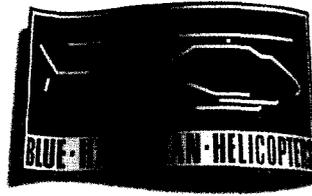


204895



DEPT. OF TRANSPORTATION  
OFFICE

02 NOV 26 PM 3:45

FAA-2002-13959-1

October 15, 2002

U.S. Department of Transportation  
Federal Aviation Administration  
Docket Management System  
400 7th Street, SW  
RM PL 401, Washington, DC 20591-0001

SUBJECT: Hawaii Helicopter Air Tour Industry Petition to Amend SFAR 71

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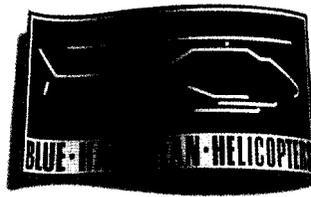
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1500 everywhere, except as specifically authorized by the FAA.

**Petition for amendment to SFAR 71**

1500 feet from any habitable structure and congregation of persons,  
300 feet elsewhere.



| PILOTS<br>NAME       | PILOTS<br>SIGNATURE        | COMMERCIAL<br>HELICOPTER<br>PILOT CERT # | TOTAL<br>HOURS |
|----------------------|----------------------------|--|----------------|
| Allen, Thomas        | <i>Thomas Allen</i>        | 526886655                                | 11249          |
| Baratti, Victor      | <i>Victor Baratti</i>      | 541665329                                | 7700           |
| Boyle, Patrick       | <i>Patrick Boyle</i>       | 2464666                                  | 15547          |
| Cavaco, James        | <i>James Cavaco</i>        | 576604124                                | 4490           |
| Chevalier, David     | <i>David Chevalier</i>     | 2080648                                  | 10150          |
| Curry, William       | <i>William Curry</i>       | 103369209                                | 7097           |
| Dwyer, Ralph         | <i>Ralph Dwyer</i>         | 1808884                                  | 19348          |
| Evans, Darl          | <i>Darl Evans</i>          | 562028366                                | 17646          |
| Germain, Jean-Louis  | <i>Jean-Louis Germain</i>  | 2497157                                  | 3622           |
| Hoadley, David       | <i>David Hoadley</i>       | 569687057                                | 16801          |
| Nischan, George      | <i>George Nischan</i>      | 338563005                                | 5133           |
| Jones, Richard       | <i>Richard Jones</i>       | 2440871                                  | 4937           |
| Journey, James       | <i>James Journey</i>       | 2141386                                  | 9131           |
| Kaluau, Chris        | <i>Chris Kaluau</i>        | 575840692                                | 9284           |
| Kloppel, Kenneth     | <i>Kenneth R. Kloppel</i>  | 2036831                                  | 14728          |
| Latham, Gregory      | <i>Gregory Latham</i>      | 2130036                                  | 14721+         |
| Lincoln, William     | <i>William Lincoln</i>     | 2136543                                  | 14803          |
| McGuff, David        | <i>David McGuff</i>        | 2145221                                  | 20351          |
| Mochizuki, Toshiyuki | <i>Toshiyuki Mochizuki</i> | 2463321                                  | 7548           |
| Parr, Joe            | <i>Joe Parr</i>            | 1990147                                  | 17127          |
| Pettee, Robert       | <i>Robert Pettee</i>       | 2218132                                  | 26000          |
| Purifoy, Raymond     | <i>Raymond Purifoy</i>     | 464865707                                | 8703           |
| Russell, Richard     | <i>Richard Russell</i>     | 52180697                                 | 18183          |
| Schaefer, Steven     | <i>Steven Schaefer</i>     | 54525641                                 | 5771           |
| Stephens, Miles      | <i>Miles Stephens</i>      | 2107277                                  | 12776          |
| VanderMolen, Terry   | <i>Terry VanderMolen</i>   | 523083457                                | 3945           |
| Weyer, Brent         | <i>Brent Weyer</i>         | 566946026                                | 9530           |
| Wilcox, Stephen      | <i>Stephen Wilcox</i>      | 23009487                                 | 9503           |



# SUNSHINE HELICOPTERS

## **Maui:**

Kahului Heliport #107  
Kahului, HI 96732

Res: (808) 871-0722

Admin: (808) 871-5606

Fax (808) 871-0682

Tollfree (800) 544-2526

## **Big Island:**

Hapuna Heliport

62-100 Kauna'oa Dr.

Kamuela, HI 96743

Res: (808) 882-1223

Fax (808) 882-1106

Tollfree (800) 622-3144

## **Email & Website:**

flights@sunshinehelicopters.com

www.sunshinehelicopters.com

October 15, 2002

U.S. Department of Transportation  
Federal Aviation Administration  
Docket Management System  
400 7th Street, SW  
RM PL 401, Washington, DC 20591-0001

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Pg 2

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1500 everywhere, except as specifically authorized by the FAA.

**Petition for amendment to SFAR 71**

1500 feet from any habitable structure and congregation of persons,  
300 feet elsewhere.

| <u>PILOT'S NAME</u>       | <u>SIGNATURE</u>             | <u>CERT. TYPE &amp; NO.</u> | <u>TOTAL TIME</u> |
|---------------------------|------------------------------|-----------------------------|-------------------|
| ROSS SCOTT                | <i>Ross Scott</i>            | COMM/1963342                | 18,000            |
| PAUL MORRIS               | <i>Paul Morris</i>           | COMM/277444265              | 14,800            |
| <del>Sex</del> DEBRA IRBY | <i>Debra Irby</i>            | COMM/552885350              | 9,000             |
| YOSHI SAWAMURA            | <i>Yoshi Sawamura</i>        | COMM/2415589                | 5,700             |
| FRED ADLARD               | <i>Fred Adlard</i>           | COMM/2043388                | 14,250            |
| AL RUIZ                   | <i>Al Ruiz</i>               | COMM/558543625              | 16,500            |
| YVES JEGO                 | <i>Yves Jego</i>             | COMM/2334141                | 9,500             |
| MICHAEL RADWICK           | <i>Michael Radwick</i>       | COMM/564601843              | 9,500             |
| VITO VENTRELLA            | <i>Vito Ventrella</i>        | COMM/68320195               | 18,000            |
| RICHARD GRUNO             | <i>Richard W. Gruno</i>      | COMM/567969876              | 19,000            |
| RAY HODGE                 | <i>Raymond M. Hodge, Jr.</i> | ATP/1743853                 | 9,800             |
| JIM LOMONACO              | <i>Jim Lomonaco</i>          | ATP/1911533                 | 5,500             |



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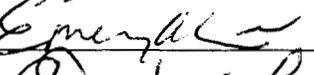
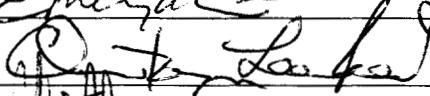
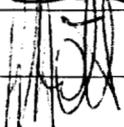
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1500 everywhere, except as specifically authorized by the FAA.

**Petition for amendment to SFAR 71**

1500 feet from any habitable structure and congregation of persons,  
300 feet elsewhere.

**Commercial Helicopter Pilot**

| PILOTS NAME                 | SIGNATURE   | CERT #           | TTL HOURS     |
|-----------------------------|---|------------------|---------------|
| <u>Cary D. Mendes</u>       |  | <u>548130112</u> | <u>8,000</u>  |
| <u>Emery Lee</u>            |  | <u>556061201</u> | <u>7,000</u>  |
| <u>Christopher Lee Reed</u> |  | <u>554824543</u> | <u>20,000</u> |
| <u>Gernot Holl</u>          |  | <u>2577565</u>   | <u>2,000</u>  |



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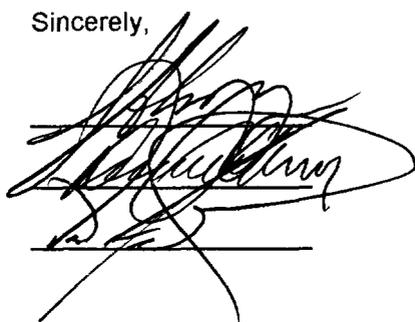
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**Petition for amendment to SFAR 71**

1500 feet from any habitable structure and congregation of persons,  
300 feet elsewhere.

Sincerely,



Steven R. Egger

Cert# 1957602

17,000. Flight Hours

David Wilson

Cert# 576769849

9,650. Flight Hours

David Fernandez

Cert# 560779648

6800. Flight Hours

# **MAUI SCAPE** **HELICOPTERS**

415 Dairy Rd., Suite B ♦ Kahului, Hawaii 96732  
Phone 808.877.7272 ♦ Fax 808.893.0775

October 15, 2002

U.S. Department of Transportation  
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400 7th Street, SW  
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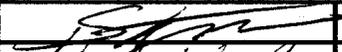
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**Petition for amendment to SFAR 71**

1500 feet from any habitable structure and congregation of persons,  
300 feet elsewhere.

|    | NAME                   | SIGNATURE  | CERTIFICATE# | DATE    |
|----|------------------------|--|--------------|---------|
| 1  | Steve Gould            |  | 571558584    | 8/29/02 |
| 2  | Wagner De Silva - Rose |  | 503710244    | 8.20.02 |
| 3  | Madden, Thomas M       |  | 54926796     | 8.20.02 |
| 4  |                        |  |              |         |
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| 34 |                        |  |              |         |



Honolulu International Airport  
120 Kapalulu Place, Honolulu, Hawaii 96819  
Phone (808) 834-5813 Fax (808) 837-7867

October 15, 2002

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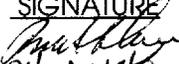
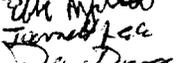
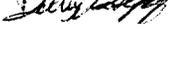
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**SFAR 71** (Pertains to the State of Hawaii and nowhere else in the United States)

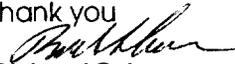
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**Petition for amendment to SFAR 71**

1500 feet from any habitable structure and congregation of persons,  
300 feet elsewhere.

| <u>PLOT NAME</u> | <u>SIGNATURE</u>  | Commercial Helicopter<br><u>Pilot Certificate #</u> | Total hours<br><u>HelicoDters</u> |
|------------------|---|---|-----------------------------------|
| Richard Schuman  |  | 576605636   | 4515.7                            |
| Eiki Miyasato    |  | 6593264   | 7250                              |
| Janette Lee      |  | 2607397   | 4773.5                            |
| Daryn DeleVega   |  | 575826849   | 2234                              |

Thank you



Richard Schuman  
President



October 15, 2002

U.S. Department of Transportation  
Federal Aviation Administration  
Docket Management System  
400 7th Street, SW  
RM PL 401, Washington, DC 20591-0001

SUBJECT: Hawaii Helicopter Air Tour Industry Petition to Amend SFAR 71

Dear FAA Administration,

This petition is from virtually every helicopter air tour pilot and helicopter air tour operation in the State of Hawaii and is motivated from our extensive experience operating under SFAR 71. It is our collective conviction that the altitude restrictions under SFAR 71 must be amended in order to enhance both safety and noise abatement in the Hawaii air tour industry.

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**FAR Part 135**

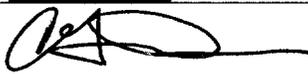
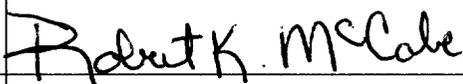
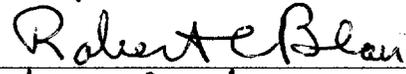
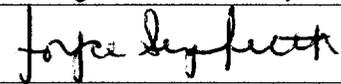
300 feet over congested areas, no specific restrictions elsewhere.

**SFAR 71** (Pertains to the State of Hawaii and nowhere else in the United States)

1500 everywhere, except as specifically authorized by the FAA.

**Petition for amendment to SFAR 71**

1500 feet from any habitable structure and congregation of persons,  
300 feet elsewhere.

| <u>PILOTS NAME</u> | <u>SIGNATURE</u>  | <u>Commercial Helicopter<br/>Pilot Certificate #</u> | <u>Total hours<br/>Helicopters</u> |
|--------------------|---|--|------------------------------------|
| Calvin Dorn        |  | 560702301  | 11,200                             |
| Robert McCabe      |  | 423744499  | 5,700 Hours                        |
| Robert Blair       |  | 1464619  | 7000                               |
| Joyce Seyferth     |  | 559904604  | 3,500                              |
| Bric Baker         |  | 416962899  | 3,500                              |

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300 feet over congested areas. no specific restrictions elsewhere.

**SFAR 71** (Pertains to the State of Hawaii and nowhere else in the United States)

1500 everywhere, except as specifically authorized by the FAA.

**Petition for amendment to SFAR 71**

1500 feet from any habitable structure and congregation of persons,  
300 feet elsewhere.

| <u>PILOTS NAME</u>      | <u>SIGNATURE</u>   | <u>Commercial Helicopter<br/>Pilot Certificate #</u> | <u>Total hours<br/>Helicopters</u> |
|-------------------------|--------------------|--|------------------------------------|
| <u>Joe Kennedy</u>      | <u>[Signature]</u> | <u>458742431</u>                                     | <u>14,000</u>                      |
| <u>Abetada Yamauchi</u> | <u>[Signature]</u> | <u>625360218</u>                                     | <u>8,000</u>                       |
| <u>GINA GUTHRIE</u>     | <u>[Signature]</u> | <u>2693352</u>                                       | <u>1,600</u>                       |
| <u>JEAN-C LAVAUX</u>    | <u>[Signature]</u> | <u>2504165</u>                                       | <u>3,000</u>                       |
| _____                   | _____              | _____  | _____                              |
| _____                   | _____              | _____  | _____                              |



October 15,2002

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**'Ohana Aviation Inc. • P. O. Box 471 • Lihue, Kauai, Hawaii 96766**  
**3416 Rice St. at Anchor Cove Shopping Center**  
**(808) 245-3996 • (800) 222-6989 • Fax (808) 245-5041**

Although it may appear on the surface that the 1500 foot altitude restriction now in SFAR71 has reduced helicopter accidents in Hawaii, a close **look** at the pre-SFAR 71 helicopter accidents will verify the fact that a 300 foot restriction would have been equally effective in preventing almost every accident attributed to low altitude. The cost/benefit of giving pilots this greater regulatory flexibility is self evident in light of our experience operating under SFAR 71. It is our opinion that no additional equipment will be required on tour aircraft to operate under an amended SFAR 71.

The following table summarizes the current FAA regulatory altitude restrictions for helicopters as well as the petitioned amendment to SFAR 71:

**FAR Part 91**

No specific altitude restriction for helicopters.

**FAR Part 135**

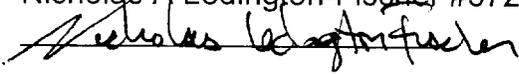
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**SFAR 71** (Pertains to the State of Hawaii and nowhere else in the United States)

1500 everywhere, except as specifically authorized by the FAA.

**Petition for amendment to SFAR 71**

1500 feet from any habitable structure and congregation of persons,  
300 feet elsewhere.

| <u>Pilots Name</u>  | <u>Certificate #</u> | <u>Total Commercial Helicopter FlightTime</u> |
|---|----------------------|---|
| Bogart L Kealoha<br>             | #2175764             | 16,000 hrs.                                   |
| Nicholas A Ledington-Fischer<br> | #572319852           | 9,300 hrs.                                    |
| Ernest Funakoshi<br>             | #1897872             | 25,000 hrs.                                   |



# NIIHAU HELICOPTERS



October 15, 2002

U.S. Department of Transportation  
Federal Aviation Administration  
Docket Management System  
400 7th Street, SW  
RM PL 401, Washington, DC 20591-0001

SUBJECT: Hawaii Helicopter Air Tour Industry Petition to Amend SFAR 71

Dear FAA Administration,

This petition is from virtually every helicopter air tour pilot and helicopter air tour operation in the State of Hawaii and is motivated from our extensive experience operating under SFAR 71. It is our collective conviction that the altitude restrictions under SFAR 71 must be amended in order to enhance both safety and noise abatement in the Hawaii air tour industry.

The present 1500-foot altitude restriction with FAA approved specific deviations is cumbersome and lacks flexibility for change in dynamic circumstances. It is unnecessarily restrictive and compromises safety by taking away pilot options. Pilot judgment should dictate altitude and standoff distance in accordance with well-established FAA regulatory practice and helicopter industry experience.

The altitude restriction of SFAR71 should align with the long established, and safety proven, Federal Aviation Administration Regulations and FAA certification doctrine for helicopters. **We** ask that the 1500-foot restriction be maintained in relation to habitable structures and congregations of persons, but that helicopter altitude restriction over other areas is amended to align with FAR Part 135.203. Although Part 135.203 is the most stringent altitude restriction for Part 135 helicopter operations and refers specifically to congested areas, we know that this is a reasonable minimum altitude to apply to helicopter tour operations in areas other than over habitable structures or congregations of people.

Allowing helicopter flight as low as 300 feet in tour areas makes SFAR 71 safer because pilot decision-making would no longer **be** compromised by pressure to maintain unreasonable altitudes under certain circumstances. The pilot would have the latitude to determine the safest and most reasonable route of flight considering terrain and weather. For example: Because of the normal orographic cloud ceiling that forms along the windward sides of the Hawaiian Islands, helicopter tours are very often forced to fly over or close to communities which are concentrated along the coast in order to stay 1500 AGL, yet under the cloud ceiling. General aviation airplanes often fly low in these areas to stay below helicopter tour flights. This is contrary to common sense, burdens the aviation community with an increased potential for mid-air collisions and exposes coastal communities to more air tour noise. Air tours concentrated in the verdant areas would have the flexibility to fly upslope, away from concentrations of coastal housing and the airspace that is the natural domain of fixed-wing traffic.

**P.O. Box 690370 ~ Makaweli, Hawaii 96769 ~ 808-335-3500/ Fax 808-338-1463**

Although it may appear on the surface that the 1500 foot altitude restriction now in SFAR71 has reduced helicopter accidents in Hawaii, a close look at the pre-SFAR 71 helicopter accidents will verify the fact that a 300 foot restriction would have been equally effective in preventing almost every accident attributed to low altitude. The cost/benefit of giving pilots this greater regulatory flexibility is self evident in light of our experience operating under SFAR 71.

The following table summarizes the current FAA regulatory altitude restrictions for helicopters as well as the petitioned amendment to SFAR 71:

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No specific altitude restriction for helicopters.

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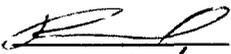
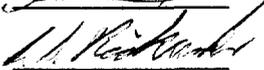
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**SFAR 91** (Pertains to the State of Hawaii and nowhere else in the United States)

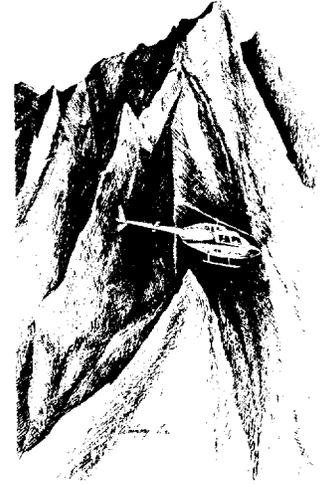
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**Petition for amendment to SFAR 71**

1500 feet from any habitable structure and congregation of persons,  
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| <u>PILOTS NAME</u>                                  | <u>SIGNATURE</u>  | <u>Commercial Helicopter<br/>Pilot Certificate #</u> | <u>Total hours<br/>Helicopters</u> |
|---|---|--|------------------------------------|
| <i>Chief Pilot</i><br><u>Dana G. Rosende</u>        |  | <u>577642548</u>                                     | <u>10,000</u>                      |
| <i>Director of Maint</i><br><u>Lindsay Rickards</u> |  | <u>Avr 60180385</u>                                  |                                    |
|   |   |  |                                    |
|   |   |  |                                    |
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|   |   |  |                                    |

# Jack Harter Helicopters



October 15, 2002

U.S. Department of Transportation  
Federal Aviation Administration  
Docket Management System  
400 7th Street, SW  
RM PL 401, Washington, DC 20591-0001

SUBJECT: Hawaii Helicopter Air Tour Industry Petition to Amend SFAR 71

INVITATION TO ADVENTURE

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## **JACK HARTER HELICOPTERS ADDENDUM TO SFAR 71 AMENDMENT PETITION**

Since the inception of SFAR 71 in October of 1994, helicopter tour pilots in the State of Hawaii have been forced to fly under a set of rules that apply nowhere else in the nation. We have attended meetings and participated in many discussions with FAA representatives from the local FSDO, Regional Offices and some of the highest representatives from Washington, D. C. During each of these encounters we have expressed our frustration with the original **SFAR** and the subsequent deviations that have been authorized.

One “message” that has resonated from Hawaii helicopter tour pilots since SFAR 71 was imposed upon our industry has been that Parts 91 and 135 of the FARs are long-established and safety-proven regulations that are acceptable to the FAA, helicopter tour operators, and helicopter tour pilots on a nation-wide level. The events in Hawaii that precipitated the “need” for SFAR 71 (political outcry for increased regulations) were all found to have occurred in violation of existing regulations. If the pilots and the operators for whom they work had complied with the regulations that existed at that time, it is probable that the accidents would not have occurred.

The rules governing helicopter flight should be the same for charters, tours, photography flights, and executive transport. The equipment required to operate helicopters for tours and other helicopter operations should be that equipment required by existing FAA regulations.

Ultimately, we believe that SFAR 71 should be rescinded and helicopter tours in Hawaii should be flown under Parts 91 and 135 of the FARs. It is our hope that this petition will be the first step in this direction.





# ISLAND HELICOPTERS

October 15, 2002

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Federal Aviation Administration  
Docket Management System  
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Although it may appear on the surface that the 1500 foot altitude restriction now in SFAR71 has reduced helicopter accidents in Hawaii, a close look at the pre -SFAR 71



**Heli USA Airways**  
Princeville Airport, Kauai  
5-3541 Kuhio Highway, Princeville, HI 96722  
(808) 826-6591 • Fax (808) 826-6827

October 15, 2002

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# BALI HAI HELICOPTER TOURS INC

P.O. Box 626  
Hanapepe, Kauai, Hawaii 96716  
Tel: 808-335-3166 • Toll Free 1-800-325-TOUR  
Fax: 808-335-5615 • E-Mail: blh@aloha.net  
Website: www.balihai-helitour.com

October 15, 2002

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Fax: 808-335-5615 • E-Mail: blh@aloha.net  
Website: www.balihai-helitour.com

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**Petition for amendment to SFAR 71**

1500 feet from any habitable structure and congregation of persons,  
300 feet elsewhere.

| hours<br>Certificate # | PILOTS NAME<br>HelicoDters | Commercial Helicopter<br>SIGNATURE | Total<br>Pilot |
|------------------------|----------------------------|------------------------------------|----------------|
| 523552133              | Alex Ahmadi                |                                    | 8000.00        |
| #1676652               | WILLIAM J. SMITH           |                                    | 22,500.+       |
| _____                  | _____                      | _____                              | _____          |
| _____                  | _____                      | _____                              | _____          |
| _____                  | _____                      | _____                              | _____          |
| _____                  | _____                      | _____                              | _____          |
| _____                  | _____                      | _____                              | _____          |
| _____                  | _____                      | _____                              | _____          |
| _____                  | _____                      | _____                              | _____          |
| _____                  | _____                      | _____                              | _____          |

# **Air Kauai**

## **HELICOPTERS**

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U.S. Department of Transportation  
Federal Aviation Administration  
Docket Management System  
400 7th Street, SW  
RM PL 401, Washington, DC 20591-0001

SUBJECT: Hawaii Helicopter Air Tour Industry Petition to Amend SFAR 71

Dear FAA Administration,

This petition is from virtually **every** helicopter air tour pilot and helicopter air tour operation in the **State** of Hawaii and is motivated from our extensive **experience** operating under SFAR 71. It is our collective conviction that the altitude restrictions under SFAR 71 must **be amended** in order to enhance both **safety** and noise abatement in **the** Hawaii air tour industry.

The present **1500-foot** altitude restriction **with** FAA approved specific deviations is cumbersome and lacks **flexibility** for change in dynamic circumstances. It is unnecessarily restrictive and **compromises** safety by taking away pilot **options**. Pilot judgment should dictate altitude and **standoff** distance in accordance with well-established FAA regulatory practice and helicopter industry experience.

The altitude restriction of SFAR71 should align with **the** long established, and safety proven, Federal Aviation Administration Regulations and FAA certification **doctrine** for helicopters. We ask that **the 1500-foot restriction** be maintained in relation to habitable structures and congregations of persons, but that helicopter altitude restriction over other areas is amended to align with FAR Part 135.203. Although Part 135.203 is the most stringent altitude restriction for Part 135 helicopter operations and refers specifically to **congested** areas, we know that this is a reasonable minimum altitude to apply to helicopter tour operations in areas **other** than over habitable structures or congregations of people.

Allowing helicopter flight as low as 300 feet in tour **areas** makes SFAR 71 safer **because** pilot decision-making would no longer be compromised by pressure to maintain unreasonable **altitudes** under certain circumstances. The pilot would have **the** latitude to determine **the** safest and most reasonable route of flight considering **terrain** and weather. For example: **Because of** the **normal** orographic cloud **ceiling** that forms along the windward sides of the Hawaiian Islands, helicopter tours are very often forced to fly over or **dose** to communities which are concentrated along **the** coast in order to **stay 1500' AGL**, yet under **the** cloud ceiling. General aviation airplanes often fly low in these areas to stay below helicopter tour flights. This is **contrary to** common sense, burdens **the** aviation community with an **increased** potential for mid-air collisions and exposes coastal communities to more air tour noise. Air tours concentrated in **the** verdant **areas** would have **the** flexibility to fly upslope, away from **concentrations** of coastal housing and the airspace that is **the** natural domain of fixed-wing traffic.

Although it may appear **on** the surface that **the 1500** foot altitude restriction **now** in SFAR71 has reduced helicopter accidents in Hawaii, a **dose** look at the pre-SFAR 71 helicopter accidents will verify **the** fact that a 300 foot restriction would have been equally effective in preventing almost every accident attributed to low altitude. The **cost/benefit** of giving pilots **this** greater regulatory flexibility is self evident in light of our experience operating under SFAR 71. It is **our** opinion that no additional **equipment** will be required **on** tour aircraft to operate **under** an amended SFAR 71.





