



National Parks Overflights Advisory Group Meeting SUMMARY REPORT

Meeting – Wednesday and Thursday, January 29-30, 2020

Clarion Hotel
In Conjunction with the HAI HELI-EXPO 2020

616 Convention Way
Anaheim, CA 92802

ACTION ITEMS for the National Park Service (NPS) and Federal Aviation Administration (FAA), aka “the Agencies”*

1. Schedule **large group subcommittee** meetings that divide NPOAG membership into two groups, the day prior to the Fall 2020 National Parks Overflight Advisory Group (NPOAG) meeting. Planning for these meetings will occur in conjunction with the Fall 2020 meeting:
 - a. Competitive Bidding (Les Blomberg, Alan Stephen, Dick Hingson, Matthew Zuccaro) – This subcommittee will provide an initial review of the FAA/NPS draft process in Spring 2020
 - b. IOA Cleanup (Bob Randall, John Eastman, Eric Lincoln, Carl Slater, Melissa Rudinger)
2. Provide NPOAG with noise budgeting planning process information at the Fall 2020 Meeting
3. Provide NPOAG Fly Neighborly training link: <https://www.rotor.org/initiatives/fly-neighborly>
4. Provide NPOAG link to Advisory Circular 136-1 – Commercial Air Tour Operations Conducted Over National Parks and Tribal Lands:
https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC136-1.pdf

SUGGESTIONS FOR CONSIDERATION for the Agencies

1. Look into 15-Year review edits regarding photo tours, additional history and updated title
2. Consider Fall 2020 agenda item about the Fly Neighborly Noise Abatement Training program

ACTION ITEMS for the NPOAG Members*

To be complete by March 31, 2020 (deadline extended do to a number of factors): Two-member, **small group subcommittees** were formed and tasked with developing draft measurements/metrics/checklists regarding specific subject areas for the agencies consideration when developing the competitive bidding process. Dick Hingson also expressed interest in supporting the development of site specific requirements when appropriate. Additional notes for the group discussion are included with some subject areas. Subcommittee leads are tasked with coordinating review and meeting the TBD deadline. Subject areas and subcommittees are as follows:

- Experience: Matthew Zuccaro (lead); Bob Randall (review)
 - o Other air tours outside of national parks
 - o Qualifications of management
 - o Consider grandfathering
- Safety: Matthew Zuccaro (lead); Dick Hingson (review)
 - o SMS
 - o Crash Resistant fuel tanks
 - o Record beyond FAA license
- Quiet Technology: Les Blomberg (lead); Alan Stephen (review)
 - o Noise budget



- Quiet routes
- Consistency with natural resource protection
- Pilot Training: Eric Lincoln (lead); Melissa Rudinger (review)

** In the weeks after the meeting concluded, Matthew Zuccaro and Alan Stephen passed away. Large group subcommittees will be restructured to achieve balanced distribution of membership. Request for volunteers was submitted to NPOAG members to replace Matthew and Alan on small group subcommittees.*

APPENDIX LIST

APPENDIX A: Sign-In Sheet

APPENDIX B: Agenda

APPENDIX C: 2020 NPOAG Membership

APPENDIX D: 2019 NPOAG Meeting Action Items and Suggestions

APPENDIX E: NPOAG 15-Year Review DRAFT FINAL

APPENDIX F: Air Tour Implementation Schedule

APPENDIX G: Air Tour Management in New Zealand

APPENDIX H: 2019 Air Tour Reporting Data

APPENDIX I: Group Discussion Topics

APPENDIX J: Friends for a Quiet! Glacier Public Comment

DAY ONE

Introduction

Keith Lusk (FAA), Raquel Girvin (FAA), Ray Sauvajot (NPS), Matthew Zuccaro (HAI), Jim Viola (HAI), Bryant Kuechle (The Langdon Group)

Welcome: Keith Lusk, Federal Aviation Administration, AWP Special Programs Manager, welcomed NPOAG members and the public in attendance to Anaheim, California. He recognized the opportunity to visit the Helicopter Association International (HAI) HELI-EXPO 2020 which was being held in conjunction with the NPOAG meeting. This NPOAG meeting is being hosted by the FAA and Keith thanked the NPS for hosting the NPOAG meeting in 2019. The agencies trade-off hosting responsibilities every other year.

Raquel Girvin, FAA AWP Regional Administrator, provided a meeting introduction to attendees by welcoming everyone in the room and thanking FAA and NPS counterparts for their involvement with NPOAG. Raquel also acknowledged Matthew Zuccaro, HAI, and congratulated him on his retirement. Matthew has committed to participating with NPOAG for 3 more years. Matthew provided remarks at the HAI HELI-EXPO and stressed the need to focus on flight safety, especially on off-shore helicopter flights. Air tour operations is as a place where a focus on safety is continually needed and being proactive rather than reactive is the preferred course to take. Having a culture of safety in the industry and within FAA is important and there is a need to share and volunteer information between organizations in order to



improve safety. He also addressed noise and challenged those in the industry to find ways to mitigate and minimize noise associated with helicopter flights.

Ray Sauvajot, NPS Associate Director, Natural Resource Stewardship and Science, welcomed the group, congratulated Matthew Zuccaro and thanked him for his time and efforts in the industry and with NPOAG. Ray voiced his appreciation for meeting again. He talked about how valuable National Parks are and added that the NPS is looking forward to finding ways to improve the visitor experience while still maintaining safety and taking into account preservation measures. There are many issues to work through but looks forward to hearing from participants and learning from each other to gain new perspectives.

Matthew Zuccaro, HAI, welcomed the group to the NPOAG meeting as well as the HAI HELI-EXPO attendees. There are many conference sessions focused on helicopter safety initiatives and noise mitigation. The entire industry is focused on discussing and finding ways to improve helicopter safety and reducing noise. One accident is one too many and there is always a reason to strive for zero accidents.

Jim Viola, President and new CEO of HAI, thanked NPOAG for the opportunity to participate in the meeting and reiterated that HAI is focused on safety and finding the balance between the positives and the negatives of regulations in order to move forward and promote safety and noise reduction.

Introductions, Logistics, Ground Rules: Bryant Kuechle, facilitator from The Langdon Group (TLG), prompted introductions of everyone around the table and members of the public in chairs at the back of the room. Randy Stanley, NPS Regional (Regions 6, 7 and 8) Natural Sounds and Night Skies Coordinator, joined by phone. *See Appendix A for a complete list of attendees.*

Bryant reviewed ground rules, requesting that for an effective meeting everyone please value the diversity of the group, be respectful, let everyone speak, and be mindful of agenda timeframes. If NPOAG members had questions or comments, they should stand their name tags on end for him to call on. Bryant then reviewed the agenda and highlighted the designated public comment period at the end of each day, reiterating that the public sign up beforehand to give three to five minutes of comment. *See Appendix B for the agenda.*

Agency Updates: Keith Lusk, FAA Special Programs Office Program Manager, gave an overview of NPOAG, covering the group's establishment, purpose of the group, and membership. Regarding the NPOAG membership, Keith reviewed the current NPOAG roster, the Tribal representative vacancy, the openings, and the typical make-up of the group. He pointed out that Carl Slater was previously with the Navajo Nations Council but now serves in a new role and was unable to make it to the meeting today. Keith requested that any NPOAG members or FAA and NPS participants with connections to any Tribal representatives who might be willing to serve on the committee, to submit suggestions. Vicki Ward, NPS Overflights Program Manager, provided additional context on the need to fill the vacant Tribal representative role and said that applications have been submitted in the past, but applicants must be members of a Federally Recognized Tribe to qualify, which has been a difficult requirement to meet. *See Appendix C for the complete list of NPOAG membership.*

Keith Lusk reviewed the 3-year term memberships and indicated that Les Blomberg's, Dick Hingson's, and John Eastman's 3-year terms will end in September 2020. Those individuals can re-apply to be an NPOAG member but a call for applications will be announced in the Federal Register (<https://www.federalregister.gov/>) and open to new applicants.

Keith Lusk also reviewed a previous recommendation to increase the number and frequency of NPOAG meetings and specifically the interest in hosting an additional meeting in fall 2020. Two meetings in a calendar year were once common but in recent years, the meetings have occurred annually. Increasing the frequency of meetings may be valuable to help keep NPOAG efforts and collaboration progressing and



there are smaller group meetings and conference calls going-on in the background between the larger meetings.

Vicki Ward thanked Matthew Zuccaro and his assistant for having NPOAG at the HAI HELI-EXPO and allowing those NPOAG members who are able, to attend the Expo, free of cost.

The group provided updates on last meeting's action items. *See Appendix D for 2019 NPOAG Meeting Action Items and Suggestions.* Action Items Update:

1. Provide NPOAG with Tribal coordination steps/best practices for developing Agreements and trust responsibilities within DOI. **A packet has been put together that includes instruction on steps that can be taken by National Parks in establishing a voluntary agreement. This Packet also includes information about working with Tribes. Packet is included in Appendix D.**
2. Answer if the public can attend operator-specific meetings related to forming Agreements, or the annual/semi-annual meetings with operators who have already entered into Agreements (e.g., Glen Canyon / Rainbow Bridge). **Vicki Ward contacted the Glen Canyon Environment Compliance Officer about this and these meetings are not typically open to the public.**
3. Look into NPATMA language to see if "such other information" could include route information/maps to help with data collecting. **Additional outreach has been made to air tour operators to request and gather data and routes to help with noise modelling and developing base line/existing conditions. There was not a great response rate from air tour operators. Keith indicated that FAA's Legal had looked at this and was comfortable that we could in fact for this type of additional information as per the NPATMA language.**
4. Add more NPOAG history and group feedback to the 15-Year Review. **COMPLETE, but more NPOAG history has been requested.**
5. Share the video/animation of straight vs. turning data for the Fly Neighborly training: <https://www.volpe.dot.gov/policy-planning-and-environment/environmental-measurement-and-modeling/iflyquiet-community>
6. Share the information that park superintendents are receiving associated with the Agreement process (handbook, lessons learned, tribal procedures, etc.). **A packet has been put together that includes instruction on steps that can be taken by NPS in establishing a voluntary agreement. Packet is included in Appendix D.**
7. Continue conversations between the agencies regarding the final operators at Glen Canyon that require some sort of management. **This is an ongoing conversation.**
8. Consider issue-specific NPOAG subcommittees when they might be effective for problem solving and brain storming. **Subcommittees were discussed during day two small group discussion.**
9. Consider building in violations/compliance language into Agreements at the onset. **NPAOG is not averse to this. There is generic language in the Voluntary Agreement but there are ongoing conversations about what to do more proactively, especially on the FAA side. Conversations are in progress and need to continue between FAA, NPS, and air tour operators.**

SUGGESTIONS FOR CONSIDERATION for the Agencies

1. Create joint FAA/NPS letterhead for formally issued notices. **This has been created and used in some cases already.**



2. Request for information on the operators from Bryce Canyon National Park who did not respond to the voluntary surrender letters. **Keith indicated that they would not release individual operator level information to the group.**
3. Request for names of the nine operators that received letters requesting air tour route information for the purpose of pre-planning for future Agreements. **Keith indicated that they would not release individual operator level information to the group.**

NPOAG 15-Year Document Review (See Appendix E for full presentation)

Bryant Kuechle (The Langdon Group)

Bryant Kuechle provided a review of the NPOAG 15-Year summary report, previous feedback, and gave a brief overview of the changes that had been made to the document. Bryant also addressed the discovery of older NPOAG documents. Those documents were reviewed, and pertinent information was added to the summary report, specifically 2003/2004 Memos, aka “white papers,” regarding IOA cleanup.

One of the action items from the previous NPOAG meeting held in Jackson Hole, WY in May 2019 is to include more information to the history section of the 15-Year Summary Report. Bryant proceeded to display each section of the report to the group, indicating sections that were added or changed from the previous version. After reviewing the 15-Year Summary Report additions and changes, Bryant opened the discussion to the group to identify additional changes and next steps with the report.

Members in attendance brought up the potential need to provide additional information to the history section citing that the current content still does not offer a clear sense of what is halting progress and why there are no ATMPs in place. It was suggested that additional narrative be included to articulate why no ATMPs have been signed over the last 20-years and what the impasse is, halting that progress.

Vicki Ward, NPS Overflights Program Manager, posed the question that it may not be an opportune time to discuss why no ATMPs have been signed due to the litigation currently underway. Michael Fineman, NPOAG Legal Representative, responded and said that there is some information that could be included to provide clarification about the slow progress regarding the agreements that would not result in legal conflict.

Alan Stephen, Grand Canyon Airlines, added that he was a part of the early meetings and the process was frustrating Under the President Clinton administration, the FAA and NPS were the lead agencies and both would be required to sign the record of decision. This process was originally thought to work but it was not known that the agencies would have differing policies and legislation that would make coming to a consensus difficult. The agencies’ rules and procedures were not all in line with each other, which resulted in a 10-year process to find common ground and begin making progress. Some air tour operators are identifying their flights as “aerial photography” tours, which has been interpreted to exempt them from Part 119. NPOAG does not know how each flight organization is interpreting that exemption. Alan explained that he researched other documents to clarify terms and exemptions on “aerial photography” but was not successful in finding any guidance.

Matthew Zuccaro, HAI, offered clarification to the aerial photography classification that Alan provided. Matthew recalled that the “photographic” tour issue arose concerning a lawsuit in New York. The New York air tour operator had called the flight an “Aerial Photography Flight” rather than an aerial tour. Photography flights are defined as flying experience with trained, professional photographers and does not encompass taking members of the public, with cameras, on a flight.



Les Blomberg, Noise Pollution Clearinghouse, asked the group if the photography flight issue has been resolved and if so, where does the FAA stand on this. Is there a FAA policy in place on the distinction between Aerial Photo Flights and aerial tours?

Matthew made a comment on the FlyNYON accident that occurred in the New York area, stating that the FAA had already defined the term “aerial photography.” In response to Matthew’s comment, Monica Buenrostro asked if he was referring to the FAA “legal interpretation” to which Matthew responded he was. Monica then stated that the FAA had issued the “legal interpretation” only, and that the FAA was working on the rule making effort regarding the addition defining the term, “aerial photography.” This effort is being led by AFS-800.

Ray Sauvajot, ADNRSS, NPS, suggested that the group step-back and ask the question, “what is the purpose of the 15-Year Summary report document?” and ask “what is the role that NPOAG can play in the future and moving forward?” Ray suggested that if more history information is needed in the document to inform how to move forward, that can be added but the report should focus on the way to move forward.

Robert Randall, National Parks Conservation Association, said that as a new NPOAG member, he appreciated the history section in the report but requested more information about “why we are where we are” would be beneficial so new members can have context and be better prepared to know how to help NPOAG move forward.

Dick Hingson, Sierra Club, posed the question of why there was a NPOAG 15-year benchmark. He was unclear why the group was conducting a 15-year review instead of a 10, 20, or 30-year review. Vicki Ward explained that at the 15-year mark, NPOAG came to the conclusion that it was a good time to review the program and look back on where it started in order to effectively move forward. There was no particular reason behind the 15-year mark, it just happened to have been 15 years at the time.

Bryant Kuechle summarized the report feedback. He reiterated that the original intent of the summary report was to educate and inform new members about the history of NPOAG and catalog specific accomplishments. The summary report is a living document and is meant to be updated over time. The title of the report could be misunderstood, and it might be time to change the name of “15-Year Summary Report” to accurately represent the time since the inception of NPOAG.

Before concluding the 15-Year Summary Report review, Alan Stephen, Grand Canyon Airlines, added that one of the most significant NPOAG efforts was to adopt quiet technology requirements for the Grand Canyon. He explained that there was an NPOAG discussion and NPOAG decided to adopt quiet technology definitions. The quiet technology in Grand Canyon National Park is what would come to be recommended for all National Parks. Karen Trevino, NPS Chief, Natural Sound and Night Skies Division, suggested that if the history behind the quiet technology recommendation is included in the report, there is a need to also include the full history and call-out that some parks were not included in the discussion.

Break

Air Tour Management (See Appendix F for full presentation)

Vicki Ward (NPS), Keith Lusk (FAA)

Keith Lusk introduced the Air Tour Management presentation. FAA and NPS had created a plan to get Air Tour Management Plans (ATMP) and Agreements developed and implemented at seven National



Parks in the next few years. These National Parks were selected because they offered a combination of low to medium complexity, some work had already been completed in these parks, and there were a diversity of challenges at each park that would give a variety of lessons learned. This implementation plan was published in September 2019 and posted to both agencies respective websites. Keith reviewed each National Park included in the implementation plan and provided an update on the progress.

Badlands National Park: Badlands National Park was selected to be in the near-term implementation plan because it was the park furthest along in the agreement planning process and, at one point it was believed a Fixed Wing Agreement would soon be out for public comment. There was a lot more work that needed to be done to get a helicopter Agreement. It was originally thought that there was agreement on the requirements, but the operator had issues with some of the terms of the draft agreement. The agencies issued a response to his concerns in December 2019. The Badlands National Park staff have since talked to the operator regarding his concerns. The operator did not agree with the agencies' responses and is not interested in signing an Agreement. The agencies are in discussions to identify the next steps with the fixed wing operator. The helicopter operator at Badlands is a little further behind in the Voluntary Agreement process.

Mount Rushmore: Mount Rushmore has a similar status to Badlands National Park. The helicopter operator has conducted thousands of air tours that will require more preparatory work and analysis to determine what level of air tours could be accommodated under the agreement. Discussions are underway to explore switching from a Voluntary Agreement to an ATMP because the same Fixed Wing Operator at Badlands has the same concerns at Mount Rushmore.

Death Valley: Death Valley could be the first ATMP. Vicki Ward and Keith Lusk talked to park staff in December 2019. In the past it has been difficult to move forward with the ATMP due to NEPA issues but they are working to resolve these issues well in advance of the scheduled milestones for Death Valley. There is a plan in place to provide an ATMP 101 briefing to Death Valley in early February. The Timbisha Shoshone Tribe has some land holdings in the Park and they will likely need to be involved in the ATMP process. The Agencies want to be well positioned for tribal consultation and keep them involved in order to stay on progress.

Great Smoky Mountains: Vicki addressed that Great Smoky Mountains is the one park in the lawsuit that is part of the initial seven parks the Agencies are moving ahead with in the immediate future. This park was explored as a candidate for an expedited process about 10 years ago. The Agencies started working with the park and the two air tour operators, collecting information on where they are flying their tours, and at what altitude. More recent efforts at the park include noise modelling using the information provided about the flight paths and altitudes. NPATMA 101 has been started and the agreement preparatory work should be completed by October 1st, 2020 and an agreement initiated in 2021.

Mount Rainier: Mount Rainier had gone to exempt status and then NPS withdrew the exemption. The park is now on the near term priorities schedule because similar issues can be addressed and applied to other parks. Preparatory work will begin later this year. . This park has a low level of tours and it should not be too difficult to get an agreement implemented.

Glen Canyon/ Rainbow Bridge: Vicki and Keith provided an update and explained that seven of the operators in Glen Canyon/ Rainbow Bridge signed agreements about 2 years ago. A meeting was held last year with the operators and some amendments are being considered to the agreement.

One of the two remaining un-signed operators is not reporting any tours being conducted at the park. This will need to be addressed and there are plans to reach out to the two operators and get them to sign an Agreement or they would need to be addressed under an ATMP. The agencies had not made a determination as to whether the existing VA and the operators covered under that could stay in effect.



Alan Stephen, Grand Canyon Airlines, asked; “If every operator does not sign the voluntary agreement, can a plan still be put in place?” Alan added that he is under the impression that if the non-signed operators are under a certain amount of flights, a voluntary agreement is not necessary to move forward with an ATMP. Karen Trevino responded and added that all operators must sign a voluntary agreement and the requirements of NPATMA wouldn’t be met if only some of the operators signed.

Discussion continued and Keith Lusk added that the agencies have always realized that there may be operators who do not sign a voluntary agreement. Keith asked the group if there is a way to incentivize those operators who do not sign. It was acknowledged that even without the other operators’ cooperation, the Agencies could still move forward with ATMP planning.

Alan Stephen, Grand Canyon Airlines, in reference to competitive bidding, added that the six items are ill defined in how you evaluate who gets operating authority under an ATMP.

Keith Lusk addressed that competitive bidding clause and stated that once an ATMP is in place, more information will be needed on the competitive bidding process. Keith then asked what considerations should be made regarding the competitive bidding process. If an ATMP process has not been completed, it is not fully known what considerations need to be made.

Discussion:

Vicki Ward and Keith Lusk concluded the Air Tour Management update and committed to providing updates on the planning processes at the next NPOAG meeting. Vicki and Keith opened the update to questions from the group.

Matthew Zuccaro, HAI, clarified that with seven out of nine operators in Glen Canyon/ Rainbow Bridge who signed an Agreement and are in compliance, the Federal Government has no authority to force or require operators into compliance or enter into a voluntary agreement. Keith Lusk agreed that you could not force those other operators into an Agreement, and added that the other option is to move forward with an ATMP for those operators. A lot of time and effort has been put into the Agreements and it is in the group’s interest to stay on a path and to take into account the previous efforts that have already been made.

John Eastman, Jackson Hole Airport Board, commented on the discussion and added that if there is no consequence for parties to be at the table or in good faith engage in an Agreement, than it is a waste of time. There are well intentioned operators who want to find the right balance and are listening; and then there are other operators who are deciding not to participate. Incentives should not be to opt-out of an Agreement. Disincentives would be something more beneficial to explore and could result in an increase in operator participation. If the FAA were to establish a precedent that they are willing to enforce their authority on the IOA for operators that are not willing to participate, would that help in getting more to participate in a voluntary agreement? Otherwise, all of the effort would go to waste. Are the Agencies going to play the card that Congress gave it in order to get the last 20 years of hard work to be recognized and be effective. When will the FAA take the authority granted to them to revoking IOA from participants who are unwilling to put in the effort and sign a voluntary agreement?

Public Comment

Members of the public were given the opportunity to use two to five minutes each (based on the number of commenters) to address NPOAG and the agencies. Written comments were also accepted though none were submitted at the meeting. No members of the public opted to provide public comment.



NPOAG Day 1 Meeting Wrap-Up

Bryant Kuechle (The Langdon Group)

Before adjourning the meeting, Bryant Kuechle, The Langdon Group, made an announcement for the NPOAG dinner the following evening. Bryant also requested any final comments or thoughts from the group before dismissing the meeting.

Karen Trevino, NPS Chief, Natural Sound and Night Skies Division, provided an agency update and mentioned there has been a lot of newspaper and social media coverage recently about air tours at Grand Teton National Park. There were also several public meetings and the issue was portrayed in the media as a National Park issue. Karen provided the operators with some education and clarification on the issue and the operator decided to change his air tour routes so he did not fall under NPATMA. Much of Jackson and Teton Village does not want air tours.

Before the conclusion of the meeting, John Eastman, Jackson Hole Airport Board, provided some added clarification about Jackson Hole Airport and stated that funding comes through the FAA for airport development. Attached to that funding are requirements for not discriminating against types of operations wanting to use the airport. The Airport will likely have to agree to let that air tour operator use the airport because they have to (e.g. the airport is in the Park). A decision was made that the air tour “begins” once an operator is outside of the park even though he takes off and lands at the airport within the Park.

END OF DAY 1



DAY TWO

Air Tour Management in New Zealand (See Appendix G for full presentation)

Dr. Jeff Dalley (New Zealand Department of Conservation)

Karen Trevino introduced Dr. Jeff Dalley, New Zealand Department of Conservation, to the meeting attendees. Karen explained that she was recently invited to give a keynote speech about night skies in the National Park System at a conference in New Zealand.

New Zealand has a robust air tour industry and Jeff Dalley is researching and doing outreach with the air tour operators, which sparked Karen's interest. Karen heard that Jeff would be visiting the United States on a work trip and Karen invited him to present at NPOAG.

Jeff Dalley introduced himself and expressed gratitude for the privilege of attending the meeting and presenting to NPOAG. Jeff explained that through discussions, he and Karen have found many similarities between the New Zealand and U.S. efforts to manage air tours, which are both complex issues. Jeff explained that his career history includes working in the private, tourism industry and he knows/has walked in the shoes of air tour operators. He added that he is now a member of the New Zealand Department of Conservation as the Principal Technical Advisor, Monitoring and Evaluation-Visitors.

Before beginning, Jeff explained that through this presentation, he will share his process, identifying where New Zealand air tour operations were, and how efforts have moved forward. Jeff also let the group know that he would welcome questions at any time during the presentation. Presentation summary is included in Appendix G.

ATMP Process

Karen Trevino (NPS Chief, Natural Sound and Night Skies Division), Eric Elmore (Office of Environment and Energy)

Karen Trevino, NPS Chief, Natural Sound and Night Skies Division, briefly talked about the background of developing an ATMP and stated that the process has been slow, but progress has been picking up over the last few years (litigation notwithstanding). Most of the progress over the last few years was started before litigation happened. Eric Elmore, Office of Environment and Energy (AEE), added that trying to complete an ATMP is something that both agencies feel is important. From the outside looking in, it appears that the litigation is the reason behind the progress of getting an ATMP, but it is not.

The agencies met in Fort Collins in December 2019 and discussed what needs to be done to complete an ATMP and what the NEPA document would need to look like to help get an ATMP in place. Eric explained that they found a previous NEPA document to work from and have drafted a "Purpose and Need" statement that could be applied to any ATMP and will not only apply to Death Valley National Park. The group is still working through the range of alternatives and what an ATMP would specifically look like for Death Valley National Park. The group has started looking at the range of alternatives and noise budget. A follow-up meeting will be scheduled in the next month or two to develop the first environmental document for the first ATMP.

Karen Trevino explained what has changed to enable more progress to occur, taking into account that the National Park Service NEPA policy have changed, and executive office action have also made changes in the NEPA. Karen provided an example and said when going through the affected environment section, much of the content could be cut out to meet the new page limits. Karen thanked the Executive Level for



their support and feels like there is a new tone of collaboration. Michael and Sara have also been a large help in navigating the law as it relates to policy.

Karen explained a noise budget planning approach. This approach does not combine the subjective and objective soundscape approach into one model; they are kept separate but both pieces of information are used. This planning approach helps National Parks develop and determine what is the acceptable level of noise. This approach drew upon experience with inter-agency land management frameworks and with snowmobile use planning in Yellowstone, which should help inform and structure how to calculate the acceptable level of noise. This planning approach will use this calculation and work backwards to decide how many air tours per day can be allowed to meet the acceptable level of noise. The initial test of this process will be done with Badlands National Park.

Air Tour Reporting Data (See Appendix H for full presentation)

Brent Lignell (National Park Service)

Brent Lignell, NPS, gave a presentation on the 2019 Air Tour Reporting Data. Brent provided background on the Commercial Air Tour Reporting Data and outlined that the data reporting requirement started in 2013 through the NPATMA 2012 amendments. Quarterly data reports are required to be submitted 30 days after the end of each calendar quarter and are required for non-exempt National Parks (more than 50 tours per year). National parks with more than 50 tours are required to have a plan or agreement. Each report is required to contain operator information (DBA, certificate, POI, FSDO) and should include the date of tour, hour of tour, aircraft make/model, and park and route code for each tour conducted.

Brent displayed a copy of the quarterly template and explained that the 2019 reporting data are not yet complete due to missing quarterly reports, but he is estimating that the 2019 data will look similar to the 2018 data. The reporting data from the 1st and 2nd quarter reports have full accounting and accurately reflect the numbers received. The timeliness and quality of reports and data has improved over the last few years; indicating the reminders have been helpful. There is still some qualification needed on some coding, but the data are good.

Brent presented the reporting data graph from 2013 to 2019 and pointed out that the 2019 data are looking similar to 2018 at approximately 45,000 annual air tours (2018: 47,109 and incomplete data from 2019: 41,391). The 2019 report will likely be available and published mid-summer 2020 after the final data are submitted and the report is finalized.

Dick Hingson, Sierra Club, asked Brent, “On the quarterly report template, of the top 25 parks, what percentage do you have known routes versus the actual routes that the operator is claiming?” Brent explained that NPATMA does not require designated routes. He added that the NPS is working on gaining information about the routes, especially with the seven priority parks.

Robert Randall, National Parks Conservation Association, commented that “it seems that the same technology on phones that track running and bicycle routes likely exists on the aircrafts already.” Brent responded that the general route information on the quarterly report isn’t necessarily referring to the detailed routes but rather, some of the geographic features that the operators claim to fly by during their routes. The section on the form to declare the route is meant to be an added narrative – “Describe or name your route” – this is operator dependent information. Keith Lusk added that the initial template just asks for general information. The data gathered over the last 5 years has been helpful in prioritizing parks. The agencies are working on getting the route details and data from operators.



Alan Stephen, Grand Canyon Airlines, pointed out the reporting form does not require specific routes to be declared and said that in Glen Canyon there are very prescribed routes. Alan added that data can be helpful when talking with operators and discussing alternative routes or pinpointing where changes need to be made. As a compromise, operators could put out a description of the preferred routes because deviations are sometimes needed depending on wind, weather, etc.

Karen Trevino asked to provide clarification to Alan's comment and said provisions for IOA do not specify routes, routes can be detailed as part of an ATMP or Agreement.

Vicki Ward added that Adam Beeco and herself are looking into better ways of collecting the flight data either by asking operators to send the route on a map, sending-in their flight data, or passively tracking through ADS-B.

In regard to one of the charts in the presentation, Les Blomberg asked, "Why is the Hawaii flight data decreasing in 2018 and 2019?" Eric responded by saying that the volcanic eruption might have had an impact on the number of visitors to the Hawaii parks, resulting in fewer air tours.

Group Discussion Exercise and Subcommittees

Bryant Kuechle (The Langdon Group)

Group Discussion:

Karen Trevino, NPS Chief, Natural Sound and Night Skies Division, gave an overview of the questions that will be asked during the group discussion. She also brought up the competitive bidding process and new entrant operator from the NPATMA.

Karen explained that the question prompts were drafted in response to a recent request from several parks for information on new entrant air tour operators. *See Appendix I for the Group Discussion Questions.*

This exercise was originally designed to include breaking into two groups and discussing each topic for 20 minutes each, but due to the smaller group size, the exercise became an open discussion with the entire group.

Alan Stephen, Grand Canyon Airlines, brought up to the group that Part 136-1 does not mention competitive bidding. He asked, "How are people supposed to engage in the competitive bidding process if it is not in 136?" Keith Lusk responded that not a lot of focus has been put on the competitive bidding process because the agencies have been trying to get an ATMP NEPA document in place. Bryant Kuechle added AC 136-1 as an action item to be shared with the group.

Eric Elmore, Office of Environment and Energy (AEE), asked, "Once you have the criteria for competitive bidding, how is it going to be determined and how is the process going to take place?" Keith Lusk replied and assumed the agencies would use all the available information, but the effort was not to that point yet. Eric added that he is concerned that the process needs to be better defined before talking about how to implement it. The process will determine how the industry responds to the competitive bidding process.

Karen Trevino responded and said, assuming all operators are equal, then the agencies can take the financial information and lay that over the allocation scheme. Alan Stephen replied and believes that it would be a large assumption because some parks have widely different operators and a wide spectrum of operations. Karen reiterated and clarified that the small group discussion is aimed at brainstorming a baseline and not brainstorming the scenarios and spectrum of operations.



Keith Lusk asked Alan Stephen if there are specific requirements that could be considered in an RFP and in selecting someone in a competitive bidding process. Alan said he is concerned that as someone who is in the private industry, he has a conflict of interest and cannot provide suggestions on bidding criteria when he could be participating in the competitive process. He feels that he can provide pros and cons but cannot provide specific direction.

Someone asked, "Are there other categories that should be included in the NPATMA Competitive Bidding list?"

John Eastman, Jackson Hole Airport Board, asked, "Has a noise threshold been set for a National Park or at Badlands National Park?" Karen said not yet and added that there is a complicated equation that goes into how to allocate the number of tours per operator based on noise.

An additional question was asked, "Are the agencies allocating tours based on a plan? A plan has to exist but when does that happen?" Michael Fineman, NPOAG Legal Representative, suggested that it would likely be a phased approach and there is a role of the operator to comment on the plan, but they do not get to help determine the acceptable noise level.

"In essence, the operator is invited to participate in a plan that has been established based on noise level. Then there is 180 days they can respond. Is this process correct?" Karen said not quite. John asked, "How would Eric participate in a plan?" Karen also described IOA, but it has not been implemented properly. John asked, so operators have to now pivot to operate under the plan? How can competitive bidding be made equitable for operators to operate under the plan?

Robert Randall, National Parks Conservation Association, asked, "What is a limited capacity park in the six criteria in sub-section b? Limited capacity park is a park that meets or exceeds noise requirements. Karen added that the agencies have the right to maintain status quo but what happened when the status quo changes with a new operator entrant? Additionally, does IOA constrain any requirements or allocations when an ATMP is in place? No, the IOA goes away but operators can make an argument for operations similar to their IOA allotment.

Les Blomberg, Noise Pollution Clearinghouse, proposes 7th criteria or a 6a - the quiet or less impactful routes. Les suggested that it would act as a parallel to the quiet technology section, but it would take into account behavior (how you fly the aircraft and where you fly it) versus just adopting quiet technology. Les added that it could also be effective to model requirements like New Zealand and only allow operators to fly in an area where the people on the ground are not located. Karen suggested adding or shifting some language to read "fly in a way that decreases noise impact to people, culture, or environment." Additionally, Les proposed that calling out behavior changes separately from quiet technology would encompass all of the mechanisms to reduce noise.

Alan Stephen commented that the designation of operating authority as a result of the ATMP will outline all of the routes, times of days, and behaviors to reduce noise. He used the example of Glen Canyon and that the park prefers helicopters to fly over the noisy power boat areas of the lake rather than the wilderness or tribal land.

Les Blomberg responded that Alan's suggestion assumes that all routes in the ATMP or plan are equal. For example, there is also a time element. One operator might only work one season, or only at night or only on weekends. The time aspect could have a big impact on noise.

Eric Elmore asked the group, "How do you put an experienced operator up against a new entrant who may not have enough flights to show their safety record?" Karen responded that operational experience information should be provided so each operator can be evaluated equally and fairly. A new entrant may



be experienced, but in another area, and they should be evaluated on that, which would weigh heavier than a brand-new operator. It was also suggested the prioritization will differ based on the applicant.

John Eastman asked if the competitive bidding process would be similar to how the NPS awards park operations (lodges, concession contracts). Karen replied and said the process would not be similar. She added, to be fair to the operators, they need to know ahead of time how they might be scored based on the criteria. Each new entrant submission will need to be scored. And if there are 7 operators applying, do you award one operator the remaining air tour capacity or do you split it between all of the qualified operators who applied?

Karen provided additional comment and said that most operator applications were previously submitted, and they may not be required to resubmit. Karen asked, "Should operators have to reapply now that new requirements are in place?" Many in the room responded positively and think that resubmissions into a competitive bid process would be necessary.

Les Blomberg added that it sounds like there is a hierarchy of qualifications that will need to be included. He asked, "Should we be valuing safety and experience? What else should be valued when selecting operators in a competitive bid process? How do you weight those qualifications?"

Eric said, "In determining how to award a contract, how you prioritize and weight the qualifications will determine how operators rank in a competitive bid. If there are so many variables for an operator to meet in a competitive process, what is the financial benefit for them to apply if they are likely not to be chosen or once chosen, they have to invest in new quiet technology?"

Les suggested that one way to rate the safety criteria, is if the FAA says they can fly, then the applicant can apply and presumably meets that criteria. If the operator is licensed than they can fly, but should there be more criteria tied to the safety? Alan suggested, an additional safety item could be safety record.

Alan Stephen added that the competitive bidding process cannot be complete within 180 days. The competitive bid process and how to manage it is a very complicated process. (Alan gave an example of a helicopter air tour company that has two companies, one of which could enter as a new entrant).

LUNCH BREAK

Following the lunch break, Matthew Zuccaro suggested that the competitive bid criteria process discussion needs to be a more detailed, in the weeds discussion. It is complicated and there are many considerations that need to be made when weighing operators against each other. There should be some consideration made to those operators who have been flying for a long period of time but also find a way that new applicants have a chance.

Les Blomberg asked, "How can we rank or provide criteria that is fair for all? The safety record can create a complication because seasoned professionals may have more accidents than brand new operators, but brand-new operators do not have any accidents and far less experience."

Matthew responded and said that safety is not just accidents per operating hours but also safety procedures and management, which should be taken into account.

Keith Luck commented that the feedback from this discussion has been helpful to explore the pitfalls and issues because the agencies have not had much experience in the competitive bid process and how to create an effective and fair process. He welcomes any further input on this topic.



Les asked, “What is NPOAG’s feeling on the 180 day process? The IOA currently goes away after 180 days.” Eric Elmore suggested, knowing that the 180 days makes it more complicated and not always practical for operators, NPOAG can now go back, brainstorm, and find a way to address that concern.

Adam Becco asked the group, “How much information do we require to have in this plan for operators to apply and bid?”

Alan Stephen responded to Adam’s questions and said that in the course of the 2-3 years that Glen Canyon was discussed, agreements had to be made between the air tour operators and the tribal representatives and the NPS when it came to the regulations surrounding flights near and over Rainbow Bridge. If the NPS is clear on what they want to see, the tour operators can make an informed decision on whether or not they want to agree to a mitigation tactic or no longer operate in a particular park.

Karen responded and asked, “Could there be a working group tied to each of the 6 items of the competitive bidding? And groups could develop criteria and create a matrix to attack this large, body of information?” This idea was well received by members in the room. It was suggested that it might be best to review criteria and solicit/distribute information per park, per need to request bids so the criteria information is current and applicable to the individual park.

Subcommittee Discussion:

Following the group discussion about new entrants and competitive bidding, the conversation shifted to discussing the formation of subcommittees as suggested at the 2019 NPOAG meeting.

Bryant Kuechle, The Langdon Group, asked the members in the room how NPOAG may be able to utilize subcommittees to move-forward some efforts. Bryant suggested that subcommittees could focus on the development of competitive bid selection criteria. Relevant factors for selection as identified by the Agencies are:

1. The safety record of the person submitting the proposal or pilots employed by the person;
2. any quiet aircraft technology proposed to be used by the person submitting the proposal;
3. the experience of the person submitting the proposal with commercial air tour operations over other national parks or scenic areas;
4. the financial capability of the person submitting the proposal;
5. any training programs for pilots provided by the person submitting the proposal; and
6. responsiveness of the person submitting the proposal to any relevant criteria developed by the National Park Service for the affected park.

Michael Fineman, FAA, asked Dick Hingson what his interest was in #6 and if it could be referring to criteria separate from 1-4? Karen responded and used the example of Rainbow Bridge National Monument. She said that the collaboration and need to find an agreement had a specific cultural consideration that needed to be made for the park. Each park will have different, unique considerations.

Les Blomberg expressed his willingness to be on a subcommittee. He added that the environmental representatives have interest in serving on the subcommittees that are tied to environmental issues but Les would have interest in helping contribute or review the criteria developed in other groups.

Eric Lincoln stated that the operators in the room have the experience and many would likely see interest in looking into all of the competitive bidding criteria, but it could be difficult because they can only speak to and may be only able to represent their companies or their experience.



Alan Stephen, Grand Canyon Airlines, commented that the quiet technology item may be a more complicated criteria to work through because some organizations cannot afford quiet technology or only have a few aircraft with quiet technology. Alan asked, “How does that affect the bidding and selection process?”

Matthew Zuccaro voiced interest in participating in the Safety and Operator Experience criteria subcommittee. Dick Hingson offered to review Safety. Robert Randall offered to review the Operator Experience topic.

Robert Randall expressed interested in a subcommittee that would look at IOA Policy clean-up: the management, route reporting, etc. John offered to be the back-up on the IOA clean-up.

Robert also offered an additional subcommittee about NPOAG Administration (meeting schedule/frequency/location, agendas, meeting minutes, compliance and enforcement, etc.) Additionally, Robert suggested an opportunity where people can provide NPOAG with suggestions on where more outside input is needed. Karen responded and expressed excitement to be hearing and gathering all of the input and she recognized that there is need for more input.

Eric Lincoln offered to be on the Pilot Training subcommittee.

It was also suggested that a Financial subcommittee could be beneficial. The subcommittee could look into if the agencies have the capability or legal possibility to review and request financial information from operators. This topic could be a general sub-committee or a criteria sub-committee for the competitive process. This topic could also include looking at operators who may claim to do a certain number of flights but only have one aircraft. Bryant asked the group if this type committee could benefit from a draft being provided to NPS and FAA to review, which would be different than other sub-committees.

Eric Elmore asked the group if all of the subcommittee topics felt doable or are there too many subcommittees to tackle? Bryant asked, “Do all six competitive bid criteria areas need to be looked at right away or can only the criteria with the most interest be tackled in a sub-committee?” The group decided not to take on all six criteria items at one time.

Les Blomberg proposed to table everything but those six bidding criteria. He asked, “What if the first six criteria is tackled by March 31st and then the other items be in-person sub-committee meetings right-before the next meeting? We could make the subcommittees part of the meeting work plan, making the next NPOAG meeting agenda include a half day of sub-committee meetings.”

In addition to having the competitive bidding criteria by March 31st and kicking-off the sub-committees at the next NPOAG meeting, each sub-committee draft could be prioritized by when they need to be completed by.

To get additional clarification from someone who has prolonged involvement in NPOAG, Karen asked what was supposed to be considered with the competitive bidding criteria? Alan answered and explained that it was never discussed during the working group; the decision was made by Senator McCain.

In regard to the Competitive Bidding Sub-Committee, Vicki Ward said there are a few National Parks going into an ATMP process this year and there should be a better understanding of how to handle competitive bidding.

Ray Sauvajot asked, “Could there be an overall competitive bidding NPOAG Group and that group would draw from the input of the specific criteria experts?” Safety, Experience, Quiet Technology, and the Site-Specific committees could feed into the competitive bidding NPOAG subcommittee.



Bryant proposed that the NPOAG Administration topic could be an agenda item rather than a subcommittee.

Michael Fineman asked how often competitive bidding review should occur. He suggested that there will be scenarios where, as operators grow, their evaluation on some criteria may change.

Bryant reviewed the discussion and where the group ended up. He asked and pointed out that the subcommittees will need to progress on their own outside of a formal meeting, so it will take leadership and personal responsibility for those groups to meet and start drafting content.

Les proposed that the competitive bidding subcommittee may need some agency (NPS and FAA) input and involvement. Bryant asked if the agencies may need to take an initial effort on this item and then have the subcommittee look over and respond to what is drafted.

Keith Lusk commented and said, "In terms of a timeline, independent work on the subcommittees should be underway in the interim time between meetings. Conference call coordination and planning could occur so criteria information can be presented by March 2020."

By the conclusion of the discussion, the following subcommittees were formed:

The Agencies will schedule large group subcommittee meetings that divide NPOAG into two equal groups, the day prior to Fall 2020 NPOAG meeting:

- a. Competitive bidding (Les Blomberg, Alan Stephen, Dick Hingson, Matthew Zuccaro) – This subcommittee will provide an initial review of the FAA/NPS draft process in Spring 2020
- b. IOA Cleanup (Bob Randall, John Eastman, Eric Lincoln, Carl Slater, Melissa Rudinger)

Different, two-member, small group subcommittees were also formed and tasked with developing draft measurements/metrics/checklists regarding specific subject areas for the agencies' consideration when developing the competitive bidding process. Dick Hingson also expressed interest in supporting the development of site-specific requirements when appropriate. Additional notes for the group discussion are included with some subject areas. Subcommittee leads are tasked with coordinating review and meeting the March 31, 2020 deadline. Subject areas and subcommittees are as follows:

- Experience: Matthew Zuccaro (lead); Bob Randall (review)
 - o Other air tours outside of national parks
 - o Qualifications of management
 - o Consider grandfathering
- Safety: Matthew Zuccaro (lead); Dick Hingson (review)
 - o SMS
 - o Crash Resistant fuel tanks
 - o Record beyond FAA license
- Quiet Technology: Les Blomberg (lead); Alan Stephen (review)
 - o Noise budget
 - o Quiet routes
 - o Consistency with natural resource protection
- Pilot Training: Eric Lincoln (lead); Melissa Rudinger (review)

Public Comment

Bryant Kuechle (The Langdon Group)



Members of the public were given the opportunity to use two to five minutes each (based on the number of commenters) to address NPOAG and the agencies. Written comments were also accepted. *Friends for a Quiet! Glacier* submitted written comment via email on Jan. 30, 2020 (See Appendix J). No one gave in-person public comments.

NPOAG Input

Bryant Kuechle (The Langdon Group)

Bryant Kuechle, The Langdon Group, reviewed the “Parking Lot” item of looking into Alan’s question regarding the fact that the competitive bidding process is not mentioned in Part 136. FAA offered to research 136 and follow-up with the group.

Bryant provided NPOAG members an opportunity to give final remarks.

Alan Stephen requested a briefing on the current state of the noise budget. He asked if a noise budget briefing could be an agenda item at the next meeting. Karen said the noise budget information may be available before the next NPOAG meeting, if an ATMP is created. Karen clarified that the noise budget process done in Glen Canyon will not be the same process that will be used this time around (it will be a faster process).

Dick Hingson requested some clarification on what a noise budget is. Karen responded and said the Grand Canyon noise budget is an example of a noise budget, but that this particular instance was a budget that was determined by John McCain and not by the NPS/FAA/NPOAG. Karen reiterated that when an ATMP is finalized, there will be more information on what a noise budget from the NPS might look like.

Closing the Loop

Bryant Kuechle (The Langdon Group)

Bryant Kuechle reviewed the current NPOAG action items (*see page 1*). Bryant then proposed a date for the next NPOAG meeting in October or November 2020 and stated that per the rotating host responsibility, the meeting would be at a National Park location.

Vicki Ward provided an update and said that the group is looking at a potential National Park location and date.

Mathew Zuccaro requested that if a National Park location is chosen then it should be an active aerial site. Dick Hingson commented that Hawaii could be a potential location for the next meeting because they have active aerial site seeing and it is topical.

Dick also added that he was thankful for the opportunity to attend the HELI Expo and a series of breakout sessions. Dick displayed an article from the HAI convention news and there was an article about the FAA Administrator, Steven Dickson, who cited that noise and safety in regard to air tour operations are particular problem areas and is in support of quickly mitigating these issues. With the announcement from Steven Dickson, Dick suggested that the deadlines for the air tour management plans be revised or looked at closely and met.

Dick also brought up a missed congressional deadline from the FAA to submit an evaluation of alternative airplane noise metrics. Dick wanted to stress the need to meet deadlines and Steven Dickson’s statement could mean some heightened interest in mitigating noise and safety and meeting deadlines.

Raquel Girvin thanked everyone in attendance for being a part of the meeting proceedings. Ray Sauvajot reflected those sentiments and said he has witnessed an evolution in collaboration and coordination in the



group. He stated that the group is now meeting regularly and making progress. The meetings are continually more substantive. Ray advised that this progress means that there will be more opportunities for everyone to get engaged and involved in moving efforts forward. Ray is looking forward to seeing the progress move forward and working with all of the individuals more regularly.

Dick Hingson provided the following context for his comment following the meeting via email:

- 1) *I quoted directly from HAI Convention News issue of January 30, 2020, from FAA Administrator Steve Dickson, speaking to the HAI. Since his quote was core to my closing statement, I think it and its source should be precisely, completely reproduced/annotated in the Minutes of our meeting. This is FAA Administrator's quote from HAI Convention News, January 29, 2020, at page 3, which I read out verbatim to the NPOAG: <https://www.ainonline.com/aviation-news/business-aviation/2020-01-28/faa-administrator-dickson-stresses-safety-heli-expo>. "As for current issues, Dickson cited the safety of air-tour operations and noise as particular problem areas. "I'm here to tell you this needs to change," he said. "There's a lot of energy in Congress as it relates to safety and noise concerns. If we can't take meaningful action on both of these fronts very soon, I suspect that path forward might be dictated to us."*
- 2) *You'll also recall for the Minutes, my remarks about the FAA's outdated DNL 65 Noise Standard and the requirement for an FAA Report now several months overdue under Congressional Deadline regarding this still unmet Congressional Deadline, re: FAA Reauthorization Act of 2018: implementation, Public Law No: 115-254 (signed into law October 5, 2018), SEC. 173. ALTERNATIVE AIRPLANE NOISE METRIC EVALUATION DEADLINE. Not later than 1 year after the date of enactment of this Act, (i.e., by October 5, 2019, now past). The Administrator of the Federal Aviation Administration shall complete the ongoing evaluation of alternative metrics to the current Day Night Level (DNL) 65 standard.*

END OF DAY 2



APPENDICES

APPENDIX A: Sign-In Sheet

APPENDIX B: Agenda

APPENDIX C: 2020 NPOAG Membership

APPENDIX D: 2019 NPOAG Meeting Action Items and Suggestions

APPENDIX E: NPOAG 15-Year Review DRAFT FINAL

APPENDIX F: Air Tour Implementation Schedule

APPENDIX G: Air Tour Management in New Zealand

APPENDIX H: 2019 Air Tour Reporting Data

APPENDIX I: Group Discussion Topics

APPENDIX J: Friends for a Quiet! Glacier Public Comment



Appendix A: Attendees List and Sign-In Sheet

Agency Personnel		
Name	Title	Agency
Ray Sauvajot	Associate Director, Natural Resource Stewardship and Science	NPS
Adam Beeco	Social Scientist and Overflights Planner	NPS
Brent Lignell	Overflights Planner	NPS
Vicki Ward	Overflights Program Manager	NPS
Karen Trevino	Division Chief, Natural Sounds and Night Skies	NPS
Keith Lusk	Program Manager, Special Programs Office	FAA
Raquel Girvin	Regional Administrator, Western-Pacific Region	FAA
Eric Elmore	Senior Policy Advisor, AEE	FAA
Denise Louie	San Francisco	NPS
NPOAG Members		
Name	Affiliation	
John Eastman	Jackson Hole Airport Board	
Melissa Rudinger	Aircraft Owners and Pilots Association	
Bob Randall		
Les Blomberg	Noise Pollution Clearinghouse	
Dick Hingson	Sierra Club	
Alan Stephen	Grand Canyon Airlines	
Eric Lincoln	Blue Hawaiian Helicopters	
Matt Zuccaro	Helicopter Association International	
Members of the Public		
Name	Organization	
John Becker	Papillon Helicopters	
Eric Hamp	Blue Hawaiian Helicopters	
Rob McMillan	Davenport Aviation	
Pete Hunter	GSA	
John Becker	Papillon Helicopter	

SIGN-IN SHEET

29 Jan 2020 (2)

National Parks Overflights Advisory Group Meeting
 Wednesday and Thursday, Jan. 29-30, 2020
 Orangewood 2 Conference Room, Clarion Hotel, 616 W Convention Way, Anaheim, CA 92802

Name (Please print or write clearly)	Title/Representing	Email	Phone
Les Blumberg	NRC	les@nrcure.org	802 229 1609
John Becker	Papillon Helicopters	John@Papillon.com	928 606-6143
Eric Hamp	Blue Hawaiian Helicopters	ehamp@bluehawaiian.com	808 359-8603
Vicki Ward	NPS	vicki_ward@nps.gov	970-267-2117
DENISE LOUIE	NATI PARK SERVICE	denise_louie@nps.gov	415.623.2201
DICK HINGSON	NPOAG	dhingson@infowest.com	928 699 8366
Rob McMichael	DAVEPONT AVIATION	rob@DAVEPONTAVIATION.COM	804 704 3968
PETE HUNTER	GSA		
Bob Randall	NPOAG	brandullek@kaplan-kirsch.com	303-825-7008

SIGN-IN SHEET

29 JAN 2020

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National Parks Overflights Advisory Group Meeting
 Wednesday and Thursday, Jan. 29-30, 2020
 Orangewood 2 Conference Room, Clarion Hotel, 616 W Convention Way, Anaheim, CA 92802

Name (Please print or write clearly)	Title/Representing	Email	Phone
Eric Elmore	FAA	Eric.Elmore@faa.gov	202-267-8335
Melissa Rudinger	AOPA Foundation	Melissa.rudinger@AOPA.ORG	3015140923
Eric Lincoln	Air Tows	lincolne001@hawaii.vr.com	808-280-4242
Adam Becco	NPS	adam.becco@nps.gov	
MATT ZUCCARO	HELICOPTER ASSOC. INT'L	TAILROTOR@AOL.COM	914645-2039
Brent Lignell	NPS	brent_lignell@nps.gov	970.225.3580
Bob Candall	NPOAG	brandelle.kashon@nps.gov	303825-7020

30 JUN 2020

SIGN-IN SHEET

National Parks Overflights Advisory Group Meeting
 Wednesday and Thursday, Jan. 29-30, 2020
 Orangewood 2 Conference Room, Clarion Hotel, 616 W Convention Way, Anaheim, CA 92802

Name (Please print or write clearly)	Title/Representing	Email	Phone
Sue Lincoln	Air Tours	lincoln001@rr.com	808-280-4242
ALAN STEPHEN	Member NPOAG	alan.stephen@papillon.com	
John Becker	Papillon Helicopters	John@PAPillon.com	928-606-6143
Dick Hingson	NPOAG Sierra Club Environmental Member	dhingson@infowest.com	928 699 8366
DENISE LOUIE	NATIONAL PARK SERVICE SAN FRANCISCO	denise_louie@nps.gov	415.623.2201
Les Blank	NPS	lblank@nps.gov	802 229 1659
John Costman	NPOAG	jcostman@nps.gov	307 733 0400



APPENDIX B: Agenda

**National Parks Overflights Advisory Group Meeting
Wednesday and Thursday, January 29-30, 2020**

Clarion Hotel
616 W. Convention Way
Anaheim, CA 92802

Agenda for the 2020 NPOAG Meeting

Note: NPOAG members are encouraged to visit the Heli-Expo prior to the beginning of the NPOAG meeting.

Day 1, Wednesday, January 29

Time	Topic	Materials
1:00-1:15 pm (15”)	Meet and Greet	
1:15-1:45 pm (30”)	Introduction <ul style="list-style-type: none"> • Welcome— NPOAG Chair FAA– Raquel Girvin • Welcome from NPS – Ray Sauvajot • Welcome from Heli-Expo – Matt Zuccaro • Introductions, logistics and ground rules - Bryant Kuechle (Facilitator with Langdon Group) 	
1:45-2:15 pm (30”)	Agency Updates - Keith Lusk (FAA) and Vicki Ward (NPS) <ul style="list-style-type: none"> • Chair and Co-Chair Updates • Action Items/Recommendations from 2019 NPOAG Meeting 	Action Items/Recommendations from 2019 NPOAG Meeting
2:15-2:30 pm (15”)	NPOAG 15 Year Review – Bryant Kuechle <ul style="list-style-type: none"> • Report on Final Document • Review changes • Discuss next steps 	
2:30-2:45 pm (15”)	Break	
2:45-3:45 pm (1’)	Air Tour Management - Vicki Ward and Keith Lusk <ul style="list-style-type: none"> • Near Term Priorities Schedule • Agreement progress at <ul style="list-style-type: none"> ○ Mount Rushmore and Badlands ○ Glen Canyon and Rainbow Bridge • Pre-planning processes <ul style="list-style-type: none"> ○ Great Smoky Mountains ○ Death Valley National Park 	
3:45-4:00 pm (15”)	Public Comment Members of the public may use two to five minutes each (depending on the number of commenters) to address NPOAG and the agencies. Written comments are also accepted.	
	Dinner on your own	

Day 2, Thursday, January 30

Time	Topic	Materials
8:30-9:30 am (1')	Air Tour Management in New Zealand – Jeff Dalley, <ul style="list-style-type: none"> • Overview • Approaches and opportunities 	
9:30-10:15 am (45")	ATMP Process – Karen Trevino and Eric Elmore <ul style="list-style-type: none"> • Background • Process (e.g., noise budget) • Discussion / Questions 	
10:15-10:30 am (15")	Break	
10:30-11:00 am (15")	Air Tour Reporting Data - Brent Lignell (NPS) <ul style="list-style-type: none"> • 2019 air tour data (to-date) • Reporting template update (Keith) • Timeliness and quality 	2019 Air Tour Data
11:00-12:00 pm (1')	Small Group Discussion Exercise – Bryant Kuechle This exercise includes breaking into two groups and discussing each topic for 20 minutes each, mixing group participation between topics. This will be followed by report out and full group discussion. <ul style="list-style-type: none"> • Incorporating New Entrant Operators during the VA process • Competitive bidding under the three scenarios: reduced annual numbers from current; same annual tours with a new entrant, reduced annual flight operations with a new entrant 	
12:00-1:15 pm (1'15")	Lunch: Options: <ol style="list-style-type: none"> 1. Bring 2. Local restaurants include: <ol style="list-style-type: none"> a. Savor at 1855 b. Sbarro c. Mix Restaurant d. The Bistro 	
1:15-2:15 pm (1')	Subcommittees – Bryant Kuechle Discuss how NPOAG can utilize subcommittees. Potential findings include: <ul style="list-style-type: none"> • Group members • Leadership • Topics • Communication protocol/schedule • Timelines • Deliverables 	
2:15-2:30 pm (15")	Break	
2:30-2:45 pm (15")	Public Comment Members of the public may use two to five minutes each (depending on the number of commenters) to address NPOAG and the agencies. Written comments are also accepted.	
2:45-3:45 pm (1')	NPOAG Input <ul style="list-style-type: none"> • Member remarks, considering commercial air tour operations over and near national parks. • Additional input and follow up on last year's action items 	
3:45-4:00	Closing the Loop – Bryant Kuechle	

(15’)	<ul style="list-style-type: none"> • Summary and action items • Next meeting date and place 	
6:00-8:00 pm (2’)	Dinner – Ralph Brennan's Jazz Kitchen, 1590 Disneyland Dr, Anaheim, CA 92802	

NPOAG MEMBERS	
Name	Affiliation
Carl Slater	Navajo Nation Council
Les Blomberg	Noise Pollution Clearinghouse
John Eastman	Jackson Hole Airport Board
Eric Lincoln	Retired, Air Tour Operator
Dick Hingson	Sierra Club
Melissa Rudinger	Aircraft Owners and Pilots Association
Robert Randall	National Parks Conservation Association
Alan Stephen	Grand Canyon Airlines
Matthew Zuccaro	Retired, Helicopter Association International
Vacant	Tribal Representative



APPENDIX C: 2020 NPOAG Membership

Current NPOAG Membership

NPOAG Member	Employer or Interest Group	Representing	Start of Term	End of Term
Vacant	TBD	Native American Tribes	TBD	TBD
Carl Slater	Navajo Nation Council	Native American Tribes	2/19/2019	2/18/2022
Alan Stephen	Grand Canyon Airlines	Air Tour Operators	2/19/2019	2/18/2022
Matthew Zuccaro	Retired, Helicopter Association International	Air Tour Operators	9/19/2019	9/18/2022
Les Blomberg	Noise Pollution Clearinghouse	Environmental Concerns	9/22/2017	9/21/2020
Robert Randall	National Parks Conservation Association	Environmental Concerns	9/19/2019	9/18/2022
Melissa Rudinger	Aircraft Owners and Pilots Association	General Aviation	4/4/2019	4/3/2022
Eric Lincoln	Retired, Helicopter Consultants of Maui	Air Tour Operators	7/31/2018	7/30/2021
John Eastman	Jackson Hole Airport Board	Environmental Concerns	9/22/2017	9/21/2020
Dick Hingson	Sierra Club	Environmental Concerns	9/22/2017	9/21/2020



Federal Aviation
Administration



National
Park Service



APPENDIX D: 2019 NPOAG Meeting Action Items and Suggestions

National Parks Overflights Advisory Group Meeting and Field Trip SUMMARY REPORT

Meeting - Tuesday, May 14, 2019 Meeting & Field
Trip - Wednesday, May 15, 2019

Grand Teton National Park Craig Thomas
Discovery Center 1 Teton Park Road
Moose, WY 83102

ACTION ITEMS for the National Park Service (NPS) and Federal Aviation Administration (FAA), aka “the Agencies”

1. Provide NPOAG with Tribal coordination steps/best practices for developing Agreements and trust responsibilities within DOI.
2. Answer if the public can attend operator-specific meetings related to forming Agreements, or the annual/semi-annual meetings with operators who have already entered into Agreements (e.g., Glen Canyon / Rainbow Bridge).
3. Look into NPATMA language to see if “such other information” could include route information/maps to help with data collecting.
4. Add more NPOAG history and group feedback to the 15-Year Review.
5. Share the video/animation of straight vs. turning data for the Fly Neighborly training.
6. Share the information that park superintendents are receiving associated with the Agreement process (handbook, lessons learned, tribal procedures, etc.).
7. Continue conversations between NPS/FAA regarding the final operators at Glen Canyon that require some sort of management.
8. Consider issue-specific NPOAG subcommittees when they might be effective for problem solving and brain storming.
9. Consider building in violations/compliance language into Agreements at the onset.

SUGGESTIONS FOR CONSIDERATION for the Agencies

1. Create joint FAA/NPS letterhead for formally issued notices.
2. Request for information on the operators from Bryce Canyon National Park who did not respond to the voluntary surrender letters.
3. Request for names of the nine operators that received letters associated with the pre-planning for future Agreements.



Federal Aviation
Administration



National
Park Service



APPENDIX E: NPOAG 15-Year Review DRAFT FINAL

National Park Overflight Advisory Group (NPOAG): A 15-Year Review

January 29, 2020 ~~May 14, 2019~~



| ~~May 14, 2019~~ January 29, 2020

U.S. Department of Transportation
Federal Aviation Administration
Western-Pacific Region
Los Angeles, California

U.S. Department of the Interior
National Park Service
Natural Resource Stewardship and Science
Fort Collins, Colorado

Submitted by Kearns & West

Prepared by The Langdon Group

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- B. Stakeholder Assessment Strategy Document
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- D. NPOAG Task Statement
- E. NPOAG Administrative Addendum to the Task Statement
- F. NPOAG Final Strategic Plan, November 4-5, 2009
- [G. Strategic Planning Meeting Minutes and Assessment Results, Sept. 4, 2008](#)
- [G.H. 2003 and 2004 NPOAG Member Memorandums](#)

Executive Summary

The National Parks Air Tour Management Act (Act) (Public Law 106-181) was passed in 2000 in response to the increasing number of sightseeing air tours over National Park Service (NPS) units. The Act directs the Federal Aviation Administration (FAA) and NPS to work together to manage air tours over national parks. The Act requires development of air tour management plans (ATMP) or air tour agreements (Agreements) for each park in which air tours are conducted. The Act also required the FAA and the NPS to jointly establish the National Parks Overflights Advisory Group (NPOAG) to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks.

Execution of some of the Act's requirements has been challenging for the NPS and FAA due to differences in the agencies legislative missions, and policies and practices in implementing National Environmental Policy Act (NEPA) regulations. Congress included amendments to the Act in the FAA Modernization and Reform Act of 2012 (Public Law 112-095) to give the agencies more flexibility in the management of air tours (air tour management agreements and exemption for low activity parks) and better ability to verify and enforce the number of air tours conducted (reporting requirement).

The NPOAG has proven to be a valuable resource for implementing the Act. Over the 17 years (beginning April 5, 2001) since NPOAG was established it has provided ongoing guidance, recommendations and strategies for NPS and FAA. Recently, NPS and FAA identified a need to describe and catalog NPOAG's contributions for a number of reasons including: to have a complete history on the implementation of the Act; to better communicate and educate the role and value of NPOAG to new NPOAG members and agency staff; and help shape and improve NPOAG's role and effectiveness for the future.

At the request of NPS and FAA, The Langdon Group (TLG), a subcontractor of Kearns & West through the U.S. Department of the Interior, Office of Collaborative Action and Dispute Resolution (CADR), was hired to prepare the "NPOAG: A 15 Year Review." TLG conducted an assessment of NPOAG to understand its accomplishments, contributions, opportunities, and to gather recommendations for future success. With direction and guidance from the FAA and NPS, the assessment involved analyzing existing materials and information, and conducting 13 individual phone conversations with a combination of current and former NPOAG members, former facilitator, and agency representatives. [Interviews were conducted August through November, 2018.](#)

Certain themes emerged from the interview process. These shared ideas and desires provide opportunities to revise processes and establish goals that will increase NPOAG's positive contribution towards implementation of the Act.

This report describes the methodology used to conduct the assessment, provides further background into the Act and NPOAG, and presents assessment input. Comments are not directly attributed to specific individuals, interests, agencies or organizations. Recommendations are those of the assessment participants, not TLG.

Overall, a majority of assessment participants acknowledged the group's "growing pains" in its early years. These were generally seen as inevitable as the FAA and NPS worked to reach mutual understanding of the intent and purpose of the Act. Once interagency understanding was accomplished, NPOAG played a significant role in helping the agencies determine that ATMP's would be difficult to achieve and helped guide the development of the Agreement process as a workable alternative. Assessment participants expressed a strong desire to play a meaningful advisory role in specific focus areas moving forward:

- Interim Operation Authority (IOA) clean-up
- Developing actionable IOA enforcement
- Addressing lack of enforcement in Agreement's

- Advancing and incentivizing quiet technology
- Park prioritization for ATMP or Agreement implementation

Participants also expressed a strong desire for more frequent meetings and communication and shifting information sharing to non-meeting communications, allowing meeting time to be used for focused development of actionable recommendations.

Methodology

The Langdon Group (TLG), a subcontractor of Kearns & West through the U.S. Department of the Interior, Office of Collaborative Action and Dispute Resolution (CADR), was contracted to review agency identified materials and background information, and conduct nine interviews. With direction from the NPS and FAA, 16 participants were identified and prioritized, and 13 interviews were conducted (**APPENDIX A**), [August through November 2018](#).

While assessment participants did not include every current and past participant in NPOAG, the goal was to consider a diverse cross-section of interests, perspectives, and experiences. TLG conducted all conversations over the phone.

Conversations were conducted informally: participants set the direction of the discussion and addressed the issues that were most important to them. Interviews were not conducted using a single set of questions in order to encourage conversation. The interview summary is qualitative and includes only general percentages of frequency for the purpose of term definition. The summary is intended to provide a window into the opinions, issues, recommendations, and concerns that exist among a diverse sub-set of past and present NPOAG members.

TLG did use a strategy guide (**APPENDIX B**) to identify appropriate topic areas and corresponding questions.

The document includes certain terms to describe similar comments that were heard with varying degrees of frequency. Those terms are defined below. Percentages were determined through simple calculations of frequency.

Commonly, majority, most: More than 50 percent of assessment participants, internal and external, unless otherwise noted in the content.

Some: Less than 50 percent of assessment participants, internal and external, unless otherwise noted in the content.

Background and Overview

National Parks Air Tour History

In February 1919, the first recorded Grand Canyon air tour took place. Six months later, Grand Canyon National Monument was designated a national park and in 1927 an air tour company began operations for air tours over the Grand Canyon.

By 1975, Grand Canyon park management began to consider how to manage air tours to preserve acoustic conditions and natural quiet of the park as required by the Grand Canyon National Park Engagement Act. In 1986, a mid-air collision between two air tour flights resulted in 25 fatalities, which brought national attention to the issue of overflights in NPS units. This led to the designation of Special Flight Rules Area for Grand Canyon, establishment of flight allocations for air tour operators, and the passing of the National Parks Overflight Act of 1987 as an attempt to better manage what is currently the busiest airspace for air tours over any NPS unit.

The 1987 Act directed the Secretary of the Interior to develop a plan for Grand Canyon National Park and conduct studies to identify any problems associated with ~~other multiple national park~~ NPS units. NPS recommendations and results of the studies were published in the 1995 Report to Congress. The report also directed the Administrator of the FAA to implement the Secretary's recommendation for Grand Canyon National Park and review current rules and regulations pertaining to flights of aircraft over NPS units.

As a result of the 1987 Act, the FAA established Special Flight Rules Area 50-2 (SRAR 50-2) to manage airspace over the Grand Canyon. SFAR 50-2 created flight-free zones and specific flight corridors, routes and minimum altitude restrictions for air tours and general aviation flights over the Grand Canyon. Meanwhile, many other parks were dealing with air tours and the resulting impact noise was having on visitor enjoyment and the natural, cultural, and historical resources of ~~the~~ parks.

National Parks Air Tour Management Act (Act)

The Act of 2000 sought to address the increasing number of sightseeing air tours over all NPS units by mandating FAA and NPS management, except for Grand Canyon National Park and outside NPS units in the State of Alaska. When initially passed, the Act provided only one mechanism for managing air tours: Air Tour Management Plans (ATMP). The Act required ATMPs for each park in which air tours are conducted.

Execution of some of the Act's requirements has been challenging for the NPS and FAA due to differences in the agencies legislative missions, and policies and practices in implementing National Environmental Policy Act (NEPA) regulations. Congress included amendments to the Act in the FAA Modernization and Reform Act of 2012 (Public Law 112-095) to give the agencies more flexibility in the management of air tours (air tour management agreements and an exemption for low activity parks) and better ability to verify and enforce the number of air tours conducted (reporting requirement). A voluntary Air Tour Management Agreement (Agreement) manages commercial air tour operations over the national park unit and addresses management issues necessary to protect the resources and visitor use of the park without compromising aviation safety or the air traffic control system. Like an ATMP, an ~~h~~ Agreement can establishes park resource protect conditions for the conduct of air tours over the park to include routes and altitudes, number of operations, type of aircraft, hours of operations, and reporting requirements. The primary difference between an ATMP and an Agreement

is that an Agreement can be done without a NEPA process, alleviating some of the process challenges experienced between the NPS and FAA.

As of the publication of this report, four park units have completed Agreements (Big Cypress National Preserve, Biscayne National Park, Glen Canyon National Recreational Area, and Rainbow Bridge National Monument). In August 2019, the FAA and NPS committed to developing additional Agreements or ATMPs for the following park units: Great Smoky Mountains National Park, Badlands National Park, Mount Rushmore National Memorial, Mount Rainier National Park, Glen Canyon National Recreation Area, Rainbow Bridge National Monument, and Death Valley National Park.

In an effort to allow air tours to continue to operate while the NPS and FAA developed ATMPs, Congress gave authority to the FAA to grant interim operating authority (IOA) to existing air tour operators. IOA is the annual maximum number of flights an operator may fly over a single park. Air tour operators must hold interim operating authority (IOA) to conduct commercial air tours over units of the national park system. The FAA granted IOA to existing operators who applied for operating authority following the enactment of the Act. The provision allowed FAA to provide an operator with an annual authorization for the greater of:

- the number of flights used by the operator to provide commercial air tour operations over a national park within the 12-month period prior to the date of the enactment; or
- 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 to each operator under the Act be published in the Federal Register for notice and the opportunity for comment.

National Parks Overflight Advisory Group

Section 805 of the Act required that within one year after its enactment, the Administrator of FAA and the Director of the NPS jointly establish an advisory group to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks reflecting diverse interests and perspectives of stakeholders. The general membership of the NPOAG will be composed of representatives of general aviation (two members), commercial air tour operators (two members), environmental concerns (four members) and Native American tribes (two members).

Accordingly, on April 5, 2001, FAA and the NPS jointly established the NPOAG. On October 10, 2003, the FAA Administrator signed FAA Order 1110.138 and on January 20, 2006, this order was amended and became FAA Order 1110.138A. (**APPENDIX C**).

The Act specifies that the FAA representative and the NPS representative will serve alternating one-year terms as chairperson of the NPOAG. The NPOAG has held 22 in-person meetings since 2001. Meetings typically occur annually. In 2004, 2006 and 2007, two meetings were held. In 2005, three meetings were held. In 2013, no in-person meeting was held. Meeting locations move throughout the country as determined by FAA and NPS with input from NPOAG members. Teleconference meetings were also held in 2008, 2009, and 2013.

The following table identifies the locations for all NPOAG in-person meetings:

Year	Location
2001	Las Vegas, Nevada

2002	Tusayan, Arizona
2003	Jackson Hole, Wyoming
2004	Boulder City, Nevada; Washington, D.C.
2005	Gatlinburg, Tennessee; Rapid City, South Dakota; Estes Park, Colorado
2006	San Francisco, California; Zion National Park, Utah
2007	Scottsdale, Arizona; Fort Collins, Colorado
2008	Port Angeles, Washington
2009	Dayton, Ohio
2010	Las Vegas, Nevada
2011	Orlando, Florida
2012	Rapid City, South Dakota
2014	Fort Collins, Colorado
2015	Orlando, Florida
2016	Homestead, Florida
2017	Los Angeles, California
2018	Henderson, Nevada
<u>2019</u>	<u>Jackson, Wyoming</u>

Meetings of the NPOAG are open to the public. Meeting protocol has been established in a NPOAG Task Statement (**APPENDIX D**) and Administrative Addendum to the Task Statement (**APPENDIX E**). Non-members attending NPOAG meetings are given appropriate opportunities to express opinions on issues and/or offer relevant expertise. The dates, locations, and times of each NPOAG meeting are announced in the Federal Register, and the minutes or meeting summaries of each meeting are posted online.

NPOAG provides advice, information, and recommendations to the FAA Administrator and NPS Director on a range of topics including:

- the implementation of the Act;
- commonly accepted quiet aircraft technology for use in commercial air tour operations over a national park or tribal lands, which will receive preferential treatment in a given ATMP;
- other measures that might be taken to accommodate the interests of visitors to national parks; and
- at the request of the FAA Administrator and NPS Director, safety, environmental, and other issues related to commercial air tour operations over a national park or tribal lands.

NPOAG approved a strategic plan document (**APPENDIX F**) in November 2009 that outlined initial goals agreed to by group members and corresponding tasks to achieve those goals, in an effort to add context to the mission of the NPOAG as described in the Act above. The plan was informed by an assessment of current NPOAG members and the results of the Sept. 4, 2008 Strategic Planning Meeting (**APPENDIX G**).

Assessment participants described initial NPOAG meetings as primarily FAA and NPS reporting to the members. Agency representatives acknowledged that in the beginning, the agencies themselves were determining how to work together and how their agency missions could co-exist. NPOAG members gradually began contributing their own unique perspectives over time in order to achieve the Act's purposes.

Some participants indicated the pace of progress was frustrating but probably necessary. Having the easy conversations first helped build mutual understanding, trust, and respect. With that foundation they were able to tackle more complex issues with respectful communication.

Over time and with the development of the 2009 Strategic Plan, NPOAG members began exercising their advisory role and providing FAA and NPS with feedback when agency perspectives did not align.

The NPOAG today is consistently seen as a place to receive and distribute important, current information on a regular basis. This forum allows stakeholders to receive information about and understand agency activities, priorities and conflicts. There remains a strong desire from NPOAG members to play a meaningful and more influential role.

Themes

The following describes common assessment themes along with pertinent and relevant comments.

FAA and NPS role and relationship

Conflicting agency missions and agency specific National Environmental Policy Act (NEPA) regulations and policies were often cited as contributors to the perceived slow progress of the implementation of the Act and NPOAG's role. One participant defined the differences rooted in their organizational structure: "FAA is top down, NPS is field up." Another described the differences as rooted in their approach to regulatory enforcement: "With the FAA everything is legal until restrictions are applied and it is not. With the NPS, nothing is legal until they allow it." More commonly, participants cited the key differences in agency priorities: FAA is primarily focused on safety in the air and on the ground, and NPS is primarily focused on impacts to parks, on the ground.

Participants acknowledge the difficulty of finding common ground and commend the agencies for working through differences that slowed the process in the early years. It was difficult for NPOAG to provide advice on the implementation of the Act until the agencies could reach their own mutual understanding. Many participants describe early gatherings as essentially meetings between NPS and FAA with NPOAG members as spectators. "Resolving jurisdictional issues between FAA and NPS outside of NPOAG so that it can move forward," notably was the first goal from the 2008 assessment.

FAA acknowledged that implementing a non-safety mandate and working directly with advisory groups is more commonplace for NPS and new for FAA. This new role required more time than anticipated for FAA to get to a place where real progress might occur.

After (1) the agencies agreed that common ATMP language relevant to all parks was unrealistic, and (2) the Agreement process was developed, a bar for finding common ground and building mutual understanding was established. Some participants cited greater NPS authority to manage air tours as a key step towards reaching the Act's goals moving forward.

All assessment participants have witnessed improvements and feel current FAA and NPS representatives are working well together. The pace of progress has increased, providing the opportunity for greater NPOAG influence and involvement. One participant suggested that now would be a good time for NPS and FAA to evaluate the NPOAG, identify opportunities for further involvement, and develop a work plan for those opportunities.

Areas where NPOAG had positive influence

Developing a forum for constructive discussion and exploration of diverse perspectives emerged as the primary positive impact of NPOAG. Consistent public interest in participating as a member of NPOAG and positive relationships encompassing diverse points of view are evidence of that success. This assessment theme is consistent with the 2008 assessment report finding that NPOAG members "get along very well and have respect for each other."

Specific positive outcomes shared by assessment participants include:

- NPOAG developed a consensus statement that influenced the language used in the FAA Modernization and Reform Act of 2012 and the resulting creation of the Agreement process. No record of this document could be found in the meeting notes. The resulting Agreements in Florida (Biscayne National Park and Big Cypress National Preserve) and draft Agreement at Glen Canyon National Recreation Area are evidence of that influence. Opinions differ about the positive influence of the “consensus statement,” also discussed in the following section.
- NPOAG influence helped create an environment for local conversations without the constraints of NEPA that contributed to the success of moving away from ATMPs towards Agreements.
- Agencies are maximizing and seeking new technology to ensure accurate flight data is captured. Some participants see NPOAG member interest in recording accurate data as a key influence to this initiative.
- Although not initiated directly by NPOAG, “Fly Neighborly” is a good example of multi-stakeholder coordination with a common goal. Some participants see this program as a result of NPOAG support for collaborative efforts.
- The 2009 Strategic Plan helped set the direction of the group.
- NPOAG support contributed to increased NPS noise research studies.

Areas where NPOAG influence was not fully considered

As described above, the FAA Modernization and Reform Act of 2012, and the resulting creation of the Agreement process were cited frequently as where NPOAG has had the most positive influence to date. Prior to Agreements, participants indicated there was frustration in NPOAG because the law, as previously written, did not provide the opportunity to move past NPS and FAA differences, particularly in how the agencies implement NEPA, as described above.

In contrast, some assessment participants perceive the emergence of Agreements as evidence of where NPOAG influence was not fully realized, and had their input been maximized in the early years, NPS and FAA differences could have been resolved and ATMPs more aggressively pursued. One participant noted that a draft ATMP consensus statement was developed but faced disagreement among the agencies and consequently the statement was never elevated. (Attempts by TLG to locate this statement were not successful. Agency representatives do not have record or recollection).

Greater emphasis and pressure from NPOAG to develop an executable IOA compliance/enforcement plan that allocates real authority to FAA and NPS was also suggested by some as a shortcoming of the group. One assessment participant suggested utilizing NPS Commercial-Use Authorization to implement an IOA violation four-strike process for operators:

1. First violation: Warning and reminder of the rules
2. Second violation: Three-month suspension
3. Third violation: One-year suspension
4. Fourth violation: Permit pulled

Specific examples where NPOAG influence was not fully considered according to interviewees include:

- Existing Agreements could have been strengthened if more input was sought from NPOAG.

- Recommendations described in NPOAG white papers were left “on the shelf” and never fully explored by the agencies. (~~Attempts by TLG to locate white papers were not successful. The agencies aren’t sure these records are~~ Agency records are in complete 2003 and 2004 memorandums (APPENDIX H) were located that are likely the documents described as “white papers”).
- Significant time was spent crafting Agreements for parks where air tour controversy is low. Some participants felt this is the right place to start (low-hanging fruit); however, others felt this does not contribute to the overall mission and focus should be given to parks with higher air-tour conflict (e.g., Hawaii parks).
- The public, recreational, non-air tourist interests of the parks is unrepresented in NPOAG. Some members consider this a missed opportunity.

Priority issues

All participants suggested priority issues for NPOAG focus. Some suggested that FAA and NPS should identify areas where NPOAG input is needed and allow members to prioritize focus on these areas. IOA and Agreement enforcement were identified most frequently as priorities during interviews. The following lists focus areas in order of frequency:

- IOA
 - o Clean-up – All participants agree that the IOA’s, or annual maximum number of flights an operator is allowed to fly over a single park, are inaccurate and inflated. Participants indicated that many operators are never likely to reach their IOA. Concern exists that without more accurate IOA’s, operators have no incentive to enter into an ~~ATMP or~~ Agreement. It was suggested that the group must move towards removing “interim” from the acronym and establishing accurate operating authority numbers.
 - o Enforcement – Participants question the “authority” IOA actually has to enforce punishment on operators in violation.
- Agreement enforcement – Most participants support Agreement’s but feel they are lacking an enforcement component for operators that violate their Agreement(s).
- Quiet technology
 - o Leveraging data for enforcement
 - o Providing operators incentives for use
- Accurate, transparent, proactive and enforceable flight data collection and sharing
- Defining expectations for each park and prioritizing for ATMPs or Agreements
 - o Disagreement exists about whether the focus should be on parks that have few (low-hanging fruit) or many (priority areas) air tours. One participant suggested addressing two-at-a-time, one “difficult” and one “easy.”
 - o Some suggested that preserving solitude and quiet in the most sensitive backcountry areas of parks should have the highest priority.

Barriers to success

Participants suggested the following as factors that stall or inhibit the implementation of the Act and consequently NPOAG's ability to influence it:

- Lack of reliable/complete data (flight paths, flights, historically accurate IOAs) that are needed to support enforceable policy.
- Unclear definitions of agencies' authority.
- Site-specific nature of the parks makes it difficult to create rules relevant across the system.
- Most operators follow the rules but some do not. Without real enforcement and penalties this will continue.
- Unclear understanding of the actual noise impacts on the ground from overflights and the acceptable level of noise the agencies are willing to accept~~trying to reach~~.
- The Act as originally written and the NEPA requirements for completing an ATMP are difficult if not impossible to achieve.
- Understanding of conflicting agency missions has improved but the basic conflict remains unresolved and is a limiting factor in implementing the Act.

The following barriers, specific to NPOAG, irrelevant of the Act, were also offered:

- Lack of communication between agencies and NPOAG between meetings.
- Lack of NPOAG and public understanding of the group's history, purpose and the legislation that produced it.
- Lack of understanding among the group as to each other's role and interests – why are they participating and what do they hope to achieve?

Opportunities for and future success

Participants suggested the following to achieve lasting success and create momentum:

- First recognize the accomplishments of NPOAG to validate the purpose and expertise of the members.
- Reset priorities and goals to set a clear direction for how to plan meetings and focus energy.
- Remove ATMPs completely from the discussion and focus on the Agreement template developed for Glenn Canyon National Recreation Area to more efficiently and effectively move towards implementation of the Act.
- Clearly identify areas where FAA and NPS are in conflict (or at an impasse) and allow NPOAG to provide advice, tapping into diverse perspectives and expertise.
- Foster solution-oriented comments and input to keep the group's focus on the shared mission of implementing the Act.

To help achieve lasting success, participants suggested the development of consensus agreements and recommendations on the following topics:

- Park prioritization for ATMPs and Agreements
- Quiet-technology investment incentives
- IOA clean-up process, including best use of data with a goal of removing "Interim"
- ATMP and Agreement Enforcement procedures

- Expedited Agreement process

The following topics represent specific suggestions for future NPOAG meeting agendas:

- Hawaii Parks Agreement is anticipated by many as a heavy lift due to the high number of operators and public controversies that resulted from the increase in flights during the 2018 lava flow events. This is seen as an opportunity to provide increased NPOAG guidance.
- Other parks that were specifically mentioned for increased NPOAG input are Glacier, Bryce Canyon, and all southern Utah parks. Participants anticipate increased air tours in these sensitive parks, and they should be seen as priorities for ATMPs or Agreements.
- Assisting FAA and NPS with determining where air tours should operate within each park (flight paths) and helping to determine whether, in some cases, there are clear separations where visitors enjoy parks from the ground and the air.
- Airport take-off and landing exemptions.
- Operator competitive bidding process.

NPOAG Membership

Participants generally expressed contentment with group membership and building relationships among the various interest groups. However, they would like to see greater interest and participation from Native American tribal representatives. Many participants felt the tribes have an important voice and unique perspective that is not currently being heard. It was suggested that FAA and NPS should approach tribes directly, specifically the Navajo, Hopi and Hualapai to determine what would increase participation. Tribes will not likely respond to the request for a representative in the Federal Register but need to be approached directly. The challenge will be finding topics that are relevant to multiple interests as each tribe is unique.

Other specific membership comments in order of frequency are:

- Missing voice of the casual park visitor/tourist/recreationist that can share their perspective on how air tours do or do not impact their experience in the parks
 - Maintain balance of large and small operators
 - Most operator representatives are primarily helicopter tour focused. Fixed-wing operators are underrepresented.
- While the number of advisory members are the same, participation by environmental interests is disproportionately greater. ~~imbalanced.~~

Communication and meeting formats

Many participants questioned the purpose of presentations to NPOAG. They expressed that it was unclear if the NPS and FAA were seeking feedback or just providing information. It was suggested by some that much of the information shared in the current meeting format of presentations and updates could be provided in advance, and that in-person time could instead be used to discuss and strategize around two to three specific topics. In-meeting presentations should be developed to foster dialog and pose questions. These comments are consistent

with the 2008 assessment that suggested setting up an “agenda template for each meeting that minimizes report outs and focuses more on dialog and discussions among NPOAG members.”

Participants expressed that current presentations lack a clear direction or request to NPOAG, e.g., what to do with this information. Instead, information may be provided because it falls in the category of air tours. Specific comments regarding communication and increased meeting productivity are:

- Subcommittees that work together to develop a recommendation on a specific topic for larger group review and feedback has been suggested as a good format for fleshing out group consensus. This was suggested both as part of a multi-day meeting format and via teleconference between in-person meetings. Small groups have been utilized in the past with limited success; however, many participants expressed a willingness to try this format again.
- Increased communication between meetings will help ensure NPOAG is aware of current information and will keep NPOAG issues top-of-mind throughout the year, resulting in more meaningful and engaged discussions during in-person meetings. One participant suggested quarterly email updates.
- The NPS story map is an easy place to review basic facts and figures and should be expanded. One participant indicated this is the preferred format to publicly share the work of NPOAG.
- FAA and NPS presentations do a good job describing issues in a way that non-government individuals can understand.
- Although contrary to what was suggested by most participants, one participant commented that FAA and NPS presentations followed by comments and discussion is a good format that is working.

Meeting logistics

Overall there is greater support for increased meeting frequency (more than one per year) than decreased meeting frequency, although comments for both perspectives were shared. There was also mixed interest in supplementing in-person meetings with teleconferences, with the majority not in favor of the teleconference format for plenary meetings. Supporters suggested calls are good ways to keep members engaged between meetings and are appropriate when agencies are required to report to a group more often.

Regardless of the format, the most commonly perceived benefit of more frequent meetings is the opportunity to spend less time on annual updates and more time maintaining member connections, setting and achieving goals, and reaching consensus agreements.

Similarly, many members mentioned they enjoyed meetings more when there were opportunities to experience the park from the air and the ground. This is where informal conversations take place and allows the members to see the landscape through another perspective. Others, however, felt the success of meetings was more the result of the topics discussed than the location, and suggested priority should be given to locations where the group can focus on developing actionable recommendations.

Comments related to meeting logistics mostly reinforced the 2008 assessment goal of “Improve NPOAG meetings – consider more frequent meetings, use of ‘alternative’ means of meeting, and better meeting locations.”

Specific individual comments regarding meeting logistics were:

- Successful meetings were more the result of the topics than the location.
- Meetings should occur at the most economic, easiest to-get-to location. If a meeting is going to occur at a National Park it should be one with active air-tour operations.
- There were perceived benefits and support for holding meetings on occasion in conjunction with the HeliExpo conference.
- After-meeting dinners are well received and a great opportunity to build relationships.
- Coordinate meeting frequency with the work that is occurring and increase frequency when there are important decisions that could benefit from NPOAG input.
- One and a half days is insufficient time to provide meaningful advice. Meeting length should increase to two or three days.
- Refreshments should be provided.
- Specific suggested locations are:
 - o Any park in a ATMP or Agreements process where NPOAG can have a meaningful influence on decisions that need to be made
 - o Bryce Canyon National Park
 - o Glacier National Park
 - o Badlands National Park
 - o Hawaii parks
 - o Washington, D.C.

Findings and Recommendations

The majority of assessment participants acknowledged the group was slow to start in its early years. This was generally seen as inevitable as the FAA and NPS worked to reach mutual understanding of the intent and purpose of the Act. Once interagency understanding was accomplished, NPOAG played a significant role in helping the agencies determine that ATMP's would be difficult to achieve and helped guide the development of the Agreement process as a workable alternative. Helping create an environment for local conversations without the constraints of NEPA is widely seen as NPOAG's most significant influence to date. Participants also saw agency emphasis on recording accurate flight data and implementing noise research studies as evidence of NPOAG's positive influence.

The 2009 Strategic Plan (**APPENDIX F**) is the single recorded product delivered by the group. This 2009 document, coupled with the input gathered in the 15-Year Review, provides a starting place to review and reset NPOAG priorities and goals, and sets a clear direction for how to plan meetings and focus energy.

The 2009 Strategic Plan was developed by gathering feedback through an assessment process that informed a facilitated Strategic Planning Meeting. Similarly, a Strategic Planning Meeting informed by the 15-Year Review could produce a Strategic Plan Update, 10 years after the original plan. The Strategic Plan Update Meeting would also help promote greater understanding among group members of roles, perspectives and interests; and of the history and legislation that produced NPOAG.

From participant input, it is anticipated that a Strategic Plan Update would place a significant focus on accomplishing the following goals, with greater emphasis than past efforts on producing and recording actionable recommendations:

- Clean-up IOA ([reference suggested guidance proposed in APPENDIX H](#))
- Develop actionable IOA enforcement
- Address lack of enforcement in Agreements
- Advance and incentivizing quiet technology
- Prioritize parks for ATMP or Agreement implementation
- Establish a method for determining appropriate noise levels

The author of this report suggests increasing meeting frequency to twice annually with a focus on actionable recommendations in an effort to promote member engagement and maintain momentum. Meetings should assume a collaborative "workshop" format, shifting some of the air-tour information sharing presentations to an electronic format, between meetings. Information sharing topics presented in-person, should be directly linked to a decision-making process for one of the above-mentioned goals.

The author of this report also suggests developing NPOAG subcommittees, representative of all the interests, focused on each of the goals. Subcommittees would be tasked with producing draft recommendations between meetings. Subcommittees will help maintain momentum, promote continuous engagement, and provide for greater emphasis on full group discussion and consensus building during in-person meetings.

Fulfilling the recommendations of this report is possible with genuine commitment and responsiveness from NPOAG. Increased meeting frequency, subcommittees, and timely review of electronic information requires consistent and meaningful participation among all group members.



APPENDIX F: Air Tour Implementation Schedule

National Parks Air Tour Management Program



Federal Aviation
Administration



National Park
Service

National Parks Overflight Advisory Group (NPOAG)

Presented to: NPOAG, Anaheim, CA

By: FAA and NPS

Date: January 29-30, 2020



FAA-NPS Implementation Schedule

BADLANDS NATIONAL PARK – VA Schedule

- Publish notice of a draft fixed wing operator Agreement for public comment on the agencies' websites by 10/31/2019;
- Address public comments and publish the final fixed wing operator Agreement on the agencies' websites by 1/31/2020.
- Continue ongoing preparatory work for an Agreement with the helicopter operator, prepare a draft Agreement with the helicopter operator by 11/30/2019;
- Publish public notice of draft helicopter operator Agreement on the agencies' websites by 2/1/2020;
- Address public comments and publish the final helicopter operator Agreement on the agencies' websites by 4/30/2020.



Federal Aviation
Administration



National
Park Service

FAA-NPS Implementation Schedule

MOUNT RUSHMORE NATIONAL MEMORIAL PARK – VA Schedule

- Publish public notice of fixed wing operator Agreement for public comment on the agencies' websites by 10/31/2019;
- Address public comments and publish the final fixed wing operator Agreement on the agencies' websites by 1/31/2020.
- Finish ongoing preparatory work for an Agreement with the helicopter operator, to be completed by 11/30/2019;
- Formally initiate an Agreement process with the helicopter operator by 12/1/2019;
- Complete preparatory work and begin drafting an Agreement with the helicopter operator(s) by 4/1/2020;
- Publish public notice and the draft Agreement with the helicopter operator(s) on the agencies' websites for public comment by 9/1/2020;
- Address public comments and publish a final Agreement with the helicopter operator(s) on the agencies' websites by 11/30/2020.



Federal Aviation
Administration



National
Park Service

FAA-NPS Implementation Schedule

DEATH VALLEY NATIONAL PARK – ATMP Schedule

- **Begin preparatory work necessary for a Plan process by 3/1/2020;**
- **Complete preparatory work and formally initiate a Plan process by 5/1/2020;**
- **Complete work related to initiating a Plan process and publish a Notice of Intent to prepare a Plan on the agencies’ websites by 12/1/2020;**
- **Complete a draft Plan and publish the draft Plan on the agencies’ websites for public comment by 6/1/2021;**
- **Address public comments and publish a final Plan on the agencies’ websites by 12/31/2021.**



FAA-NPS Implementation Schedule

GREAT SMOKY MOUNTAINS NATIONAL PARK – VA Schedule

- **Begin necessary preparatory work for an Agreement process by 10/1/2020;**
- **Formally initiate an Agreement process and begin drafting an Agreement by 8/1/2021;**
- **Publish a public notice and the draft Agreement on the agencies' websites for public comment by 1/1/2022;**
- **Address public comments and publish a final Agreement on the agencies' websites by 3/31/2022.**



FAA-NPS Implementation Schedule

MOUNT RAINIER NATIONAL PARK – VA Schedule

- **Begin necessary preparatory work for an Agreement process by 11/1/2020;**
- **Complete preparatory work and formally initiate an Agreement process by 1/1/2021;**
- **Complete a draft Agreement and publish the draft Agreement on the agencies' websites by 11/1/2021;**
- **Address public comments and publish a final Agreement on the agencies' websites by 1/31/2022.**



FAA-NPS Implementation Schedule

GLEN CANYON NRA / RAINBOW BRIDGE NM – ATMP Schedule

- Transition to a Plan process and begin necessary preparatory work by 11/1/2020;
- Complete preparatory work and formally initiate a Plan process by 1/1/2021;
- Complete work related to initiating a Plan process and publish a Notice of Intent to Prepare a Plan on the agencies’ websites by 5/1/2021;
- Complete a draft Plan and publish the draft Plan on the agencies’ websites for public comment by 10/1/2021.





APPENDIX G: Air Tour Management in New Zealand



Soundscape Management in New Zealand's National Parks: Finding our way back...

Dr Jeff Dalley
Principal Technical Advisor, Monitoring & Evaluation - Visitors
New Zealand Department of Conservation

National Parks Overflights Advisory Group
Anaheim
January 30, 2020

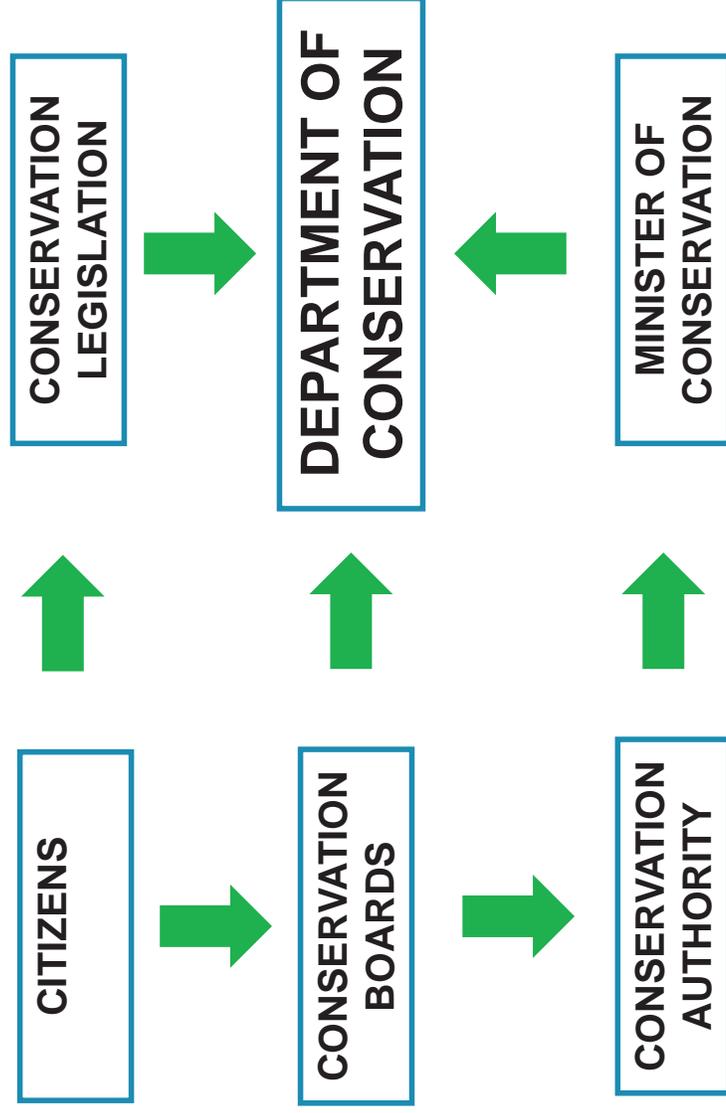
www.doc.govt.nz

Department of
Conservation
Te Papa Atawhai

1. Setting the scene



NZ Conservation Framework



Legislative Framework

- Conservation Act 1987
- National Parks Act 1980
- Reserves Act 1977
- Marine Reserves Act 1971
- Marine Mammals Protection Act 1978
- Wildlife Act 1953



Governance Framework

- Department of Conservation (DOC)
 - Established 1987 – Conservation Act
 - Merging of 3x agencies
 - 50% NZ Forest Service
 - 50% NZ Lands & Survey
 - 100% NZ Wildlife Service
 - Minister (political appointment)
 - Director General (public service appointment)



Governance Framework

- New Zealand Conservation Authority
 - Independent statutory body to advise minister at national level
 - Appointed by Minister
 - Approves Conservation Management Strategies (CMS) & National Park Management Plans (NPMP)



Governance Framework

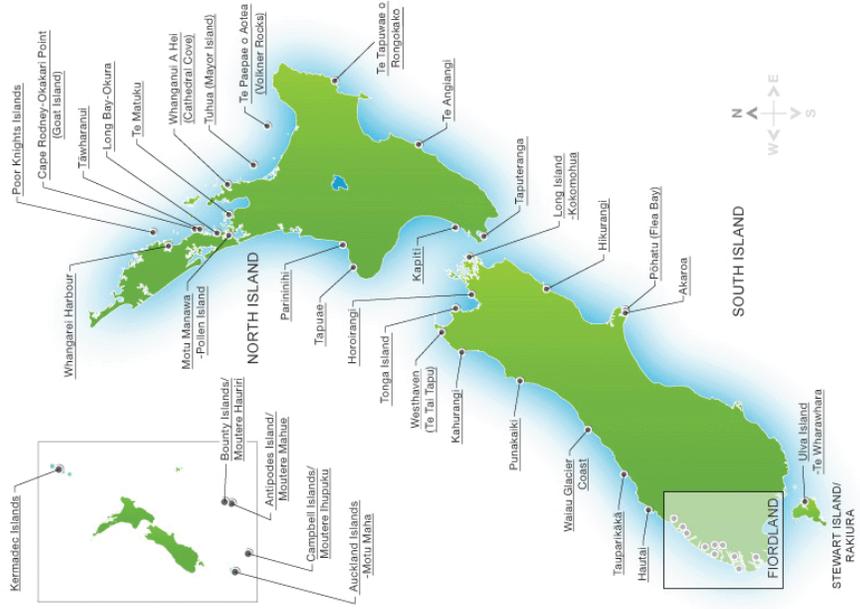
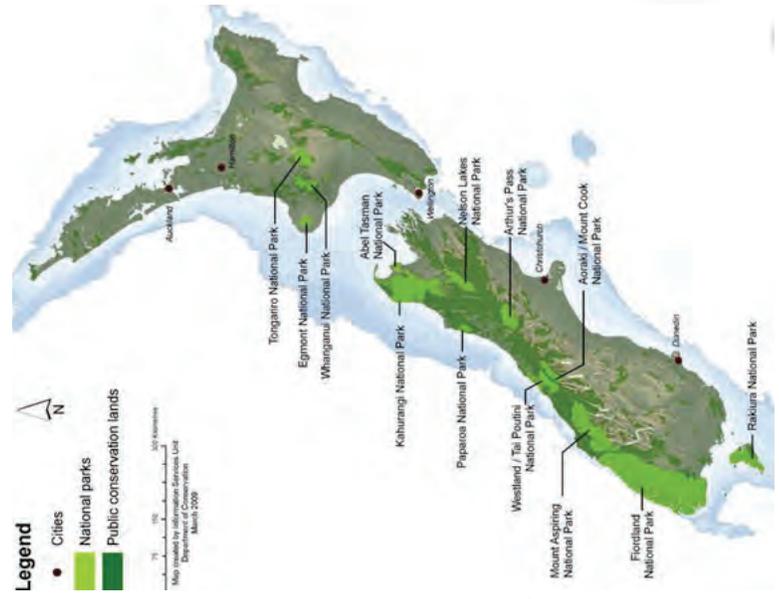
- Conservation Boards
 - Independent statutory body to
 - Provides interaction between DOC & citizens at regional level
 - Members nominated by citizens from region
 - Appointed by minister
 - Advises & supports DOC in development & implementation of CMS & NPMP





DOC's Management Challenge

- DOC Manages:
 - 30% of NZ's land area
 - 13 National Parks
 - 3 World Heritage Areas
 - 56 Marine Reserves
 - 2 Towns



Soundscape Conservation: Legislative Settings

- Silent/no coherent treatment of natural soundscapes re anthropogenic emissions from public use
- Conservation General Policy
 - “...*minimise any adverse effects (including cumulative effects) on...qualities of peace & natural quiet, solitude, remoteness & wilderness...*”
- National Parks General Policy
 - Specific requirement to preserve & conserve ‘natural quiet’
 - Both policies under review



Soundscape Management

- Soundscape
 - “*Sound or combination of sounds that forms or arises from an immersive environment*”
 - Subject of acoustic ecology
 - 1960s World Soundscape Project
 - Refers to both natural & anthropogenic sounds
 - Also includes listener’s *perception* – this is critical



Why Manage Soundscapes?

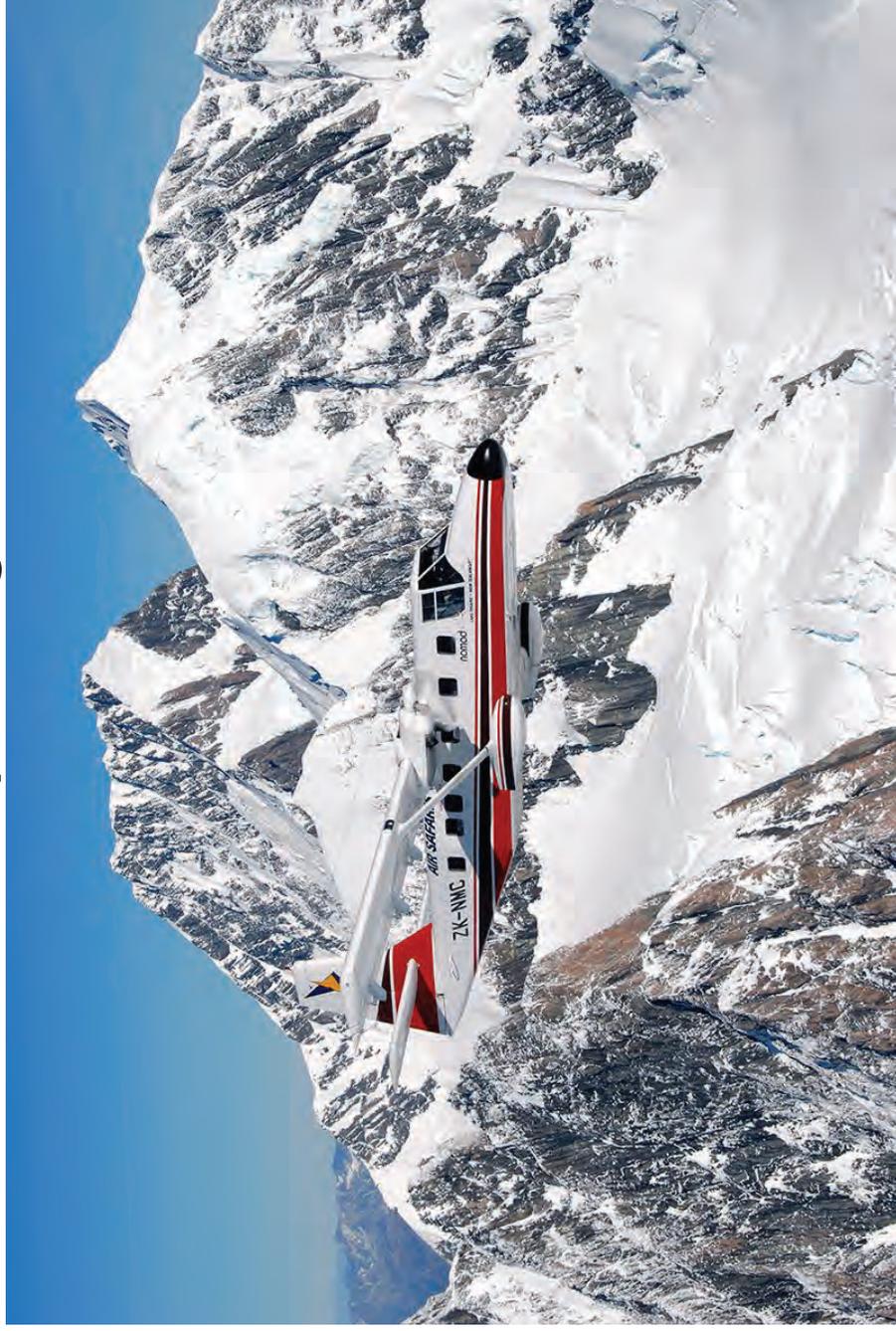
- Soundscapes valuable resource
 - Economic benefits - tourism
 - Health & wellbeing benefits - restorative
 - Cultural/spiritual benefits - identity
- Integral to quality of visitor experience
 - Most frequently cited as #1 +ve attribute of natural areas (in a given setting)
- Statutory compliance
 - “preserve in perpetuity” National Parks Act 1980



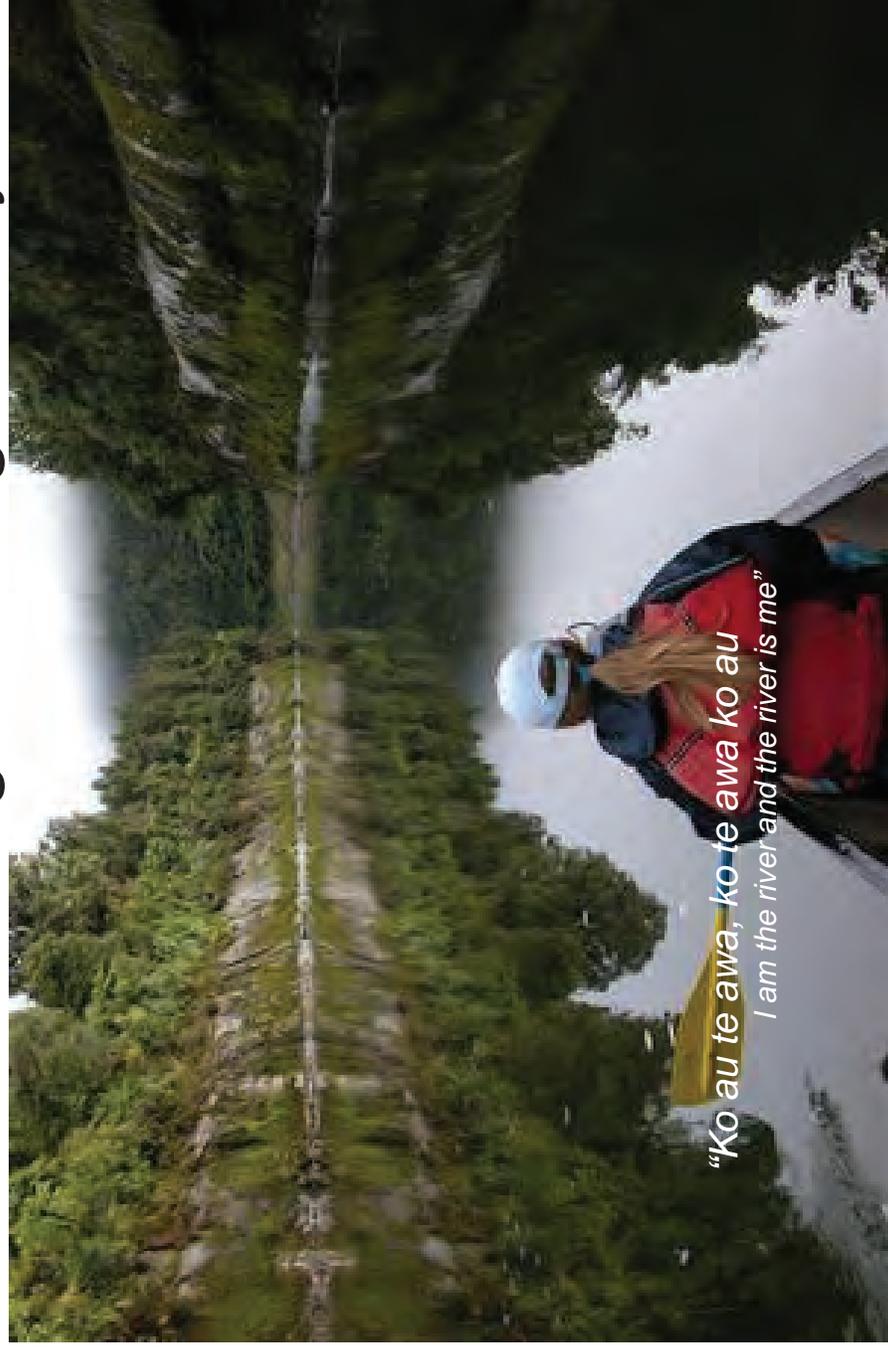
Aoraki/Mount Cook National Park: Maori Topuni site



Aoraki/Mount Cook National Park: Soundscape degradation



Whanganui National Park: Maori taonga *and* legal entity



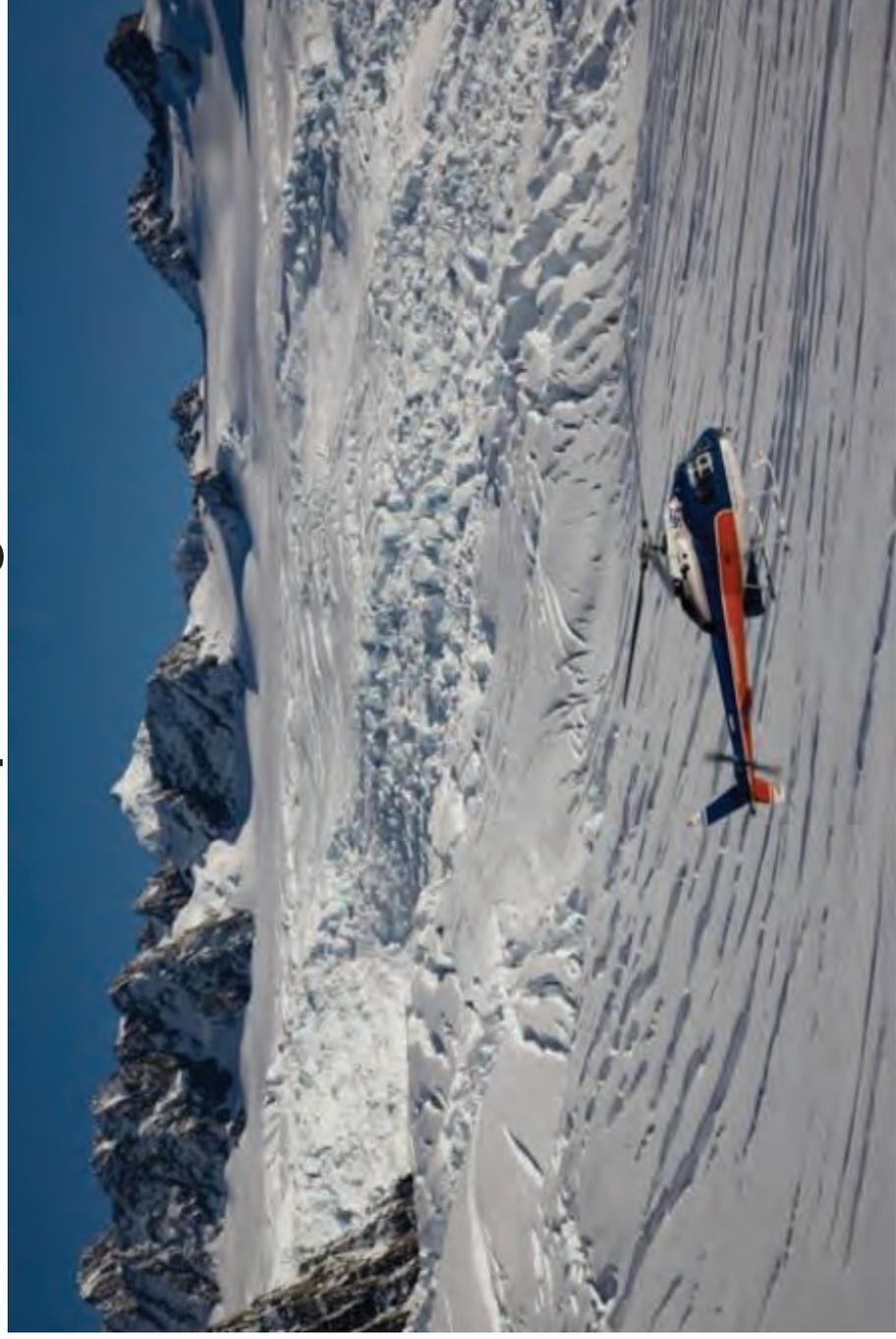
*“Ko au te awa, ko te awa ko au
I am the river and the river is me”*



Whanganui National Park: Soundscape degradation



Westland National Park: Soundscape degradation



Soundscape Conservation: The Challenge

- Ever increasing demand for mechanically-assisted visitor experiences in National Parks
- National Parks
 - NP Policy conflicted – requires preservation of “natural quiet” ...but allows for aircraft landings
 - Highly natural soundscapes expected... but presence of anthropogenic noise increasing
 - *Soundscapes easily degraded & consumed unsustainably*
- **Conventional approach has failed**



Aviation in NZ National Parks

- DOC Legislative mandate
 - No jurisdiction over airspace
 - Cannot control movements over NPs
 - Full jurisdiction over landings (& hovering under 50ft)
 - Allocates landing rights via ‘concessions’
 - Concessions specify -
 - Quantum of landing rights
 - Fees – per passenger
 - Activity reporting - # pax; flight tracks; etc



Aviation in NZ National Parks

- All VFR operations
- No controlled airspace
 - Except Milford Sound Airport – operated by ‘Airways’
- Concessions 250+
 - Approx. 80/20 rotary/fixed wing split
- Landings 170,000 (est.) in 4x NPs
- Overflights – no data
 - Many landings in 1x NP result in overflight of other NPs



Aviation in NZ National Parks

- Fleet dominated by:
 - Eurocopter AS340B2
 - Cessna 208B



2. Digging the hole...

If you find yourself stuck in the bottom of a hole, stop digging!



Soundscape Degradation: 'Patient Zero': Westland National Park Glaciers



- Continuous helicopter noise

- 1 overflight every 90 seconds



How did we get here? Management Failure

- Multiple organisational restructurings
- Lack of organisational discipline
 - No national 'picture'
 - Ad hoc decision-making – non-evidence based
 - Accommodate inflated activity declarations
- Poor systems
 - No database for concessions
- No compliance enforcement
 - 'Incentivise non-compliance – accept 'illegal' flights



How did we get here?

Management Failure

- Incremental cumulative allocation of soundscape over decades
 - Glaciers
 - Permits issued for 85,000 landings p/a
 - Most ever used...29,000 (untypical weather)
- Result of –
 - Commercial pressure
 - Ad hoc management decisions
 - Inadequate investment in monitoring
 - Inadequate monitoring tools & methods



Soundscape Management: Monitoring to manage

- *“Measures need to be taken to avoid the adverse impact of aircraft on the natural state of a national park, and on the enjoyment by people of natural quiet.”* General Policy for National Parks
- Monitoring – establishes status & trend
 - Essential to evaluate efficacy of management interventions



How did we get here?

Monitoring Failure

- Monitoring & managing quality of natural quiet/soundscapes in NPs
 - No national programme – ad hoc
 - No national guidelines/standards for doing so...
- Tools & methods developed –
 - Standard Aircraft Monitor – SAM
 - Based on NPS 1994 Report to Congress
 - Adopted 25% annoyance rating – never negotiated



How did we get here?

Monitoring Failure

- Collect monitoring fees from operators
 - Spend fees on anything other than monitoring
- Flawed tools for landscape scale monitoring
 - SAM only viable where many visitors present
 - Collect subjective data only
- Got problematic results somewhere?
 - ➔Solution: Stop monitoring at those sites!
- Got problematic results everywhere?
 - ➔Solution: Drive down visitor expectations!



Monitoring & Mangement Failure:

Glacier visits have had to change . . .

. . . because this landscape is on the move every day as the glacier retreats.

Right now, helicopters are the only safe way to get people onto the glacier for guided walks, so you will hear them pass overhead.

For a quieter walk into the viewing point, visit the glacier before 8.00 am or after 6.00 pm (during the summer period).

To book a trip, freephone 0800 GUIDES (484 337) or visit franzjosefglacier.com.

Department of Conservation
Te Papa Atawhai

3. Building a ladder...

If you can't dig your way out of the hole, find a way to climb out of it!



Reset: Getting Real

- Old negotiating assumption:
“I expect to get **everything** I want,
everywhere, all of the time.”
- New negotiating assumption:
“**Nobody** gets **everything** they want,
everywhere, all of the time; but...
Everybody gets **everything** they want,
somewhere, all of the time”



Reset: Getting Real

- Only way out...
- Make it everyone's problem
 - Everyone owns the problem
 - Everyone collaborates on problem resolution
 - Everyone owns the solution
- Negotiate Social License
 - Agree on the problem
 - Obtain permission to seek solution
 - Keep everyone in the loop



Soundscape Management

New Approach: Reframing the problem

- Economic problem – resource allocation
- Soundscapes
 - Common **P**ool Resource
 - Spatially & temporally finite
- Need mechanism for allocation amongst stakeholders
- Allocation must be
 - Equitable
 - Sustainable
 - Collaborative



Soundscape Management: New Approach: Tranquility Mapping

- Tranquility
 - A function of ‘naturalness’ of:
 - Landscape – **visual** context/setting
 - Soundscape – **aural** context/setting
- TRAPT (Watts)
 - Tranquility **R**ating **P**rediction **T**ool
 - Uniquely combines **objective and subjective** factors to determine tranquility rating of place

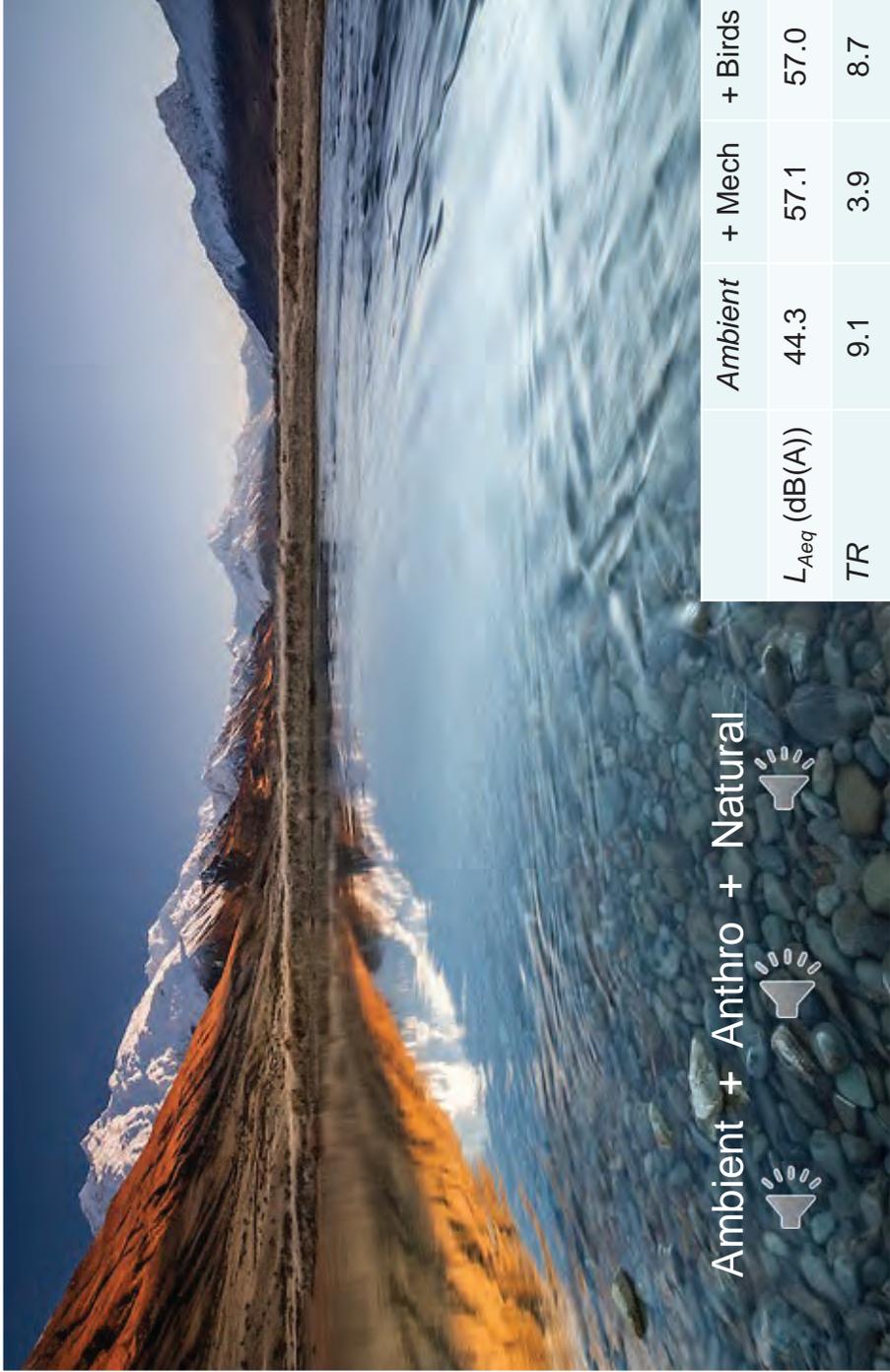


Factors Affecting Tranquility Of A Place: Aural *and* Visual

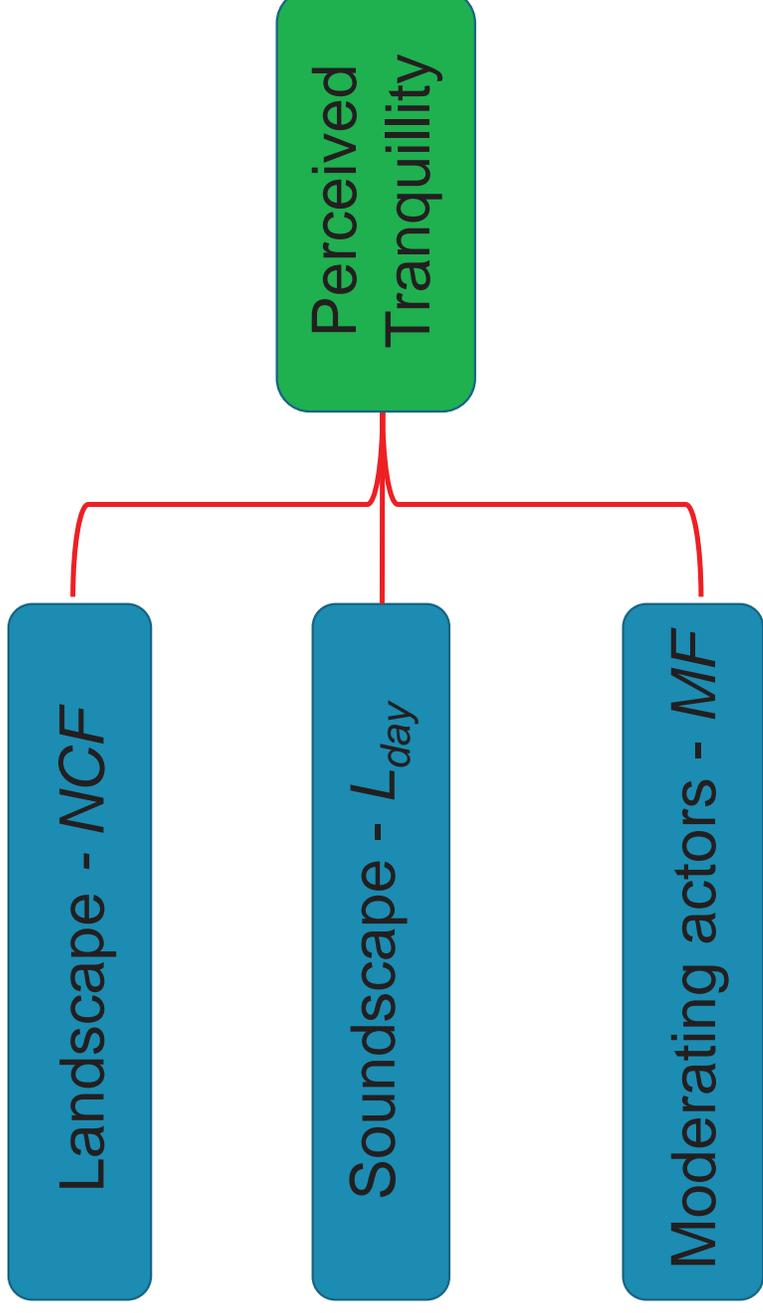
- **Key point:** Human response to given level & type of noise is influenced by **context/setting**



'Natural' landscape setting: Anthropogenic vs Natural Sounds



TRAPT: Predicting the Rated Tranquility of a place



$$TR = 9.68 + 0.041 NCF - 0.146 L_{\text{day}} + MF$$



TRAPT: Tranquility Rating Scale

- $TR = 9.68 + 0.041 NCF - 0.146 L_{day} + MF$
 - NCF = %age of **Natural Contextual Features**
 - **Subjective** – influence of landscape on human response
 - L_{day} = A-weighted equivalent continuous sound Level of man-made noise, 12 hour '**day**' 07:00-19:00
 - **Objective** - measure of quantum of anthropogenic sound
 - MF = **Moderating Factor** accounts for other contextual factors – e.g., litter; graffiti; presence of people; cultural significance; etc
 - **Subjective** – additional influences on human response



TRAPT: Tranquility Rating Scale

- Scale from 0-10
 - 10 = Total presence of ('perfect') tranquility
 - 0 = Total absence of tranquility
- Scale laboratory calibrated to general population
 - Higher the rating, greater the wellbeing benefits accrued
 - > 5 visitors increasingly 'relaxed'
 - < 5 visitors increasingly 'stressed'



TRAPT

Tranquility Rating Scale: How to Interpret

Tranquility level		Midpoint = 5			
Tranquility scale (0 – 10)	0-2	2-4	4-6	6-8	8-10
Outcome Descriptor	Very Low	Low	Medium	High	Very high

0 = Total absence of tranquility

5 = Mid-scale - laboratory calibration indicates that:

→ **below 5** - 50+% people **DO NOT** accrue benefits from tranquility

→ **above 5** - 50+% people **DO** accrue benefits from tranquility

10 = Total presence of tranquility



Adapting TRAPT: DOC Tranquility Mapping Tool (TMT)

- TRAPT developed for stationary/fixed sound source
- Soundscape management in PNAs dealing with moving sound source – aircraft/jet-boats
- Requires TRAPT to be adapted -
 - ➔ Need to track sound source spatially & temporally
 - ➔ Need to combine track data & TRAPT
 - ➔ Need to calibrate for New Zealand popn & **Maori**

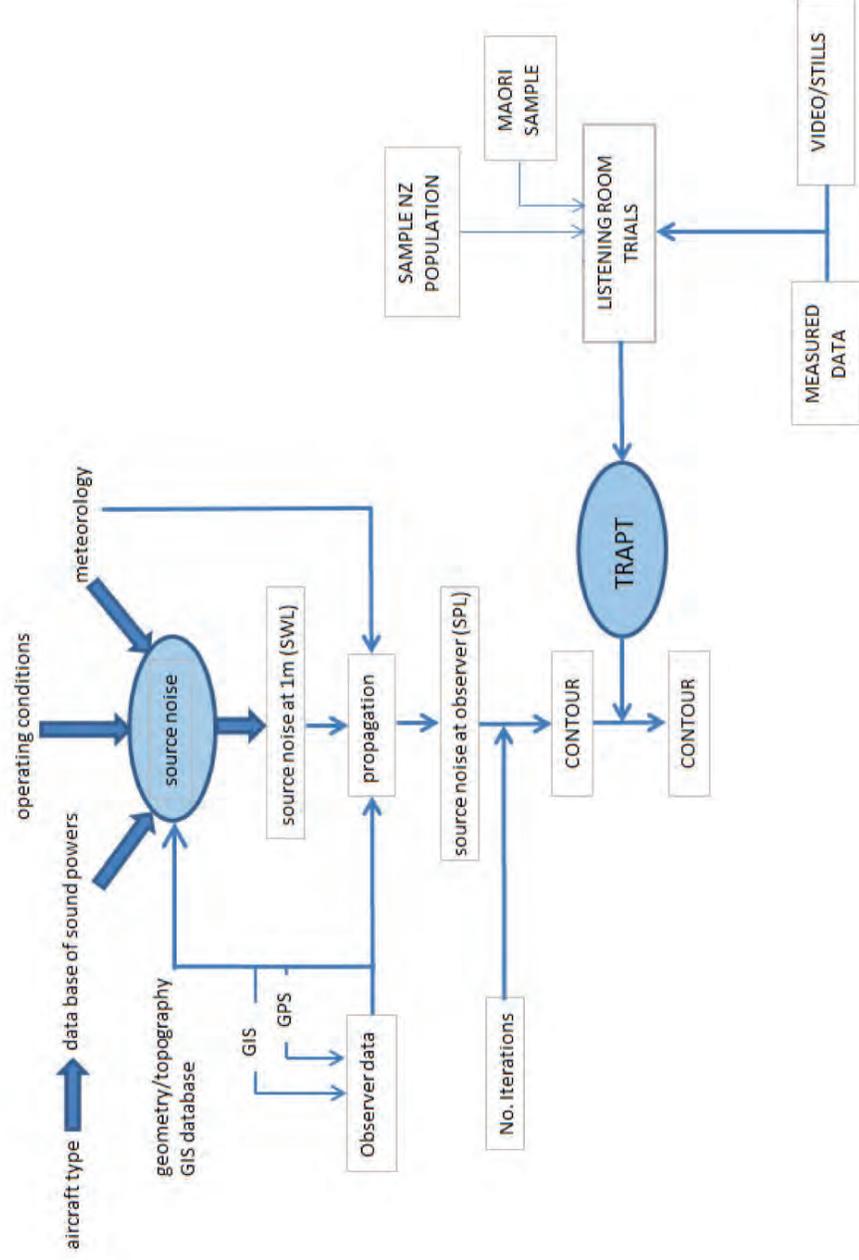


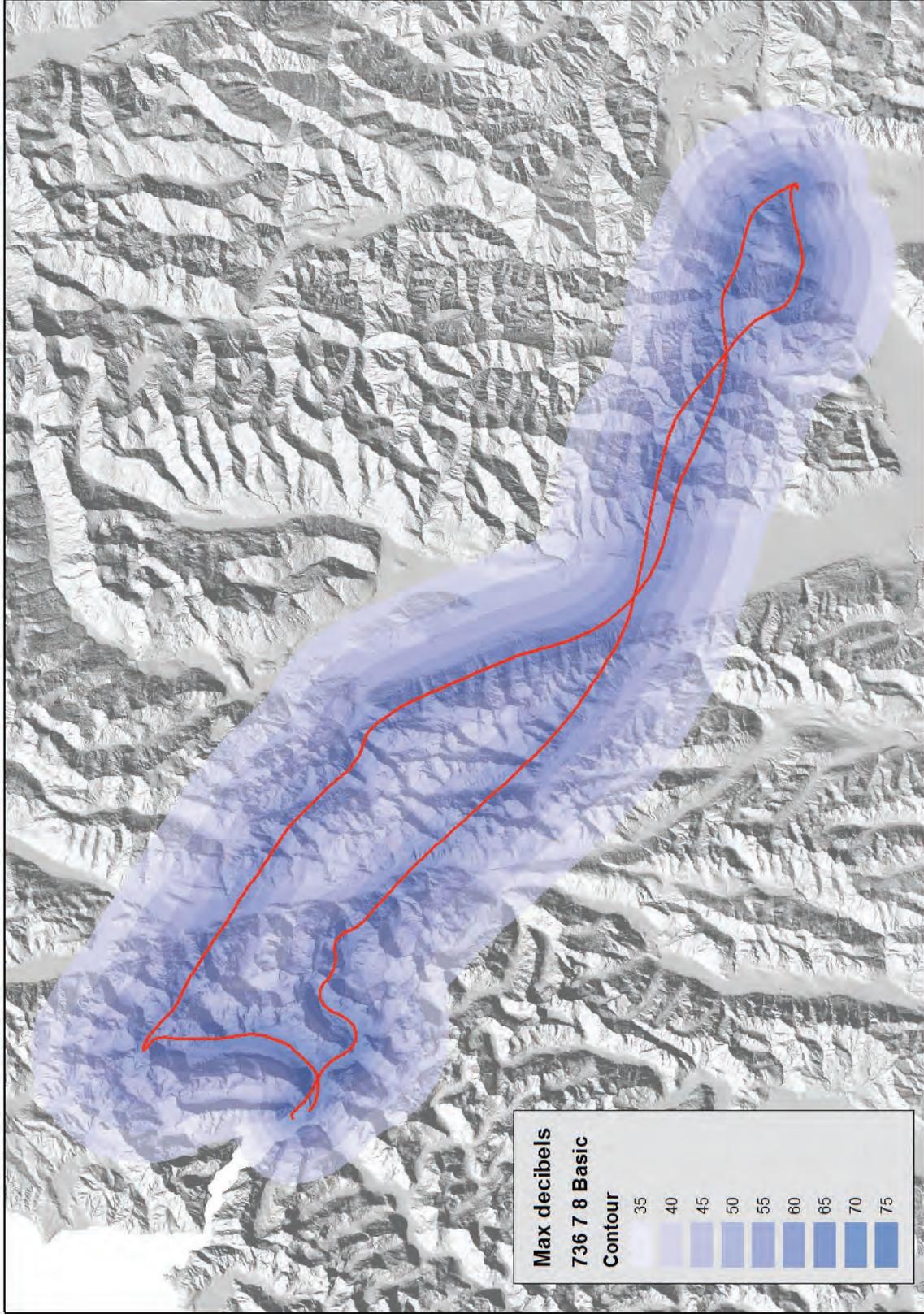
Adapting TRAPT: DOC Tranquility Mapping Tool (TMT)

- Tracking sound source needs...
 - CAA-compliant GNSS tracker
 - Data encryption to maintain confidentiality/anonymity
- Develop 'DOC Soundscape Management' GNSS tracker
- Combining TRAPT & tracks needs...
 - Software solution
- Aviation Environmental Design Tool (AEDT) - US DOT Volpe Centre

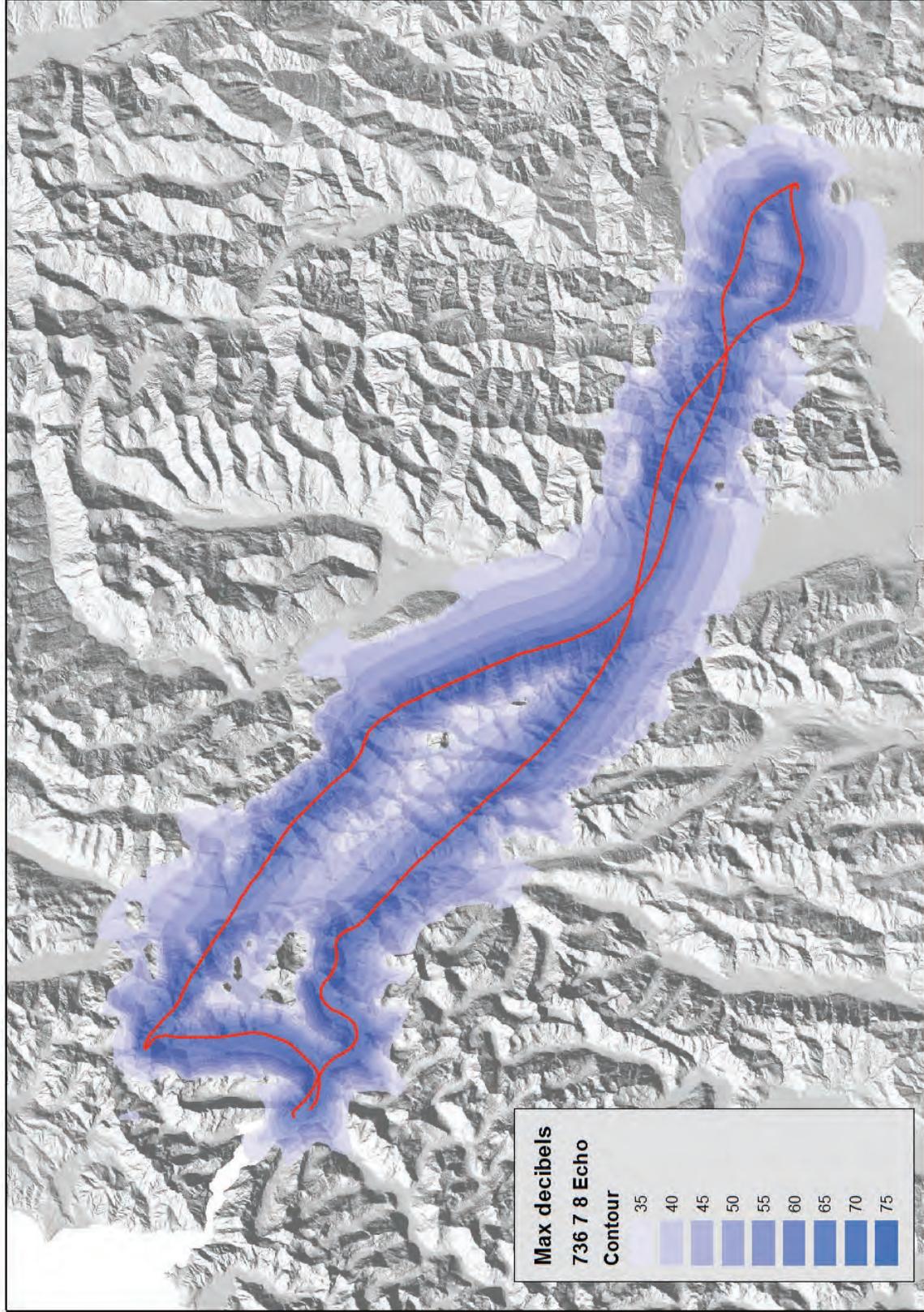


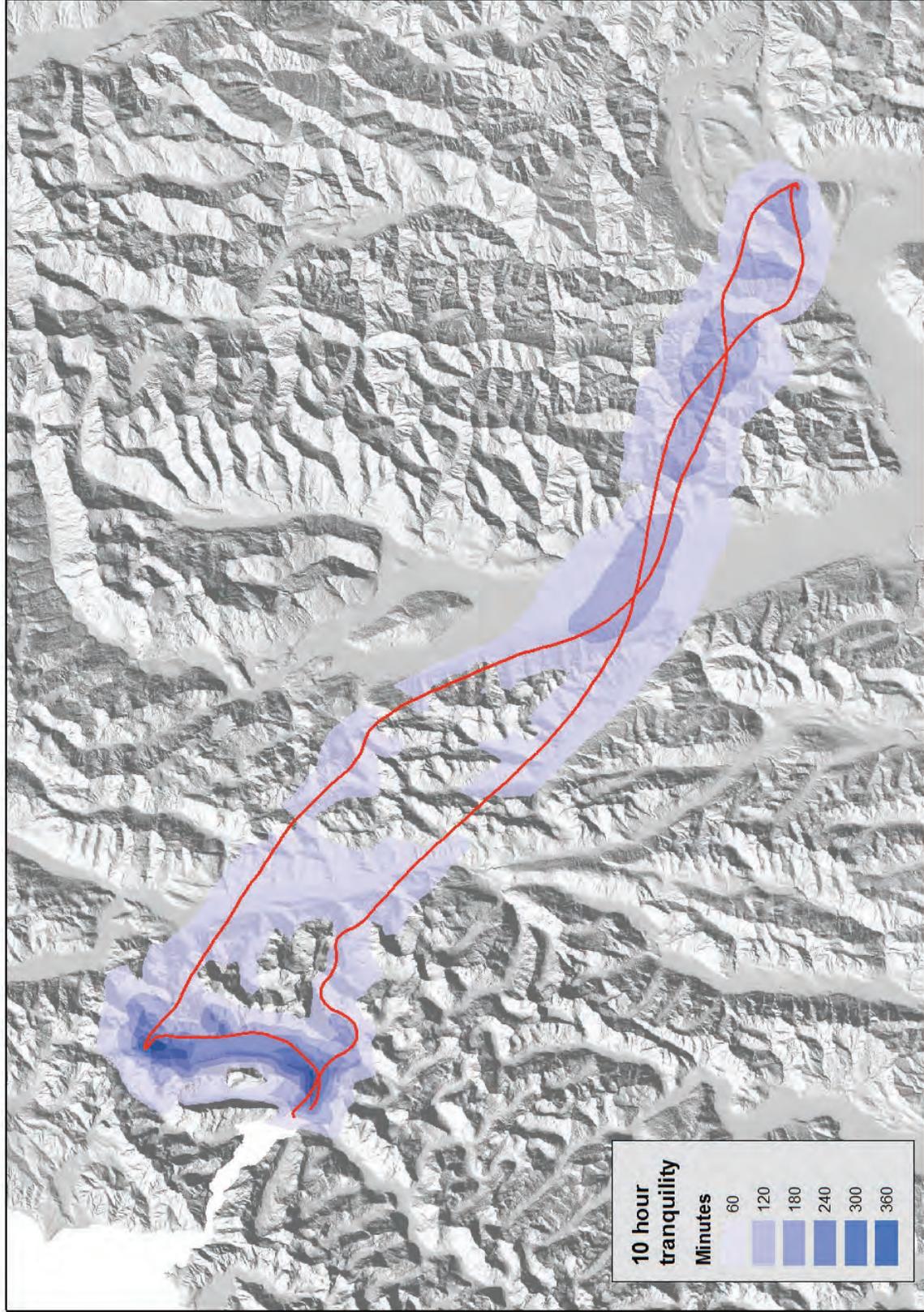
Adapting TRAPT: DOC TMT System Schematic





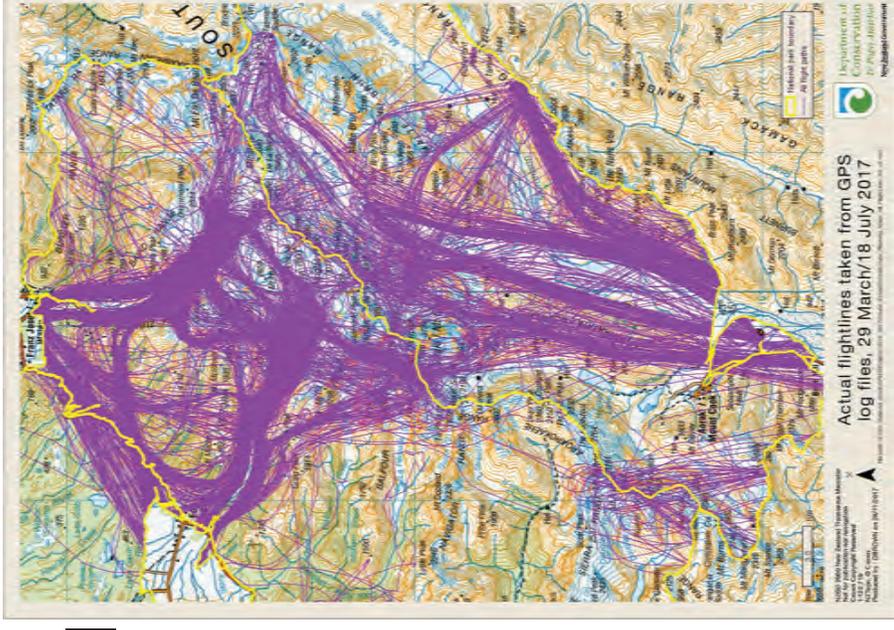






TMT: Building the Maps Creating Aviation Product Inventory

- Fit DOC trackers to fleet - VGI
- Capture track data
 - Collected over peak season
 - Excludes ‘ad hoc’ flights
- 37x discrete flightseeing products ‘tracked’
- Establish daily frequency each product flown



TMT: Building the Maps

Flight tracks – average 2 hour period

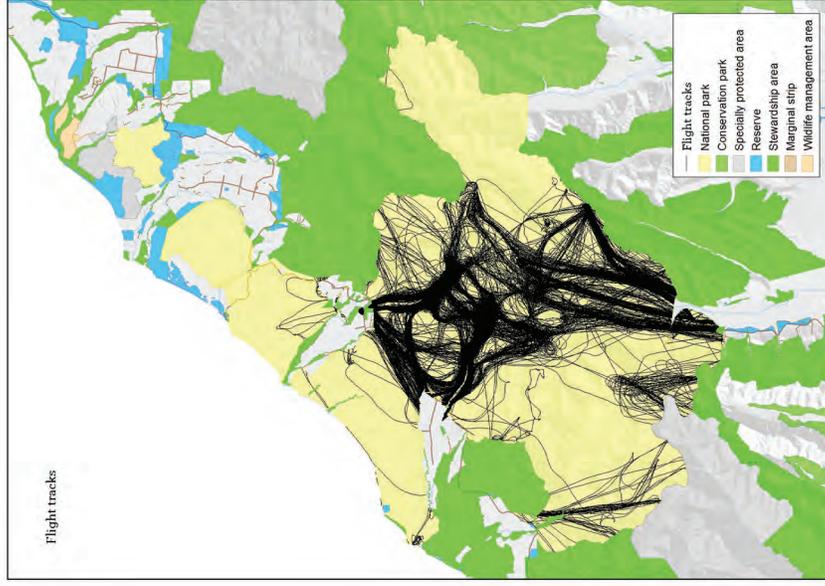


TMT: Building the Maps

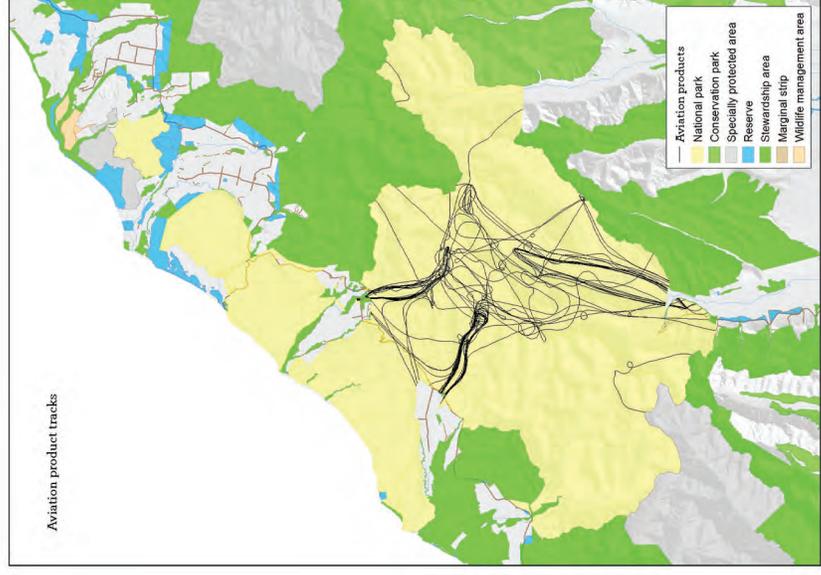
Flight tracks – Franz Josef glacier valley



TMT: Building the Maps Raw Track Data



Statistical
analysis to
create
track 'cluster'
for each
aviation
product



TMT: Building the Maps

Assumptions

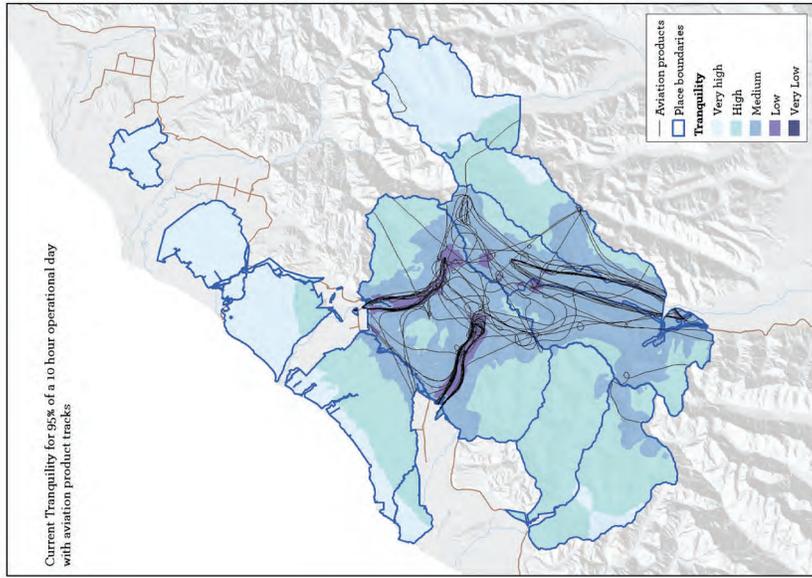
- Based on ‘optimal’ operating day
 - Defined as:
 - Entire aircraft fleet able to be operated
 - Optimal flying conditions
 - Unlimited customer demand
- Total activity **averaged** across 10 hour operational day (08:00-18:00)
- Generic sound files used: AS350B2/Cessna 208
- ISA* (sea level)

* International Standard Atmosphere: 1,013.25mb; 15°C

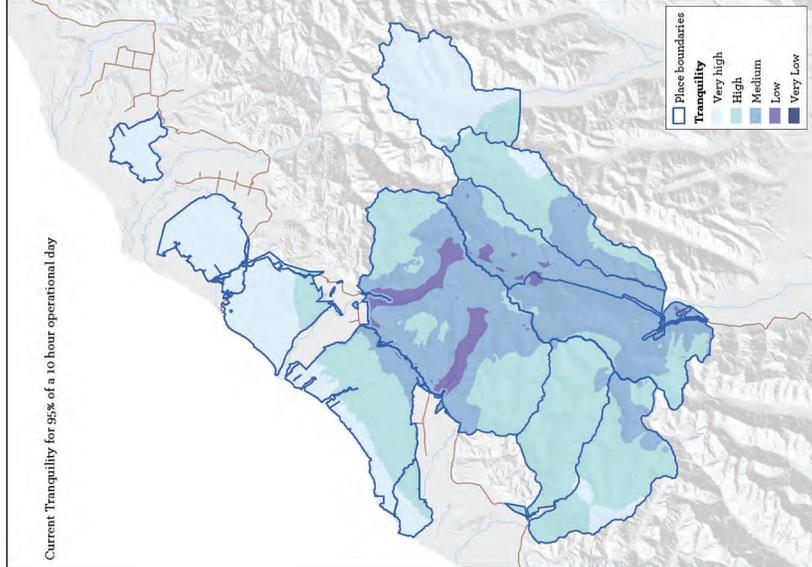


TMT: Building the Maps

Current tranquility for 95% of 10 hour operational day



‘Current’ state
map of
soundscape
quality.
➔ Create
synthetic
‘future’ state
map to inform
management
settings



TMT: Benefits

- **Resolves issue of objective vs subjective – finally!**
- **Robust representation of current state**
 - ‘Shared’ starting point
 - ‘Shared’ understanding of challenge
 - Collaborative problem-solving
- **Enables development of future outcomes/states**
 - New operational models
 - Developed by operators
 - ‘Ground-truth’ models with TMT
 - Monitor using TMT – outcomes achieved?



TMT: Concerns

- Resisting organisational tendency to:
 - Focus on what can be controlled rather than what outcome is desired
 - Regulate because “that is what we are supposed to do”
 - Fear/mistrust commercial activity
- Entrenched mental models amongst stakeholders
 - Revert to what is ‘familiar’ – even if not understood!
 - ‘Hard’ numbers privileged over ‘soft’ feelings
 - Some perspectives privileged over others



TMT: Lessons Learned

- Reconceptualise the problem
- Share the problem – and responsibility to resolve it!
- Obtain ‘license’ to operate differently
- Find ‘experts’ who care
- Think long-term
- Actively manage risk
- Involve others wherever possible – always!
- Build trust along the way – and cherish it!



Thank you!





APPENDIX H: 2019 Air Tour Reporting Data

National Parks Air Tour Management Program

2019 Air Tour Reporting Data

Presented to the National Parks Overflight
Advisory Group (NPOAG)

Anaheim, CA
January 29-30, 2020



Federal Aviation
Administration



National Park
Service

Commercial Air Reporting Data

- Requirement began in 2013 (NPATMA 2012 amendments)
- “Quarterly Reports” are required for non-exempt parks
 - Due 30 days after end of each calendar quarter
 - Operator information (DBA, certificate, POI, FSDO)
 - For each tour:
 - Date of tour
 - Hour of tour
 - Aircraft make/model
 - Park and route code
- “Annual Reports” are the only reporting requirement for exempt parks
 - Due 30 days after end of calendar year.
 - Only annual total is required

Quarterly Report Template



Federal Aviation Administration

Commercial Air Tour Reporting Data

As Mandated by the FAA Modernization and Reform Act of 2012, Title V, Section 501

Please Fill in White Areas Below Where and As Appropriate

Note: Mouse-over cells for guidance.



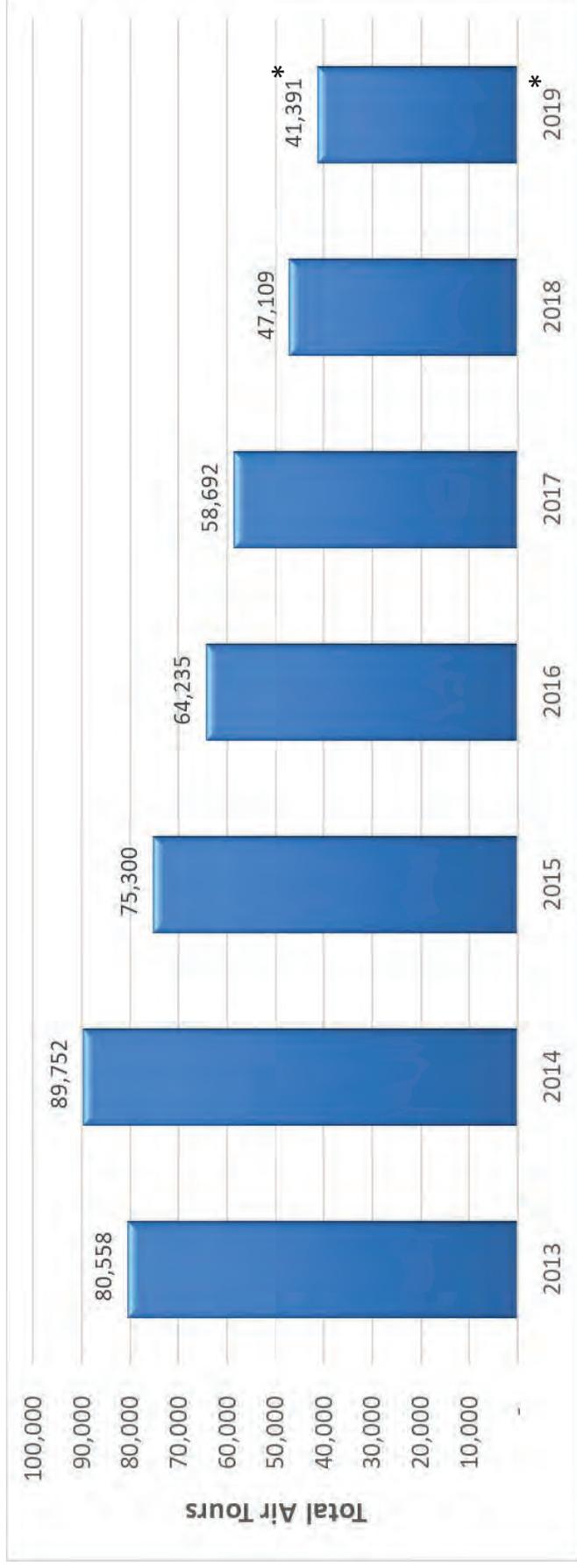
NATIONAL SERVICE

Paperwork Reduction Act Burden Statement: A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0750. Public reporting for this collection of information is estimated to average 4-16 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information, all responses to this collection of information are mandatory per The FAA Modernization and Reform Act of 2012. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the FAA at: 800 Independence Ave SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, AES-200.

OMB CONTROL NUMBER: 2120-0750

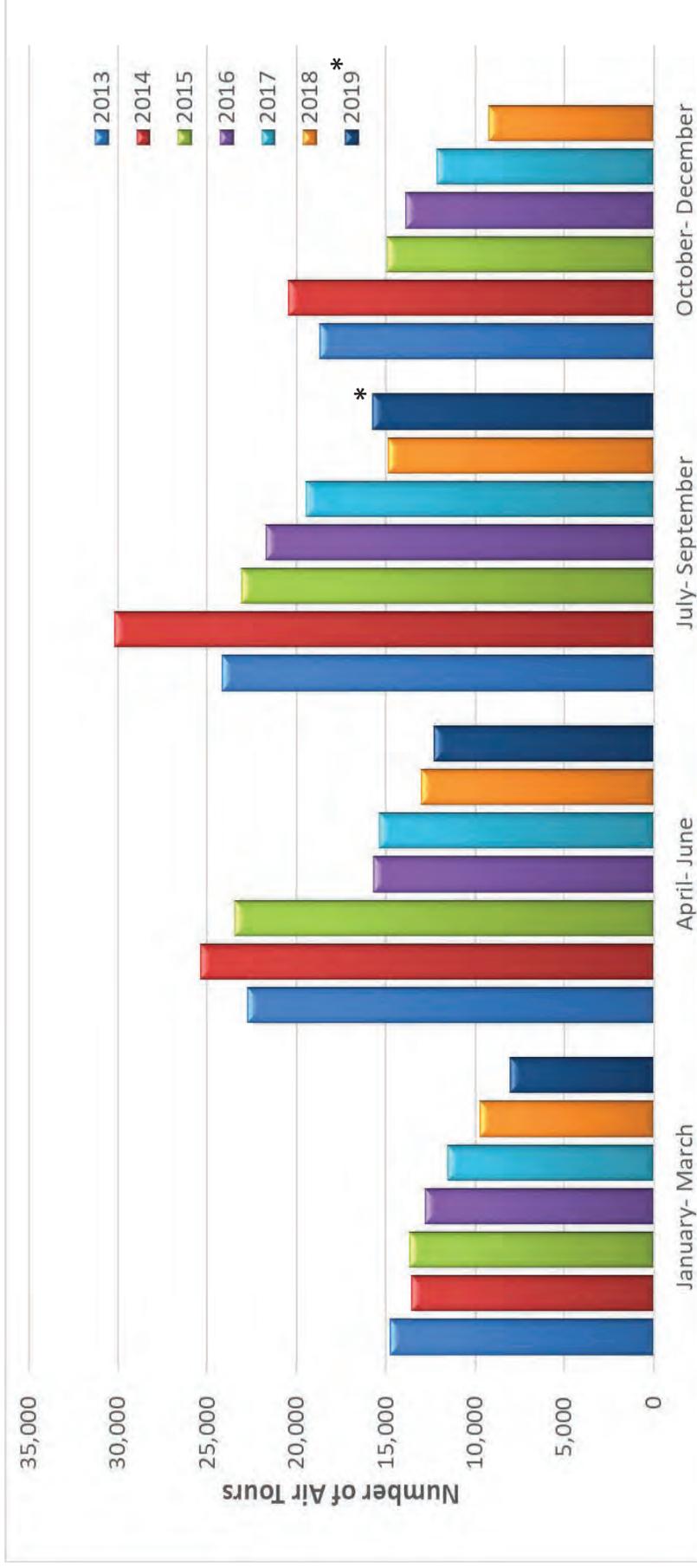
Operator/Company Name:		Air Tour Company	
6	Operator/Company Name:	Great Tours	
7	dba (doing business as):	XYZABC123	
8	Certificate Designator:	1st Qtr. (Jan. 1 to Mar. 31)	Reporting Year: 2016
9	Reporting Quarter:		
10	Notes: (Please indicate if no tours were conducted at NPS units where operator holds IOA or authority from an agreement.)	National Park Service Unit(s):	
11	No flights over CARE this quarter.	CANY	
12		ARCH	
13		GLCA	
14			
15			
Departure Airports/Helipads		Route Code	Route Name
17	XYZ ABC	BigMtn	Big Mountain, Snowy Lake
18	ABC XYZ	BigMtnGrt	Big Mountain, Snowy Lake, Great Basin
19	XYZ	Meadow	Meadow Overlook, Deep Lake
20		Peak	Tall Peak
Data Submission			
For Each Operation, Fill in the Requested Information Below			
Date of Tour	Hour of Tour	Aircraft Make/Model	Park-Code
1/1/2016	8	Cessna 208	CANY - BigMtn
1/2/2016	7	Cessna 208	CANY, ARCH - BigMtnGrt
1/2/2016	9	Cessna 208	GLCA - Meadow
2/8/2016	15	Cessna 208	ARCH - Peak
28			
29			
30			
31			

Reporting Data, 2013-2019, Annual Totals



* 2019 third and fourth quarter data are incomplete: Data include some fourth quarter reports, but not all since deadline is 1/30/20. There are 6 missing third quarter reports as of 1/27/20. Estimated 2019 total (included missing third and fourth quarter reports) may include potentially 2,500-5,000 additional flights (comparable to 2018).

Reporting Data, 2013-2019, Quarterly Totals



* 2019 third and fourth quarter data are incomplete: Data include some fourth quarter reports, but not all since deadline is 1/30/20. There are 6 missing third quarter reports as of 1/27/20. Estimated 2019 total (included missing third and fourth quarter reports) may include potentially 2,500-5,000 additional flights (comparable to 2018).

- Late reports: 23% through third quarter (vs. 54% in 2018)

Reporting Data, 2013-2019, High-Activity Parks

National Park System Unit	2013	2014	2015	2016	2017	2018	2019*
Hawai'i Volcanoes National Park (HAVO)	15,410	14,427	14,645	15,489	16,520	8,333	8,761
National Parks of New York Harbor Management Unit (NPNH)	34,682	39,797	26,812	18,638	11,006	8,141	7,275
Lake Mead National Recreation Area (LAKE)	13,218	12,160	10,548	7,530	8,735	7,401	4,877
Haleakalā National Park (HALE)	4,631	4,932	4,543	4,589	4,839	4,757	4,875
Glen Canyon National Recreation Area (GLCA)	4,437	4,861	4,167	3,820	4,243	4,715	4,185
Mount Rushmore National Memorial (MORU)	9	3,648	4,363	4,011	3,749	3,788	4,072
Golden Gate National Recreation Area (GOGA)	1,920	2,003	2,272	2,250	2,588	2,550	1,476
Badlands National Park (BADL)	962	1,317	1,205	1,330	1,194	1,729	1,349
Rainbow Bridge National Monument (RABR)	2,135	2,399	2,415	2,065	1,316	1,526	1,005
San Francisco Maritime National Historical Park (SAFR)						1,119	1,137
All Others	3,154	4,208	4,330	4,513	4,502	3,050	2,379
Total	80,558	89,752	75,300	64,235	58,692	47,109	41,391*

* 2019 third and fourth quarter data are incomplete: Data include some fourth quarter reports, but not all since deadline is 1/30/20. There are 6 missing third quarter reports as of 1/27/20. Estimated 2019 total (included missing third and fourth quarter reports) may include potentially 2,500-5,000 additional flights (comparable to 2018).

- Anticipating that 2019 ranking will be the same as in 2018.



APPENDIX I: Group Discussion Topics

National Parks Air Tour Management Program



Federal Aviation
Administration



National Park
Service

National Parks Overflight Advisory Group (NPOAG)

Presented to: NPOAG, Anaheim, CA

By: FAA and NPS

Date: January 29-30, 2020



NPATMA – New Entrants

- **(3) New entrant air tour operators.—**
- **(A) In general.—**The Administrator, in cooperation with the Director, may grant interim operating authority under this paragraph to an air tour operator for a national park or tribal lands for which that operator is a new entrant air tour operator if the Administrator determines the authority is necessary to ensure competition in the provision of commercial air tour operations over the park or tribal lands. without further environmental process beyond that described in this paragraph, if—
 - **(i) adequate information on the proposed operations of the operator is provided to the Administrator and the Director by the operator making the request;**
 - **(ii) the Administrator agrees that there would be no adverse impact on aviation safety or the air traffic control system; and**
 - **(iii) the Director agrees, based on the Director's professional expertise regarding the protection of park resources and values and visitor use and enjoyment.**



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NPATMA – New Entrants

- **(B) Safety limitation.—**The Administrator may not grant interim operating authority under subparagraph (A) if the Administrator determines that it would create a safety problem at the park or on the tribal lands, or the Director determines that it would create a noise problem at the park or on the tribal lands.
- **(C) ATMP limitation.—**The Administrator may grant interim operating authority under subparagraph (A) of this paragraph only if the air tour management plan for the park or tribal lands to which the application relates has not been developed within 24 months after the date of the enactment of this section.



NPATMA – Competitive Bidding

- **"(2) Application for operating authority.—**
- **"(A) Application required.--Before commencing commercial air tour operations over a national park or tribal lands, a commercial air tour operator shall apply to the Administrator for authority to conduct the operations over the park or tribal lands.**
- **"(B) Competitive bidding for limited capacity parks.-- Whenever an air tour management plan limits the number of commercial air tour operations over a national park during a specified time frame, the Administrator, in cooperation with the Director, shall issue operation specifications to commercial air tour operators that conduct such operations. The operation specifications shall include such terms and conditions as the Administrator and the Director find necessary for management of commercial air tour operations over the park. The Administrator, in cooperation with the Director, shall develop an open competitive process for evaluating proposals from persons interested in providing commercial air tour operations over the park. In making a selection from among various proposals submitted, the Administrator, in cooperation with the Director, shall consider relevant factors, including--**



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NPATMA – Competitive Bidding

- "(i) the safety record of the person submitting the proposal or pilots employed by the person;
- "(ii) any quiet aircraft technology proposed to be used by the person submitting the proposal;
- "(iii) the experience of the person submitting the proposal with commercial air tour operations over other national parks or scenic areas;
- "(iv) the financial capability of the person submitting the proposal;
- "(v) any training programs for pilots provided by the person submitting the proposal; and
- "(vi) responsiveness of the person submitting the proposal to any relevant criteria developed by the National Park Service for the affected park.
- "(C) Number of operations authorized.--In determining the number of authorizations to issue to provide commercial air tour operations over a national park, the Administrator, in cooperation with the Director, shall take into consideration the provisions of the air tour management plan, the number of existing commercial air tour operators and current level of service and equipment provided by any such operators, and the financial viability of each commercial air tour operation.



NPATMA – Competitive Bidding

- **"(D) Cooperation with NPS.--Before granting an application under this paragraph, the Administrator, in cooperation with the Director, shall develop an air tour management plan in accordance with subsection (b) and implement such plan.**
- **"(E) Time limit on response to atmp applications.—The Administrator shall make every effort to act on any application under this paragraph and issue a decision on the application not later than 24 months after it is received or amended.**
- **"(F) Priority.--In acting on applications under this paragraph to provide commercial air tour operations over a national park, the Administrator shall give priority to an application under this paragraph in any case in which a new entrant commercial air tour operator is seeking operating authority with respect to that national park.**



Questions

Introduction

Given that VA's must address the resource and visitor enjoyment mgmt. objectives of the park and ATPM's must prevent or mitigate significant adverse impacts AND the fact that we (FAA and NPS) need to find an equitable and defensible way to allocate air tour activity on an annual basis – particularly in light of the competitive bidding requirements under NPATMA which apply to both VA's and ATPM's

Questions To Consider

- How should annual air tour activity be allocated in a situation where the current level of air tour activity is acceptable and there are no new entrants?
- How should it be allocated when the current air tour level is acceptable but there are new entrants.
- How should it be allocated when the current level of air tour activity is not acceptable (impacts to park resources/visitor enjoyment) and there are no new entrants.
- How should it be allocated when the current level of air tour activity is not acceptable (impacts to park resources/visitor enjoyment) and there are new entrants?

For example – allocation could be equal across the board, could be based on a % of overall flights ratio, or something else.



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APPENDIX J: Friends for a Quiet! Glacier Public Comment

To: National Parks Overflights Advisory Group, NPOAG meeting January 30, 2020

From: Friends for a Quiet! Glacier PUBLIC COMMENT FOR THE RECORD

Friends for a Quiet! Glacier is a Coalition of 33 organizations representing millions of members and National Park visitors. We write again, with urgency and recognition of an opportunity to finish work begun decades ago.

We request your attention and action to direct the completion of an ATMP in Glacier National Park. Glacier is the only National Park that has had a General Management Plan stating a complete phase out of commercial overflights - in place - since before the passage of NPATMA.

Glacier's General Management Plan

- Glacier National Park has maintained since early 2000s its readiness to proceed with development of an air tour management plan, through the NEPA process to eliminate air tours in the park in accordance with the General Management Plan that was publicly vetted and determined with EIS and ROD 20 years ago.
- Glacier National Park's General Management Plan determined tour overflights were increasingly and significantly affecting the park experience for the majority of the visitors. This was thoroughly studied and vetted through the public process and supported by a Record of Decision. From the NPS perspective and majority public opinion, scenic tours then, and today are determined to adversely impact the natural resource of the natural sound experience in the Nation's only International Peace Park, a World Heritage Site, and Bioserve.
- The ROD of the Final Environmental Impact Statement for the General Management Plan of Glacier National Park (a unit of Waterton-Glacier International Peace Park) states of Scenic Air Tours: *"The National Park Service will request that the Federal Aviation Administration prohibit all commercial sightseeing tours over the park. A scenic air tour management plan will be developed if provided for and directed by law."*
- Within one year of finalizing and publishing the GMP, that law was passed by Congress.

NPATMA requires every national park with air tours to develop an ATMP or VA.

- Glacier and NPSNS started that ATMP work with FAA in 2002.
- In 2004 Sound Monitoring Studies conducted in Glacier (this Baseline Ambient Sound Report was published 12 years later)
- In 2004 the ATMP was halted by FAA to 'consult with solicitors' and Glacier has been tabled every year since, despite repeated efforts by multiple Superintendents.
- After more than a decade of sound studies and research on air tour noise impacts on wildlife and visitor enjoyment – still no ATMP.

The foundation of Glacier National Park is peace and tranquility. No part of tour helicopters fits that indescribably rare experience and instead destroys the opportunity for Park visitors.

Specifically, the General Management Plan summary states, *“Glacier’s peacefulness and tranquility were cited in the designation of “peace” in the area in 1932. The park’s solitude and tranquility were also recognized in the 1974 wilderness recommendation to Congress.”*

The GMP specifically it states:

Glacier’s enabling legislation requires the NPS to regulate activities in such a way as to “preserve a state of nature” while balancing visitor use. The visitor experience is diminished by scenic air tours continuing to operate in backcountry areas where peace and solitude have high value for visitors. Glacier’s peacefulness and tranquility were cited in the designation of an “International Peace Park” in the area in 1932. The park’s solitude and tranquility were also recognized in its 1974 wilderness recommendation to Congress. The NPS believes that visitors to Glacier National Park’s backcountry should have the opportunity to experience Glacier’s peacefulness and solitude without disruption by scenic air tours. This action applies only to scenic air tours and not to restrict private aircraft or commercial aircraft flying over the park...Inasmuch as the Going-to-the-Sun road was developed six decades ago to allow access to the park’s interior, and designed in such a way as to provide for scenic viewing in the park’s back country for all visitors, it was felt the intrusiveness of scenic air tours was not an appropriate use for Glacier.

Completing and ATMP is long overdue and the reasons for doing so are even more relevant and compelling today than when Glacier began the process in early 2000s.

To that end, we have carried this message to the public, to this Advisory Board and the agency heads and the National Parks, Forests & Public Lands Subcommittee, that there are three things at work in Glacier National Park that sets it as a high priority:

- 1) The disproportionately small number of people causing noise pollution adversely to impact the experience for the large number (majority) of visitors. Accessibility - everyone who visits the Park has access to the view and the experience on Going-to-the-Sun Road by car, shuttle, or bus. And because of the commercial air tours, everybody who visits Glacier National Park has to endure the noise of the helicopters servicing a very few. One cannot escape the tour helicopter noise that litters Glacier. The Park permits use of flights for administrative purposes only when no other options exist. Emergency, including fire flights, are not subject to the same restrictions. Every flight is reviewed and is subject to environmental compliance.
- 2) Glacier is 95% defacto Wilderness. Director's order #41 states that defacto Wilderness be managed as Wilderness. The Director's Order, dated May 13, 2013, defines the number one NPS role and responsibility as "Visitor and Resource Protection".
- 3) This is a noise is an acoustical and visual pollution issue, not an aviation issue.

Tour Operator Overflights an Inconsistent Use of the Park

- The operators in Glacier have conducted business for an entire generation based on being granted a temporary permit that was based on unverified or inflated tour number claims, and the Park itself made note that in the case of one, “the number of flights appears unusually high and is suspect given the short season (June-Sept) and the fact that there is generally one helicopter and one pilot conducting the flights.” **This is still the case.** The Park comment continued, “the number of operations [for the IOA] should be made based upon factual information.”
- The acoustical litter is caused by private operators outside the park, privately benefitting from tours at the cost of adversely affecting visitors in the park. The Glacier National Park visitors should not have to endure another generation of noise pollution in one of the only places they can travel to get away from noise.
- Tour companies can still charter flights over the park from an airport, but the American people are not obligated to provide that platform for private ventures that destroy the experience for the majority. No other concession in the National Park Service is allowed to do this.
- NPOAG has been over the situation in Glacier for two decades. The issues we are repeating in this public comment are not new, but we mention them because they remain unresolved and even, unaddressed in any meaningful way.

Air tours over Glacier National Park (and others) are not “necessary and appropriate” commercial activities (National Parks Omnibus Management Act of 1998 (PL. 105-391) because they “*significantly impair park resources or values*” and they also “*unduly conflict with other park uses and activities*”.

Glacier’s General Management Plan clearly reflects this understanding and the Park has not wavered from this determination. Helicopter overflights are an inappropriate use, unless they are for rescue, research or necessary park administration.

The NPS is obligated under 2006 Management Policies, to allow only appropriate activities:

- 1) results in no impairment of natural or scenic values;
- 2) does not itself become a primary attraction, and
- 3) does not lessen the opportunity for others to enjoy the park.

In NPATMA, Congress has given

- NPS authority and responsibility of conservation and protection “***of the scenery and natural and historic objects and wildlife in national parks and providing for the enjoyment of the national parks in ways that leave the national parks unimpaired for future generations***”;
- And the FAA the authority to “***preserve, protect, and enhance the environment by minimizing, mitigating, or preventing the adverse effects of aircraft overflights on public and tribal lands.***” Our question to FAA is what part of tour helicopters preserves, protects

and enhances the environment in Glacier? No part of limiting this activity affects the FAA primary purpose – safety.

We understand that NPOAG has been given the task of compromising disparate agencies with no common goal. But given the special circumstances in Glacier National Park –an international peace park with an administrative commitment for Quiet, that has been supported within the NPS and the public with a General Management Plan in place for 20 years –we implore NPOAG, FAA and NPS NSNS to finalize the protection of quiet in honor of the ‘peace and quiet’ people seek when visiting a National Park like Glacier—as Congress intended, for today and for future generations.

We look forward to a reply and action on the ATMP in Glacier National Park.

Sincerely,

Mary T. McClelland, Coordinator

(815) 482-7404

ORGANIZATIONS OF THE Quiet! Glacier Coalition

ACOUSTICAL SOCIETY OF AMERICA
ALLIANCE FOR THE WILD ROCKIES
AMERICAN PACKRAFTING ASSOCIATION
CENTER FOR BIOLOGICAL DIVERSITY
CONSERVATION CONGRESS
EARTHWISE PRODUCTIONS
FLATHEAD AUDUBON SOCIETY
FRIENDS OF THE WILD SWAN
GLACIER PARK FOUNDATION
GLACIER TWO MEDICINE ALLIANCE
GREAT OLD BROADS FOR WILDERNESS
GRINNELL FAMILY ASSOCIATION OF AMERICA
HEADWATERS MONTANA
LATINO OUTDOORS
LEAGUE OF WOMEN VOTERS OF ESTES PARK
LEAGUE OF WOMEN VOTERS OF MONTANA
MONTANA ECOSYSTEMS DEFENSE COUNCIL
MONTANA WILDERNESS ASSOCIATION
NATURE SOUNDS SOCIETY
NATIONAL PARK CONSERVATION ASSOCIATION
NORTH FORK PRESERVATION ASSOCIATION
ONE SQUARE INCH OF SILENCE FOUNDATION
QUIET PARKS INTERNATIONAL
RESTORE THE NORTH WOODS
SIERRA CLUB
S.P.E.C.I.E.S.
SWAN VIEW COALITION
WILD MOUNTAIN ECHOES
WILD SANCTUARY
WILDEARTH GUARDIANS
WILDERNESS WATCH
WILDWEST INSTITUTE
YELLOWSTONE SAFARI COMPANY