the rules. I vehemently oppose allowing representatives on this proposed task force to be composed of those who violate rules for commercial gain and DOT itself as they are and have been the conduit for the illicit activities occurring from/on the airfield. Whoever manages the airfield should be enforcing the rules equally and abiding by the grant assurances, as I presume the airfield would continue taking federal AIP money if it moves forward. The FAA is responsible to ensure everyone is abiding by the FARs. With security and rule of law on the surface (ground operations) I'd like to see much better security than we have today, and hopefully HPD allowed to have jurisdiction as the Sheriffs are an hour away always. The airfield has two gates east & west, but usually just one (Securitas) guard to man both ends of the airfield with each gate being two miles apart, this is generally the reason I've complained of the lawlessness witnessed at the airfield.

(5) Ensuring that tenants are up to date on financial obligations to the State.

-Tenants who are not paying should not be tenants and should not be provided representation as a tenant on the task force. Why are some tenants raided by the sheriffs in assault gear with assault rifles when they are thought to be in violation and others allowed to violate all kinds of rules, elude payment, and go on participating in commerce making money that they probably aren't going to report... DOT-A is in charge today right?

Aviation will continue without PHDH, as great of a loss it will be. I only place some faith in the US Army to do the right thing and allow the airfield to continue to be used when they are the owners again, just not with the State of Hawaii as the managers, as the State has been a failure. There are many outstanding issues not listed, and many of them will render the airfield unsalvageable, but it should be noted that it is DOT-A that chose to scuttle the airfield years and years ago.

Again I oppose this measure for the reasons I've provided. I believe airfield management needs to change, and I will oppose any measure that provides a way for DOT-A to cover up and get away with their mismanagement at PHDH. The management and the chain of command above them at DOT-A should be held accountable for the situation we are in today. They want to absolve themselves of the airfield because they do not want to be held accountable for their years of neglect which directly led to fatal results. There is a lot of money in the system, look at improvements at HNL and the major airports on the outer islands. Look at what we can do with the rail project and aloha stadium. The amount of money poured into those projects no matter the costs because they are too big to fail, and here we have a unique infrastructure asset ignored and allowed to fall into disrepair even though it is used a lot by many stakeholders. It is and has always been the problem of DOT. So a task force won't solve

the problem which has been the management and lack thereof, instead I again suggest that new management be allowed to operate the airfield or it should close until professionals can fill the positions.

SB-1368-SD-1

Submitted on: 2/21/2021 1:46:36 PM

Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
George McPheeters	Individual	Support	No

Comments:

To reemphasize my prior testimony in full support of this bill: I was born in Honolulu and have lived here my entire life and lived at Mokuleia for many years. Like many folks, I learned to fly there and I have maintained 2 planes and 2 hangers for 30 years. HDH is a unique airfield with many educational, safety, and recreational attributes. It is irreplaceable. It is a magnet for folks from all over the world. Every effort should be made to find longterm solutions to the issues facing this resoource. Thanks

SB-1368-SD-1

Submitted on: 2/21/2021 3:08:44 PM

Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Diane VanSlyke	Individual	Support	No

Comments:

As a resident of Mokuleia at 68-615 Farrington Hwy, Dillingham Airfield is an integral part of our community. The gliding is world class and offers opportunity for the young people of our island to learn to fly through the Civil Air Patrol and BoyScouts. Many students have also come from international destinations. Gliding and skydiving cannot be replicated anywhere else on the island. It would be shameful to allow these businesses and the economic and recreational opportunity they provide to just disappear. Thank you.

SB-1368-SD-1

Submitted on: 2/21/2021 6:58:24 PM

Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Van Horn	Individual	Support	No

Comments:

Aloha,

I am writing in support of this bill once again. I appreciate all of the hard work that has been done thus far in regard to finding a solution to keeping the airfield open.

Once again, this airfield is a wonderful resource that has provided so many unique opportunities for so many different people. From all of us who are fortunate enough to be able to earn our living at the airfield to all of the visitors and locals alike who are able to experience the magic of the North Shore from above, either via a skydive or a glider flight or even learning to fly.

I have confidence that this task force will do an outstanding job to create a solution that allows for the airfield to remain open for civil aviation.

As a side note, I am also a resident of Mokuāia, I live across the road from the airfield and I have genuine concerns about the airfield closing to civil aviation. The noise from military helicopters is already somewhat of an issue and I worry that the army taking back over full time use of the airfield will result in additional noise issues for our mostly quiet community. In my opinion, one of the most wonderful things about living in Mokuāia is the peace and quiet.

Thank you for your time and your efforts, they are greatly appreciated.

SB-1368-SD-1

Submitted on: 2/22/2021 4:40:45 AM

Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Hunter	Individual	Support	No

Comments:

I support forming a committee to explore all options for keeping Dillingham Airfield open for civilian use. It has provided me personally my main source of income for almost 20 years. I believe the loss of access to this airfield along with the Kealia trail would be a huge loss for the North Shore community as well as the many people I meet all over the world who hope to one day skydive over the north shore. It is truly a world famous location.

SB-1368-SD-1

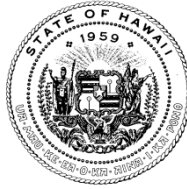
Submitted on: 2/22/2021 9:46:00 AM

Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Devitt	Individual	Support	No

Comments:

The task force set forth in SB 1368 will force DOTA in to real solutions for Dillingham Airfield. I support SB 1368 as a path to the long term viability of Kawaihapai air field.



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097**

February 23, 2021
10:30 a.m.
State Capitol, Room 211
Via Videoconference

**S.B. 1368, S.D. 1
RELATING TO AIRFIELDS**

Senate Committee(s) on Judiciary & Way and Means

The Department of Transportation– Airports Division (DOTA) **supports with comments** S.B. 1368, S.D. 1, which creates the Kawaihapai Airfield Revitalization Task Force to address issues necessary to keep Kawaihapai Airfield open and operating safely.

The DOTA originally announced its plan to terminate its lease with the U.S. Army on June 30, 2020 due to ongoing concerns and issues. However, the DOTA accommodated tenant requests for an extension to June 30, 2021 to provide additional time to relocate its business and assets, along with rectifying compliance issues.

The task force created by this legislation will examine the reasons that DOTA has found it necessary to terminate the lease for Kawaihapai Airfield and will attempt to resolve those issues on the condition that a plan to resolve all pending issues must be agreed upon by June 30, 2021. That is the date that DOTA has informed the U.S. Army that it will be terminating its lease. If a plan for resolving all pending issues is not reached by that date, the lease will be terminated and the airfield will be returned to the U.S. Army.

The DOTA has communicated and met with stakeholders (Federal Aviation Administration, U.S. Army, tenants, users, legislators, etc.) several times over the past year to implement an orderly and transparent process for terminating the lease and relocating users. The DOTA and stakeholders realize pending issues need to be resolved soon. The principal issues that the task force must address and agree upon are as follows:

- Obtain a commitment from a qualified independent water purveyor to maintain the Dillingham Airfield water system since the DOTA is not a water purveyor and currently bears health and liability risks. The DOTA is also prohibited by FAA Grant Assurances from spending airport funds that benefit non-airport users of the water system. In addition, the U.S. Army has indicated it does not want such responsibility, even though it owns the airfield which includes the water system.

- Secure a lease with the U.S. Army of more than 20 years, preferably 30 to 50 years (the current lease allows only 5 years at a time). In order to qualify for FAA Airport Improvement Program Grants, the DOTA must own or lease the airfield for at least 20 years. A 20-year lease would allow DOTA to comply with grant conditions for only one year, so a lease should be in excess of 20 years or provide for optional extensions if DOTA is to qualify for multi-year capital improvement grants. Such grants are essential for capital needs such as improving the airfield's runway and taxiways. A long term lease will also assist airport tenants with obtaining loans to improve their own facilities.
- Develop a plan for bringing all structures at Kawaihapai Airfield into compliance with the City & County of Honolulu Department of Planning and Permitting building, plumbing and electrical codes (or the removal of non-complying structures).

The DOTA has concerns that this bill would be enacted near or after June 30, 2021. However, the proposed bill requires that the task force's agreed upon plan to resolve ongoing issues be completed by June 30, 2021.

We need to be clear that the DOTA cannot be in a position where there is any uncertainty about the lease termination, especially as we approach closer to June 30.

We have previously explained that liability and public safety concerns continue every day and we cannot continue to provide extensions without solutions. Each day that this airfield remains open, the DOTA faces:

- public health and sanitation risks with the water system
- public safety risks with the unpermitted structures at the airport
- reduction or elimination of FAA grants totaling \$75M annually due to the diversion of airport revenues to maintain the water system benefitting non-airport users

We cannot just extend the lease termination date without a certain and definite plan for resolving these very serious problems and liabilities. While DOTA supports the concept of the task force, we no longer have the luxury of time.

If the task force does not complete an agreed-upon plan by June 30, 2021 it will be too late to rescind the termination of the lease.

Thank you for the opportunity to provide testimony.

LATE

SB-1368-SD-1

Submitted on: 2/22/2021 10:30:53 AM

Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ben Devine	Testifying for Save Dillingham Airfield	Support	No

Comments:

February 22, 2021

The Honorable Senator Donovan M. Dela Cruz

Senate Committee on Ways and Means

Hawai'i State Capitol, Room # 208

415 S. Beretania Street Honolulu

HI 96813

Dear Senator Dela Cruz and members of the committee:

Thank you for the opportunity to comment regarding SB 1368, relating to airfields. The Save Dillingham Airfield Organization is eager to work with the Hawaii Department of Transportation (HDOT), Army, FAA, and Legislators to resolve the issues at the airfield.

When evictions were first issued, it was after the last day to submit bills and lease termination would have been in effect by the end of that session. This timeline would have deprived the Senate of their role in government. A letter signed by 20 senators and 7 Representatives demanded more time to allow the airfields fate to be determined with input from Hawaiian citizens through their elected officials.

By voting to approve this bill you acknowledge that our elected leaders must play a role in the decisions government makes. That at a bare minimum, a good faith discussion into solutions for the airfield must take place. The most difficult problems can be overcome through the dedicated attention of intelligent people.

In the last year our organization has worked with industry experts to find solutions to each of the DOT's cited items. A public utility commission can be formed to separate the water infrastructure from DOT's lease obligations. The army has expressed its

willingness to take on such an agreement. The Army has also expressed its willingness to grant a 50 year lease. Both Tenets and community stakeholders are willing to engage on all subjects and find solutions.

Thank you for your time and consideration,

Ben Devine

SaveDillinghamAirfield.org

LATE

SB-1368-SD-1

Submitted on: 2/22/2021 10:56:26 AM

Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carmel Tomlinson	Individual	Support	No

Comments:

I support SB1368. Our family (myself, my husband and my 11 year old son, JD) was featured in the USPA video in support of maintaining civilian operations at Dillingham Airfield. Aviation is a central factor in our family like it is with many others. My husband, a Hawaiian Airline pilot, purchased a Piper Cub project which he and JD are currently working on as a father-son endeavor. When the project is complete, Dan will teach JD how to fly in the plane they refurbished together, creating memories and skills that will last a lifetime. Dillingham Airfield is the only airport on Oahu that offers a calm learning environment for young aviators away from large aircraft and congested airspace found on the South Ramp and in Ewa Bch. The young fliers program at Dillingham is the only one of its kind on Oahu which encourages local children to pursue aviation careers. Hawaii should support civil operations that encourage local children to fly in hopes of attracting local talent to staff local airlines, rather than mainland transplants. Dillingham Airport is unique in geography, location and character to support numerous local businesses, hundreds of employees and robust tax benefits to our community. If the U.S. Army resumes continuous air operations at Dillingham Airfield, the sensitive Kaena Pt preserve and its wildlife will suffer harm, residents around the airfield will lose quiet enjoyment rights for their properties and the N. Shore community as a whole will be negatively impacted. Only negative ramifications will result in the loss of civil commercial and private aviation at Dillingham Airfield.

LATE

SB-1368-SD-1

Submitted on: 2/22/2021 12:25:06 PM

Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
brian cork	Individual	Support	No

Comments:

Aloha,

I am writing in support of this bill. I appreciate all of the work that has been done thus far to get to this point and I have confidence in the ability of a task force to find a solution to keeping the airfield open to civil aviation.

As someone who earns their income at the airfield, as well as a resident who lives just across the road, I think the work being done to keep the airfield open is of benefit not only to myself and my family, but also to my community.

Thank you for your time.