

**From:** [sbbiz@yahoo.com](mailto:sbbiz@yahoo.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] M 10 K & S helicopters April 23  
**Date:** Tuesday, April 20, 2021 8:25:16 AM

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Aloha Board members,

I am writing to you as a person who's home is constantly flown over instead of the flight path they are required to use! It's terrifying and like living in Viet Nam when they evacuated Hanoi!!

Please, PLEASE, PLEASE require a Supplemental Environmental Impact Statement (EIS) for this permit. Of course, staff recommends using the original Hilo airport EIS—but it's almost 50 years old!

Since then the island population has doubled, the number of tour helicopters has increased exponentially, and there are mounting concerns about multiple crashes and incessant noise, especially over our homes! This is common sense!

Please also obtain written guidance from the Federal Aviation Administration on State responsibility for reducing aircraft noise.

Mahalo,

Kahankapuhonuaokalani Susan Bambara  
Kurtistown

**From:** [Mark Gordon](#)  
**To:** [rce.dslextreme.com](mailto:rce.dslextreme.com)  
**Cc:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Re: BOARD OF LAND AND NATURAL RESOURCES DATE: APRIL 23, 2021 AGENDA ITEM M 10  
**Date:** Wednesday, April 21, 2021 8:10:45 AM

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Hi All

Isn't this the same company that has the potential lawsuits against them?

Thanks

Mark

On Apr 21, 2021, at 05:26, rce.dslextreme.com <[rce@dslextreme.com](mailto:rce@dslextreme.com)> wrote:

**BOARD OF LAND AND NATURAL RESOURCES DATE: APRIL 23,  
2021 AGENDA ITEM M 10**

Aloha BLNR Chair Case,  
Aloha BLNR Board Members Yuen, Gomes, Oi, Gon, Char and Yoon,

**Agenda M10. Issuance of a Revocable Permit for Office Space and  
Check-in Counters, K & S Helicopters, Inc., Hilo International Airport,  
Tax Map Key: (3) 2 1-12: Portion of 09.**

Please do not approve the issuance of this permit.

BLNR can not operate in a vacuum, a bubble, like the three wise monkeys, since you are the stewards of the Peoples' Land and the Peoples' Land can not be used for activities that negatively impact the People such as described below.

HDOT Butay and Airport Division Higashi are both well aware of the tour copter noise nuisance pollution torture and are well aware of the "fly neighborly" guidelines.

Before you as the Hawaii Land Stewards allow a use of the Peoples Land you must be assured that there will not be a use that will negatively impact the people.

Therefore you must require HDOT Airports Division to assure you that the operations of their tenant will not negatively impact the people by assuring you that the lease holder will not cause the noise from their operations to enter occupied properties and if the lease holder fails to comply that

HDOT will cancel the lease.

Protect the Peoples' Land, protect the people from negative impacts from users of the Peoples' Land, you can not operate in a bubble, you are responsible to the People.

HICoP agrees with, applauds, supports the testimony submitted by Debbie Ward, Chair, Sierra Club, Hawai'i Island Group, attached below.

Mahalo,

Bob  
For the HICoP Board

Board of Land and Natural Resources  
20, 2021  
P O Box 621  
Honolulu HI 96809

April

Re: BLNR meeting, [April 23](#), 2021, Agenda Item M.10, Issuance of a Revocable Permit for Office Space and Check-in Counters, K & S Helicopters, Inc., Hilo International Airport, Tax Map Key: (3) 2 1-12: Portion of 09.

Aloha,

The Sierra Club, Hawai'i Island Group is asking the Board of Land and Natural Resources to:

1. require a Supplemental Environmental Impact Statement (SEIS) for this permit, and
2. obtain written guidance from the Federal Aviation Administration (FAA) on the state's responsibilities for reducing noise impacts.

#### Require a SEIS

The Final Environmental Impact Statement (FEIS) accepted by the Department of Transportation (DOT) in 1973 referred to actions that related solely to construction and operations of passenger and freight aircraft activity. The word "helicopter" does not appear in the FEIS. The direct, indirect, and/or cumulative effects of any action associated with helicopter activity at or around are not mentioned, described, considered, or analyzed in the FEIS.

We used the following HAR to determine whether or not ticket sales is a single action or a component action of a larger action:

11-200.1-10 Multiple or phased actions. A group of actions shall be treated as a single action when:

- (1) The component actions are phases or increments of a larger total program;
- (2) An individual action is a necessary precedent to a larger action;
- (3) An individual action represents a commitment to a larger action...

Ticket sales of helicopter tours at a ticket counter is a component action of a larger total program, that is helicopter tours. Ticket sales are a necessary precedent to a larger action (helicopter tours), and represents a commitment to a larger action. Therefore, ticket sales is only a number of phases of a single action, helicopter tours operating in and around

the Hilo International Airport (HIA).

Please consider the following Hawai'i Administrative Rules (HAR).

11-200.1-11 Use of prior exemptions, findings of no significant impact, or accepted environmental impact statements to satisfy chapter 343, HRS, for proposed actions.

(a) When an agency is considering whether a prior...accepted EIS satisfies chapter 343, HRS, for a proposed action, the agency may determine that additional environmental review is not required because:

(1) The proposed action was a component of, or is substantially similar to, an action that received an exemption, FONSI, or an accepted EIS...

(2) The proposed action is anticipated to have direct, indirect, and cumulative effects similar to those analyzed in a prior exemption, final EA, or accepted EIS; and

(3) In the case of a final EA or an accepted EIS, the proposed action was analyzed within the range of alternatives....

(d) Agencies shall not, without careful examination and comparison, use past determinations and previous EISs to apply to the action at hand. The action for which a determination is sought shall be thoroughly reviewed prior to the use of previous determinations and previously accepted EISs...

Relative to (1) above, the proposed action is not a component of, or substantially similar to the actions addressed in the FEIS, if only because the word "helicopter" does not appear in the EIS.

Relative to (2) above, the proposed action does not have direct, indirect, and/or cumulative effects similar to those analyzed in the FEIS.

Relative to (3) above, the proposed helicopter action was not analyzed within the range of alternatives (*Final EIS, New Passenger Terminal, General Lyman Field, May 1973, attachments 9 – 13, p. A-1*).

Relative to (d) above, it's been almost 50 years since the General Lyman Field FEIS was accepted. The airport is now the Hilo International Airport. The FEIS cites outdated sources, such as a 1967 State General Plan (*p. 21*). Yet DOT says it applies to this permit application (*Staff submittal, p. 3*). The BLNR has not been provided with any documentation or evidence that the DOT has thoroughly reviewed the helicopter action or performed a careful examination and comparison of the action with the FEIS. Until the DOT has provided documentation of a careful examination and comparison of the FEIS to the action at hand, the BLNR cannot rely upon the DOT's use of and reliance upon the 1973 EIS for this permit application.

We considered the following HAR to provide further guidance:

11-200.1 – 30 Supplemental environmental impact statements.

(a) ...no supplemental EIS for that proposed action shall be required, to the extent that the action has not changed substantively in size, scope, intensity, use, location, or timing, among other things. If there is any change in any of these characteristics which may have a significant effect, the original EIS that was changed shall no longer be valid because an essentially different action would be under consideration and a supplemental EIS shall be prepared and reviewed as provided by this chapter....

(b) The accepting authority or approving agency in coordination with the original accepting authority shall be responsible for determining whether a supplemental EIS is required. This determination will be submitted to the office for publication in the periodic bulletin. Proposing agencies or applicants shall prepare for public review supplemental EISs whenever the proposed action for which an EIS was accepted has been modified to the extent that new or different environmental impacts are anticipated. A supplemental EIS shall be warranted when the scope of an action has been substantially increased, when the intensity of environmental impacts will be increased, when the mitigating measures originally planned will not be implemented, or where new circumstances or evidence have brought to light different or likely increased environmental impacts not previously dealt with....

Relative to (a) above, our research yielded no results for tour helicopters until the year 1977. It is likely helicopter tours were minimal to non-existent in 1973. Therefore, there is no question the tour helicopter action has changed substantially in size, scope, and intensity, use, location, etc. More importantly, the FEIS is not valid for any aspect of helicopter tours because it is not only an essentially different action than any considered in the FEIS, but the FEIS contains no statement of the environmental impact description of the helicopter tour action or consideration of its component, ticket sales at a ticket counter in the passenger terminal..

Relative to (b) above, in just the past ten years, the number of reported tour helicopter operators has doubled. Safety concerns have increased as well. In the past year, twenty-one people died in three tour helicopter/small aircraft crashes--Kailua, Dillingham Field, and Kaua'i. The number of complaints about noise from tour helicopters has increased dramatically.

While the FEIS uses population projections for 1985, the population of Hawai'i Island more than doubled in the past 50 years, rising from 63,000 to 200,000. More helicopters are flying over more homes.

[https://hawaii.reaproject.org/analysis/comparative-trends-analysis/population/tools/150001/150000/\(1969 to 2019\).](https://hawaii.reaproject.org/analysis/comparative-trends-analysis/population/tools/150001/150000/(1969%20to%202019).)

Given the aforementioned information, the BLNR should deny the permit application or defer action on agenda item M.10. until the DOT has provided the BLNR with a SEIS for the helicopter tour operations in and around the HIA to address the numerous impacts of the proposed action.

#### Obtain Written Guidance from the FAA

Please request the state attorney general (AG) to provide any written guidance that the state has received from the FAA as to the State's specific responsibilities for reducing noise impacts from aircraft using State-owned airports.

If there is no guidance, please ask the AG to request it.

#### Noise from Aircraft Operations at Your Community Airport

... airport sponsors (i.e., owners/operators) also share the responsibility for reducing incompatible land uses and noise impacts on residents of the surrounding area.

[https://www.faa.gov/about/office\\_org/headquarters\\_offices/arc/western\\_pacific/noise\\_complaint/](https://www.faa.gov/about/office_org/headquarters_offices/arc/western_pacific/noise_complaint/)

Mahalo,

Debbie Ward, chair  
Sierra Club, Hawai'i Island Group



**From:** [Elizabeth Hansen](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] M20 K& S helicopters April 23  
**Date:** Tuesday, April 20, 2021 7:33:17 AM

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Aloha Board members,

Please require a Supplemental Environmental Impact Statement (EIS) for this permit. Currently there is a recommendation to just use the original Hilo airport EIS—but it's almost 50 years old! Since then the island population has doubled, the number of tour helicopters has increased exponentially, and there are mounting concerns about multiple crashes and incessant noise.

Please also obtain written guidance from the Federal Aviation Administration on State responsibility for reducing aircraft noise.

Mahalo,  
Elizabeth Hansen  
Hakalau HI 96710

**From:** [Rodger Hansen](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] M20 K& S helicopters April 23  
**Date:** Tuesday, April 20, 2021 7:35:32 AM

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Aloha Board members,

Please require a Supplemental Environmental Impact Statement (EIS) for this permit. Currently there is a recommendation to just use the original Hilo airport EIS—but it's almost 50 years old! Since then the island population has doubled, the number of tour helicopters has increased exponentially, and there are mounting concerns about multiple crashes and incessant noise.

Please also obtain written guidance from the Federal Aviation Administration on State responsibility for reducing aircraft noise.

Mahalo for your consideration,  
Rodger Hansen  
Hakalau HI 96710



**From:** [rce.dslextreme.com](mailto:rce.dslextreme.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BOARD OF LAND AND NATURAL RESOURCES DATE: APRIL 23, 2021 AGENDA ITEM M 10  
**Date:** Wednesday, April 21, 2021 5:26:18 AM

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**BOARD OF LAND AND NATURAL RESOURCES DATE: APRIL 23, 2021 AGENDA ITEM M 10**

Aloha BLNR Chair Case,  
Aloha BLNR Board Members Yuen, Gomes, Oi, Gon, Char and Yoon,

**Agenda M10. Issuance of a Revocable Permit for Office Space and Check-in Counters, K & S Helicopters, Inc., Hilo International Airport, Tax Map Key: (3) 2 1-12: Portion of 09.**

Please do not approve the issuance of this permit.

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HDOT Butay and Airport Division Higashi are both well aware of the tour copter noise nuisance pollution torture and are well aware of the "fly neighborly" guidelines.

Before you as the Hawaii Land Stewards allow a use of the Peoples Land you must be assured that there will not be a use that will negatively impact the people.

Therefore you must require HDOT Airports Division to assure you that the operations of their tenant will not negatively impact the people by assuring you that the lease holder will not cause the noise from their operations to enter occupied properties and if the lease holder fails to comply that HDOT will cancel the lease.

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Mahalo,

Bob  
For the HICoP Board

Board of Land and Natural Resources  
P O Box 621  
Honolulu HI 96809

April 20, 2021

Re: BLNR meeting, [April 23, 2021](#), Agenda Item M.10, Issuance of a Revocable Permit for Office Space

and Check-in Counters, K & S Helicopters, Inc., Hilo International Airport, Tax Map Key: (3) 2 1-12: Portion of 09.

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While the FEIS uses population projections for 1985, the population of Hawai'i Island more than doubled in the past 50 years, rising from 63,000 to 200,000. More helicopters are flying over more homes. (<https://hawaii.reaproject.org/analysis/comparative-trends-analysis/population/tools/150001/150000/> (1969 to 2019).

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Noise from Aircraft Operations at Your Community Airport

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[https://www.faa.gov/about/office\\_org/headquarters\\_offices/arc/western\\_pacific/noise\\_complaint/](https://www.faa.gov/about/office_org/headquarters_offices/arc/western_pacific/noise_complaint/)

Mahalo,

Debbie Ward, chair  
Sierra Club, Hawai'i Island Group

**From:** [David Hunt](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] M 10, K & S helicopters, April 23  
**Date:** Tuesday, April 20, 2021 5:35:09 AM

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Testimony for 4/23/21, M 10 (K & S helicopters)

Dear Board members,

Please, at a minimum, require a Supplemental Environmental Impact Statement (EIS) for this permit.

Re-using the original (50 year old) Hilo airport EIS is not appropriate. Times have changed, issues and concerns have changed. The population of the island has doubled and the number of tour helicopters has increased exponentially. Finally helicopter crashes (and deaths) in Hawaii is telling you (us all) that status-quo is NOT working.

Please also obtain written guidance from the Federal Aviation Administration on State responsibility for reducing aircraft noise.

Thank you,  
David Hunt, Honoka'a, HI

**From:** [mak221@aol.com](mailto:mak221@aol.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] M10 K & S HELICOPTERS TESTIMONY IN FAVOR OR SEIS  
**Date:** Tuesday, April 20, 2021 7:11:49 AM

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## TESTIMONY IN FAVOR OF SUPPLEMENTAL EIS FOR K & S HELICOPTERS M 10

MARK KOPPEL  
UMAUMA, HI

Aloha Honorable Board Members,

Given the many changes in Puna since the last EIS, a new supplemental one should be required.

Furthermore, in spite of promises, helicopters continue to fly day and night over residents' houses instead of over the water.

The noise becomes unbearable. This must stop.

Mahalo

Mark Koppel

**From:** [Brent Magstadt](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [HICoP](#); [Brent Magstadt](#)  
**Subject:** [EXTERNAL] M 10 K & S helicopters April 23, 2021  
**Date:** Wednesday, April 21, 2021 8:53:57 AM

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Aloha Board members,

Please **require** a Supplemental Environmental Impact Statement (EIS) for this permit. How in the world can the staff recommend using the original EIS when it's almost 50 years old!?

Not to point out the obvious elephant in the room (but someone has to): the world - and our island! - have changed significantly. The island population has doubled, the number of tour helicopters has increased exponentially, and there are mounting concerns about multiple crashes and incessant noise

**Please also obtain written guidance** from the Federal Aviation Administration on State responsibility for reducing aircraft noise.

As we know, Hawai'i can be an amazingly beautiful and peaceful place. The calm serenity that we've all come to associate with this mid-Pacific archipelago, whether from magazine photographs, television, or personal experience, is under attack from above. Air tour companies are taking advantage of travel routes to and from their private airfields, and crossing residential subdivisions throughout the Islands, enroute to the next scenic destination, resulting in excessive noise pollution for those who live here.

Not only does the noise pollution from overhead helicopters significantly reduce the level of enjoyment residents may otherwise experience in their own backyards, it also has wide ranging health effects that are just now coming to public light. Exposure to noise causes physiological activation such as increased heart rate and blood pressure, peripheral vasoconstriction and increased peripheral vascular resistance. Studies have found higher blood pressure in kids due to the impact of aircraft noise. A 1995 German study found a link between chronic noise exposure and elevated nervous system activity and cardiovascular levels in children. And a 2005 study published in the prestigious British medical journal, The Lancet, found that kids living near airports in Britain, Holland and Spain lagged behind their classmates in reading by two months for every five decibel increase above average noise levels in their surroundings. The study also associated aircraft noise with lowered reading comprehension, even after socio-economic differences were considered.

As a lifetime nature lover who tries to appreciate and share the many bounties our world has to offer whenever possible, I rejoice when Nature reaps a rare victory, such as the ban of Helicopters over Machu Picchu, where the noise of the propellers affected local wildlife. (Hats off to the regional government, who stated: "When a country accepts that one of its areas is declared a cultural or natural heritage site it assumes the responsibility to preserve it, that's why commercial flights to Machu Picchu should be prohibited." Take note, Hawai'i.)

Crater Lake, one of the scenic wonders of the world, has recently implemented a ban on tour helicopters. To quote: "...a first step in keeping our national parks free of noise pollution that can ruin visitors' experience".

Further, witness this attempt on a ban on Brooklyn tourist flights (as always, the issue is noise...): "It's time to stop the never-ending parade of tourist flights from the Downtown Manhattan Heliport. Chopper tours can't come at the expense of our neighborhoods' quality of life."

In nearly every instance of resistance to air tours, noise is the issue. If we can ban helicopters over National Parks, over Cities, over scenic wonders of the world, why should we suffer through this debilitating audio barrage **in our own residences**???

In the case of Hawai'i there are now a multitude of air tour companies (including small airplanes) all vying for airspace over our houses. A quick google search on 'Hawaii tour helicopters' will bring up the top listings, with all of those companies in regular violation of the Federal Aviation Administration laws for air

tours in the area. These laws are outlined specifically in the Hawai'i Air tour Common Procedures Manual. I'm going to *hope* that you have read this document, prior to any voting you are considering, at least out of respect for your neighbors, if nothing else.

Over residential areas (in East Hawai'i on the Big Island, for example), Above Ground Level (AGL) is often violated, sometimes to the extreme, and despite the FAA implementation of a "no fly" areas, that rule is also rarely followed. In addition, if a helicopter should ever crash (yes, it does happen) in a residential area, the potential loss of human life far outweighs the price of respectful flying.

We residents of Hawai'i need to make a stand.

Our peaceful lifestyle and well being are at stake. With so much pollution of every type worldwide, everywhere we go, the least we can do as residents is demand that our homes not be invaded by the constant thunder of another tourist helicopter heading somewhere. If these air tour companies really care about the Aina and the people who live here, they could take a different approach to sharing aloha with visitors, instead of defaulting to the bottom line - the almighty dollar - at the cost of peace, privacy, and health among the local population.

So ask yourself, who do you represent? The people who live next door to you? Or the faceless corporations continually pressuring you to be lax with the rules, always requesting yet *another* favor to increase the bottom line.

Which person are you?

We Must Demand:

-- **A Supplemental Environmental Impact Statement (EIS) for this permit**

-- Removal of ALL aircraft flight paths from above ALL sub-division Communities, including (but not limited to) Hawaiian Paradise Park, Hawaiian Beaches, Hawaiian Acres, Orchidland Estates, and everything in the geographic proximity to Hawaii Volcano National Park.

-- Demand that Weather Enhanced crossing violations over non-community areas be strictly enforced **immediately** over East Hawai'i, and all other Islands.

-- Demand that Air Tour Companies that have WAIVERS on the above laws have such waivers **revoked** immediately, for all Islands.

And obviously, let's get the dangling noise pollution study COMPLETED, as at least a starting point to gaining back peace and quiet in our own backyards...

Regards,

— Brent Magstadt, Puna District Resident



**From:** [Debbie Ward](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] M10 Helicopter--update EIS  
**Date:** Tuesday, April 20, 2021 8:01:17 AM

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SUBJECT

M 10 K & S helicopters April 23

Aloha Board members,

Those of us on the Big Island's flight path to volcanoes, waterfalls, and coastline have been buffeted by the vibration, ear-thumping, visual intrusion, terrified animals, and PTSD responses for way too many years. We need to address the unintended impacts of tourist helicopter flights on the residents of these islands. It is simply not right for the companies to make lives miserable for residents while making profits with no mitigation. Firefighting and rescues are useful and necessary helicopter flights we need to care for our residents. Pleasure rides are a whole other story.

Please require a Supplemental Environmental Impact Statement (EIS) for this permit. Staff recommends using the original Hilo airport EIS—but it's almost 50 years old! Since then the island population has doubled, the number of tour helicopters has increased exponentially, and there are mounting concerns about multiple crashes and incessant noise.

Please also obtain written guidance from the Federal Aviation Administration on State responsibility for reducing aircraft noise.

Mahalo,

Deborah Ward  
P.O. Box 918 Kurtistown HI 96760