

MAR 14 2007

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# SENATE 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 the urban population; 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 discloses 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  
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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  
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16           WHEREAS, a federal grant has enabled the State Department  
17 of Transportation to upgrade the Honolulu International Airport  
18 aircraft noise and operations monitoring system, and air traffic  
19 control flight tracking data will soon be integrated with this  
20 system; and  
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22           WHEREAS, Hilo International Airport will have the same  
23 aircraft noise and operations monitoring system in the near  
24 future to benefit the public interest on the island of Hawaii;  
25 and  
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27           WHEREAS, the airport noise and operations monitoring  
28 program provides for a quarterly review and audit of noise  
29 monitoring data, which is essential for evaluation of flight  
30 operation procedures and practices concerning aircraft noise  
31 abatement; and  
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33           WHEREAS, old Stage II aircraft technology is banned from  
34 all states except Hawaii and Alaska, and in some states, several  
35 noise-critical Stage III models are restricted to certain  
36 daytime hours; and  
37

38           WHEREAS, there is no process for the verification of  
39 records that tour helicopters operate in compliance with Federal  
40 Aviation Administration Special Federal Aviation Regulation  
41 (SFAR) No. 71; and  
42



1 WHEREAS, SFAR No. 71 establishes certain procedural,  
2 operational, and equipment requirements for air tour operators  
3 in the State of Hawaii; and  
4

5 WHEREAS, International Civil Aviation Organization (ICAO)  
6 climb procedures and continuous descent approach (CDA)  
7 procedures are proven effective aircraft noise abatement  
8 controls; and  
9

10 WHEREAS, in addition to reducing aircraft noise impacts,  
11 continuous descent approach procedures save time approaching the  
12 airport, save fuel consumed on approach, and reduce toxic  
13 aircraft emissions such as benzene, hydrocarbons, and carbon  
14 oxides; and  
15

16 WHEREAS, it is in the public interest to combine in a  
17 balanced forum the technical expertise and aviation experience  
18 of airline industry personnel with the first-hand knowledge and  
19 concerns of the affected communities to cooperatively achieve  
20 aircraft noise impact reduction in those communities; now,  
21 therefore,  
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23 BE IT RESOLVED by the Senate of the Twenty-fourth  
24 Legislature of the State of Hawaii, Regular Session of 2007, the  
25 House of Representatives concurring, that the Department of  
26 Transportation is urged to do everything within its authority to  
27 protect the public interest, health, and welfare by working with  
28 federal agencies to alleviate aircraft noise impacts on the  
29 general public; and  
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31 BE IT FURTHER RESOLVED that the Department of  
32 Transportation immediately implement an aircraft noise abatement  
33 community master plan and program for the close and distant  
34 vicinities of Honolulu and Hilo International Airports, and  
35 subsequently for any qualified state airports as determined in  
36 the future; and  
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38 BE IT FURTHER RESOLVED that the Department of  
39 Transportation develop comprehensive aircraft noise abatement  
40 rules, standards, and procedures to protect the public health,  
41 welfare, and quality of life in the close and distant vicinities  
42 of state-owned and operated airports, including but not limited  
43 to the following:  
44



- 1 (1) Identifying aircraft noise impact areas and
- 2 designating aircraft noise abatement zones in the
- 3 close and distant vicinities of each airport;
- 4
- 5 (2) Establishing community noise equivalent levels for
- 6 urban residential land uses with typical Hawaiian
- 7 construction and cross-ventilation, with reference to
- 8 community reaction including interference with speech
- 9 and loss of sleep;
- 10
- 11 (3) Establishing community noise equivalent levels for
- 12 national and state landmarks and monuments and local
- 13 public parks, with reference to community reaction
- 14 including disruption of the experience and enjoyment
- 15 of the public resource;
- 16
- 17 (4) Using single-event noise levels instead of day-plus-
- 18 night sound averaging to determine community noise
- 19 level impacts;
- 20
- 21 (5) Using a threshold noise level ten decibels below the
- 22 numerical value of the community noise equivalent
- 23 level for implementation of the aircraft noise
- 24 standards; and
- 25
- 26 (6) Recognizing unique geographic features in measurement
- 27 plans for locations where community noise equivalent
- 28 level monitoring is impractical, such as forty-five
- 29 decibel locations where aircraft noise is amplified by
- 30 mountain slope walls; and
- 31

32 BE IT FURTHER RESOLVED that the Department of  
 33 Transportation establish a process for verifying that tour  
 34 helicopters operate in compliance with Federal Aviation  
 35 Administration SFAR No. 71, Special Operating Rules for Air Tour  
 36 Operators in the State of Hawaii, Section 6(a) and (b); and

37  
 38 BE IT FURTHER RESOLVED that the Department of  
 39 Transportation establish a Fly Quiet program that encourages  
 40 aircraft owners and operators to use noise abatement procedures  
 41 and promotes participatory compliance by monitoring aircraft  
 42 noise in real time and grading performance with published scores  
 43 in quarterly public adherence reports; and

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1 BE IT FURTHER RESOLVED that the Department of  
2 Transportation consider establishing a nominal airport passenger  
3 ticket fee solely for furthering aircraft noise abatement; and  
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5 BE IT FURTHER RESOLVED that the Department of  
6 Transportation maintain in good and consistent operation the  
7 airport noise and operations monitoring system at Honolulu and  
8 Hilo International Airports, and any state airports determined  
9 in the future to be qualified for the airport noise and  
10 operations monitoring system, and that this monitoring system  
11 become more extensive and technically improved over time; and  
12

13 BE IT FURTHER RESOLVED that the Department of  
14 Transportation request and work with the Federal Aviation  
15 Administration and the Air Traffic Control Center work shift  
16 supervisors to accomplish noise abatement procedures to minimize  
17 aircraft noise impacts; and  
18

19 BE IT FURTHER RESOLVED that the Legislature requests that  
20 aircraft noise abatement procedures include, but not be limited  
21 to, the following:  
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- 23 (1) Effective noise abatement departure profiles combined  
24 with preferential runway use selections and flight  
25 path techniques;  
26
- 27 (2) Effective noise abatement departure and arrival flight  
28 paths vectored over water; and  
29
- 30 (3) Effective minimum altitudes and climb and descent  
31 procedures for noise abatement; and  
32

33 BE IT FURTHER RESOLVED that the Department of  
34 Transportation encourage and work with aircraft owners and  
35 operators and the military to accomplish the following:  
36

- 37 (1) Restrict the use of Stage II and noisy Stage III  
38 aircraft flights to daytime hours with night time  
39 noise abatement hours of 7 p.m. and 7 a.m., except in  
40 emergencies; and  
41
- 42 (2) Phase out use of Stage II and noisy Stage III aircraft  
43 with replacement by aircraft classes with lower noise



1 level characteristics, including cleaner, quieter  
2 Stage IV aircraft technology; and  
3

4 BE IT FURTHER RESOLVED that the Department of  
5 Transportation immediately convene for the purpose of aircraft  
6 noise abatement an advisory committee for both Honolulu and Hilo  
7 International Airports comprised of representatives of the  
8 following:  
9

- 10 (1) Each affected community in the close and distant  
11 vicinities of both the Honolulu and Hilo International  
12 Airports;  
13  
14 (2) Each interested environmental organization;  
15  
16 (3) The Federal Aviation Administration's Air Traffic  
17 Control Center;  
18  
19 (4) The Federal Aviation Administration's Flight Standards  
20 District Office;  
21  
22 (5) Each of the local commercial airlines;  
23  
24 (6) Each local tour helicopter owner or operator;  
25  
26 (7) The Airline Transport Association or similar air  
27 carrier association; and  
28  
29 (8) The state Department of Transportation Airports  
30 Division; and  
31

32 BE IT FURTHER RESOLVED that the aircraft noise abatement  
33 advisory committee meaningfully participate in the development,  
34 acceptance, and implementation of a comprehensive aircraft noise  
35 abatement master plan, including aircraft noise abatement  
36 policies and objectives, assessment of aircraft noise impacts on  
37 close and distant areas surrounding the airport, and a  
38 compliance verification process to be reviewed quarterly; and  
39

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



1  
 2 BE IT FURTHER RESOLVED that the Department of  
 3 Transportation is requested to submit the aircraft noise  
 4 abatement community master plan and program and any proposed  
 5 legislation to the Legislature no later than twenty days prior  
 6 to the convening of the Regular Session of 2008; and  
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8 BE IT FURTHER RESOLVED that a certified copy of this  
 9 Concurrent Resolution be transmitted to the Department of  
 10 Transportation.  
 11  
 12  
 13

OFFERED BY: Mr. [Signature]

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