

DRAFT
National Parks Overflights Advisory Group (NPOAG)
Meeting Summary
March 5, 2015
Orange County Convention Center
9899 International Drive
Orlando FL, 32819

- **Introductions/Welcome**

- Glen Martin

- FAA Regional Administrator in Western-Pacific Region
- Lead office in FAA for air tour planning issues

- Ray Sauvajot- NPS

- Working with this group is a great way to promote appreciation in national parks
- Looking forward to learning from everyone's experiences
- Appreciates Helicopter Association International's (HAI) hospitality

- *(Mark Belles) New environmental member does not "officially represent" the environmental groups noted. Just a member of the groups. Clarify that information on the member list.*

- Vicki Ward

- NPS is the chair this year
- Neither of the two tribal reps were able to make it today

- **Logistics/Ground Rules**

- Housekeeping
- Vote on approval of July 2014 Minutes – Accepted

- **NPOAG Overview**

- Keith Lusk and Vicki Ward gave presentation
- New tribal member beginning in April – Leigh Kuwanwisiwma from Hopi tribe
- Review of action items from last July's NPOAG meeting
 - Audio clips – planned on having them ready to go today – computers grounded in Memphis due to weather – will find an alternate way to share the audio clips
 - An example quarterly report will be shown today
 - Overlay of ambient vs aircraft noise will be shown today
 - Back country statistics – will show a number later today – but not a real representative number. Will be explained later.
 - Dose response surveys – presentation later today
 - Not able to do any telecons last year but may this year
 - Not able to have a park superintendent come to the meeting – a few were invited – they will also be invited to future telecons.

- **Air Tour Reporting**

- Brent Lignell gave presentation
 - Reporting template developed with NPOAG's input
 - Example report, reporting issues, and 2014 data/statistics were presented.

- Need to remind people that they do need to submit negative reports
- New York Harbor parks account for 47% of reported air tours in 2014
- Reporting data do not include commercial tours over Grand Canyon and Lake Mead transportation flights.
- *(Q) Under Part 91 exception (49 USC 40128 (a)(3)) operators flying not more than five flights in any 30 day period over a particular park – are they exempt from reporting?*
- *(A) Yes, historically FAA has relied on NPS and anecdotal information on who is doing this. The operator(s) are still required to get a letter of agreement (LOA) from the FAA and the park superintendent so there is a paper trail. There are few operators in this situation.*
- Lake Mead – 50,000 plus interim operating authority (IOA) but not including the exempt transportation routes to Grand Canyon, there were 7583 reported air tours in 2014.
- Activity in 11 Intermountain Region parks – expected that this year’s reporting will show a few more. Pacific West Region has 7 parks with 33% of reported flights
- Currently 33 exempt parts – 50 or fewer annual operations – 20-30 more could be identified this year
- Reporting has been very useful – both for giving FAA/NPS more data as well as identifying the exempt park list.
- *Reporting improvements – suggest unlocking spreadsheet because it is restrictive to make all flights fit.*
 - *Spreadsheet can be unlocked on case by case basis. Follow-up on how it can be improved for anyone who needs it.*
- *FAA/NPS will post a new spreadsheet once they get Office of Management and Budget (OMB) approval on 3 year data collection extension*
- B057 Operation Specification is being updated – will include the reporting requirement. Was originally kicked back from the Office of Management and Budget (OMB) because it looked like a rulemaking. So had put it up as a guidance memo. Now will go in B057.
- *Question from July meeting on whether they need departure/helipad and departure time info. Exact time or hour range?*
 - *This is an opportune time to get input to update the template.*
- B057 update imminent – by the end of April
- *(Q) When can we get a list of parks and operations for this year?*
- *(A) 2014 data probably available before July – next month or two*
- *(Q) What is degree of compliance overall for Intermountain Region parks?*
- *(A) No way to verify that – no non-compliance noted by park staff currently – data is shared with all the parks for input.*
 - *Some operators allege there is an operator under reporting at Glen Canyon*
 - *The air tour operator may be flying routes that do not have to be reported per the National Parks Air Tour Management Act (not flying over Glen Canyon or within ½ mile of the boundary of the park) so Flight Standards District Office (FSDO) has not been involved*

- *FAA understands the core of compliance is their relationship with the operators working with them and updated B057 will be very helpful when enforcement is necessary. FAA will follow up regarding the operator who may not be reporting air tours at Glen Canyon*
- *Parking Lot Item – Expansion of national parks in Utah – Bishop Plan creating additional park units in the Moab area. How will this affect the future planning of areas they have been flying over for years that may now be NPS – and won't have interim operating authority (IOA) even though they have existing flights? New parks that are being created under new designations that affect areas that already have interim operating authority (IOA)?*
- *Parking Lot Item – As new NPS units are created – need to address how they will handle these.*
- *Also how to handle jointly managed units ex. Escalante – BLM even though it is a National Monument – Need for interim operating authority (IOA) is determined by whether units are managed by NPS*
- *(Q) Will raw data be distributed once it is scrubbed – would like to see seasonal information, patterns on a daily basis, etc.*
- *(A) Can provide park level roll-up not operator specific*
- **Dose Response Survey Methods**
 - *Cyndy Lee and Amanda Rapoza gave presentation*
 - *Measured at 4 parks in 7 locations*
 - *Sites with backcountry visitors with air tour activity*
 - *Linking new and prior research (HR1, HR2, and audio clips survey instruments)*
 - *Study plan resulted from the collaboration of an expert panel*
 - *(Q) Was there any data taken from overnight and multiday use visitors?*
 - *(A) Yes but current model focuses on day users*
 - *Annoyance vs Interference models*
 - *(Q) Who funded?*
 - *(A) FAA and NPS funded Volpe research*
 - *(Q) Future of this research*
 - *(A) FAA will use as a planning tool moving forward, would be a public process for input on this before FAA would use to formulate policy.*
 - *(A) NPS will use to inform decision making and how quality of soundscape might be defined. NPS is managing and looking to protect the more sensitive backcountry experience. This type of model can also be used for other noise sources. Comes down to protecting the value of park resources. Ongoing process may look at multi day users in the future. One way, but not the only way to help explain how; it is a piece of the puzzle; NPS can determine how components of park resources are perceived by visitors and this can help feed into the policy process. This is a piece of the broader process.*
 - *(Q) Dose response cited 4 times in Glen Canyon Voluntary Agreement template – concern that dose response is not ready for prime time. Not sure that the way it is presented in the voluntary agreement (VA) template that it is only a tool as presented above.*
 - *(A) FAA strictly looking at VAs from a safety perspective, not using results of dose response study for VAs. NPS is only using results of dose response study as one*

piece of information– so if it is mischaracterized in the materials it can be looked at.

- *(Q) Is it possible to capture additional dose variables with data that is stored (Time Audible (TA), Equivalent Continuous Noise Level (LEQ), etc.)?*
 - *(A) Yes absolutely. Many metrics were computed. Single Event Noise Exposure Level (SEL) and LEQ were shown to have the best correlation with backcountry visitor response, but they do have information in the data report on all the metrics.*
 - *(Q) Was there a sample group of people who like aviation?*
 - *(A) The question was asked, but if there was not a representative sample in the field during surveys, it is hard to get.*
 - *(Q) Is this making the judgment that a backcountry visitor is more valuable than front country? Take into account air tours are not “leaving footprints”?*
 - *(A) Visitors expectations are different depending on their use. Personal investment on effort to get to isolation. Future should include how much time spent – also response to an event is not just instantaneous. Can linger. NPS definitions vary depending on the resource i.e., Visitor experience, wilderness character etc. Not easy to quantify what and how to measure. Info that helps define values on national parks. Ultimately a balance needs to occur for all. Not necessarily at all times and all places. Decisions on how to balance is policy role – with a huge amount of public involvement.*
 - *(A) FAA very hopeful for Voluntary Agreement (VA) process it allows everyone to sit down and appreciate all perspectives and not just focus on numbers. Using participants’ expertise and desire to deliver products to come to agreement. Encourage group to find ways to serve everyone’s needs.*
 - Concern that the noise study is a moving target and if they keep doing surveys are aircraft flight paths going to be moved based on response. They will always be chasing their tails.
 - People who save money to take an air tour have as valuable an experience as someone who hikes three days into the back country.
 - This is not as “squishy” as it appears, based on years and years of peer reviewed data, Office of Management and Budget (OMB) approved policy, rigorous science, and public participation. BUT don’t over play its significance - it is just a piece.
 - FAA bases airport noise the same way with community dose response annoyance. Look at the data and see given that there will be aircraft in the area, can they do better? Sometime they can, sometimes they can’t. They view dose response use in the parks the same way.
- Public Input
 - *(Q) Can a copy of dose response presentations be shared?*
 - *(A) Yes*
 - *(Q) Can group get copy of sound clips and questions?*
 - *(A) Yes – there is a pool of about 60 sound clips –5 were randomly chosen and are available if anyone wants to listen to them today if the equipment arrives.*
 - Every park is different. Some parks very applicable to flights. Other parks very applicable to quiet. Grand Canyon is a park that has had air tours for 90+ years and might not be considered quiet by some.

- Group is dealing with people's livelihoods as well as park resources. Need to not tack on items that are unattractive to air tour operators. They are rule followers.
 - This group should be a catalyst to bringing people together – Expect operators will follow Voluntary Agreements (VAs) once they are established.
 - Important to note that no visitor type is more valuable than another. Important that there is education so that different visitors can be pointed to the experience that they are looking for.
 - NPS – that's what they are here to figure out. Where and how.
 - *(Q) Is an FAA/NPS video being developed connected to dose response?*
 - *(A) No different purpose – educational/training video to include NPATMA updates – potentially modules for public, FAA, NPS, air tour operator components.*
- Ambient Mapping
 - Brent Lignell gave presentation
 - Presentation being given in response to a request of an overlay of ambient noise or air tour noise and how other sound levels may be extracted.
 - Data based on measurements and attended listening – so focus is on source of interest.
 - Any natural sounds considered part of the natural ambient; where any human caused sounds go into the existing ambient.
 - No one clean overlay – but ways have been developed to characterize particular sources of interest over natural ambient.
- Voluntary Agreement Updates
 - Keith Lusk, Vicki Ward, and Brent Lignell gave presentation
 - Nothing precludes NPS/FAA to address portions of agreements if there is a “place to start” rather than waiting years. Variables include operators, resources, park areas, etc.
 - A voluntary agreement (VA) is a living breathing document – no reason to think it is one and done. Can be updates as condition changes dictate.
 - NPS encourages operators and park managers to have an open dialogue and resolve at a local level as much as possible.
 - Ex. Pilots go to ranger trainings and NPS staff comes to airport open house training sessions.
 - If there is an operator who does not comply with the voluntary agreement (VA), it would be the NPS that probably notices that, but the enforcement is with the FAA.
 - Need a good line of communication with NPS, FAA and the operators. Intention is to make voluntary agreements (VAs) work. It is voluntary so everyone should be cooperative and there are provisions to update the agreement. If not acceptable operators will probably terminate agreement and once terminated there is nothing to enforce.
 - Glen Canyon – There's a dilemma. In everyone's best interest to be involved in voluntary agreement (VA), safety, etc. However the minute it is regulatory in their Operation Specifications (Op Specs) it opens the issue of non-compliance. Some operators won't buy into signed Operations Specifications without

seeing/assessing how easy it is to comply with so as not to be out of compliance.

- Will be in B057 – Have built in leeway for safety, weather, etc. In Big Cypress voluntary agreement language “to the fullest extent possible”. Hopeful concerns can be addressed through new language in the VA. Operators will get to review and comment on this language.
- Another issue is that the voluntary agreement template does not address quiet technology (QT). Recent reduction in flights for some companies is due to flying larger planes (more people – less flights). Quiet technology (QT) is a big incentive. Other operators flying much noisier aircraft.
- Quiet technology can be included in a voluntary agreement when appropriate.
- Recognize different degrees of noise and incorporate incentives into agreement?
- Additional allocations would be necessary for 2 million dollar investment in a quiet technology aircraft.
- *(Q) If a company is sold and is just a stock sale does the voluntary agreement really need to be resigned?*
- *(A) Follow-up with FAA/NPS legal to answer that question.*
- Big Cypress, Biscayne, and Glen Canyon are ongoing
 - Big Cypress – Draft for public comment out last year – tribal consultations – ready to go through signature process with agencies
 - Biscayne – Same operators as Big Cypress – no tribes associated with park so no consultations required – ready for interagency review and then public comment period.
 - Glen Canyon-Rainbow Bridge – Kickoff in 2013 – noise modeling analysis conducted at park – reported tours at about 50% of Glen Canyon Interim Operating Authority (IOA) and about 25% of Rainbow Bridge Interim Operating Authority (IOA) – Follow-up meeting February 2014 – on-going tribal consultation – Additional meetings with operators in September and December of 2014 – moving forward working on template and issues of concern. (working on vibration issues at cultural sites)
 - Current standoff at Rainbow Bridge is ½ mile and 1200 feet (above ground level or from the bridge?)
 - Contractor wanted to test aircraft that operators aren’t using and wanted to fly 100 to 300 feet (not QT EC130) – old technology helicopters they want to test
 - Park is working with a consultant who is designing study
 - Old studies recommend staying 200 feet away. So why damage the bridge testing for natural frequency?
 - *(Q) How is protecting wilderness values determined? Edge of wilderness, standoff at a certain sound levels, etc.?*
 - *(A) Can’t go into details at this point but it is being considered and discussed for the Glen Canyon voluntary agreement.*
 - Using reporting to identify additional parks as potential candidates for voluntary agreements.

- National Parks Air Tour Management Act (NPATMA) Outreach and Education/Communication Plan
 - New video – Air Tour Management Plan (ATMP) intro, training video for operators, others
 - 2016 is the NPS Centennial – opportunity for people to share their experiences – operators/air tour visitors could be part of that. Show that there are lots of different ways to explore and enjoy parks.
 - Should air tours be managed as concessions? Something to look into for future, through Natural Sounds and Night Skies or park specific for similar type use. Linkable to park service website if they comply with certain conditions.
 - NPS going digital in many ways. Revamping web presence. Linking to devices through apps.

- Grand Canyon quiet technology incentives went out for public comment – FAA and NPS considering and responding to all the public comments received. Federal Register notice is being finalized and hopefully out in near future.
 - *(Q) What if not out by March 31st deadline*
 - *(A) Options are being considered – maybe retroactive to beginning of year*

- Wrap-up Discussion
 - 2005 notice that lists every operator, interim operating authority (IOA), and park.
 - Request information on any complaints and follow-up on any actions being taken. FAA doesn't have that information collectively. Could be sorted by federal aviation regulation (FAR) violation – it would be Part 136. Probably none. Inspectors don't know how to address it.
 - NPS does send complaints to flight standards division offices (FSDOs) that have been addressed.
 - Flight standards division offices (FSDOs) take care of enforcement – if a complaint does not get beyond investigation there wouldn't be a record.
 - FAA in position to do enforcement – question is if there is credible evidence to make it through a general counsel review.
 - FAA not in parks looking for violations. Complaints come from parks and FAA investigates.
 - Are there statistics on any of this? FAA will look into it.
 - That is why voluntary agreements can be a powerful tool as a way to have meaning for all participants.
 - NPS has an obligation for any use to protect resources for future generations to enjoy. Need to figure out what that means are and how to do that allowing for multiple uses and opportunities to all types of users.
 - Glen Canyon operators spending a considerable amount of their own time and money trying to work through the voluntary agreement process. Doubt there will be any enforcement issues. Protecting the good operators is part of the challenge. It is the people who don't come to the table that cause the problems.
 - Oversight and enforcement – many different flight standards division offices (FSDOs) associated with the parks (can have multiple certificates flying over the same park). So flight standards division offices (FSDOs) from afar trying to manage their operators locally. Complicates compliance.

- Asking people to take pictures of themselves at national parks is going to increase the amount of people trying to fly to get pictures/video to get into the NPS video.
- Taking blood and feces sample from animals to determine impact of air tour noise on animals. (Tim Clifford – Recreational Aviation Foundation) Will be published and peer reviewed.
- Closing Remarks
 - Progress, open minds, importance of dose response studies, skepticism on dose response studies, spend time focusing on deal killers so there is success, 15th anniversary of ATMP right around the corner, cooperation, different perspectives, convergence of goals.

Action Items/Data Requests

1. Reporting spreadsheet can be unlocked on case by case basis. Follow-up on how it can be improved for anyone who needs it.
2. Follow-up on how to handle when new park units are established in areas where flights have been occurring for years and what that means in terms of IOA.
 - a. Expansion of national parks in Utah – Bishop Plan creating additional park units in the Moab area. How will this affect the future planning of areas they have been flying over for years that may now become NPS units– and won't have IOA even though they have existing flights or will they?
 - b. New parks that are being created under new designations that affect areas that already have interim operating authority (IOA)?
 - c. Management of jointly managed units ex. Escalante – BLM even though it is a National Monument – Need for IOA determined by whether units are managed by NPS
3. Follow-up on providing the group a copy of the dose response presentation, audio clips, and surveys.
4. Provide a list of parks and operations for this year.
5. Follow-up on including quiet technology incentives in voluntary agreements.
6. Follow-up with the agencies' legal on if a company is sold and is just a stock sale does the VA need to be resigned?
7. NPS will follow-up on the vibrational study design for Rainbow Bridge.
8. NPS will follow-up on opportunities with operators similar to concessions where they could be listed on the NPS website.
9. FAA will see if there are any statistics on enforcement complaints and any actions that have been taken.
10. Follow-up on if the group is able to be provided the raw reporting data.
11. Do two hour telecons in between face to face meetings.
12. A park superintendent will be invited to a NPOAG telecom or the next NPOAG and give their point of view.