
HOUSE CONCURRENT 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.

1 WHEREAS, the health, welfare, and quality of life of
2 Hawaii's citizens are significantly affected by frequent
3 exposure to aircraft noise impacts from commercial jet aircraft
4 and tour helicopter flights over urban populations; and
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6 WHEREAS, citizens on the ground under and adjacent to
7 arbitrary aircraft flight paths experience aircraft noise
8 impacts that interfere with their daily lives and constitute a
9 denial of their constitutionally protected right to quiet
10 enjoyment of their homes; and
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12 WHEREAS, comprehensive national research and existing local
13 evidence disclose that aircraft noise impacts cause a multitude
14 of negative consequences and health risks, including mental
15 stress and interference with normal living functions, such as
16 interruption of speech and loss of sleep; and
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18 WHEREAS, aircraft noise impacts are also similarly
19 detrimental to the valued experience and enjoyment of Hawaii's
20 natural and recreational resources by residents and visitors
21 alike; and
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23 WHEREAS, community reaction and opposition to continuing
24 commercial jet aircraft and tour helicopter noise impacts over
25 residential and recreation areas during the past two decades
26 warrants public protection from these impacts as these aviation
27 uses increase; and



1 WHEREAS, the Legislature recognizes that significant noise
2 impacts are caused by tour helicopters and commercial jet
3 aircraft operating over established communities and
4 open recreation areas at all hours of the day and night; and
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6 WHEREAS, the State of Hawaii owns and operates airports
7 within the state and has the legal right and the moral
8 obligation to protect its citizens from aircraft noise impacts,
9 as many other states have done; and
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11 WHEREAS, the Director of Transportation is responsible for
12 adopting standards, procedures, and rules commensurate with and
13 for the purpose of protecting and ensuring the general public
14 interest with regard to aviation within the state; and
15

16 WHEREAS, a federal grant has enabled the state Department
17 of Transportation (DOT) to upgrade the Honolulu International
18 Airport aircraft noise and operations monitoring system, and air
19 traffic control flight tracking data will soon be integrated
20 with this system; and
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22 WHEREAS, Hilo International Airport on the island of Hawaii
23 will have the same aircraft noise and operations monitoring
24 system in the near future to benefit the public interest; and
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26 WHEREAS, the airport noise and operations monitoring
27 program provides for a quarterly review and audit of noise
28 monitoring data, which is essential for evaluation of flight
29 operation procedures and practices concerning aircraft noise
30 abatement; and
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32 WHEREAS, old Stage II aircraft technology is banned from
33 all states except Hawaii and Alaska, and in some states, several
34 noise-critical Stage III models are restricted to certain
35 daytime hours; and
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37 WHEREAS, there is no process for the verification of
38 records that tour helicopters operate in compliance with Federal
39 Aviation Administration (FAA) Special Federal Aviation
40 Regulation No. 71 (SFAR No. 71); and
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42 WHEREAS, SFAR No. 71 establishes certain procedural,
43 operational, and equipment requirements for air tour operators
44 in the state of Hawaii; and



1 WHEREAS, International Civil Aviation Organization climb
2 procedures and continuous descent approach procedures are proven
3 effective aircraft noise abatement controls; and
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5 WHEREAS, in addition to reducing aircraft noise impacts,
6 continuous descent approach procedures save time approaching the
7 airport, save fuel consumed on approach, and reduce toxic
8 aircraft emissions such as benzene, hydrocarbons, and carbon
9 oxides; and
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11 WHEREAS, it is in the public interest to combine in a
12 balanced forum the technical expertise and aviation experience
13 of airline industry personnel with the first-hand knowledge and
14 concerns of the affected communities to cooperatively achieve
15 aircraft noise impact reduction in those communities; now,
16 therefore,
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18 BE IT RESOLVED by the House of Representatives of the
19 Twenty-fourth Legislature of the State of Hawaii, Regular
20 Session of 2007, the Senate concurring, that the DOT is urged to
21 do everything within its authority to protect the public
22 interest, health, and welfare by working with federal agencies
23 to alleviate aircraft noise impacts on the general public; and
24

25 BE IT FURTHER RESOLVED that DOT immediately implement an
26 aircraft noise abatement community master plan and program for
27 the close and distant vicinities of Honolulu and Hilo
28 International Airports, and subsequently for any qualified state
29 airports as determined in the future; and
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31 BE IT FURTHER RESOLVED that DOT develop comprehensive
32 aircraft noise abatement rules, standards, and procedures to
33 protect the public health, welfare, and quality of life in the
34 close and distant vicinities of state-owned and operated
35 airports, including but not limited to the following:
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- 37 (1) Identifying aircraft noise impact areas and
38 designating aircraft noise abatement zones in the
39 close and distant vicinities of each airport;
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41 (2) Establishing community noise equivalent levels for
42 urban residential land uses with typical Hawaiian
43 construction and cross-ventilation, with reference to



1 community reaction, including interference with speech
2 and loss of sleep;

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

9
10 (4) Using single-event noise levels instead of day-plus-
11 night sound averaging to determine community noise
12 level impacts;

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

18
19 (6) Recognizing unique geographic features in measurement
20 plans for locations where community noise equivalent
21 level monitoring is impractical, such as 45 decibel
22 locations where aircraft noise is amplified by
23 mountain slope walls;

24
25 and

26
27 BE IT FURTHER RESOLVED that DOT establish a process for
28 verifying that tour helicopters operate in compliance with FAA
29 SFAR No. 71, Special Operating Rules for Air Tour Operators in
30 the State of Hawaii, Section 6(a) and (b); and

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

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



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

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

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

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18 (1) Effective noise abatement departure profiles combined
19 with preferential runway use selections and flight
20 path techniques;
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22 (2) Effective noise abatement departure and arrival flight
23 paths vectored over water; and
24
25 (3) Effective minimum altitudes and climb and descent
26 procedures for noise abatement;

27
28 and

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

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34 (1) Restrict the use of Stage II and noisy Stage III
35 aircraft flights to daytime hours with night time
36 noise abatement hours of 7 p.m. and 7 a.m., except in
37 emergencies; and
38
39 (2) Phase out use of Stage II and noisy Stage III aircraft
40 with replacement by aircraft classes with lower noise
41 level characteristics, including cleaner, quieter
42 Stage IV aircraft technology;

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44 and



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

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- 6 (1) Each affected community in the close and distant
7 vicinities of both the Honolulu and Hilo International
8 Airports;
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 - 10 (2) Each interested environmental organization;
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 - 12 (3) The FAA's Air Traffic Control Center;
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 - 14 (4) The FAA's Flight Standards District Office;
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 - 16 (5) Each of the local commercial airlines;
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 - 18 (6) Each local tour helicopter owner or operator;
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 - 20 (7) The Airline Transport Association or similar air
21 carrier association; and
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 - 23 (8) The DOT's Airports Division;

24
25 and

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27 BE IT FURTHER RESOLVED that the aircraft noise abatement
28 advisory committee meaningfully participate in the development,
29 acceptance, and implementation of a comprehensive aircraft noise
30 abatement master plan, including aircraft noise abatement
31 policies and objectives, assessment of aircraft noise impacts on
32 close and distant areas surrounding the airport, and a
33 compliance verification process to be reviewed quarterly; and
34

35 BE IT FURTHER RESOLVED that DOT establish, in conjunction
36 with the present aircraft noise complaint hotline, an aircraft
37 noise abatement web site to provide for new levels of community
38 awareness relative to airport and aircraft noise abatement
39 operations; and
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41 BE IT FURTHER RESOLVED that DOT is requested to submit the
42 aircraft noise abatement community master plan and program and
43 any proposed legislation to the Legislature no later than 20
44 days prior to the convening of the Regular Session of 2008; and



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

