



PEARL CITY NEIGHBORHOOD BOARD NO. 21

NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BOULEVARD, SUITE 160 • HONOLULU, HAWAII, 96817
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Larry Veray.

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Guy Inouye
Elaine Funokoshi
Tony Velasco
Kuni Agard
Charmaine Doran
Lorna May Pacheco

RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION OF HONOLULU TO MODIFY AIR ROUTES AND EFFECTIVELY REGULATE AIR TOUR HELICOPTERS AND SMALL COMMERCIAL AIRCRAFT OPERATIONS OVER THE PEARL CITY AREA MITIGATING PUBLIC SAFETY RISKS AND EXCESSIVE NOISE FOR OUR COMMUNITY

WHEREAS, tour helicopters and other small aircraft have dramatically increased flights over Pearl City in the past few years and these aircraft flight paths pose a severe safety risk to residential homes, schools and businesses in our area, and

WHEREAS, the Pearl City Neighborhood Board No. 21 has received a number of complaints from our residents reporting loud helicopter and small commercial aircraft noise. Recently it has been noticed that the helicopter flight paths now extend into the commercial aircraft flight paths over Pearl City with some residents witnessing near miss collisions with crossing flight paths, and

WHEREAS, Kailua experienced a tour helicopter aircraft midair engine failure crashing down on a neighborhood residential roadway killing three passengers and pilot on April 29, 2019 and only two months later Wailua community experienced a skydiving aircraft crash just off the runway killing 11 people on June 21, 2019, and

WHEREAS, with the aforementioned type of aircraft accidents and collisions could produce falling debris, burning aircraft parts and fuel that could fall into our neighborhood yards, streets and homes, school yards, parks and most importantly these accidents could cost loss of life and property, and


WHEREAS, noise and ever-changing flight paths from low altitude flying tour helicopters has been the major community concern reaching unacceptable noise levels in recent years flying over the Arizona Memorial and taking the large circular flight path over Pearl City and Pearl Harbor, and

WHEREAS, the Federal Aviation Administration (FAA) is responsible for managing air space over Oahu and this resolution is a requirement for the FAA to improve stronger regulations and enforcement since the commercial helicopters and fixed wing aircraft are ineffective in regulating their own operations to improve public safety and mitigate noise, and

BE IT FURTHER RESOLVED, that the Pearl City Neighborhood Board No. 21 strongly urges that the Federal, State and City government officials to collaboratively work together and make recommendations to the FAA to improve regulations governing air tour helicopters and small aircraft, and

BE IT FINALLY RESOLVED, that copies of this resolution be sent to the Federal Aviation Administration, our Hawaii Congressional leadership, the Governor, Hawaii State Legislature, Mayor City County of Honolulu, City Council the legality and Neighborhood Board Chairs

Adopted and supported by Pearl City Neighborhood Board No. 21 at its regular meeting of September 24, 2019 by a vote of 10-0-0.


Larry S. Veray, Chair





March 28, 2022

HAWAII HOUSE OF REPRESENTATIVES
COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Aaron Ling Johanson, Chair
Rep. Lisa Kitagawa, Vice Chair
Committee Hearing Date: March 30, 2022 @ 2PM

Aloha Chair Johanson, Vice Chair Kitagawa, and Committee Members,

Jack Harter Helicopters opposes the proposed changes SB3272 would make to HRS 261-12 (b). the proposed changes would require air tour operators flying air tours from an airport under the State's control to compile detailed flight information related to all air tours and submit monthly reports to the Hawaii Department of Transportation, Airports Division (HI DOT-A).

Our opposition to the changes in HRS 261-12 is based on our belief that this amendment would be a violation of the FAA Grant Assurances Paragraph 22. Paragraph 22 of the Grant Assurances dictates that a recipient of FAA airport grant funding (HI DOT-A) cannot unjustly discriminate between types of operations at an airport. Requiring air tour operators to compile data and complete monthly reports that must be submitted to HI DOT-A would be very burdensome and costly. No other types of operations are required to compile this information in this detail. Thus, the proposed amendment to HRS 261-12 would clearly be discriminatory.

During our research into this subject, we determined that HRS 261-12 (b) is currently flawed. Air tours can be flown under FAA Part 135, 121, and 91 regulations. In its current form, HRS 261-12 (b) only allows HI DOT-A to issue Air Tour Permits to operators who can show that they fly air tours under FAA Part 135 and 121 regulation. It is our understanding that Air Tour Permits are currently issued to companies flying under Part 91 and Part 135. How Part 91 air tour operators received Air Tour Permits is beyond our understanding.

After considering our fresh look at HRS 261-12 and SB3272, we believe that HRS 261-12 (b) as it is currently codified is a violation of FAA Grant Assurance Paragraph 22. We suggest that you seek the counsel of the FAA, Honolulu Airports District Office and the Hawaii Attorney General's office before taking action on this bill.

Thank you for considering our testimony and we urge your committee to **oppose passage of SB3272** through your committee.

Casey Riemer
Special Project Manager

O'AHU TOUR HELICOPTER SAFETY AND NOISE INTER-ACTION GROUP

TESTIMONY in STRONG SUPPORT

House Committee on Consumer Protection & Commerce
March 30, 2022 Hearing
2:00 PM

SENATE BILL 3272, SD2, HD1 Relating to Transportation

Aloha Chair Johanson, Vice Chair Kitagawa and Committee Members:

Senate Bill 3272, SD1, HD1 requires the State Department of Transportation (DOT) to adopt rules to require tour aircraft operators to report details of each flight taken during the month, including any deviations from the charted route filed with the DOT for permitting purposes, and that DOT ensure that these reports are available to the public.

Specifically, SB 3272, SD1, HD1 strengthens HRS 261-12 by requiring that monthly reports submitted to DOT by tour aircraft operators shall include, but not be limited to, the following:

- (A) The date and time that the aircraft took off and landed;
- (B) The number of individuals aboard the aircraft during the operation;
- (C) The flight path from takeoff through landing; and
- (D) A disclosure if the aircraft deviated from its intended flight plan.

We respectfully recommend that (C) and (D) be clarified and strengthened with the following, as underscored:

- (C) The true and accurate flight path from takeoff through landing, including clear identification of the specific flight path and distances away from each island's identified noise sensitive areas; and
- (D) Disclosure of any deviation from the flight route and altitudes specified on the Hawaii sectional aeronautical chart required to be provided by the tour aircraft operator for permitting.

Comprehensive public information has disclosed that tour helicopters constitute significant risks to those on the ground. During the two years prior to the Tier 1 Tour Helicopter pandemic lockdown, the following commercial helicopter crashes and emergencies occurred in Hawai'i:

- September 18, 2018 - Novictor Robinson-44 crash in Wahiawa, O'ahu;
- October 22, 2018 - Novictor Robinson-44 crash at Kaneohe Bay recreational sand bar;
- February 21, 2019 – Dorn K&S “Paradise” Hughes-369E crash in Waipio Valley, Hawai'i Island;
- April 16, 2019 – Dorn K&S “Paradise” Hughes-369E crash in Sacred Falls State Park, O'ahu;
- April 29, 2019 - Novictor Robinson-44 crash on a Kailua town street with 3 fatalities;
- May 21, 2019 - Schuman “Magnum” Hughes-369D emergency landing in Diamond Head State Monument crater park with 3,300 daily visitors;
- December 26, 2019 - Safari Eurocopter-AS350 crash on a Kauai cliff face near the Na Pali Coast with 7 fatalities;
- March 5, 2020 – Blue Hawaiian Eurocopter 130 hard landing in Puna, Hawai'i Island.

In 2016 a fatal tour helicopter crash occurred in Pearl Harbor near the USS Arizona memorial and the Pearl Harbor nuclear submarine base.

Conclusion: Hawai'i can no longer risk tour helicopters crashing and burning within Hawai'i's established communities, protected Natural Resources, and coastal nuclear defense areas.

Yet despite strong and repeated public outcry Statewide, and protective Resolutions adopted by eighteen (18) O'ahu community boards, several tour helicopter operators throughout the Hawaiian Islands continue to egregiously disregard existing regulations specific to Hawai'i and environmental impacts with their overriding preference to fly *wherever, whenever and however they choose*, which results in significant adverse noise impacts and safety risks to Hawaii's communities, established peaceful neighborhoods and schools, public beaches and parks, State Monuments and natural habitats and preserves.

SB 3272, as strengthened and clarified by the State Legislature, will benefit the public health and safety in the greater public interest as part of the larger solution. Notably, the City and County of Honolulu adopted Resolution 21-199 on March 16, 2022:

<https://hnlidoc.ehawaii.gov/hnlidoc/document-download?id=11702>

Revocable State permits for tour helicopter operations should also address compliance with flying at least one (1) mile offshore of each island's identified noise sensitive areas, including established communities, neighborhoods and schools; populated public beaches and parks; State Monuments and natural habitats and preserves.

Thank you for providing this opportunity to testify in strong support of Senate Bill 3272, SD2, HD1 and for your consideration of the above recommendations to strengthen this measure.



Dorn K&S Helicopters dba "Paradise Helicopters" Bell 407
<https://registry.faa.gov/aircraftinquiry/Search/MakeModelResult>
March 16, 2022 1:18 PM



Twelve (12) Choppers
flying "wherever, whenever and however they choose"
March 28, 2002

SB-3272-HD-1

Submitted on: 3/29/2022 8:32:43 AM

Testimony for CPC on 3/30/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jill Paulin	Individual	Support	Written Testimony Only

Comments:

I support Bill SB3272 SD1 HD1 as I am a resident that is greatly affected by the daily helicopter noise. They continually fly very low near my home. Not long ago, a couple of the tour riders put their hands out to waive at me while in my backyard. This has gone too far. If we cannot have tourists in our neighborhoods, why should we have them flying low over head? Thank you for your support on this important measure.

SB-3272-HD-1

Submitted on: 3/29/2022 1:00:53 PM

Testimony for CPC on 3/30/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Laeha	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of SB3272

Over the past decade, the tour helicopter industry has been allowed to take over our once peaceful skies. The safety and quality of our lives have been negatively impacted by the constant stream of tour helicopters flying over our home in Maunawili every day, all year long. There is no escaping the constant drone of these helicopters whether we are at home, on a beach, on a hike or at a memorial service at the Veteran's Memorial Cemetery in Kaneohe. The tour helicopter industry has become a public nuisance throughout our islands.

For the sake of Kamaaina on the ground, please pass this bill to **require the director of transportation to adopt rules to require tour aircraft operators to report details of each flight taken by the tour aircraft operation on a monthly basis so the public has access to the data needed to understand this issue.**

Mahalo,

David Laeha

SB-3272-HD-1

Submitted on: 3/29/2022 1:03:14 PM

Testimony for CPC on 3/30/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Debra Laeha	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in strong support of SB3272

My husband and I were fortunate to have purchased a home in beautiful Maunawili Valley in 1997. This once peaceful valley is now inundated with tour helicopters (and now fixed-winged aircraft) that fly overhead every day, all day, all year long. The incessant drone from these helicopters echoes off the Ko'olau Mountains which amplifies the noise regardless of their altitude. At the peak before Covid, we were experiencing tour flights overhead every 4-5 minutes. With the increase in tourism, we are fast approaching these levels again.

Over the past five years, I have lodged complaints to the FAA, submitted testimony for various bills, met with several tour helicopter operators to discuss the issue, and attended the recent dog and pony HANSTF meetings with the hope that our voices would be heard. Unfortunately, these efforts have gone nowhere since the State has relegated itself to blindly following outdated FAA rules.

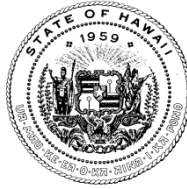
For the sake of our skies and once peaceful valley, please adopt this bill to **require the director of transportation to adopt rules to require tour aircraft operators to report details of each flight taken by the tour aircraft operation on a monthly basis.**

Data is the first step towards understanding the magnitude of this horrendous problem!

Mahalo,

Deb Laeha

DAVID Y. IGE
GOVERNOR



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROSS M. HIGASHI
EDUARDO P. MANGLALLAN
PATRICK H. MCCAIN
EDWIN H. SNIFFEN

LATE

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

March 30, 2022

2:00 p.m.

State Capitol Conference Room 329 & Teleconference

**S.B. No. 3272, S.D. 2, H.D. 1
RELATING TO TRANSPORTATION**

House Committee on Consumer Protection & Commerce

The Department of Transportation (DOT) **supports** the intent of this bill.

S.B. 3272, S.D. 2, H.D. 1 Requires the Director of Transportation to adopt rules to require tour aircraft operators to report details of each flight taken by the tour aircraft operation on a monthly basis.

Thank you for the opportunity to provide testimony.



Paradise Helicopters
P.O. Box 5371
Kailua-Kona, HI 96745

29 March 2022

LATE

To: Representative Aaron Ling Johanson, Chair
Representative Lisa Kitagawa, Vice Chair
Committee on Consumer Protection and Commerce

From: Calvin Dorn, CEO
Paradise Helicopters

Subject: **Measure:** S.B. 3272 S.D. 2 H.D. 1
Date: Mar 30, 2022
Time: 10:30AM
Location: VIA VIDEOCONFERENCE
Conference Room 329, State Capitol
415 South Beretania Street

Bill Description: Requires the director of transportation to adopt rules to require tour aircraft operators to report details of each flight taken by the tour aircraft operation on a monthly basis. (HD1)

Paradise Helicopters Position: OPPOSE

Aloha Chair Johanson, Vice-Chair Kitagawa, and Members of the Consumer Protection and Commerce Committee,

We would like to extend our appreciation to the chair for the consideration of this bill, and would like to thank you for the ongoing conversation. Paradise Helicopters **OPPOSES** S.B. 3272 S.D. 2 H.D.1.

Paradise Helicopters has continued to be a responsible steward through our internal Fly Neighborly practices. This includes putting safety first, varying our flight paths, flying above altitude requirements, and following all FAA regulations. We are committed to working with other operators, legislators, leaders and community members around the state to proactively address concerns and answer questions.

We would like to thank the Department of Transportation Director Jade Butay for his testimony on March 18, 2022, and thank the House Committee on Transportation for amending SB3272 which would have incorporated the creation of a helicopter noise and safety task force, as the recent Task Force have had productive conversations the lingering issue of preemption of Federal laws might take place if the Task Force were to recommend further requirements.

Further, SB3272 SD2 HD1 to amend H.R.S. 261-12, Section 2, (8) requires operators to submit reports for flights, in order to obtain a permit. Paradise Helicopters is **opposed** to this amendment. The data required for the report is not currently maintained or disseminated. Any data submitted would further be proprietary in nature and should not be made public. Operators would need to expend additional funds for tour operations to track and submit the data that could be detrimental to business. Would this requirement also be extended to commercial airlines, as there could be an issue with the Grant Assurance No. 22, which was an estimated \$70 million in grant funding for the State as long as the department doesn't discriminate to all aeronautical activities. The Federal Aviation Administration (FAA) has the full authority over aircraft and airspace, we would recommend that the State of Hawaii Department of Transportation work directly with the Federal Aviation Administration (FAA) instead of requiring additional cost burden on small businesses.

Our main objective as a business is to continue to provide jobs that support local working families, who live and work here in Hawai'i; to support other small businesses that will directly benefit our local economy; and to provide high safety standards as a leading operator in the State of Hawai'i.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Calvin Dorn', with a horizontal line extending to the right.

Calvin Dorn

LATE

SB-3272-HD-1

Submitted on: 3/29/2022 3:08:38 PM

Testimony for CPC on 3/30/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Varel	Individual	Support	Written Testimony Only

Comments:

As a resident of Maui, living in Waihee Valley, we witness the incessant noise daily from dozens of tours being routed into our valley. The noise reverberates off the walls of the valley drowning out any assemblance of peace and tranquility that we as residents would like to enjoy.

Their routes, are not only ingress and egress to the valley, which is bad enough, but many times they wonder off, and fly directly over our property. An outright violation of our privacy.

SB3272 is the least that we can do, to protect the citizens of Maui and all islands from the operators that seem to care more about a 45 minute satisfaction for a few tourists, who don't even realize, or worse don't care about the damage they are doing to us and our environment.

I wholeheartedly support SB3272 as at least a step in the right direction for accountability of the all operators. Its the least they can do.

John Varel

Bruce Lum
99-546 Iwaiwa Street
Aiea, Hawaii 96701

LATE

Testimony provided for:
HOUSE OF REPRESENTATIVES
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2022

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Aaron Ling Johanson, Chair
Rep. Lisa Kitagawa, Vice Chair

Rep. Henry J.C. Aquino	Rep. Dee Morikawa
Rep. Sharon E. Har	Rep. Richard H.K. Onishi
Rep. Mark J. Hashem	Rep. David A. Tarnas
Rep. Sam Satoru Kong	Rep. Lauren Matsumoto
Rep. John M. Mizuno	

Aloha kākou,

My name is Bruce Lum, resident of Halawa, and I am very strongly in support of SB3272 SD2 HD1, because it is time for local government to exercise its legal right to properly manage its permits for rotor and fixed-wing aerial tour landing facilities.

Mahalo Chair Johanson and Vice Chair Kitagawa and Committee On Consumer Protection & Commerce members for hearing this measure today.

I am taking time to testify, because the Hawaii Air Noise and Safety Task Force (HANSTF) was launched October 12, 2019, by the the FAA and HDOTA, to address safety and noise issues related to rotor and fixed-wing aerial tours in the state of Hawaii.

HANSTF COMMITTEE

Chair:

Cade Clark, Helicopter Association International

Executive Committee Members:

Hawaii Helicopter Association
General Aviation Council of Hawaii
Helicopter Association International
Aircraft Owners and Pilots Association
Tour Operators Program of Safety

Hawaii State Legislature Appointees:

Senator Chris Lee
Representative Henry Aquino

HANSTF states that “Community involvement, public outreach, and transparency will be prioritized in all recommendations from the task force to industry and regulators”. From 2019 to current, I have testified and participated on numerous occasions at City Council, the State Legislature, and HANSTF virtual meetings regarding Helicopter safety and noise pollution throughout Hawai‘i. The public, and Hawai‘i government officials have made it abundantly clear that the Hawaii Air Tour Industry, HANSTF, FAA and HDOTA’s status quo *mode of operandi* is unacceptable. We the people are saying, “Nuff Already” about the minimalistic, disingenuous, indifferent and waste of taxpayer dollars to produce nothing in the way of meaningful reduction of air tour noise and reduction of tour air craft crashes and hazards in Hawai‘i’s oceans, protected spaces and residential neighborhoods.

Since 2007, even federal mandates to quiet Hawai‘i’s skies around Hawaii National Parks have not been implemented, despite a court order to do so. Hawaii is the most tour copter impacted State in the Nation yet we have had no meaningful action to address the Hawaii tour industry noise provided by the HANSTF Task Force Members.

To date, it is painfully clear that the FAA, HDOTA, and the HANSTF Co-Chairs, Executive Committee Members and Hawaii State Legislature Appointees have failed to implement any meaningful, actionable plans, to address the Hawaii tour industry noise or footprint. Activating some “Quieter” helicopters, for instance, is insignificant and unconvincing to the public, as the public continues to be subjected to a constant, LOUD, racket, in the skies around and over their homes from 6am to 7pm nearly every day.

What the public wants NOW, is for HANSTF or government to quiet the skies, above our homes, of the relentless, frequent noise from air tour aircraft.

Also, the public and local government leaders want to stop the risk of tour air craft from crashing and burning in Hawai‘i’s communities and neighborhoods, or within protected natural reserves, DOD zones and sensitive areas.

I would amend Page 2 of this BILL, lines 12 to 17, to include language that would mandate all air tour aircraft to have on-board transponder equipment that must openly and constantly broadcast their aircraft’s identification, route and altitude, whenever in flight to egress or ingress any and all permitted and designated take-off and landing facilities they are authorized to use.

Currently, what I describe above, about transponder operation, appears to be treated by a number of pilots and tour operators as an optional procedure.

The HANSTF Committee is not and has never been unbiased, for it is primarily controlled by the FAA and the Hawaii air tour industry operator owner-leaders. It is a hotbed for corruption as de facto deference is abundantly given to the HANSTF Committee that has never included neutral seats on its governing board. A truly fait accompli

For all the reasons above, I earnestly and urgently request this committee to please adopt SB3272 SD2, HD1.

Mahalo,
Bruce Lum
brlum@mac.com

LATE

SB-3272-HD-1

Submitted on: 3/29/2022 6:08:28 PM

Testimony for CPC on 3/30/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jody M Green	Individual	Support	Written Testimony Only

Comments:

Aloha,

Please pass this measure! We are subjected to helicopter tours at least every half-hour on weekends. We cannot hear ourselves think, let alone have conversations, or even hear the TV because of the racket these tours make. This noise pollution causes so much stress! Even when they are not directly on top of us, they are flying so low along the Waimanalo coastline before they turn towards Olomana that they still are deafening. On weekdays they fly over approximately every hour, and we kept track of them to see how often they passed. We could even identify some companies who often fly in our skies. We need oversight on these businesses, please. Our community is over-stressed with crowds, car alarms, and so many issues that we're very close to the breaking point.

Mahalo for the opportunity to testify,

Jody Green

SB-3272-HD-1

Submitted on: 3/29/2022 9:44:47 PM

Testimony for CPC on 3/30/2022 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Barbara Mayer	Individual	Support	Written Testimony Only

Comments:

I am a strong supporter of SB3272 SD2 HD1.

For 4 days in mid-August 2021 I recorded the actual time of each tourist helicopter flight over my Waimānalo beach lots neighborhood. Using binoculars, I was able to distinguish tourist helicopters from military helicopters. This is the total number of tourist helicopter flights on each of these 4 days:

Wed., Aug. 11 = 32

Thurs., Aug. 12 = 44

Sat., Aug. 14 = 41

Sun., Aug. 15 = 27

It's important that we pass SB3272 SD2 HD1 so that further data can be collected, which we can use to regulate tourist helicopters. Ultimately, I would like to see tourist helicopter flights over land made illegal. They should be restricted to a proper height and distance away from shore so that their noise impact on residential neighborhoods is eliminated. Currently, tourist helicopter noise has turned our residential neighborhood into a de facto airport flight path.

LATE

SB-3272-HD-1

Submitted on: 3/29/2022 10:03:14 PM

Testimony for CPC on 3/30/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kimeona Kane	Individual	Support	Written Testimony Only

Comments:

Aloha Nui,

I strongly support this resolution and hope that we can continue to work towards addressing the impacts of helicopters. In my community of Waimānalo, there are dozens of flights daily, our community needs help, as do many others!

Mahalo nui,

Kimeona Kane

TESTIMONY of Lucinda Pyles in of SUPPORT SB 3272 SD2 HD1

LATE

TO THE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Aloha, Chair Johanson, Vice Chair Kitagawa and committee members. Thank you for allowing me the opportunity to provide testimony on SB 3272 SD2 HD1. I am Lucinda Pyles, the At-large member of the Waialae-Kahala Neighborhood Board No. 3. I am representing myself but the issue of helicopters and low flying aircraft flying over the Diamond-Kahala neighborhoods has been an agenda item for our board for more than a decade. Members of our board and neighborhood residents have attempted in the past to work with representatives of both public and private entities to modify air routes and effectively regulate tour helicopters and low flying aircraft in general and noise mitigation.

With the recent increase in tourism in Hawai'i, low flying aircraft is on the rise flying over homes and along the shoreline creating disruptive noise and potentially posing safety risks to our residents in case one of their helicopters/planes developed an inflight emergency and had to come down over possible schools, residential homes and shopping centers.

This bill establishes the Air Noise and Safety Task Force, and requires the State's Director of Transportation to adopt rules to require tour aircraft operators to report details of each flight taken by the tour aircraft operation on a monthly basis. These records are very important to the public when an investigation is required for important public complaints.

I fully agree with SB 3272 SD2 that strengthens HRS 261-12 by requiring submission of monthly written reports to the State Department of Transportation, which shall be made available to the public, of each tour operation that occurred during the duration of the preceding month, including: (1) the date and time that the aircraft took off and landed; (2) the number of individuals aboard the aircraft during the operation; (3) the flight path from takeoff through landing; and (4) a disclosure if the aircraft deviated from its intended flight path.

Tour helicopter/aircraft pilots, who can't help but be aware of the noise their low flying craft create, do not seem to care that the noise disturbances impact many of our residents with inescapable disruptions. If you are on the telephone, having a conversation across the table, listening to television, radio or a podcast you simply have to halt until the helicopter/aircraft have passed over before resuming as you can't hear or be heard due of the noise. School classes, hospitals and sleep requiring peace and quiet are disrupted. These noise impacting issues can be mitigated with room for compromise and not jeopardizing air safety for all areas of the Hawaiian Islands. I strongly urge you to approve SB 3272 SD2 HD1.

Thank you.

LATE

Subject: We SUPPORT SB-3272 SD2, HD1

TO THE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Aloha, Chair Johanson, Vice Chair Kitagawa, and committee members. Mahalo for allowing my wife and I the opportunity to provide testimony on SB 3272 SD2 HD1. I am a retired law professor who lives in Kahala. I wish you could sit with us on our lanai sometime and experience the many aircraft that fly overhead all day, every day. If it weren't for my own personal experience with it I'm not sure I would believe just how disruptive it tends to be. Commercial aircraft also fly overhead sometimes, but at a much higher altitude and not nearly as often. Surely there are ways to regulate air routes and effectively lessen the endless stream of tour helicopters and low flying aircraft generally and noise mitigation specifically.

I also believe low flying aircraft over homes and along the shoreline pose safety risks to our residents in case one of their helicopters/planes develops an inflight emergency. We like that this bill establishes the Air Noise and Safety Task Force, and requires the State's Director of Transportation to adopt rules to require tour aircraft operators to report details of each flight taken by the tour aircraft operation on a monthly basis.

We believe SB 3272 SD2 strengthens HRS 261-12 by requiring submission of monthly written reports to the State Department of Transportation, which must be made available to the public, of each tour operation that occurred during the duration of the preceding month, including: (1) the date and time that the aircraft took off and landed; (2) the number of individuals aboard the aircraft during the operation; (3) the flight path from takeoff through landing; and (4) a disclosure if the aircraft deviated from its intended flight path.

We strongly urge you to approve SB 3272 SD2 HD1.

Mahalo,

Randall Roth

Ronnie N. Inagaki
41-238 Huli Street
Waimānalo, Hawai'i 96795

LATE

Testimony provided for:

HOUSE OF REPRESENTATIVES
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2022

COMMITTEE ON TRANSPORTATION

Rep. Henry J.C. Aquino, Chair
Rep. Gregg Ilagan, Vice Chair

Rep. Linda Clark Rep. Nadine K. Nakamura Rep. Troy N. Hashimoto
Rep. Roy M. Takumi Rep. Lisa Kitagawa Rep. Lauren Matsumoto

Aloha kākou:

My name is Ronnie Inagaki, a third-generation resident of Waimānalo and I am strongly in support of SB3272 SD2. Because it is time for local government to exercise its legal right to properly manage its permits for rotor and fixed-wing aerial tour landing facilities.

I support Restoring Quiet Skies for Honolulu's Surrounding Communities & Across O'ahu. I am in support of ending the disturbance of tour helicopter noise over our O'ahu communities, and to re-routing commercial fixed wing aircraft flight paths across O'ahu back over to the open ocean.

Mahalo Chairs Aquino and Ilagan and Committee on Transportation members for hearing this measure today.

I am taking time to testify because the Hawaii Air Noise and Safety Task Force (HANSTF) was launched October 12, 2019, by the FAA and HDOTA, to address safety and noise issues related to rotor and fixed-wing aerial tours in the state of Hawai'i.

To date, it is painfully clear that the FAA, HDOTA, and the HANSTF Co-Chairs, Executive Committee Members and Hawaii State Legislature Appointees have failed to implement any meaningful, actionable plans, to address the Hawaii tour industry noise or footprint. Activating some soundless helicopters, for instance, is insignificant and unconvincing to the public, as the public continues to be subjected to a constant, LOUD, racket, in the skies around and over their homes from 6am to 7pm nearly every day. The helicopter noise and low flight patterns affect the community's privacy and enjoyment in their place of residence our "home".

What the public wants NOW, is for HANSTF or government to quiet the skies, above our homes, of the relentless, frequent noise from air tour aircraft. We have had numerous complaints from our community members concerning frequent and excessive noise generated by small aircraft and especially helicopters tours. We agree that it is in the interest of the State to monitor and ensure that federal regulations are being followed and that the State has the option not to renew a tour aircraft operation permit for any company that repeatedly deviates from flight plans over sensitive areas.

Ronnie N. Inagaki
41-238 Huli Street
Waimānalo, Hawai'i 96795

Also, the public and local government leaders want to stop the risk of tour aircraft from crashing and burning in Hawai'i's communities and neighborhoods, or within protected natural reserves, DOD zones and sensitive areas.

I would amend Page 2 of this BILL, lines 7 to 12, to include language that would mandate all air tour aircraft to have on-board transponder equipment that must openly and constantly broadcast their aircrafts route and altitude, whenever in flight to ingress or egress any and all permitted and designated take-off and landing facilities they are authorized to use. This should not be an option but should be treated by all pilots and tour operators as part of their permit.

For all the reasons above, I fully support §261- to establish an air noise and safety task force within the DOT as stated in Bill 3272. We are profoundly grateful for your efforts as we believe that this legislation could provide significant relief for the residents of our beautiful Hawai'i and request this committee to please adopt SB3272 SD2.

Mahalo,
Ronnie N. Inagaki
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