



Federal Aviation Administration

Reporting Information for Commercial Air Tour Operations over National Park Units

2013 ANNUAL REPORT

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1.0 Executive Summary

The Federal Aviation Administration (FAA) Modernization and Reform Act of 2012 contained a new amendment provision to the National Parks Air Tour Management Act (NPATMA) of 2000. The amendment provision required commercial air tour operators conducting air tours over national park units to begin reporting their activity to the FAA and the National Park Service (NPS).

During the latter part of 2012 FAA and NPS developed the new reporting requirements including the data that would be required to be submitted as well as the frequency of reports and the mechanism by which operators would report. These new reporting requirements came into effect for calendar year 2013.

This report provides some background information on the new reporting requirements and how they were implemented. It also provides a high level overview of some of the reporting data that the agencies received from the initial calendar year 2013 reports received from all the commercial air tour operators. This information includes data from air tour operators who submitted quarterly reports, as well as data from operators who submitted annual reports for exempt parks. Since some of the reporting information may be business sensitive, no operator specific data is disclosed.

The agencies now have recent data about the extent of commercial air tour operations over national park units, including temporal information (day and time of day), aircraft type, and number of operations. This information will assist the agencies in implementing other requirements of NPATMA, including prioritizing efforts to develop voluntary agreements at national park units where appropriate.

As with any new requirement, the agencies as well as the air tour operators who are submitting the data are working through some issues associated with the reporting and data collection. These primarily involve the proper input and format of information received on the reporting template. The agencies will continue to QA/QC the individual operator reporting submittals to ensure we are receiving the requested data in a readily accessible and standardized format.

2.0 Introduction

The *Wendell H. Ford Aviation Investment and Reform Act for the 21st Century* (AIR-21) was signed into public law (P.L. 106-181, codified at 49 U.S.C. 40128) on April 5, 2000. Title VIII of this law, called the *National Parks Air Tour Management Act of 2000* (the Act) regulates commercial air tour operations over units of the national park system. The Act requires the FAA and NPS to develop Air Tour Management Plans (ATMPs) for units of the national park system where an operator has requested authority to provide commercial air tours. The objective stated in the Act for ATMPs is to develop acceptable and effective measures to mitigate or prevent significant adverse impacts, if any, of commercial air tour operations upon the natural and cultural resources, visitor experiences, and tribal lands.

Section 49 U.S.C §40128(c) had a grandfathering provision that applied to existing operators (those operators who had operated over a national park unit prior to enactment of NPATMA). It allowed the FAA to grant interim operating authority (IOA) to existing operators who applied for operating authority. The intent was to allow the operators to continue to conduct operations until such time as an ATMP was developed for the park. Essentially IOA was an annual limit on the number of flights an operator could conduct over a national park. The provision allowed FAA to provide an operator with an annual authorization for the greater of -

- (i) the number of flights used by the operator to provide the commercial air tour operations over a national park within the 12-month period prior to the date of the enactment of this section; or
- (ii) the average number of flights per 12-month period used by the operator to provide such operations within the 36-month period prior to such date of enactment, and, for seasonal operations, the number of flights so used during the season or seasons covered by that 12-month period.

The Act also required that the IOA granted under the Act to be published in the Federal Register for notice and the opportunity for comment. On June 23, 2005 (see 70 FR 36456-36463) the FAA published a Notice of Interim Operating Authority Granted to Commercial Air Tour Operators Over National Parks and Tribal Lands Within or Abutting National Parks. The list provided the IOA granted to each operator for each national park unit / abutting tribal lands. On October 7, 2005 (see 70 FR 58778-58784) the FAA published a supplemental notice. The supplemental notice republished the IOA alphabetically by park rather than operator.

These annual limits provided to operators in the form of their IOA were the only data available to the agencies in terms of comprehensive air tour activity levels at national parks, since the enactment of NPATMA.

The FAA Modernization and Reform Act of 2012 amended various provisions of NPATMA. Two of them related to reporting. One provision required air tour operators to now begin reporting information to FAA and NPS on their operations. Section 49 U.S.C §40128(d) reads:

(d) Commercial Air Tour Operator Reports.—

(1) Report.— Each commercial air tour operator conducting a commercial air tour operation over a national park under interim operating authority granted under subsection (c) or in accordance with an air tour management plan or voluntary agreement under subsection (b) shall submit to the Administrator and the Director a report regarding the number of commercial air tour operations over each national park that are conducted by the operator and such other information as the Administrator and Director may request in order to facilitate administering the provisions of this section.

(2) Report submission.— Not later than 90 days after the date of enactment of the FAA Modernization and Reform Act of 2012, the Administrator and the Director shall jointly issue an initial request for reports under this subsection. The reports shall be submitted to the Administrator and the Director with a frequency and in a format prescribed by the Administrator and the Director.

Section 49 U49 U.S.C §40128(a)(5) read:

EXEMPTION FOR NATIONAL PARKS WITH 50 OR FEWER FLIGHTS EACH YEAR.—

(A) IN GENERAL.—Notwithstanding paragraph (1), a national park that has 50 or fewer commercial air tour operations over the park each year shall be exempt from the requirements of this section, except as provided in subparagraph (B).

(B) WITHDRAWAL OF EXEMPTION.—If the Director determines that an air tour management plan or voluntary agreement is necessary to protect park resources and values or park visitor use and enjoyment, the Director shall withdraw the exemption of a park under subparagraph (A).

(C) LIST OF PARKS.—

(i) IN GENERAL.—The Director and Administrator shall jointly publish a list each year of national parks that are covered by the exemption provided under this paragraph.

(ii) NOTIFICATION OF WITHDRAWAL OF EXEMPTION.—

The Director shall inform the Administrator, in writing, of each determination to withdraw an exemption under subparagraph (B).

(D) ANNUAL REPORT.—A commercial air tour operator conducting commercial air tour operations over a national park that is exempt from the requirements of this section shall submit to the Administrator and the Director a report each year that includes the number of commercial air tour operations the operator conducted during the preceding 1-year period over such park.

3.0 Reporting Requirements

Introduction

This section provides background on how the new amendment provision for reporting was developed and implemented. Section 49 U.S.C §40128(d) requires that each commercial air tour operator, whether they operate under an ATMP, a voluntary agreement, or IOA, submit a report to both the FAA and NPS on the number of commercial air tour operations over each park they operate at and “such other information” as the agencies request. This section also indicates that the reports shall be submitted “with a frequency and in a format” prescribed by the agencies.

Development of Reporting Requirements

Shortly after the FAA Modernization and Reform Act of 2012 was signed, the agencies began discussions on developing and implementing the new reporting amendment provision. The agencies utilized some previous input from the National Parks Overflights Advisory Group (NPOAG), an Aviation Rulemaking Committee (ARC) that provides guidance to the agencies on various issues related to implementation of NPATMA. At a 2007 NPOAG meeting in Scottsdale, AZ the agencies had received a list of the “data fields” that NPOAG members thought important to capture under any new reporting requirements. In addition, the FAA had experience in collecting air tour operator information at Grand Canyon National Park. Under 14 CFR Part 93, Section 93.325 required the air tour operators granted allocations at the park to file quarterly reports with the FAA and specified the content of those reports.

Concurrent with the development of the air tour reporting requirements in 2012, the FAA coordinated with the Office of Management and Budget (OMB) on the agencies proposed information collection activities in accordance with the Paperwork Reduction Act of 1995. A number of public comment periods were provided for the public to comment on the information collection of commercial air tour operator reports. The OMB control number for this data collection effort is 2120-0750. In December 2012, OMB approved these data collection activities for a 3 year period expiring December 31, 2015.

In January of 2013, the FAA and NPS distributed a guidance memo to air tour operators that provided information on the new reporting requirements, the data that was being requested, and how they were to submit the data and the frequency with which they were to submit reports. The FAA and NPS also provided a reporting template, basically an Excel spreadsheet, where they could input their data.

The following provides some of the information contained in the guidance memo:

WHO THIS REPORTING REQUIREMENT APPLIES TO: NPATMA applies to any person who conducts a commercial air tour operation below 5,000 feet above ground level over a unit of the national park system, over tribal lands that are within or abutting a unit of the national park system, or any area within a ½ mile outside a unit of the national park system or less than one mile laterally from any geographic feature within the park (unless more than ½ mile outside the park boundary). On October 25, 2002 the FAA published the final rule (14 CFR Part 136) to fulfill the mandate of NPATMA. The FAA granted Interim Operating Authority (IOA) to those operators who had conducted air tours over national parks prior to the enactment of NPATMA (April 2000). You are receiving this notification and guidance because you hold IOA at one or more national park units that **fall under NPATMA*** and are subject to these new reporting requirements. (***Note:** Grand Canyon National Park and park units in Alaska do not fall under the provisions of NPATMA).

QUARTERLY REPORTING REQUIREMENTS FOR AIR TOUR OPERATORS AT PARKS THAT ARE NOT EXEMPT:

In accordance with statutory amendment, the FAA and NPS are requiring air tour operators conducting commercial air tours at parks that are not exempt from the requirements of NPATMA to begin collecting information on their air tour operations. The agencies are requiring such operators to submit reports of operations on a quarterly basis beginning with the quarter beginning January 1, 2013 and running through March 31, 2013. Quarterly reports are due to the FAA and NPS no later than 30 days after the close of each quarterly reporting period (first report will be due April 30, 2013). Commercial air tour operators must record air tour flight operations information for each subsequent quarter (April 1 – June 30, July 1 – September 30, October 1 – December 31) and report that information to FAA and NPS no later than 30 days after the close of that quarter.

For standardization and ease of data collection, an Excel spreadsheet reporting template has been developed in which air tour operators can electronically enter their information and data. This reporting template is to be used for those operators who are required to report on a quarterly basis and is available for download at the following websites:

http://www.faa.gov/about/office_org/headquarters_offices/arc/programs/air_tour_management_plan/program_information/

<http://www.nature.nps.gov/sound/resources.cfm>

The Excel spreadsheet flight operations reporting template has open fields where operators will input the information and data required by FAA and NPS in accordance with the statute. (A copy of the reporting template is provided in Appendix A of this report). “Mouse-over” instructions provide further guidance and sample responses for some of the questions. (To see “mouse-over” text, place the cursor over cells with a red triangle in the upper right corner). At the top of the Excel spreadsheet template, the agencies are requiring the following general information about each operator: operator / company name; dba – doing-business-as (if applicable); FAA certificate designator; reporting period (respondents need to change the dates for each subsequent report); name of assigned FAA principal operations inspector (POI); name of operator’s assigned FAA Flight Standards District Office (FSDO); FSDO phone number; and the applicable National Park

units over which the operator is conducting commercial air tours. As noted in the mouse-over guidance for the applicable National Park Service Units entry box, the respondent should click on the worksheet tab "Park Alpha Codes" in bottom left corner of spreadsheet to find the four letter code for the applicable park(s) they are reporting.

On the right hand side of the Excel spreadsheet template there are also two areas for the respondent to enter in the departure airport / helipad from which operations are conducted and to identify route information. You may create any appropriate Route Name you wish if your routes do not already have designators. You will create a route code for each different route you fly over a park that you will then enter into the Code column. The route Code will begin with the appropriate 4-character park unit designator from the list found in "Park Alpha Codes" tab at the bottom of the spreadsheet, followed by a hyphen. After the hyphen, add a short (4 to 6 character) code of your choosing that relates to the designated full route name that you entered in the column "Route Name". For example, for a route over Lake Mead National Recreation area with the route name "Red Mountain West" you might create the following code: LAKE-RedMTW. Note that in this example your code would have to start with "LAKE-" which is the official 4-character NPS designator for Lake Meade, followed by a hyphen. The characters following the hyphen would define the route name. Again, you may use any route name and designator code you choose. However, the designator code must start with the official 4-character park designator and a hyphen, and you must continue to use that route Code consistently for that particular route.

In the lower left corner of the Excel spreadsheet template, the agencies are requiring the following specific information about each commercial air tour conducted for the reporting period: departure date; departure time; "N" number of aircraft; aircraft make / model / series; departure airport / helipad; and flight route (using the same Routes Flown Code discussed above).

No later than 30 days after the close of each quarter the operator must submit their report concurrently to both the FAA and NPS. Operators will submit the filled out Excel spreadsheet template via email to:

9-AWP-ATMP-Reports@faa.gov
and
NPS_NRSS_NRPC_AirTourPlanning@nps.gov

Or they may be mailed via the U.S. Postal Service directly to:

Special Programs Staff
Federal Aviation Administration
P.O. Box 92007
Los Angeles, California 90009-2007

and

Natural Sounds and Night Skies Division
National Park Service
1201 Oakridge Drive, Suite 100
Fort Collins, CO 80525.

ANNUAL REPORTING REQUIREMENTS FOR EXEMPT PARKS: In accordance with statutory amendment, air tour operators conducting commercial air tours at parks that are exempt from NPATMA on the basis of having 50 or fewer annual commercial air tours are to report to both the FAA and NPS the annual number of operations for those parks in order for the agencies to affirm park exemptions each year. If you are flying over any of the parks listed on the attached table you only need to report the total number of commercial air tour flights that you conducted during the prior reporting year for each individual park over which you conducted those operations. For example, if you conducted operations over five of the parks listed in the table, you will submit five operational counts; one for each of the parks over which you conducted air tours during the prior reporting year.

Reports will be made annually, not quarterly. You will begin collecting your first year's annual flight operations data January 1, 2013. That first reporting period will end at the close of the calendar year December 31, 2013 and your first report will be due no later than January 30, 2014. Operators must send an email reporting the number of annual operations flown over any exempt park(s) for the period January 1 – December 31 to the same email addresses listed above, or that information can be mailed to the FAA Special Programs Staff and the NPS Natural Sounds and Night Skies Division (mailing addresses listed above). Each subsequent year of reportable data collection will begin January 1 of each year, and each resulting subsequent annual report must be submitted to both the FAA and NPS no later than January 30 of the next year.

The FAA and NPS will annually publish a list of exempt parks in the Federal Register and post the list on the FAA and NPS websites listed under above. The list could change from year to year. Parks may be added to the exempt list based on the prior year's number of annual operations. Parks may also be withdrawn from the exempt list if it is found, through the reporting or other information, that operators have cumulatively exceeded the 50 annual commercial air tour operation threshold for the given park in a given year. Under the statute, exemptions may also be withdrawn by the NPS if determined necessary to protect park resources or park visitor use and enjoyment. In carrying out this responsibility, the NPS may request additional information from operators at specific parks to assist in determining whether that park should remain on the exempt park list. Parks that lose exempt status will return to IOA requirements until an air tour management plan or a voluntary agreement has been established.

The initial list of exempt parks is based on interim operating authority data available to the FAA and NPS. Operators are invited to submit data to both agencies that can provide conclusive evidence that additional parks should be exempted based on actual operations from January 1, 2012 through December 31, 2012. Additional parks may be added to the exempt list if the agencies find that 50 or fewer operations actually occurred during the preceding year.

Implementation of Reporting Requirements

In January 2013, the guidance memo was sent from FAA's Air Transportation Division to all regional Flight Standards division managers indicating they needed to notify their appropriate field offices (Flight Standards District Offices) regarding implementation of Title 49 § 40128(d): Commercial Air Tour Reports. This memo was also posted on the FAA's ATMP website. As this was the first year for reporting, there was also a follow on notification after the 1st quarter (May) and periodic checks with various Flight Standards District Offices to ensure that word had reached the air tour operators required to report.

4.0 Reporting Data for 2013

This section provides information on some of the data collected from the 2013 calendar year reporting. This includes all data submitted by air tour operators through quarterly or annual (for exempt parks) reports. The individual operator reports, the vast majority of which were submitted in the Excel spreadsheet template, were consolidated into one combined spreadsheet.

4.1 Park Level Data - 2013

Table 4-1 lists the parks where operators reported air tour operations and the number reported in 2013. As can be seen, there were a total of 47 national park units where air tour operators reported operations in 2013. In terms of air tour activity, almost 90,000 air tours were reported over these parks in 2013. Appendix A shows a map representing the geographic distribution of parks that operators reported tours at during 2013.

Table 4-2 provides the same information sorted by air tour activity, from park units with the most flights to the least. As can be seen, the bulk of air tour operations were concentrated on a small number of parks where air tours are a popular activity. Almost 97% of the air tour operations reported nationwide occurred at seven park units (see Figure 4-1). All seven of these parks had over 1,000 reported annual operations, three of them had over 10,000 operations during 2013. The largest parks, in order of activity, were National Parks of New York Harbor (NPNH - which includes Statue of Liberty National Monument and Governor's Island), Hawaii Volcanoes National Park (HAVO), and Lake Mead National Recreation Area (LAKE). The other four "high" activity parks were Haleakala National Park (HALE), Glen Canyon National Recreation Area (GLCA), Rainbow Bridge National Monument (RABR), and Golden Gate National Recreation Area (GOGA).

The remaining 40 parks combined for just 2,918 annual operations reported by operators in 2013. The activity distribution for these parks was: 20 parks with 10 or fewer operations; 10 parks with 10 – 100 operations; and 10 parks with 100 – 500 operations. 27 parks reported 50 or fewer annual operations, which is the cutoff limit for an exempt park. Of those 27 parks, 13 were already on the current exempt park list. The current exempt park list has 33 parks. 20 of the exempt parks are not listed on Tables 4-1 and 4-2 because no operations were reported for those exempt parks. Therefore, based on the 2013 reporting data, at least another dozen parks would be eligible for the exempt park list, subject to NPS review for potential withdrawal from exemption.

Table 4-1. Parks Reporting Operations in 2013 (Alphabetical)

Park	2013 Operations
Acadia National Park	16
Arches National Park	115
Aztec Ruins National Monument	45
Bandelier National Monument	123
Big Bend National Park	10
Big Cypress National Preserve	104
Black Canyon of the Gunnison National Park	6
Bryce Canyon National Park	385
Canyon De Chelly National Monument	60
Casa Grande Ruins National Monument	1
Cape Hatteras National Seashore	175
Canyonlands National Park	363
Capitol Reef National Park	1
Capulin Volcano National Monument	2
Chaco Culture National Historical Park	68
Colorado National Monument	8
Dinosaur National Monument	1
El Malpais National Monument	1
El Morro National Monument	8
Everglades National Park	110
Fort Union National Monument	2
Gila Cliff Dwellings National Monument	1
Glacier National Park	271
Glen Canyon National Recreation Area	4,437
Golden Gate National Recreation Area	1,920
Great Smoky Mountains National Park	305
Haleakala National Park	4,631
Hawaii Volcanoes National Park	14,122
Hovenweep National Monument	21
Hubbell Trading Post National Historic Site	3
Lake Mead National Recreation Area	13,218
Mesa Verde National Park	40
Mount Rushmore National Memorial	9
Muir Woods National Monument	514
Natural Bridges National Monument	65
Navajo National Monument	28
National Parks of New York Harbor	45,882
Olympic National Park	1
Pecos National Historical Park	3
Petrified Forest National Park	6
Petroglyph National Monument	18
Point Reyes National Seashore	11
Rainbow Bridge National Monument	2,135
Sunset Crater Volcano National Monument	3
Wupatki National Monument	3
Yellowstone National Park	6
Zion National Park	6
TOTAL	89,263

Table 4-2. Parks Reporting Operations in 2013 (Operations)

Park	2013 Operations
National Parks of New York Harbor	45,882
Hawaii Volcanoes National Park	14,122
Lake Mead National Recreation Area	13,218
Haleakala National Park	4,631
Glen Canyon National Recreation Area	4,437
Rainbow Bridge National Monument	2,135
Golden Gate National Recreation Area	1,920
Muir Woods National Monument	514
Bryce Canyon National Park	385
Canyonlands National Park	363
Great Smoky Mountains National Park	305
Glacier National Park	271
Cape Hatteras National Seashore	175
Bandelier National Monument	123
Arches National Park	115
Everglades National Park	110
Big Cypress National Preserve	104
Chaco Culture National Historical Park	68
Natural Bridges National Monument	65
Canyon De Chelly National Monument	60
Aztec Ruins National Monument	45
Mesa Verde National Park	40
Navajo National Monument	28
Hovenweep National Monument	21
Petroglyph National Monument*	18
Acadia National Park	16
Point Reyes National Seashore	11
Big Bend National Park*	10
Mount Rushmore National Memorial	9
Colorado National Monument	8
El Morro National Monument*	8
Black Canyon of the Gunnison National Park	6
Petrified Forest National Park*	6
Yellowstone National Park	6
Zion National Park	6
Hubbell Trading Post National Historic Site*	3
Pecos National Historical Park*	3
Sunset Crater Volcano National Monument	3
Wupatki National Monument*	3
Capulin Volcano National Monument*	2
Fort Union National Monument*	2
Capitol Reef National Park	1
Casa Grande Ruins National Monument*	1
Dinosaur National Monument*	1
El Malpais National Monument*	1
Gila Cliff Dwellings National Monument*	1
Olympic National Park	1
TOTAL	89,263

* - Currently Exempt Park

Figure 4-1. High Activity Park Operations as % of Nationwide Total

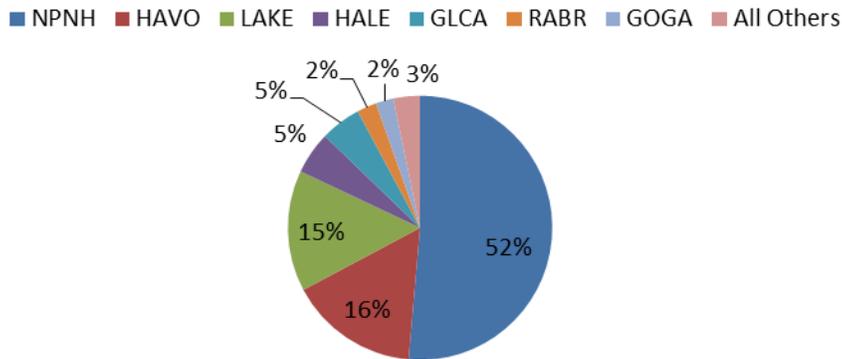
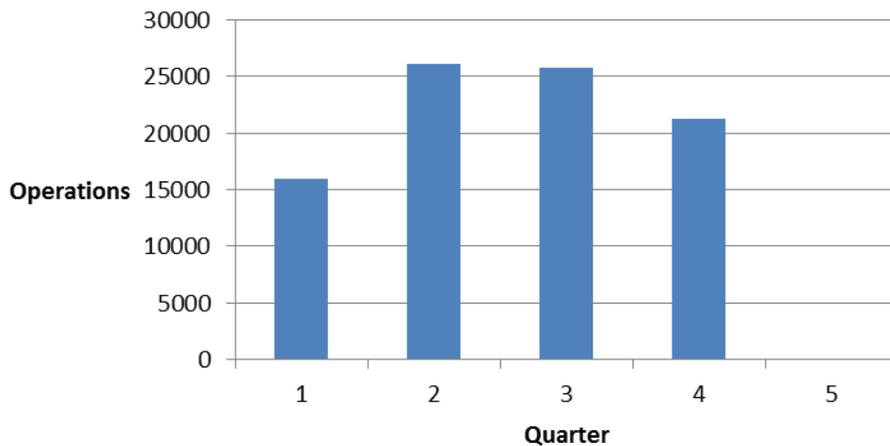


Figure 4-2 shows the 2013 reporting data broken down by quarter. As one would expect the activity levels are higher during the warmer spring / summer seasons (2nd and 3rd quarters which run from April to June and July to September, respectively). The seasonality of the data, however, is maybe not as pronounced as one would expect. The percentage of operations conducted by quarter were: 1st – 18%; 2nd – 29%; 3rd – 29%; and 4th – 24%. The reason for this is that a lot of the larger activity parks were relatively busy year round.

Figure 4-2. Seasonal Activity



Most of the higher activity parks like National Parks of New York Harbor, Haleakala and Hawaii Volcanoes, Lake Mead, and Golden Gate do not drastically curtail operations during the 1st and 4th quarters of the calendar year, most likely due to year round demand and / or good weather. Only Glen Canyon and Rainbow Bridge, among the higher activity parks, and lower activity parks like Cape Hatteras, Canyonlands, and Glacier had more pronounced seasonal activity (2nd and 3rd quarter focused), probably due to inclement weather / reduced demand.

There was a large spread in the number of air tour operators who give tours at any given park unit. Based on the 2013 reporting information, the number of operators reporting tours at a park unit ranged from one to seven. Table 4-3 provides data on the number of operators at the 47 parks that had tours in 2013 based on the reporting data.

Table 4-3. Number of Operators by Park

No. of Operators	Parks	Percentage
1	32	68%
2	4	9%
3	4	9%
4	2	4%
5	4	9%
7	1	2%
	47	100%

As can be seen, parks with only one operator reporting tours during 2013 were by far the most common. There were 32 parks with only one operator, or about 68% of the total 47 parks. In general, most of the parks with one operator were lower activity parks. All of the higher activity parks had multiple operators:

- National Parks of New York Harbor 4
- Hawaii Volcanoes 5
- Lake Mead 5
- Haleakala 4
- Glen Canyon 7
- Rainbow Bridge 3
- Golden Gate 2

Table 4-4 presents the various types of aircraft that were reported to have conducted operations over national park units in 2013. The various make and model of both helicopter and fixed wing aircraft are listed. Helicopter companies included models from Aerospatiale, Bell, Eurocopter, MDHI, and Robinson. Fixed wing companies included models from Cessna, De Havilland, Kodiak, and Maule.

Table 4-4. Aircraft Type, Helicopter and Fixed Wing

HELICOPTERS	FIXED WING
<p>AEROSPATIALE</p> <ul style="list-style-type: none"> AS 350 BA AS 350 FX AS-350 AS-350 B3e AS-350 FX AS-350-B2 AS-350-BA AS-355 <p>BELL HELICOPTERS</p> <ul style="list-style-type: none"> BHT-206 BHT-206-B3 BHT-206 BL3 BHT-206L1 BHT-206 L3 BHT-207 L3 BHT-406 B3 BHT-406 L3 BHT-406N L3 BHT-407 <p>EUROCOPTER</p> <ul style="list-style-type: none"> EC-130-B4 EC-130 EC-130-T2 <p>MD HELICOPTERS</p> <ul style="list-style-type: none"> MDHI-369-D MDHI-369-E <p>ROBINSON HELICOPTERS</p> <ul style="list-style-type: none"> Robinson R-44 	<p>CESSNA</p> <ul style="list-style-type: none"> Cessna 172 Cessna 172L Cessna 182 Cessna 182R Cessna 206 Cessna 206E Cessna 206F Cessna 206G Cessna 207 Cessna 207A Cessna 208 Cessna 208B Cessna 210 Cessna T-207A Cessna TU-206F <p>DE HAVILLAND</p> <ul style="list-style-type: none"> DHC-2 DHC-6-300 <p>KODIAK</p> <ul style="list-style-type: none"> Kodiak Kodiak 100 Quest Kodiak 100 <p>MAULE</p> <ul style="list-style-type: none"> Maule M6

5.0 Exempt Park List

As noted earlier, the new amendment provision, Section 49 U.S.C §40128(a)(5), exempted national parks with 50 or fewer flights each year from the provisions of NPATMA. If the NPS determines that an ATMP or voluntary agreement is necessary to protect park resources and values or park visitor use and enjoyment, they can withdraw the exemption. The provision required that the agencies publish an annual list of the parks that are covered by this exemption. The new provision required commercial air tour operators who conduct tours over exempt parks to report to provide the agencies with a report each year on the number of operations they conducted during the preceding year.

On December 19, 2012, the agencies published the first “exempt park list” in the Federal Register (see 77 FR 75254). Appendix C provides the 2012 exempt park list, as published in the Federal Register. As of that date, the new reporting requirements had not been initiated yet so no actual data was available to determine whether actual flights at any park unit were 50 or less annually. Therefore, the initial list was based on the IOA operational numbers only, since that was the only data available to the FAA and NPS on the number of air tour operations at parks. The agencies identified those parks where the combined (amongst all operators) IOA was 50 or fewer. A total of 33 parks were identified as having a combined IOA of 50 or fewer and NPS did not withdraw the exemption for any of these parks.

All of the parks are located in western states. Table 5-1 lists the states with exempt parks:

Table 5-1. Exempt Park States

State	No. Exempt Parks
Arizona	12
California	3
Colorado	2
Colorado / Utah	1
New Mexico	10
Texas	3
Washington	1
Wyoming	1

Similarly, in December 2013 the agencies prepared and signed another annual exempt park list, but it was not published in the Federal Register until March 14, 2014 (see 79 FR 14569-14570). As the reporting submittal period for calendar year 2013 was still underway at the time the notice was prepared, the exempt park list was again based on the combined IOA numbers granted to operators at any given park (had to be 50 or fewer to meet the exemption criteria). Appendix D provides the annual exempt park list, as published in the Federal Register and has the same 33 parks that were on the December 2012 list. Table 5-2 presents the 33 parks on the current exempt park list.

Based on a review of the 2013 reporting data, it appears that up to 15 additional parks may be exempt as actual operations (not just those allowed under IOA) at these park units is 50 or fewer. The FAA and NPS have not finalized this list yet (and whether NPS would withdraw any potential exempt parks) for publication in the Federal Register. The agencies likely will finalize the list and publish a new exempt park list this summer.

Table 5-2. National Park Units with 50 or Fewer Interim Operating Authority (IOA)

Big Bend National Park, TX
Black Canyon of the Gunnison National Park, CO
Capulin Volcano National Monument, NM
Carlsbad Caverns National Park, NM
Casa Grande Ruins National Monument, AZ
Coronado National Memorial, AZ
Devils Tower National Monument, WY
Dinosaur National Monument, UT/CO
El Malpais National Monument, NM
El Morro National Monument, NM
Fort Bowie National Historic Site, AZ
Fort Davis National Historic Site, TX
Fort Union National Monument, NM
Gila Cliff Dwellings National Monument, NM
Great Sand Dunes National Park and Preserve, CO
Guadalupe Mountains National Park, NM
Hohokam Pima National Monument, AZ
Hubbell Trading Post National Historic Site, AZ
Kings Canyon National Park, CA
Mojave National Preserve, CA
Organ Pipe Cactus National Monument, AZ
Pecos National Historical Park, NM
Petrified Forest National Park, AZ
Petroglyph National Monument, NM
Pipe Spring National Monument, AZ
Rio Grande Wild and Scenic River, TX
Saguaro National Park, AZ
Salinas Pueblo Missions National Monument, NM
San Juan Island National Historical Park, WA
Sequoia National Park, CA
Tumacacori National Historic Park, AZ
Walnut Canyon National Monument, AZ
Wupatki National Monument, AZ

6.0 List of Tables and Figures

Table 4-1. Parks Reporting Operations in 2013 (Alphabetical)

Table 4-2. Parks Reporting Operations in 2013 (Operations)

Table 4-3. Number of Operators by Park

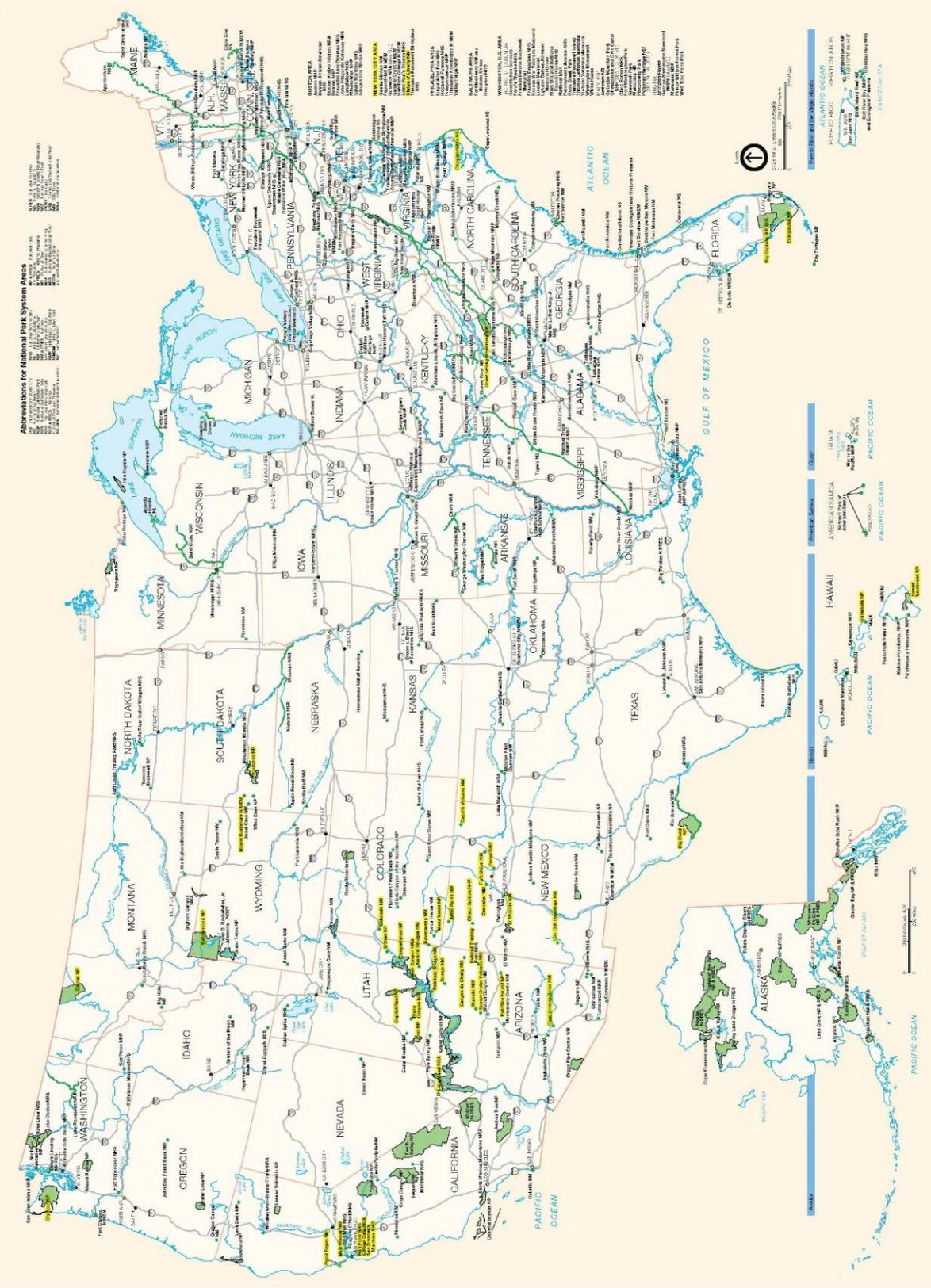
Table 4-4. Aircraft Type, Helicopter and Fixed Wing

Figure 4-1. High Activity Park Operations as % of Nationwide Total

Figure 4-2. Seasonal Activity

Table 5-1. Exempt Park States

Table 5-2. National Park Units with 50 or Fewer Interim Operating Authority (IOA)





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FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6469). The mailing address is U.S. Department of State, SA-5, L/PA, Fifth Floor (Suite 5H03), Washington, DC 20522-0505.

Dated: December 10, 2012.

J. Adam Erelis,

Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2012-30541 Filed 12-18-12; 8:45 am]

BILLING CODE 4710-05-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

DEPARTMENT OF THE INTERIOR

National Park Service

List of Units of the National Park System Exempt From the Provisions of the National Parks Air Tour Management Act

AGENCIES: Federal Aviation Administration, Transportation; National Park Service, Interior.

ACTION: List of Exempt Parks.

SUMMARY: The National Parks Air Tour Management Act (NPATMA) requires the Federal Aviation Administration (FAA) and National Park Service (NPS) to develop an air tour management plan for units of the national park system where an operator has requested authority to provide commercial air tours. The FAA Modernization and Reform Act of 2012 amended various provisions of NPATMA. One provision exempted national park units with 50 or fewer annual flights from the provisions of NPATMA and requires FAA and NPS to jointly publish a list of exempt parks. This notice includes an initial list of parks that are exempt from the provisions of the NPATMA.

FOR FURTHER INFORMATION CONTACT: Barry Brayer—Mailing address: Federal Aviation Administration, P.O. Box 92007, Los Angeles, California 90009-2007. Telephone: (310) 725-3800. Email address: Barry.Brayer@faa.gov. Vicki McCusker—Mailing address: Natural Sounds and Night Skies Division, National Park Service, 1201 Oakridge Drive, Suite 100-31, Fort Collins, CO 80525. Telephone: (970) 267-2117. Email address: Vicki_McCusker@nps.gov.

SUPPLEMENTARY INFORMATION:

I. Authority for New Requirements

1. NPATMA (Pub. L. 106-181, codified at 49 U.S.C. 40128) requires the FAA and NPS to develop an air tour management plan for units of the national park system where an operator has requested authority to provide commercial air tours. The FAA Modernization and Reform Act of 2012 (2012 Act) amended various provisions of NPATMA.

2. This Federal Register Notice addresses the following 2012 Act amendment provisions:

a. Exempt national park units that have 50 or fewer commercial air tour operations each year from the requirements of NPATMA.

b. Authorize NPS to withdraw the exemption if necessary to protect resources and values or visitor use and enjoyment.

c. Require FAA and NPS to publish a list each year of national parks covered by the exemption.

II. Initial List of Exempt Parks

1. This list is based on interim operating authority (IOA) data available to FAA and NPS. At these parks, the current combined IOA of all air tour operators is 50 operations or less annually. Exempt parks are as follows:

Big Bend National Park, TX
Black Canyon of the Gunnison National Park, CO
Capulin Volcano National Monument, NM
Carlsbad Caverns National Park, NM
Casa Grande Ruins National Monument, AZ
Coronado National Memorial, AZ
Devils Tower National Monument, WY
Dinosaur National Monument, UT/CO
El Malpais National Monument, NM
El Morro National Monument, NM
Fort Bowie National Historic Site, AZ
Fort Davis National Historic Site, TX
Fort Union National Monument, NM
Gila Cliff Dwellings National Monument, NM
Great Sand Dunes National Park and Preserve, CO
Guadalupe Mountains National Park, NM
Hohokam Pima National Monument, AZ
Hubbell Trading Post National Historic Site, AZ
Kings Canyon National Park, CA
Mojave National Preserve, CA
Organ Pipe Cactus National Monument, AZ
Pecos National Historical Park, NM
Petrified Forest National Park, AZ
Petroglyph National Monument, NM
Pipe Spring National Monument, AZ
Rio Grande Wild and Scenic River, TX
Saguaro National Park, AZ
Salinas Pueblo Missions National Monument, NM
San Juan Island National Historical Park, WA
Sequoia National Park, CA
Tumacacori National Historic Park, AZ
Walnut Canyon National Monument, AZ
Wupatki National Monument, AZ

2. The list of exempt parks published in this notice is based on IOA

operational numbers only, since this is the only data currently available to FAA and NPS on the number of air tour operations at parks. NPS is authorized to withdraw a park from the exempt list if NPS determines that an air tour management plan or a voluntary agreement is necessary to protect park resources and values or park visitor use and enjoyment. Pursuant to the 2012 Act, the NPS shall inform the FAA in writing of each determination to withdraw an exemption.

III. List of Exempt Parks for Future Years

The FAA and NPS will publish a list of exempt parks annually. The list could change from year to year since parks may be added to or removed from the exempt list based on the previous year's number of annual operations or if NPS withdraws an exempted park. In order to continue to be exempt, a park must have 50 or fewer annual commercial air tour operations in any given calendar year. At parks that lose exempt status, operators will return to IOA requirements until an air tour management plan or a voluntary agreement has been established.

Issued in Hawthorne, CA, on November 1, 2012.

William C. Withycombe,

Regional Administrator, Western-Pacific Region, Federal Aviation Administration.

Issued in Washington, DC, on November 8, 2012.

Herbert C. Frost,

Associate Director, Natural Resource Stewardship and Science, National Park Service.

[FR Doc. 2012-30561 Filed 12-18-12; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Action on Proposed Transportation Project in Illinois

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of limitation on claims for judicial review of actions by FHWA and other Federal agencies.

SUMMARY: This notice announces actions taken by the FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(j)(1). The actions relate to a proposed highway and transit project within the Tier 2 Elgin O'Hare—West Bypass project corridor, which is located along the Elgin-O'Hare Expressway/Thorndale



DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending February 15, 2014

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 et. seq.). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: DOT-OST-2014-0019.

Date Filed: February 10, 2014.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: March 3, 2014.

Description: Application of Azerbaijan Airlines requesting a foreign air carrier permit and exemption authority to engage in (1) scheduled air transportation of passengers, property and mail between any point or points in Azerbaijan, via intermediate points, and any point or points in the United States; and (2) charter air transportation of passengers, property and mail between any point or points in Azerbaijan and any point or points in the United States, as well as any point or points in the United States and any point or points in a third country or countries subject to pertinent national, bilateral and international rules and regulations.

Docket Number: DOT-OST-2014-0020.

Date Filed: February 10, 2014.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: March 3, 2014.

Description: Application of Gem Air LLC requesting authority to operate scheduled passenger service as a commuter air carrier between Salmon, ID and Boise, ID.

Docket Number: DOT-OST-2014-0021.

Date Filed: February 12, 2014.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: March 5, 2014.

Description: Application of North Cariboo Flying Service Ltd. requesting an amended foreign air carrier permit and an exemption to engage in on-demand large aircraft charter transportation of passengers and property between point(s) in Canada and point(s) in the United States, as well as other charters.

Barbara J. Hairston,

Supervisory Dockets Officer, Docket Operations, Federal Register Liaison.

[FR Doc. 2014-05618 Filed 3-13-14; 8:45 am]

BILLING CODE 4910-9XP

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

DEPARTMENT OF INTERIOR

National Park Service

List of Units of the National Park System Exempt From the Provisions of the National Parks Air Tour Management Act

AGENCY: Federal Aviation Administration, Transportation; National Park Service, Interior.

ACTION: List of Exempt Parks.

SUMMARY: The National Parks Air Tour Management Act (NPATMA) requires the Federal Aviation Administration (FAA) and National Park Service (NPS) to develop an air tour management plan for units of the national park system where an operator has requested authority to provide commercial air tours. The FAA Modernization and Reform Act of 2012 amended various provisions of NPATMA. One provision exempted national park units with 50 or fewer annual flights from the provisions of NPATMA and requires FAA and NPS to jointly publish a list of exempt parks. By **Federal Register** notice (See 77 FR 75254, December 19, 2012), FAA and NPS published an initial list of exempt parks in 2012. This notice provides the annual updated list of parks that are exempt from the provisions of the NPATMA.

FOR FURTHER INFORMATION CONTACT:

Keith Lusk—Mailing address: Federal Aviation Administration, P.O. Box 92007, Los Angeles, California 90009-2007. Telephone: (310) 725-3808. Email address: Keith.Lusk@faa.gov. Vicki Ward—Mailing address: Natural Sounds and Night Skies Division, National Park Service, 1201 Oakridge Drive, Suite 100-31, Fort Collins, CO 80525. Telephone: (970) 267-2117. Email address: Vicki_Ward@nps.gov.

SUPPLEMENTARY INFORMATION:

I. Authority

1. NPATMA (Pub. L. 106-181, codified at 49 U.S.C. 40128) requires the FAA and NPS to develop an air tour management plan for units of the national park system where an operator has requested authority to provide commercial air tours. The FAA Modernization and Reform Act of 2012 (2012 Act) amended various provisions of NPATMA.

2. This **Federal Register** Notice addresses the following 2012 Act amendment provisions (which are codified at 49 U.S.C. 40128(a)(5)):

a. Exempt national park units that have 50 or fewer commercial air tour operations each year from the requirements of NPATMA.

b. Authorize NPS to withdraw the exemption if necessary to protect resources and values or visitor use and enjoyment.

c. Require FAA and NPS to publish a list each year of national parks covered by the exemption.

II. List of Exempt Parks

1. This list is based on interim operating authority (IOA) data available to FAA and NPS. At these parks, the current combined IOA of all air tour operators is 50 operations or fewer annually. Exempt parks are as follows: Big Bend National Park, TX

Black Canyon of the Gunnison National Park, CO

Capulin Volcano National Monument, NM

Carlsbad Caverns National Park, NM

Casa Grande Ruins National Monument, AZ

Coronado National Memorial, AZ

Devils Tower National Monument, WY

Dinosaur National Monument, UT/CO

El Malpais National Monument, NM

El Morro National Monument, NM

Fort Bowie National Historic Site, AZ

Fort Davis National Historic Site, TX

Fort Union National Monument, NM

Gila Cliff Dwellings National Monument, NM

Great Sand Dunes National Park and Preserve, CO

Guadalupe Mountains National Park, NM

Hohokam Pima National Monument, AZ

Hubbell Trading Post National Historic Site, AZ

Kings Canyon National Park, CA

Mojave National Preserve, CA

Organ Pipe Cactus National Monument, AZ

Pecos National Historical Park, NM

Petrified Forest National Park, AZ

Petroglyph National Monument, NM

Pipe Spring National Monument, AZ

Rio Grande Wild and Scenic River, TX
Saguaro National Park, AZ
Salinas Pueblo Missions National Monument, NM
San Juan Island National Historical Park, WA
Sequoia National Park, CA
Tumacacori National Historic Park, AZ
Walnut Canyon National Monument, AZ
Wupatki National Monument, AZ

2. The list of exempt parks published in this notice is the same as the initial list published on December 19, 2012. The list is based on IOA operational numbers only, since this is the only data currently available to FAA and NPS on the number of air tour operations at parks. The 2012 Act also included a provision that requires air tour operators to report their air tour operations over national parks. These reporting requirements were initiated on January 1, 2013. The full set of reporting data for 2013 will be available for FAA and NPS review in early 2014. Based on a review of the 2013 data, FAA and NPS will publish an updated list of exempt parks based on the actual operations conducted in the most recent calendar year.

III. List of Exempt Parks for Future Years

The FAA and NPS will publish a list of exempt parks annually. The list could change from year to year since parks may be added to or removed from the exempt list based on the previous year's number of annual operations. In order to continue to be exempt, a park must have 50 or fewer annual commercial air tour operations in any given calendar year. The list could also change if NPS withdraws an exempted park. NPS is authorized to withdraw a park from the exempt list if NPS determines that an air tour management plan or a voluntary agreement is necessary to protect park resources and values or park visitor use and enjoyment. Pursuant to the 2012 Act, the NPS shall inform the FAA in writing of each determination to withdraw an exemption. At parks that lose exempt status, operators will return to IOA requirements until an air tour management plan or a voluntary agreement has been established.

Issued in Hawthorne, CA, on December 9, 2013.

Dale Bouffou,
Deputy Regional Administrator, Western-Pacific Region, Federal Aviation Administration.

Issued in Washington, DC, on December 12, 2013.

Herbert C. Frost,
Associate Director, Natural Resource Stewardship and Science National Park Service.

[FR Doc. 2014-05712 Filed 3-13-14; 8:45 am]
BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Request to Release Deed Restrictions at the Yellowstone Airport, West Yellowstone, Montana

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice requesting comment on request to release deed restrictions at the Yellowstone Airport; re-opening and extension of comment period.

SUMMARY: This action re-opens and extends the comment period for the notice of intent to rule on the request to release deed restrictions at Yellowstone Airport under the provisions of Title 49, U.S.C. 47125 that was published on January 28, 2014. Comments received regarding this notice have requested that the FAA extend the comment period to allow time for full consideration of the proposed ruling.

DATES: The notice of the comment period was published on January 28, 2014 (79 FR 4529), closed February 28, 2014, and is re-opened until May 30, 2014.

ADDRESSES: Comments on the application may be mailed or delivered to the FAA at the following address:

Mr. David S. Stelling, Manager, Federal Aviation Administration, Northwest Mountain Region, Airports Division, Helena Airports District Office, 2725 Skyway Drive, Suite 2, Helena, Montana 59602.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Ms. Debbie Alke, Administrator, Montana Department of Transportation Aeronautics Division, at the following address:

Ms. Debbie Alke, Administrator, Aeronautics Division, Montana Department of Transportation, PO Box 200507, Helena, MT 59620-0507.

FOR FURTHER INFORMATION CONTACT: Mr. Steve Engebrecht, Civil Engineer/ Compliance Specialist, Federal Aviation Administration, Northwest Mountain Region, Helena Airports District Office, 2725 Skyway Drive, Suite 2, Helena, Montana 59602.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT.**

In addition, any person may, upon appointment and request, inspect the request to release deed restrictions and other documents germane to the request in person at the Yellowstone Airport.

Issued in Helena, Montana on March 7, 2014.

David S. Stelling,
Manager, Helena Airports District Office.
[FR Doc. 2014-05639 Filed 3-13-14; 8:45 am]
BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA 2014-0008]

Agency Information Collection Activities: Request for Comments for a New Information Collection

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice and request for comments.

SUMMARY: The FHWA invites public comments about our intention to request the Office of Management and Budget's (OMB) approval for a new information collection, which is summarized below under **SUPPLEMENTARY INFORMATION.** We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Please submit comments by May 13, 2014.

ADDRESSES: You may submit comments identified by DOT Docket ID 2014-0008 by any of the following methods:

Web site: For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Fax: 1-202-493-2251.

Mail: Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

Hand Delivery or Courier: U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE.,

