

**Grand Canyon Working Group
Second Meeting
October 26 - 27, 2005
Grand Canyon Squire Inn
Tusayan, Arizona**

Summary of Discussion and Agreements Reached

Facilitators/recorders: Lucy Moore, Ed Moreno, Tahnee Robertson

Members Present:

Lynne Pickard, FAA, Working Group Co-chair
Karen Trevino, NPS, Working Group Co-chair
Katherine Andrus, Air Transport Association [Day Two only]
Bill Austin, US Fish and Wildlife Service
Martin Begaye, alternate for Alan Downer, Navajo Nation [Day One only]
Marklyn Chee, alternate for Alan Downer, Navajo Nation [Afternoon Day One/Day Two]
Mark Grisham, Grand Canyon River Outfitters Association
Elling Halvorson, Papillon Airways
Bob Henderson, alternate for Alan Zusman, Naval Facilities Engineering Command
Dick Hingson, Grand Canyon Trust and National Parks and Conservation Association
Stacy Howard, alternate for Heidi Williams, Aircraft Owners and Pilots Association
Leigh Kuwanwisiwma, Hopi Tribe [Day One only]
Cliff Langness, King Airlines, Inc. and Westwind Aviation
Tom Martin, alternate for Doug Nering, Grand Canyon Hikers & Backpackers Assoc.
Jim McCarthy, Sierra Club
Alan Stephen, Scenic and Grand Canyon Airlines, Inc.
John Sullivan, Sundance Helicopters, Inc.
David Yeaman, Grand Canyon Private Boaters Association
Charlie Vaughn, Hualapai Tribe

Superintendent's Chair:

Joe Alston, Grand Canyon National Park

Member/Alternate Absent:

Roland Manakaja, Havasupai Tribe

DAY ONE:

Welcome and Introductions: Lucy Moore welcomed everyone to the second meeting of the Grand Canyon Working Group. She introduced her colleagues, Ed Moreno and Tahnee Robertson and explained that the three would be sharing the responsibilities of facilitating and recording the meeting.

She congratulated Dick Hingson for receiving the Marjorie Stoneman Douglas Award from the National Parks and Conservation Association, for his years of advocacy on behalf of the Grand Canyon National Park.

Members and alternates of the Group introduced themselves, as well as agency staff and observers.

Remarks of Paul Hoffman: Paul Hoffman, Deputy Assistant for Fish and Wildlife and Parks, expressed appreciation for the commitment of all the members and alternates to participate in good faith in this collaborative process with the two agencies. He emphasized that his role is that of an observer, and that he fully supports the work of the group and its work product. He was critical of recent media coverage that characterized him as determined to lower protection of national park resources, and pledged to continue to uphold his agency's high standards.

He encouraged the working group to honor decisions that have been made by the courts and by Congress as they seek to restore natural quiet at the Grand Canyon. Members should operate within these constraints as they deliberate. Those decisions, he said, should be reopened and reconsidered only if the working group agrees by consensus to do so.

Green Meeting Procedures: Karen Trevino referred the group to various Executive Orders on recycling and sustainability and EPA's Green Meetings guidelines. She explained that pursuant to this policy, agencies are encouraged to seek out meeting venues that subscribe to optimum use of recycling, reuse and other resource conserving methods in their operations. Tahnee Robertson reported that in making arrangements with the Squire Inn she learned that they practice some of these green principles and that she will strive to insure that future meetings conform to these principles as well. In addition, materials for the working group will be printed on both sides of the paper where feasible, and electronic distribution will be made where possible.

Groundrules: Lucy briefly reminded those present about the groundrules for behavior at these meetings, as reinforced in the Protocols. She asked for mutual respect, attentive listening, an awareness of the limited time and the need for all to participate, and a willingness to look for solutions which would satisfy all interests.

She also explained that the agencies had developed a policy for the reimbursement of actual expenses for GCWG members to attend these meetings. The criteria include: lack of organization, company or agency that can provide support, and demonstrated hardship in attending the meeting without reimbursement. Although there is no legal requirement for the reimbursement of members, the agencies do not want finances to be a bar to participation. Anyone who would like to submit for reimbursement should send an inquiry to Lucy. She will meet with the co-chairs and review the request.

Agenda Approval: The agenda was approved as presented. Details were provided for the field trip, reception and dinner on Wednesday evening.

Meeting Summary: The summary from the July 13-14, 2005, meeting in Flagstaff had been distributed to members and alternates in mid-August. Members reviewed the document and approved it with one change:

Page 6, Questions and Comments, Noticeability and the Human Factor: Change the definitions for audibility and noticeability to read as follows: "Audible refers to noise that is

detectable by an attentive human observer with normal hearing. Noticeable refers to noise that is not just able to be heard, but is noticed by a human observer with normal hearing who is not actively listening.”

There was a question about the definition of "normal." The term is defined in the glossary.

***Consensus:** Meeting summary from the first meeting was adopted with a change in definition of audibility and noticeability, as described above.*

Protocols: The revised Protocols, also sent to members and alternates in mid-August, were discussed. There was consensus to adopt Option 1 in the Media Policy section, and to add the following sentence after the first sentence:

"The working group may decide by consensus to close certain sessions to the public and media”

The group asked Ed to produce a final "Media Policy" handout, which would reflect the above change. [This was done and distributed on Day Two.]

Members were concerned that the media would mischaracterize members' comments or the process itself, and that filming during meetings would be disruptive. Cameras are not allowed in the meeting room unless the group agrees to a specific time. Although reporters cannot be kept from attending meetings, they would be required to consider everything said during the course of discussion to be "off the record." The policy permits a reporter to approach a member or alternate following the meeting, or during a break, for an interview, which could be on the record. Members and alternates are urged to speak to the press in a way that respects the process and the other participants. The facilitators may speak on behalf of the group or its members only if requested by the group. Subcommittees or caucuses may hold closed sessions.

A member asked if "off the record" could be enforced. Ed responded that any reporter who did not honor the caveat would most likely be seriously disciplined by superiors.

***Consensus:** To adopt Protocols, with Option 1 Media Policy, and with addition of sentence: "The working group may decide by consensus to close certain sessions to the public and media”*

Scope of Work and Timeline: Lynne reviewed the Scope of Work and Timeline, as distributed at the first meeting, and brought the group up to date on several process issues.

The FAA Rulemaking Office and FAA attorneys have confirmed that the proposed involvement of the Working Group in the rulemaking process is appropriate, given that the Working Group is an aviation rulemaking committee. The FAA Rulemaking Office thinks the draft timeline for issuing a Notice of Proposed Rulemaking (NPRM) is doable, although they believe it will be a challenge to move that rapidly. They are concerned that the amount of time between the NPRM and a final rule with an April 2008 effective date is insufficient, given normal rulemaking processes. Rulemaking triggers processes that are out of the control of the FAA, NPS and Working Group, including Secretarial-level and OMB review

and approval. Once a rule is final, there would be at least 30 days before its effective date, and more than 30 days if the rule is complex and time needs to be provided for training and compliance.

The FAA expects to have a federal rulemaking team format the GCWG recommendations into rulemaking language, for review by the group.

Concerned with the April 2008 deadline, a group member asked that 2008 include more detail to show how the final rule will be issued and implemented. He asked for benchmarks, including a Final EIS deadline, the Record of Decision date, and the effective date of the final rule. Lynne responded that it is difficult to be specific given all the steps that have to be accomplished before 2008, but that she would add detail as she could.

Turning to the next steps for the group, Lynne explained that in the next few weeks the Summer 2005 data will be run through the model, with results sent to the members prior to the January meeting. Between January and April she expects the model to run scenarios suggested by the group, including break outs by types of noise activity, safety analysis, etc.

Lynne recommended to the GCWG that the Scoping Process for NEPA begin as soon as possible. FAA attorneys want to insure that the working group does not get ahead of the NEPA process, by narrowing down alternatives and developing recommendations before the public has an opportunity to consider and contribute. Ideally, the working group will follow the results of the Scoping meetings closely, and will incorporate any ideas from that process they feel are valuable. Lynne hopes for an initial scoping meeting in January (rather than September) to coincide with the next meeting of the GCWG. Karen was concerned about the amount of work required to begin Scoping and warned that the Park Service would have to devote considerable time and energy to the task to meet a January deadline. The NPS Scoping Process often includes several meetings, some far from the park in question, in order to meet the needs of visitors from around the country. She added that NPS will be working with FAA to address the timeline challenges.

Two participants suggested that given the urgency of beginning the NEPA process, as well as the press of work on the GCWG in the next few months, it would be wise to intensify the work and the schedule of the group for the near future. They suggested additional meetings, or an accelerated schedule for the first half of 2006. They were concerned that understanding the extent and nature of the problem, mastering the model, running scenarios, and developing alternatives is a huge task that will require more time and energy than is reflected on the timeline. Talking about alternatives at the January meeting seemed premature to several at the table.

Several participants expressed interest in learning more about the model and how it works at a special session before the next regular meeting. They indicated that they would be willing to travel to the Volpe offices in Cambridge, Massachusetts, for a thorough education from Gregg Fleming. Lucy agreed to be the liaison for organizing such a workshop.

A participant emphasized the need to understand the history of the problem and whether or not the problem still exists. The flight free zones are extensive, he said. He expressed frustration that since 1987 the air tour industry has responded to meet standards set by the

Park, only to find that they shift a few years later. At this point, he said, it is impossible to say whether or not substantial restoration of natural quiet has been achieved or not. There was discussion about the visitor experience at the Park. Some felt that it was critical to understand the number and nature of visitor complaints in order to know what needs to be addressed. They asked for more information on visitor surveys in recent years at the Park. Air tour operators asked for reconsideration of the definition of "day"; there was no consensus to open that topic.

The group acknowledged that there is a great variety of noise at the Grand Canyon, from sources including aircraft of all kinds, railroad, cars and buses, and the visitors themselves.

Tribal Perspective: In response to a request at the last meeting for information on the tribal perspective on this process, Carla Mattix, Department of the Interior Solicitor's Office, offered an introduction to federal law and policy with respect to Indian nations. Her presentation is available on the website: <http://overflights.faa.gov>, or by contacting the facilitator Lucy Moore at lucymoore@nets.com

Discussion: Participants wanted to know the impact of the federal trust responsibility and the consultation process on the GCWG process. Karen explained that the four tribes at the table have three separate roles with respect to the federal government and this topic. They are cooperating agencies with the FAA and NPS in the NEPA process; they have a government to government relationship which requires individual consultation with each tribe; and they are full members of this negotiating group, GCWG.

Presentation: Charlie Vaughn, Chairman, Hualapai Tribe: Chairman Vaughn gave a power point presentation which is available on the website: <http://overflights.faa.gov>, or by contacting the facilitator Lucy Moore at lucymoore@nets.com.

He emphasized the high unemployment on the reservation – 50 to 75% depending on the season – and the need for substantial economic development on tribal lands. The tribe is planning to develop a destination resort and air tour service at Grand Canyon West. He pointed out that Hualapai, and other tribes, "have been late in coming to the table." Citizenship and the right to vote were not granted in Arizona until the 1940's. It is critical, he added, that the tribe not be hindered in pursuing its economic development agenda, just because they are late to enter the picture. Hualapai has no gaming, and desperately needs to capitalize on tourism.

Discussion: Charlie acknowledged that the plenary power of Congress gives it authority over every citizen, including tribal members. The consultation process helps preserve tribal sovereignty, and that is one reason that it is so important to tribal governments.

Air tour operators who have worked with Hualapai described a very successful relationship. The terminal and runway expansion at Grand Canyon West should be completed in the next two years.

Presentation: Leigh Kuwanwisiwma, Cultural Preservation Officer, Hopi Tribe: Leigh began by reminding the group of the uniqueness of each tribe. Hopi culture is defined by the human experience of the Hopi people; culture is the philosophy they live by. They do not see themselves as a single tribe, but rather a collection of 32 clans, each with its own history. There is archaeological evidence of present villages dating back 1,000 years on the Hopi mesas, he said, but this evidence is a culmination of our cultural history. "The word Hopi is what others call us. In our context, Hopi doesn't mean the tribe or a group of people, but a way of life. Hopi is the philosophy of life that we follow and the physical context of our life experience."

Creation stories, he said, don't center on tangible geographical locations. Creation goes back to a time that can't be understood. The cultural landscape of today is called the Fourth World, or the final era of humanity. The physical world around us, he added, is important in our daily spiritual life. Areas relating to the Grand Canyon, like the Little Colorado Gorge are very significant to the Hopi as places for the ceremonial gathering of salt. The Grand Canyon is considered "the genesis and final place of spiritual destiny."

He spoke of the many aspects of the Canyon. "It's so different looking down from the rim and its magnificence, and being down in the river and being swallowed by the Canyon."

The Hopi have no recreational or economic interest in the canyon, he continued, but have chosen to participate in processes like the GCWG to protect the cultural sanctity of the Canyon. Leigh asked the FAA if they were ready to engage in tribal consultation. He said that the Hopi have had successful consultations with the Park Service, but were less confident about dealing with the FAA. He advised that the consultation process should be very practical, and that agencies should take seriously the tribal recommendations. Leigh expressed appreciation for the opportunity to sit at the table today. He invited Jan Balsom, GCNP Chief of Cultural Resources, to speak.

Jan described a successful and enjoyable working relationship with the Hopi people and government. The key, she said, is to continually ask the questions: How can we do this? And how can we do this better? In response, they have received some very practical information. It is critical, she added, to keep the dialogue going, and listen to what's being said.

Discussion: A member asked Leigh to define the term "cultural sanctity." He responded that part of his purpose for being at the table was to help others understand that term. It is critical, he said, to the Hopi religiosity, life experience and emergence stories, as well as the eventual domain of the spirit. With respect to noise, Leigh said that Hopi cultural sanctity and religion believe that man-made noise intrudes on the final resting place for the spiritual essence. The Canyon, he said, is deserving of peace and tranquility.

Presentation: Martin Begaye, Division of Natural Resources, Parks and Recreation Department, Navajo Nation: Martin introduced himself traditionally in Navajo, identifying his clan so that others might recognize him as a relative. He explained that Alan Downer and Marklyn Chee, member and alternate, are with the Historic Preservation Office, also part of the Division of Natural Resources.

He gave an overview of the Navajo Nation, covering parts of Arizona, New Mexico and Utah, and with a population of 250,000 – that's 250,000 different opinions, he added. Land, water, power and quality of life are the basic building blocks of Navajo tradition and of tribal policy. The 88 member tribal council represents 110 local chapters with a certain amount of local control, including regulation of air tours within their jurisdiction. Chapter decisions must be consistent with established tribal law and regulation. The four western chapters with an interest in the overflights noise issue are Cameron, Gap-Bodaway, Copper Mine, and Lechee.

There are seven tribal parks within the Nation boundary, including the Marble Canyon Tribal Park, which was established in 1964 to protect the area from the expansion of the Grand Canyon National Park. Both ground and air tour companies are approaching chapters in the area about development of tourism. These decisions will be made by the tribal Resource Committee and by individual chapters. The Tribe issues tour permits under a new tribal law that allows various types of tourism operations, and regulations are being developed as well.

Although the Nation sees tourism as an untapped resource, they want to be careful not to let the reservation be overrun. With an exploding population and diminishing resources, it is important to develop tourism in a sustainable and sensitive way. The governing body must listen to the people, he added, and protect sacred sites, burial sites, prayer sites, and certain rock formations. In addition, cattle and sheep can be disturbed by tourism, on the ground or in the air. "People appreciate peace and quiet," he said.

Discussion:

A participant asked if sacred could be defined as "worthy of respect." Martin answered that there were 250,000 Navajo opinions on the definition of sacred. An elder may see everything as sacred; a young person may not be familiar with the culture and see less as sacred.

Leigh answered that certain places are sacred to the Hopi, and that the definition of sacred becomes a political issue for the tribal government. He spoke again of the successful negotiations with the Park Service over the protection of what the people consider sacred.

Charlie added that, although his presentation had focused on economic development and self-determination of the Hualapai, his people also have many cultural properties to protect. The nature of these sites is not to be described, he added. "You're not going to see something like Stonehenge. Our sites are not readily identifiable."

Martin returned to the Marble Canyon Tribal Park (originally call Grand Canyon Tribal Park). Running from Gap Bodaway Chapter to Lee's Ferry the park was established to protect it from further encroachment from the NPS expansion of GCNP. Although the expansion was contingent on approval by the Navajo Tribal Council, the Navajo Nation has never agreed. The Nation claims jurisdiction to the middle of the channel of the Colorado River.

Leigh mentioned the 1934 litigation that claimed property on portions of the Navajo reservation, as well as an interest along the Colorado River Gorge at its confluence with Marble Canyon. That claim on the Gorge still stands.

Charlie noted that the Hualapai traditional boundary went to the middle of the Colorado River, and in some place up the side of the north rim. These claims are being pursued, he said, by tribal attorneys, and he resents NPS maps which do not reflect this claim.

The Sierra Club representative pointed out that they have joined tribes in the area to protect San Francisco Peaks. A pumice mine was shut down, and now there is an effort to prevent the Forest Service from using treated water on the mountain. The question was posed about the relative sacred importance of these peaks and the Grand Canyon.

Charlie replied that both the canyon and the peaks appear in several Hualapai creation stories.

Leigh responded that it was not his role to "triage" cultural sites. Particularly with the multiple Hopi societies, there are many, many sites of importance. This working group process, he said, will help everyone understand how the Hopi value landscapes like the peaks and the canyons.

Martin explained that the peaks are one of four sacred mountains to the Navajo. Both the peaks and the canyon are the setting for important events in the story of creation.

Members' Perspectives on the Issue and the Process: The non-tribal members described their roles, values and perspectives.

David Yeamans, Grand Canyon Private Boaters Association: David represents 3,500 self-outfitted river runners. He submitted a written statement, below, which summarized his remarks:

A Draft GCPBA Statement about Overflights, October 26, 2005

- We prefer the natural soundscape without any unwanted noticeable motor noise.
- Part of the Canyon experience is freedom from seeing overflights.
- Overflights are a potential safety advantage but we still prefer to rely on our own self-rescue capabilities.
- Some campsites in the Canyon are nearly unusable due to overflights.
- We support limits on time, areal extent, and IB levels as experienced.
- Flight zones and times are sacrificial: degradation occurs.
- We do not resent it, but we recognize that overflights interfere with our pleasure; we do not interfere with theirs.

David showed a video that honored the life of Everett Reuss, and featured David's photography.

Mark Grisham, Grand Canyon River Outfitters Association: Mark represents 16 outfitters who work as river running concessionaires in the Park. He is learning all he can about the issues, but at this time his organization has no official position on overflights.

John Sullivan, Sundance Helicopters, Inc.: John feels that he is representing air tour passengers at the table. One of the highlights of his work is making people happy and hearing their enthusiasm about the experience. Many of the passengers are unable to experience the Canyon on foot or by raft, some because of disability or infirmity. Many Sundance tours originate in Las Vegas, land at the west end, and descend to the river where visitors can experience the desert flora and sights within the Canyon. The return to Las Vegas is by a different route. The relationship with Hualapai is very important to Sundance, and John is proud of the mutual trust and respect between the company and the tribe.

John spoke of his values – trust, integrity, and common sense. He also said that he values technology for several reasons – how it can improve our lives and the service he provides, and its potential for a solution to the issues facing the GCWG. He feels it is important to understand the nature of the problem, before we tackle a solution. What is the problem, he asked? We need a historical review of changes that have been made, and we need to put the human being back in the equation. The point is not what a machine can hear, but what is noticeable to a human being.

Stacy Howard, alternate, Aircraft Owners and Pilots Association: AOPA represents over 400,000 pilots across the country. Although they don't all fly over the Grand Canyon, they all would like the privilege to do so. Members respect the SFRA limits, but AOPA wants to protect citizens' rights to transit the Canyon as they do now.

Stacy spoke of her deep personal feelings for the Canyon. As an Arizona native, she has experienced it on the ground and on the water, as well as by air. Overflights offer not only a powerful personal experience, but also the sense of the Canyon's place in the larger context of the region and globe.

Cliff Langness, King Airlines and Westwind Aviation: Cliff described himself as representing the little guys in the air tour world. "I remember before there were rules," he said. "You could fly as low as you wanted. It was a free for all down there." There has been much improvement since then, he added, and he is not sure the extent of any remaining problem. He described a trip to the North Rim where he questioned a Park employee who said there was not a noise problem, but sent him to two locations to listen. At one location he could hear some air tour noise in the distance; the other location was too hard to get to by car. Cliff believes that the visitor experience is the key to identifying the problem and finding the solution.

Jim McCarthy, Sierra Club – Grand Canyon Chapter: The Sierra Club has 67 chapters around the country. Originally formed to protect Yosemite National Park, they have successfully blocked two dams in the Grand Canyon. They are participating in the Colorado River Management Plan (CRMP) process, and are also concerned with visibility issues. The Grand Canyon chapter has 13,000 members. Many visitors come for contemplation, Jim said, and the air tour noise affects that experience. Natural quiet enhances the contemplation and takes it to a deeper level of solitude and inspiration. The sights and sounds of the Canyon are the essence of the place. Those who are coming for this quiet contemplation do not interfere with the air tour passenger's experience; it is unfair for the visitor by air to interfere with his.

Field trip to Grand Canyon: Ken McMullen and Sarah Falzarano led the group on a field trip to the south rim to see noise monitoring equipment, and to experience and record on paper the sounds near an overlook. Following the field trip, the Grand Canyon Association hosted the group at a reception overlooking the Canyon.

DAY TWO

Members' Perspective on the Issue and the Process (continued):

Bill Austin, US Fish and Wildlife Service: Bill explained that his role is to protect endangered species that could be affected by overflights and the agencies' proposed actions. This means serving as a technical advisor for compliance with the ESA, and consulting with federal agencies under Section 7 on the impact of the activities to endangered species. To perform these functions, Bill needs detailed information about the occurrence and location of endangered species, and the proposed actions. The Service is committed to minimizing the effects of proposed actions on endangered species.

Elling Halvorson, Papillon Airways, Inc.: Elling has been working at and above the Grand Canyon for a long time, beginning with the construction of the cross canyon pipeline in the 1940's. He wanted to give a historical perspective on the air tour industry. In the early days, people were awestruck by flying over the Grand Canyon, and for some it was tantamount to a religious experience. Air tours quickly became popular, and in the late 80's, there was tremendous activity over the Canyon. Flights criss-crossed the Canyon from every location you can imagine, but all traffic was vectored into the center part of the Canyon. In 1987 the industry recognized there was a problem and began working with NPS to change routes to minimize the noise. The midair collision intensified the need for limits. When the curfew requirement came along, flight time was reduced by 30%. New routes created no fly zones. Elling believes that the problem was solved, and that the industry has adequately fulfilled the intent of the 1987 legislation. "We want to be cooperative," he said, "but honestly the Grand Canyon is not a place to come for solitude," given the noise from commercial airliners 24 hours a day, and from other man-made sources.

Two in ten visitors to the Canyon are air tour customers. Elling suggested that it might be possible to "tweak" the route structure, but that there was not much room to give. It might also be appropriate to close a trail or two, he said. He will share specific ideas at the appropriate time. Finally, he said, he wants to reach consensus, be sensitive to others, and "put this baby to bed."

Dick Hingson, Grand Canyon Trust and National Parks and Conservation Association: Dick spoke of the eloquent sounds of silence. He contested Elling's statement that the Park was not a place for solitude, saying that there is the potential for quiet in most of the Park most of the time. The Grand Canyon is an extremely powerful place for all of the senses, he said. It is wrong to fill up that silence and beauty with overflight noise. He also mentioned equity issues; many cannot afford to see the Canyon by air, but most can visit it by ground. Overflights interfere with the goal of a quiet experience. Dick also urged the group to consider the needs of the North Rim visitor, not just the South Rim visitor.

Dick believes in accommodation where it is reasonable. Much of the park can include competing interests much of the time. He also believes in honoring the role of law,

respecting local expertise and authorities, and recognizing that failure to comply with requirements in a timely way brings consequences.

Alan Stephen, Scenic and Grand Canyon Airlines: Alan conveyed his personal commitment to this process. He is ready to roll up his sleeves, he said, and get to work. In aviation since 1984, he was involved in the 1987 legislation and has been proud to work with the Hualapai Tribe for several years. Alan shared his time with his alternate John Dillon, who represents the next generation of aviation interests at the Canyon.

Born and raised in Flagstaff, John remembers his first plane ride across the Canyon as a child and the excitement he felt, both about flying and the Canyon itself. He sees this dilemma as a user conflict, and believes that the 277 river miles, north and south rims, and hundreds of trails offer a great opportunity to experience the Canyon in many ways. He is concerned about the makeup of the working group, and the importance of considering the visitor experience. He noted that his company uses only quiet technology aircraft.

Tom Martin, alternate, Arizona Hikers and Backpackers Association: Tom's constituents include 35,000 hikers and backpackers. The volunteer association board and members assist the Park in preserving its resources in very practical ways – cleaning bathrooms, maintaining trails, etc. Tom believes that wilderness should be part of everyone's awareness for a lifetime. He hopes to help bring back the natural quiet that no longer exists, by setting up some areas where there would be no aviation noise. He wants to use this forum for negotiating, and is willing to give up something in the interest of a fair resolution. "Let's not run off to court." He agrees that high altitude flights are a problem as well as air tours. He also sees a role for technology in the preservation of the resources – from packing out waste, to quiet technology.

Tom expressed hope that this process could work. "One thing that always inspires me at these meetings is the spiritual value of this park. That is the glue that binds us. Let's not forget this."

Katherine Andrus, Air Transportation Association: Katherine explained that she represents airline companies that are struggling to survive in very difficult times. Their goal is to provide transportation for people and a profit for shareholders. Fuel costs and environmental concerns have driven companies to invest in new technology for fuel reduction. Changes to flight paths can have serious implications for flight times and fuel costs. Katherine is committed to remaining in the process in order to help find a solution and protect the interests of her companies. In answer to a question, she said that changing flight paths was not "off the table" but that the financial and environmental consequences can be considerable, and that safety considerations can limit the options. She added that changing flight paths should be analyzed and considered in a forum other than the GCWG, because of the complexity of issues in the national airspace.

McCain Letter and Response: The group reviewed the letter from Senator McCain distributed at the last meeting, and the joint response from the FAA and NPS (both available on the GCWG website). Most members acknowledged that commercial airline flights were never intended to be part of the original debate. But the reality is that they are probably significant contributors to the noise levels at the Canyon.

Several members criticized the agencies for responding to the Senator without allowing the GCWG to review the letter. They interpreted the letter as asking for legislation, which they believe should be the purview of this group. Karen responded that she and her staff tried to word the letter in a way that did not request legislation, but that pointed out the fact that the agencies lack legislative authority to fix the contradiction arising from court decisions subsequent to the Act of 1987. Katherine Andrus, of ATA, said that she originally thought the response letter was a request for legislation, but that now she sees that it actually gives this group more ability to do the job. "If a deal can be struck that makes sense," she said, "let's get the law to reflect the deal and not get hamstrung by a series of interpretations."

The previous Monday the Senate took up transportation legislation and there was concern that McCain might have added on legislation with regard to overflights at Grand Canyon. Some were suspicious that the response letter appeared on the website the same day that transportation legislation passed. Lynne and Karen explained that a long, cumbersome internal review process delayed the response letter by weeks, and that once it was sent, it was difficult to get confirmation that it had been received by the Senator. The agencies were not comfortable releasing it to the public until they knew it had been received. There was no intention of slowing the process or manipulating the group.

Paul Hoffman added that a letter from a Senator triggers a process that agency staff must follow. Although he would have preferred for the GCWG to review the letter, there was not the opportunity.

Representatives of Hualapai and Navajo objected that tribal governments were not consulted prior to sending the letter, perhaps in violation of the government-to-government consultation requirement. The letter, they said, fails to safeguard tribal issues that may arise in the GCWG.

The agencies agreed to communicate any next steps with regard to legislation with the GCWG.

Technical Presentations:

Basic Acoustic Information, Ken McMullen and Sarah Falzarano, NPS, Skip Ambrose, contractor to NPS: This power point presentation is available on the website: <http://overflights.faa.gov>, or by contacting the facilitator Lucy Moore at lucymoore@nets.com

Questions and Discussion:

Q: Can the equipment determine the altitude, location or type of plane?
A: No, the equipment simply records the noise in order to establish the ambient levels. Sites were chosen away from corridors for that reason. Better equipment would be needed to track a plane based on the noise signature and changes in the sound. The model will be able to accommodate different kinds of planes at different altitudes, etc.

A participant expressed concerns about the choice of the exceedance metric – L90 or L50.

Q: How old is the river noise measurement data?

A: The data from the river corridor was collected in 1998.

Q: Why were river sound measurements 600 meters from rapids and falls?

A: To reflect how far the sound was audible.

Q: Will you also have sites below the rim?

A: Yes, in the future.

Q: Can you adjust for other species besides humans, like owls?

A: Yes, for owls.

There was a discussion about the kind and frequency of noise that might make for a better or worse visitor experience. Some pointed out that humans and animals habituate to certain noises and not others, and that it may have to do with the interval of quiet between the noise events.

There was also discussion of the glossary terms – audibility, detectability and noticeability. These, and perhaps others, need review and perhaps revision by staff and group members who are interested.

Task: Any GCWG members interested in changing glossary definitions should contact Lucy and the co-chairs with specific language changes.

Task: Technical staff will discuss the selection of the metric exceedance number with interested GCWG members.

Overview of Components of Grand Canyon Noise Analysis, Gregg Fleming, Volpe:

Gregg offered a mock representation of noise data analysis to show how the contribution of different sectors would be represented.

Questions and Discussion:

Q: Will we be able to distinguish which sector is responsible for what percentage of noise?

A: Yes, when all the data is analyzed.

Q: Are NPS administrative flights included in the Transportation category?

A: Yes

There was a discussion about the 12 hour versus the 24 hour day. The calculations use a 12 hour day because that is when the overflights occur. Some felt it would be fairer to use a 24 hour time span. Others argued that this would require a redefinition of substantial restoration.

The Hualapai representative asked that the slide listing Grand Canyon West and Bar 10 flights be identified as Hualapai permitted flights. He also objected to the map shown which did not include the tribe's boundary claim to the north rim. The boundary is disputed, and he requested that all maps show the two boundary lines. Otherwise, he felt that there was a legal takings issue. Karen responded that the statute calls for using the park boundary; the location of the Hualapai boundary may or may not coincide with the Park boundary.

Air Tour Operations Database, July-August 2005, Norm Elrod, FAA: Norm presented a power point program showing data on air tour operations. This presentation is available on the website: <http://overflights.faa.gov>, or by contacting the facilitator Lucy Moore at lucymoore@nets.com.

Questions and Discussion:

Q: A participant asked if trails could be included on the maps.

A: It would be possible. Charlie warned that some trail information at Hualapai is proprietary.

Q: There was a request for a model run of the average day, as well as the peak day (August 8, 2005).

A: No consensus was expressed on this suggestion.

There was a discussion about how air tours are counted. Confusion arose because the standard practice is to count one leg of a round trip (ie. Las Vegas to Grand Canyon West) as an air tour, and the other leg (return to Las Vegas) as either transportation or positioning. The number of air tours does not change; it is simply a matter of more accurately describing the flights in the air. In the past a roundtrip would have been counted as two halves of an air tour. Now one leg is counted as one air tour. The number of ticket sales equals the number of air tours.

Commercial, GA and Military Operations Data base, Gregg Fleming, Volpe: Gregg's power point presentation is available on the website: <http://overflights.faa.gov>, or by contacting the facilitator Lucy Moore at lucymoore@nets.com.

Questions and Discussion:

Q: There was a question about the significant "holes" in the airspace where there are no commercial or GA flights.

A: These are military-related sites, including Nellis Air Force Base.

Trends in Grand Canyon Commercial Air Tour Activity, Paul Joly, FAA: Paul's power point presentation is available on the website: <http://overflights.faa.gov>, or by contacting the facilitator Lucy Moore at lucymoore@nets.com.

Questions and Discussion: Participants discussed the reason for helicopter decline and return after 2001. The answers may lie in sales and marketing, and the fact that fixed-wing is more affordable and constant, while the helicopter attracts those who can spend more, when they have it.

There was also discussion about the shrinking number of operators, from 50 to 13 in the last few years. The consolidation may be due to the cost of maintaining old aircraft, and the expense of investing in new, quiet technology. A participant pointed out that allocations of those companies that went out of business were lost to the industry.

Status of NPS Recommendations in the 1994 Report to Congress, Carla Mattix, DOI Solicitor: In response to a request at the last meeting, Carla researched and reported on the relevant recommendations made in the 1994 Report to Congress. (A summary of the report is available on the GCWG website.)

Questions and Discussion:

Q: A participant was concerned that several of the recommendations were not implemented and asked for a written explanation why.

A: Carla explained that some of the items were not implemented because they weren't necessary at the time.

Some felt that the establishment of Special Flight Rules Area (SFRA) had been very successful and expressed surprise and frustration that the 1994 report did not document the substantial restoration of natural quiet. Air tour operators wanted to know how this decision was made, and how close to restoration they were. They felt that they never really had a standard that was clear and consistent. Carla answered that Chapter 9 of the report provides the basis for that conclusion, and it was substantiated through the NEPA process and modeling in later years. Modeling for the 1996 rule indicated about 40% of the Park had attained natural quiet, and the expectation was that the remaining percent could be reached through quiet technology and other adjustments. The appendix of the April 2000 NEPA document elaborates.

Charlie objected that Hualapai had not been consulted prior to the 1994 report and recommendations. Carla asked that he identify areas where consultation should have happened. She added that the 1994 report is a historical picture of the past, not how the agencies intend to work in the future.

The group discussed the relevance of the recommendations to the work of the GCWG. Members had different views of the value of the recommendations at the time. Some felt they were unjustified; others felt there were some important ideas never implemented. The group asked NPS to identify the 1994 recommendations that they believe are relevant to the work of the Working Group.

Task: Provide written explanation for the 1994 recommendations that were not implemented.

Upcoming Work and Plan for Future Meetings:

Near term schedule:

Lynne and Karen outlined the schedule for the near future. In December they should receive the current condition noise analysis, and will pass it on to the GCWG prior to the next

meeting. Hopefully in December or early January, interested GCWG members and alternates will attend a model workshop at Volpe in Cambridge. At the January meeting, the group will discuss potential changes (from the 1994 Report if appropriate), and suggest scenarios, or alternatives, to be run on the noise model and analyzed.

The GCWG third meeting in late January 2006 could be combined with the first NEPA Scoping Meeting.

Proposal for Multiple zones: Karen suggested the group consider the adoption of a multi-zone approach for noise analysis, rather than the dual zones of noticeability and detectability in current use. Breaking the Park into five or six zones, she said, offers greater flexibility and specificity to the scheme, and might be more scientifically and legally defensible. There could be front country (both highly developed and less developed), back country (small wilderness and large wilderness), and motorized corridors, for instance. This multi-zone approach is consistent with NPS applications at other parks, and she believes that it would offer more flexibility for creative solutions.

Some were concerned that "switching maps" at this point would slow the process down, cost more, and leave the group without a baseline that reflects the current rule at Grand Canyon. They favored keeping the same baseline for this analysis, and then considering a new zone scheme once that baseline is established. Although the new system might offer a "finer granularity," and might be the current best technology, many members were unsure how the proposal would affect the different users. If it would simply give a more accurate picture of reality, some would support it. They asked for a written description of the two systems, their pros and cons, and the impact of changing at this point in time from one to the other.

There was a suggestion to run the numbers first for the dual zone map in order to establish a baseline consistent with existing numbers, and then add other zones if it seemed appropriate. Or, it was suggested to run the two approaches simultaneously. Some were concerned, however, that members would favor one map over the other depending on its impact on that particular interest. The decision, they said, should be based on which is the better technology. It was clear, said one, that the question of zones is more a policy and management matter than a scientific one. At this point, multiple zones are not established on a map, and there are no standards associated with those zones. There were concerns that changing zones might cause a change to the goal of substantial restoration.

By a show of hands, all members made it clear that they were not comfortable with the current dual zone approach. Some said they oppose the policy of having any zone that is detectable.

Karen agreed to take the issue to the NPOAG meeting November 8-10 for further discussion.

***Task:** NPS will prepare a written description of the dual zone and multi-zone approaches, the pros and cons of each, and the potential for impact on the goal for substantial restoration.*

***Task:** NPOAG will be asked to consider the multi-zone approach at its meeting in November, and communicate any relevant points to the GCWG.*

Task: Volpe will run numbers for both dual and multi-zones, if feasible in terms of time and cost.

Observers Comments: Three times during the two days observers were invited to address the GCWG. Their comments are summarized below.

- Loretta Jackson of the Hualapai Historic Preservation Office asked if there were independent studies of the impact of overflights on river runners. David Yeamans answered that he has polled his members, and also he believed that NPS had done studies about the impact of river rafting on the river. He added that he would like to know what questions NPS has asked rim visitors.
- Walter Marr, Silver State Helicopters, observed that there is a "divergence of desires within the group." Some want absolute and total quiet, he said, while others want business and economic development. He recommended the movie "Into the West" which shows the quiet Indian life before European encroachment, and the compromises that were made. Although the divergent interests are pulling the group apart, he believed that "compromise is in the room."
- Roxane George explained that the Sierra Club values natural quiet as a natural resource that deserves protection in its own right, not as part of the visitor experience. The value of science is to inform us, not to impact policy. We should not base our choice of science on the outcome that we want.
- Steve Beatty, Hualapai Tribe, commended this process. The numerical readings on different noise sources were very interesting, and seemed to show that we all practice selective hearing. It is critical to involve the members in the technical processes, not produce numbers out of a hat – or from behind the wizard's curtain. The definition of day should be revisited. The law's intent was to protect the visitor experience; we need to see those visitor surveys done in the past to understand the extent of the problem. The air tour business is key to the economic well being of Hualapai, both in terms of direct and indirect employment.
- Eric G, a local resident of Tusayan, was a close friend of the pilot who died in the 1986 crash . He remembers that a year later the rules changed to improve safety. "I hope that the bickering around the table leads to a solution to the management of national parks. The parks belong to everyone. Solitude is inside yourself, inside your own heart. We only hear what we want to hear." The flight free zones are working, he added.
- Craig Sanderson, Grand Canyon Airlines, explained that from 1994 to 1997 there was an incredible amount of activity going on to assess the recommendations in the 1994 Report. Many weren't implemented for safety reasons. Some things were implemented that weren't in the report. We really need solid data, so that we know where we were, where we are now, and where we need to go.

NEXT MEETING:

January 31 through February 2 (three full days)

Phoenix area

Possibly combined with first NEPA Scoping Meeting

TASKS:

Task: Lucy will prepare final summary of July 2005 meeting and final Protocols and distribute to members and alternates by November 14.

Task: Lucy will prepare draft summary of October 2005 meeting and distribute to members and alternates by November 30.

Task: Tahnee will collect and forward as soon as possible for website posting: all electronic presentations, the final meeting summary, the media policy, and the final protocols from the October meeting.

Task: Lucy will serve as liaison between Gregg Fleming at Volpe and GCWG members/alternates who are interested in attending a workshop in Cambridge to learn about how the noise model works.

Task: FAA and NPS staff will proceed with tribal consultation on relevant issues.

Task: Technical staff will discuss selection of metric exceedance number with interested GCWG members.

Task: NPS will provide written explanation for the 1994 recommendations that were not implemented.

Task: NPS will provide information on the website that relates to visitor surveys that have been done by their agency, or by contractors.

Task: NPS will prepare a white paper on the dual zone and multi-zone approaches, the pros and cons of each, and the potential impact of each on the goal of substantial restoration.

Task: NPOAG will be asked to discuss the multi-zone approach at its meeting in November, and communicate any relevant points to the GCWG.

Task: Volpe will run numbers for dual and multi-zones, if feasible in terms of time and cost.

Task: NPS and FAA will begin working immediately on the NEPA process and choice of appropriate dates and venues for scoping for the joint EIS

Summary prepared by Lucy Moore. Please contact her with any comments or corrections. 505-820-2166, or FAX 505-820-2191, or email <lucymoore@nets.com>