



# University of Hawaii at Manoa

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**SB 2681  
RELATING TO AERONAUTICS**

**Statement for  
Senate Committee on  
Transportation  
Public Hearing - February 23, 1988**

**By  
John Harrison, Environmental Center  
Jacquelin Miller, Environmental Center  
George Curtis, Joint Institute of Marine Atmospheric Research  
and Hawaii Natural Energy Institute**

SB 2681 would add a new subsection to Chapter 211 that would direct the Department of Transportation (DOT) to develop and implement a master plan for helicopter operations for every airport or air navigation facility under the jurisdiction of the DOT. The purpose of this master plan is to provide an orderly and rational plan for helicopter use that is consistent with concerns and well-being of the communities. SB 2681 would require the applicant to submit a written assessment of the impact of the proposed helicopter operation on the environment and the economic and social welfare of the community.

This statement does not represent an institutional position of the University of Hawaii.

The Environmental Center strongly supports the intent of SB 2681. Within the past 16 months, there have been 16 civilian helicopter accidents which have resulted in 6 fatalities. In addition, the explosive proliferation of helicopter operations has resulted in a cacophonous assault on the serenity of some of Hawaii's most pristine and remote natural resource sanctuaries. Our Center has received specific complaints from tourists on the intrusive nature of helicopter operations, noting their harmful impact on the quality of the experience of visiting places such as Haleakala Crater and the Na Pali Coast.

Although the Federal Aviation Agency (FAA) regulates helicopter flight operations, the state has the authority to regulate all ground operations, and by judicious application of this authority, flight operations may be substantially regulated. Such an approach has been effectively implemented in other communities such as (Los Angeles, California) where aircraft take-offs and landings are strictly controlled. Airport operators have been held responsible by court decisions in California for nuisances created by aircraft operating from their facilities.

As presently written, SB 2681 does not provide specifically for assessment of the environmental impacts beyond the immediate community of the airport facility. We would suggest adding the phrase, "in the region of helicopter operations" after the word, "environment" on page 2, line 11.

As presently drafted, the permit that would be granted under the provisions of page 2, paragraphs 1 and 2, appears to be entirely ministerial. That is, there is no provision for evaluation of the impacts addressed in the assessment and no provision for discretionary action in the issuance or denial of the permit should the assessment indicate serious and significant impacts.

SB 2681 would require revocation of all existing permits for helicopter operations at Department of Transportation facilities and the reissuance of temporary permits to allow continued operations not to exceed two months. Subsequently new permits would be issued based on the assessment prepared and other departmental verification of compliance with zoning, building, noise or other requirements.

It would seem that 2 months may be too short a time to allow completion and documentation of the needed assessment and verification data. We suggest that a maximum of 6 months permit be allowed and that the compilation of the necessary information for the new permit be prepared and submitted anytime during that period.

Thank you for the opportunity to comment on this bill.