

**Federal Aviation Administration
And
National Park Service
NATIONAL PARKS OVERFLIGHTS ADVISORY GROUP
Summary of August 28 -29, 2001, Advisory Group Meetings**

Federal Register announcement of meeting

The date, location, and time of the meeting was announced in the [Federal Register](#) on August 13, 2001 (66 FR 42581).

Attendance

See the attached sign-up sheet for names of attendees.

Welcome and introductory statements

The meeting was held in the Flamingo Hilton Hotel, Las Vegas, on August 28, 2001.

Howie Nesbitt, FAA co-chair of the advisory group, and chair for the first year, opened the meeting at 8:30 AM. Howie introduced Bill Withycombe, FAA Regional Administrator, Western-Pacific Region, who gave an official welcome to the advisory group and expressed an appreciation for the time and talents of those participating. Marv Jensen, NPS co-chair of the advisory group, spoke on behalf of the National Park Service in welcoming the participation of group members, noting the legacy of the National Parks Overflights Working Group (NPOWG) in developing the concept for the implementation of air tour management plans.

The advisory group introduced themselves and expressed their particular interests in serving on the group. Many members noted the satisfaction of serving on the NPOWG and expressed an expectation of continued success that this advisory group will be able to serve in advising the Director and Administrator in the implementation of the Act. Other members seated around the room then also introduced themselves.

Copies of the agenda, the Act (Title VIII - Air Parks Air Tour Management), and the draft task statement were distributed to group members (attached).

Discussion of organizing topics

Following to the agenda, the advisory group discussed the following issues:

Rotation of the chairperson. Howie Nesbitt, chair for this meeting, explained that the FAA and NPS share the co-chair positions, rotating each year. Thus, beginning January 1, 2002, Marv Jensen would become chairperson for 1 year.

Term of office for group members. After discussion, it was agreed that the term of office for group members should initially be set at 3 years. Although the legislative call for the completion of ATMPs within 24 months was viewed as unrealistic, a minimum of 2 years, and preferably 3 years, was seen as providing continuity for the group. Marv Jensen, co-chair, clarified that if a member resigns from the board, the position on the group does not necessarily belong to that member's association. A replacement for that person would be selected on the basis of balanced representation for the group.

Members also discussed rules of play for substitutes when the principals are unable to attend a meeting. Rather than establishing regular back-ups, which may be costly and time consuming, it was decided that when a member is unable to attend, the name of a substitute for that meeting will be submitted to the chair for planning purposes. The substitute will serve at the pleasure of the group.

Discussion also focused on participation of non-members attending advisory group meetings, since meetings are open to the public. Andy Cebula, Aircraft Owners and Pilots Association, requested that members be allowed to call on non-members to make specific or technical points when appropriate to the

discussion. The advisory group agreed. Later in the meeting it was clarified that this privilege should not be over used; that breaks and lunch hour should be used to caucus non-member opinions. It was also agreed that non-members may be given the opportunity at the end of the morning session and again in the afternoon to express opinions on issues considered by the group.

Board make-up. The advisory group generally agreed that there is no actual representative on the group for fixed-wing air tour operators. Several non-members in the audience also emphasized this. Based on ensuing discussion, the group agreed to add 3 additional members: 1 representing fixed-wing interests, plus 1 additional environmentalist and 1 additional tribal representative to maintain balance on the advisory group. FAA will prepare an announcement for the [Federal Register](#) soliciting additional members; the co-chairs will consider previous nominees for the positions in the deliberative process.

Future meetings. Members agreed that the advisory group needs to meet not less than 3 times per year, with more frequent meetings if required by ATMP schedules. Meetings will be open to the public but will not be public meetings, per se. That is, members may call on non-members when necessary if their expertise is critical to the discussion; also, time will be allotted during meetings for non-members to express opinions on issues. It was generally agreed that meetings should be scheduled for 2 days, the second day of which would allow for informational experiences for group members, such as visits to parks, tribal reservations, special briefings, etc. Howie Nesbitt, chair, asked members to send him suggestions for future meetings. The members determined that a facilitator is not needed for meetings since a chair is required by the legislation.

The next meeting will be held in Washington, DC to allow the Director, NPS and the Administrator, FAA to address the advisory group. The date for this meeting is pending, based on their schedules. The group would like to know at that time, if possible, Howie's replacement as FAA co-chair for future meetings.

The group also agreed to have a closed executive session at the end of each meeting to summarize agreements and IOUs.

Travel costs and voucher preparation were discussed off-line with members.

Meeting reports. A summary report will be prepared for each meeting; these will be available to the public. These reports will reflect the consensus of the group, but, when appropriate, the report will record minority positions as well.

Task statement. Group members were asked to comment on the draft task statement. It was agreed that the statement would be reviewed by FAA to ensure that it reflects the legislation verbatim. An addendum will be added to the task statement with the administrative details agreed to at this meeting. The addendum can be changed by the group as needed to meet operational needs; the task statement cannot be changes since it reflects the Act.

Relationship to implementation team. Bill Withycombe emphasized to the group that its decisions would have a critical impact on the national and regional teams that have been formed to implement ATMPs. Communication is essential to the success of implementation of the Act.

Quiet technology update.

In the afternoon session, Tom Connor, FAA Office of Environment and Energy, presented a briefing on the quiet technology rulemaking. (Copy attached.) Joe Corrao, Helicopter Association International, emphasized that air tour operators will be reluctant to invest in quiet technology without incentives; the most important of which is relief from the cap on the number of aircraft that may be operated. Members questioned how transportable the standard for quiet technology for Grand Canyon would be to other parks. It was noted that there could not be several definitions of quiet technology aircraft. Several persons questioned how the noise data was validated. It was noted that FAA and NPS do not agree on noise validation methodologies. Chip Dennerlein, National Parks and Conservation Association, pointed out that there would be a different impact, even with a definition of quiet technology aircraft, of aircraft operating at cruise speed versus full speed.

Implementation of National Park Overflight Program

Bill Withycombe presented an overview of the implementation process for ATMPs, noting his and the NPS Regional Director's responsibilities for policy, implementation strategies, infrastructure, and budget. He noted that Grand Canyon National Park and parks in Alaska are excluded from the process. The final FAA regulation codifying the legislation is expected to be published by the end of the year; thus, ATMPs will begin to be developed shortly thereafter. Haleakala and Volcanoes Parks in Hawaii are anticipated to be the first parks to undergo the ATMP process. All stakeholders are expected to be involved in the process in both a local and regional approach. Anticipated challenges are the definition of quiet technology, developing a noise standard for a particular park, and budget considerations. The FAA has earmarked \$14 M in the budget for the ATMP process.

Barry Brayer, Manager, Executive Resource Staff, Western-Pacific Region, elaborated on the status of the process with additional information on the joint FAA/NPS implementation plan which is to be finalized in September. He briefly explained the FAA's Integrated Noise Model, which uses an annoyance level of 65 decibels for airports. The NPS noise model, used in its soundscape modeling, has a standard of detectability. Barry also discussed the requirements under the National Environmental Policy Act (NEPA) for environmental measures, either an environmental assessment (EA) or environmental impact analysis (EIS) and the advantages of doing a programmatic EA or EIS. Chip Dennerlein pointed out that there might be a controversy issue for a park that would trigger an EIS. Germaine White, representing Native American tribal interests, asked how these assessments relate to tribal councils established under law. Members responded that the government-to-government consultation process would be followed.

Barry also reported that an advisory circular (AC) on implementation is almost complete. The AC would describe the ATMP process for operators. Operators would have 90 days after the final rule is published to apply for interim operating authority; this IOA would continue for 180 days after the ATMP is developed for a particular park. Barry explained that the Flight Standards Handbook, which contains instructions to inspectors, is also being revised, and that a video is being prepared to explain the ATMP process. All of these activities are being developed in cooperation with NPS. Responsibilities of the Flight Standards Service include reviewing routes to ensure safety, working with the regional team in developing the ATMP, and issuing operations specifications for operators. He acknowledged that this is an additional work load for district offices and the need for coordination with the union. Finally, Barry noted that FAA and NPS are developing a website where interested public may select a park to be kept informed of during the ATMP development process.

Howie Thompson, NPS, presented a list of parks with air tours and a spreadsheet, ATMP Priority List, of the various impacts of air tours on particular parks. In addition to the parks in Hawaii, it was noted that Canyonlands, Glacier, Grand Teton and Zion are parks that may be priorities for ATMP development. (See the attachments.)

Marv Jensen, co-chair, commented on the NPS budget process for ATMP implementation. NPS is working from a \$1M base, which is supplemented with other "soft" funds. Marv also expressed concern for the differences of the two standards for noise assessment, noting the value of natural sounds as a natural resource. He noted that dose response is targeted at visitor impact, not the impact on the natural resource. Germaine White commented that cultural resources are also natural resources.

Executive session. During the executive session Howie Nesbitt, chair, reiterated that members should suggest ideas for informational briefings, tours, etc., for future meetings. Members also approved of designating times for non-members to comment during the morning and afternoon sessions to keep non-member participation during the planned agenda to a minimum.

Second day.

On the second day of the meeting, the advisory group traveled to the Lake Mead Recreation Area where they observed air tour flights being conducted over Lake Mead on their way to Grand Canyon National Park. Later in the morning, the group took a familiarization flight over Lake Mead and western portions of the Grand Canyon.