

MAR 14 2007

SENATE 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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29 WHEREAS, the Legislature recognizes that significant noise
30 impacts are caused by tour helicopters and commercial jet
31 aircraft operating over established communities and
32 open recreation areas at all hours of the day and night; and



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2 WHEREAS, the State of Hawaii owns and operates airports
3 within the State and has the legal right and the moral
4 obligation to protect its citizens from aircraft noise impacts,
5 as many other states have done; and
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7 WHEREAS, the Director of Transportation is responsible for
8 adopting standards, procedures, and rules commensurate with and
9 for the purpose of protecting and ensuring the general public
10 interest with regard to aviation within the State; and
11

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

39 WHEREAS, SFAR No. 71 establishes certain procedural,
40 operational, and equipment requirements for air tour operators
41 in the State of Hawaii; and
42

43 WHEREAS, International Civil Aviation Organization (ICAO)
44 climb procedures and continuous descent approach (CDA)



1 procedures are proven effective aircraft noise abatement
2 controls; and

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

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

16
17 BE IT RESOLVED by the Senate of the Twenty-fourth
18 Legislature of the State of Hawaii, Regular Session of 2007,
19 that the Department of Transportation is urged to do everything
20 within its authority to protect the public interest, health, and
21 welfare by working with federal agencies to alleviate aircraft
22 noise impacts on the general public; and

23
24 BE IT FURTHER RESOLVED that the Department of
25 Transportation immediately implement an aircraft noise abatement
26 community master plan and program for the close and distant
27 vicinities of Honolulu and Hilo International Airports, and
28 subsequently for any qualified state airports as determined in
29 the future; and

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

- 37
38 (1) Identifying aircraft noise impact areas and
39 designating aircraft noise abatement zones in the
40 close and distant vicinities of each airport;
41
42 (2) Establishing community noise equivalent levels for
43 urban residential land uses with typical Hawaiian
44 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 forty-five decibel locations where aircraft noise is amplified by mountain slope walls; and

BE IT FURTHER RESOLVED that the Department of Transportation establish a process for verifying that tour helicopters operate in compliance with Federal Aviation Administration 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 the Department of Transportation 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 the Department of Transportation consider establishing a nominal airport passenger ticket fee solely for furthering aircraft noise abatement; and

BE IT FURTHER RESOLVED that the Department of Transportation maintain in good and consistent operation the airport noise and operations monitoring system at Honolulu and



1 Hilo International Airports, and any state airports determined
2 in the future to be qualified for the airport noise and
3 operations monitoring system, and that this monitoring system
4 become more extensive and technically improved over time; and

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6 BE IT FURTHER RESOLVED that the Department of
7 Transportation request and work with the Federal Aviation
8 Administration and the Air Traffic Control Center work shift
9 supervisors to accomplish noise abatement procedures to minimize
10 aircraft noise impacts; and

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

- 15
16 (1) Effective noise abatement departure profiles combined
17 with preferential runway use selections and flight
18 path techniques;
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20 (2) Effective noise abatement departure and arrival flight
21 paths vectored over water; and
22
23 (3) Effective minimum altitudes and climb and descent
24 procedures for noise abatement; and

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26 BE IT FURTHER RESOLVED that the Department of
27 Transportation encourage and work with aircraft owners and
28 operators and the military to accomplish the following:

- 29
30 (1) Restrict the use of Stage II and noisy Stage III
31 aircraft flights to daytime hours with night time
32 noise abatement hours of 7 p.m. and 7 a.m., except in
33 emergencies; and
34
35 (2) Phase out use of Stage II and noisy Stage III aircraft
36 with replacement by aircraft classes with lower noise
37 level characteristics, including cleaner, quieter
38 Stage IV aircraft technology; and

39
40 BE IT FURTHER RESOLVED that the Department of
41 Transportation immediately convene for the purpose of aircraft
42 noise abatement an advisory committee for both Honolulu and Hilo
43 International Airports comprised of representatives of the
44 following:



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

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

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

37
 38 BE IT FURTHER RESOLVED that the Department of
 39 Transportation is requested to submit the aircraft noise
 40 abatement community master plan and program and any proposed
 41 legislation to the Legislature no later than twenty days prior
 42 to the convening of the Regular Session of 2008; and

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1 BE IT FURTHER RESOLVED that a certified copy of this
2 Resolution be transmitted to the Department of Transportation.
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OFFERED BY:

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