

## **Exhibit 4 – Invitation to November 10, 2022, Consulting Party Meeting**

*Initial APE Development, Historic Property Identification, and Potential Effects*



United States Department of Transportation  
**FEDERAL AVIATION ADMINISTRATION**  
Office of Policy, International Affairs & Environment  
Office of Environment and Energy

## **NATIONAL PARKS AIR TOUR MANAGEMENT PROGRAM**

October 31, 2022

Re: Continuing Consultation under Section 106 of the National Historic Preservation Act for the development of an Air Tour Management Plan at Haleakalā National Park (HICRIS Project 2022PR00396)

Dr. Alan Downer  
Deputy State Historic Preservation Officer  
Hawai'i State Historic Preservation Division  
Hawai'i Department of Land and Natural Resources  
Kakuhikewa Building, Room 555  
601 Kamokila Boulevard  
Kapolei, HI 96707

Dear Dr. Alan Downer:

The Federal Aviation Administration (FAA) and the National Park Service (NPS) are inviting you to a virtual Section 106 consulting party meeting for the development of an Air Tour Management Plan (ATMP) at Haleakalā National Park. The purpose of this meeting is to discuss the identification of historic properties that may be affected by the implementation of the ATMP and a preliminary discussion of potential effects.

The meeting will be held on Thursday, November 10th at 11:00 a.m. to 12:30 p.m. HST over Zoom and can be accessed at:

<https://usdot.zoomgov.com/j/1614528465?pwd=RW9acG0yWVVQZFBDblpXK2xYWFY2Zz09>

Meeting ID: 161 452 8465

Passcode: 143081

The call-in numbers are:

Dial by your location

+1 669 254 5252 US (San Jose)

+1 646 828 7666 US (New York)

+1 669 216 1590 US (San Jose)

+1 551 285 1373 US

Meeting ID: 161 452 8465

Passcode: 143081

In preparation for the meeting, the FAA is providing the enclosed APE map, historic properties list, and maps of the alternatives for your review.

Should you wish to receive additional information about any of the above, please contact me at (202) 267-4185 or at [judith.walker@faa.gov](mailto:judith.walker@faa.gov), copying [ATMPTeam@dot.gov](mailto:ATMPTeam@dot.gov). You may also reach out to the Haleakalā National Park Point of Contact, Bennadette K. "Honeygirl" Duman, at (808) 264-7701 or [REDACTED]

Sincerely,

A handwritten signature in black ink, appearing to read 'Judith Walker', with a stylized, sweeping flourish extending to the right.

Judith Walker  
Federal Preservation Officer  
Senior Environmental Policy Analyst  
Environmental Policy Division (AEE-400)  
Federal Aviation Administration

cc: Suzanne Case, State Historic Preservation Officer & DLNR Chairperson

#### Attachments

- A. APE Map Including Historic Properties
- B. List of Historic Properties in the APE and Description of Historic Characteristics
- C. Maps of Project Alternatives

**ATTACHMENT A**  
**AREA OF POTENTIAL EFFECTS MAP**  
**INCLUDING**  
**HISTORIC PROPERTIES**

## Area of Potential Effects with Historic Properties for ATMP at Haleakalā National Park

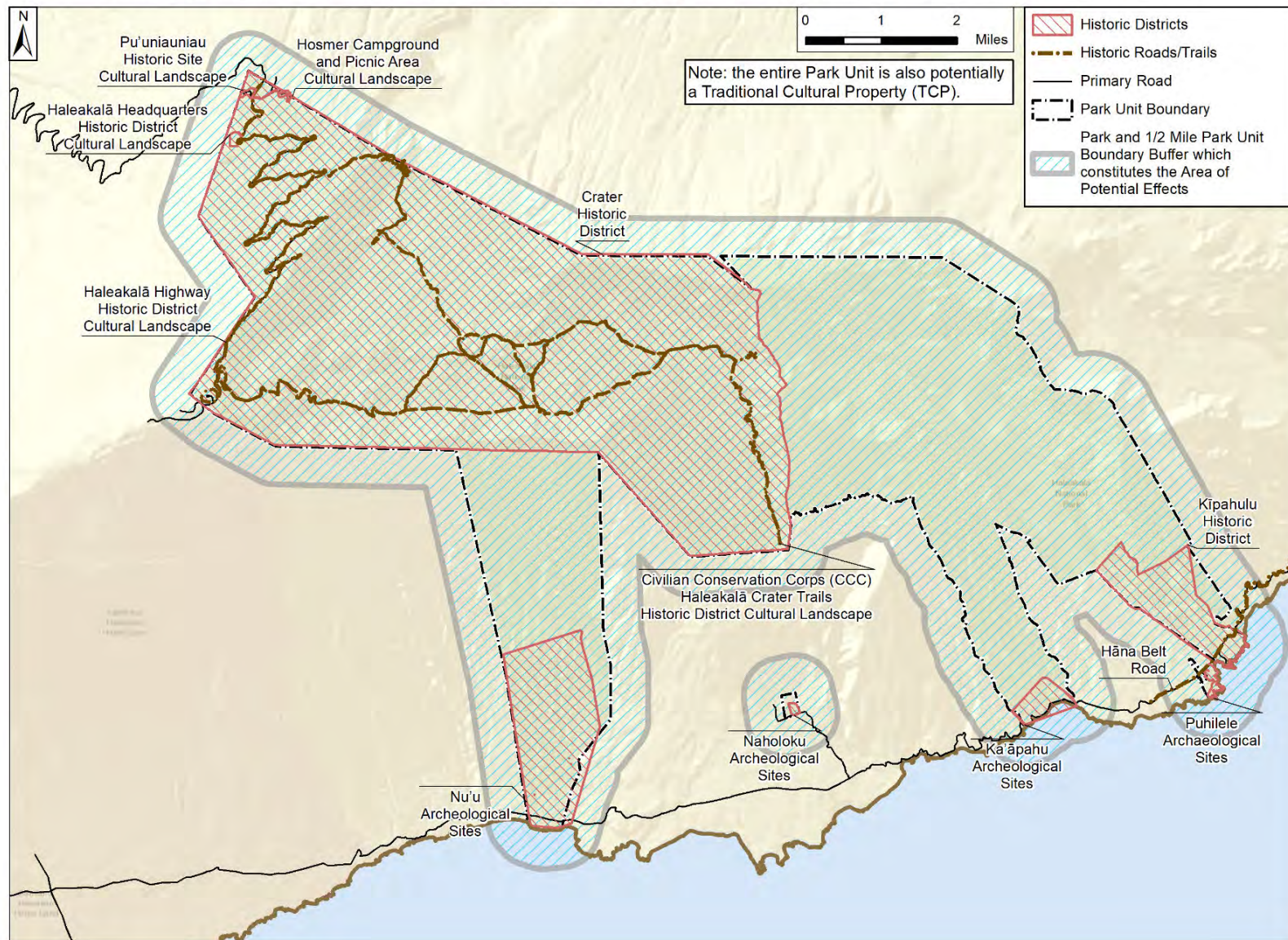


Figure 1. APE Map Including Historic Properties

**ATTACHMENT B**  
**List of Historic Properties in the APE and Description of Historic Characteristics**

<b>Property Name</b>	<b>Property Type</b>	<b>Eligibility Status</b>	<b>Significant Characteristics</b>
Civilian Conservation Corps (CCC) Haleakalā Crater Trails Historic District Cultural Landscape	Cultural Landscape	Eligible	The Civilian Conservation Corps (CCC) Haleakalā Crater Trails Historic District Cultural Landscape was designed by NPS landscape architects and constructed by CCC enrollees between 1930 and 1941. It is significant for its association with early park planning and the CCC and for its embodiment of NPS Rustic Style architecture.
Crater Historic District	District	Listed	Crater Historic District consists of 56 pre-contact archaeological sites, including temples and burials. It is accessed for traditional uses by Native Hawaiians.
Haleakalā Headquarters Historic District Cultural Landscape	Cultural Landscape	Eligible	The Haleakalā Headquarters Historic District Cultural Landscape is significant for its association with early park planning and as an example of Mission 66-era development. It is also significant for its NPS Rustic Style design.
Haleakalā Highway Historic District Cultural Landscape	Cultural Landscape	Eligible	The Haleakalā Highway Historic District Cultural Landscape includes a portion of the highway within the Park, which was designed by the Bureau of Public Roads (BPR) with input from the Park and NPS landscape architects, as well as several developments along the route. It is significant for its association with NPS master planning from the 1930s and Mission 66 eras and for its minimally intrusive design.
Traditional Cultural Property	TCP	Eligible	The Summit of Haleakalā, including Kaupō Gap and Kīpahulu Valley, is significant as a Traditional Cultural Property (TCP) for its association with native Hawaiian culture, traditions, and sacred uses.
Hāna Belt Road	District	Listed	Hāna Belt Road includes a road and bridges to Hāna that were built between 1900 and 1947. It is significant as an engineering achievement and for its association with the development of the area that opened East Maui to further settlement, agricultural enterprises, and tourism.
Hosmer Campground and Picnic Area Cultural Landscape	Cultural Landscape	Eligible	The Hosmer Campground and Picnic Area Cultural Landscape is located just below the 7,000-foot elevation in the summit area of the Park and is the only drive-in campground in the area. It is significant as an example of a Mission 66-era development and for its experimental forestry plots that were planted by Ralph S. Hosmer in the early-twentieth century.
Ka'āpahu Archeological Sites	Site	Eligible	Ka'āpahu Archeological Sites consist of archeological sites recorded within Kālepa, 'Alelele, Lelekēa, and Kukui'ula Valleys, including traditional Native Hawaiian dryland agriculture terraces and clearings, larger irrigated pondfield complexes for the production of kalo (taro, Colocasia

			esculenta), and habitation and ceremonial sites. 19th century enclosures representing mixed residences and agriculture (including animal husbandry) are also present.
Kīpahulu Historic District	District	Eligible	The Kīpahulu Historic District is comprised of fragmentary structural remains of Hawaiian use of the Kīpahulu land in the pre-contact period through 1900 that indicate a substantial resident population engaged in horticulture and fishing in an isolated wet-valley Polynesian community. The archeological study of the remains may reveal the vicinity may have played an important and significant role in the colonization of the Hawaiian Islands by early Polynesian voyagers and settlers. The few Hawaiian families who continued to live along 'Ohe'o Gulch and stream after 1900 perpetuated traditional irrigated and dry-land horticulture and fishing activities. The people of Kīpahulu perhaps experienced a minor lifestyle change when organized Christianity invaded east Maui ca. 1850, and certainly did so after 1900 when Kīpahulu plantation imported laborers from overseas and began to clear and plow the steeply sloping lower flanks of Haleakala volcano on both sides of 'Ohe'o Gulch to grow sugar cane. The historical themes of Hawaiian land use, Hawaiian placenames, engineering for sugar cultivation on marginal lands, and overland transportation are represented by structures or their remnants.
Naholoku Archeological Sites	Site	Eligible	Naholoku Archeological Sites consist of archeological sites, composed of enclosures, pocket terraces, terraces, modified outcrops, and walls that represent a sample of an extensive traditional dryland agricultural complex for primarily sweet potato production, residential and ceremonial structures, and boundary walls.
Nu'u Archeological Sites	Site	Eligible	Nu'u Archeological Sites consist of archeological sites, composed of pocket terraces, terraces, enclosures, cleared areas, modified outcrops, and mounds that represent an extensive traditional dryland agricultural complex for primarily sweet potato production, temporary shelters associated with agricultural activity, multiple permanent residential complexes, most of which date to the 19th century, specialized features/use areas for ceremony and lithic production.
Puhilele Archaeological Sites	Site	Eligible	Puhilele Archaeological Sites consist of archeological sites, composed of terraces, platforms, alignments, and mounds used for agricultural, residential, ceremonial as well as temporary shelter for fishing.
Pu'uniauniau Historic Site Cultural Landscape	Cultural Landscape	Eligible	The Pu'uniauniau Historic Site Cultural Landscape is significant as a base camp used by the U.S. Army for the administration of the Red Hill Aircraft Warning Service Station at the summit of Haleakalā between 1941 and 1946. It consists of five historic structures and a south access road.

**ATTACHMENT C**

**Maps of Project Alternatives**



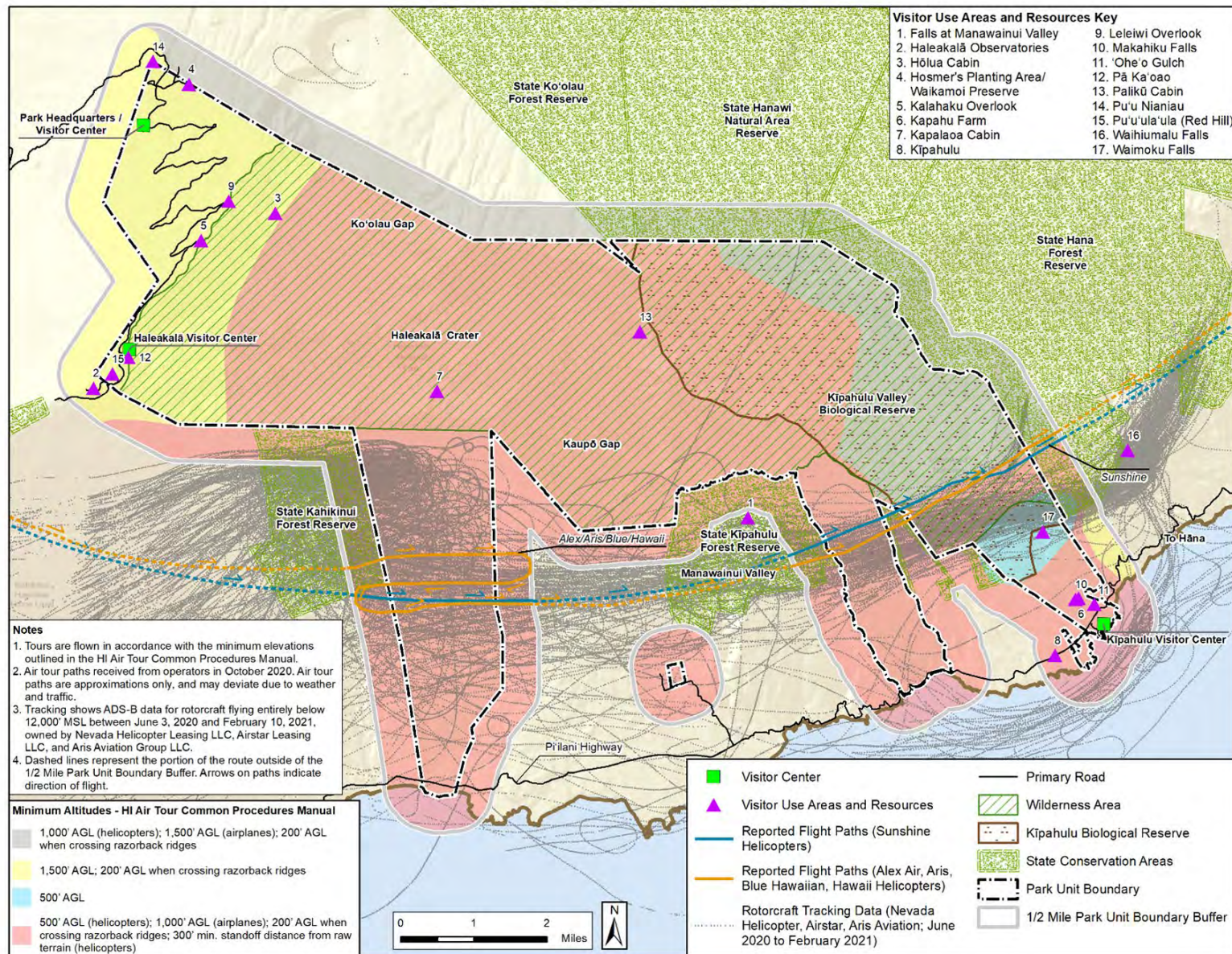


Figure 2. Alternative 1 (No Action)



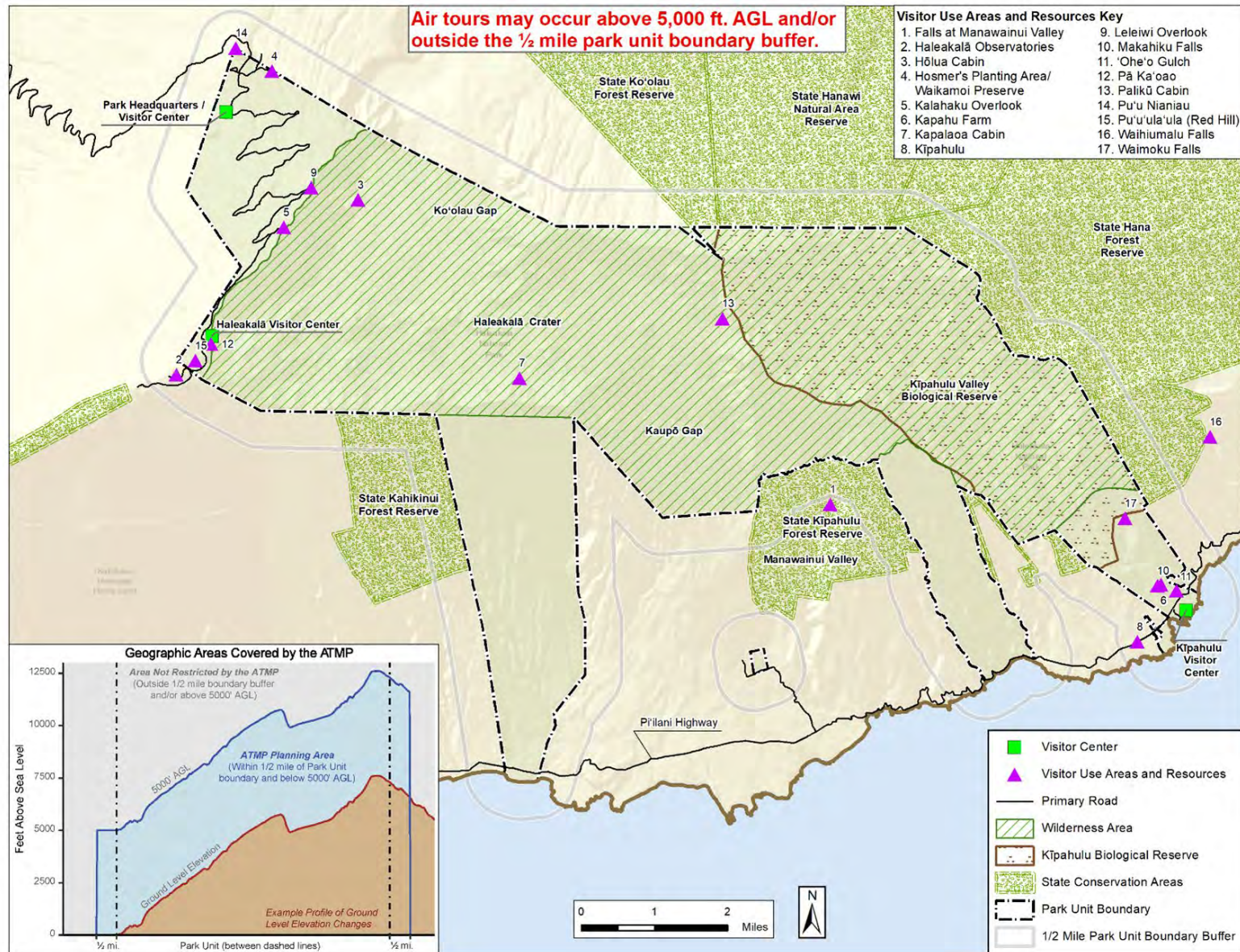


Figure 3. Alternative 2



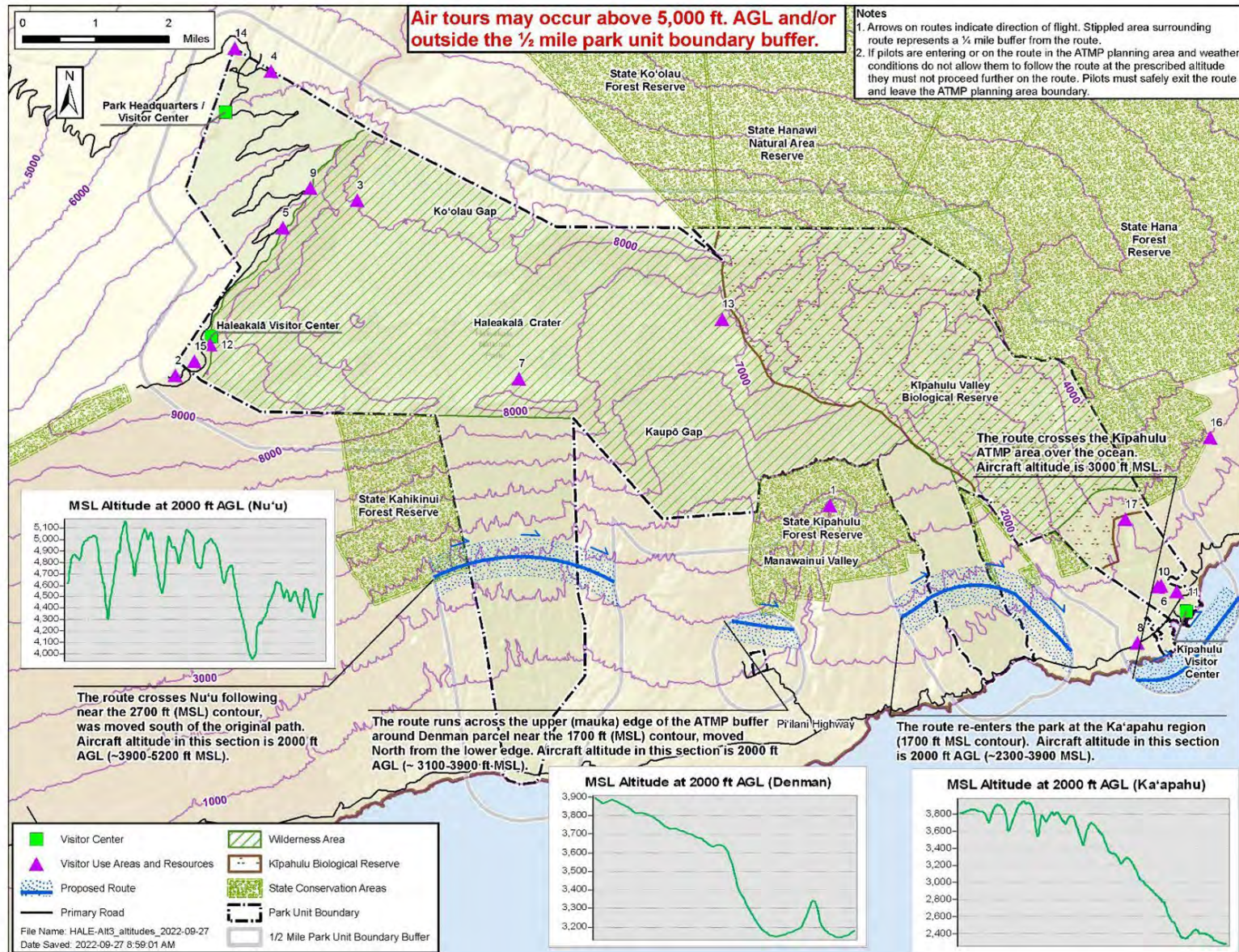


Figure 4. Alternative 3

**From:** [ATMPTeam](#)  
**To:** [Walker, Judith <FAA>](#)  
**Cc:** [REDACTED]  
[apazian, Jennifer \(Volpe\); Haas, Shauna \(Volpe\); Hootman, Amy \(Volpe\); Rimol, Kaitlyn \(Volpe\);](#)  
**Bcc:** [REDACTED]  
[@historichawaii.org;](#)  
[kaupocommunityassociation2015@gmail.com; ohana@kipahulu.org; andrea@lhwrp.org;](#)  
[sylviah@oha.org; mililani.trask@icllchawaii.com;](#)  
[DHLcontactcenter@hawaii.gov; dlnr@hawaii.gov;](#)  
[scott.tretz@hawaii.gov; scott@haleakalalarch.com; harry@mauicabins.com;](#)  
[acohan@tnc.org;](#)  
[Mark.Vaught@mahipono.com; Makalea.ane@mauicounty.gov; christina\\_richards@fws.gov; scott@hilt.org;](#)  
[coordinator@eastmauiwatershed.org; olena.alec@haleakalaconservancy.org; Mark.Vaught@mahipono.com;](#)  
[lance.k.desilva@hawaii.gov;](#)  
[paul.m.radley.researcher@hawaii.gov; emerritt@savingplaces.org; anelson@savingplaces.org;](#)  
[dan.malakie@paradisecoasters.com; steve@bigislandair.com; ehamp@bluehawaiian.com;](#)  
[jbrooke@bluehawaiian.com; calvin@paradisecoasters.com; volcopters@aol.com;](#)  
[joshua.greenband@mokulelehawaii.com; joshua.greenband@mokuleleairlines.com;](#)  
[murphy@safarihelicopters.com; richard@makanihiki.com; richard@schumanaviation.com;](#)  
[doug@magnumhelicopters.com; paul.morris@sunshinehelicopters.com;](#) [REDACTED]  
**Subject:** RE: Section 106 Consulting Party Meeting Regarding the Development of an ATMP at Haleakalā National Park  
**Date:** Wednesday, November 9, 2022 2:22:16 PM  
**Attachments:** [Haleakalā National Park Consulting Party Meeting.ics](#)  
[Attachments Invitation to Consulting Party Meeting\\_HALE.pdf](#)  
[2022-11-10\\_HALE\\_Final Consulting Party Meeting PowerPoint.pdf](#)

---

Greetings,

Last week we sent you an email (see below) inviting you to participate in a virtual consulting party meeting being hosted by the Federal Aviation Administration (FAA) and National Park Service (NPS). The purpose of this virtual gathering is to discuss the identification of historic properties that may be affected by the implementation of the ATMP at Haleakalā National Park, the area of potential effects, and a preliminary discussion of potential effects.

We are sending this email as a reminder that the consulting party meeting will be held tomorrow, Thursday, November 10th from 11:00 a.m. to 12:30 p.m. HST over Zoom and have attached a copy of the slides for the meeting.

Best Regards,  
Judith Walker

---

**From:** ATMPTeam <ATMPTeam@dot.gov>  
**Sent:** Monday, October 31, 2022 3:48 PM  
**To:** Walker, Judith <FAA> <judith.walker@faa.gov>  
**Cc:** [REDACTED]  
[REDACTED]

Papazian, Jennifer (Volpe) <Jennifer.Papazian@dot.gov>; Haas, Shauna (Volpe) <shauna.haas@dot.gov>; Hootman, Amy (Volpe) <Amy.Hootman@dot.gov>; Rimol, Kaitlyn (Volpe) <Kaitlyn.Rimol@dot.gov>

**Subject:** Section 106 Consulting Party Meeting Regarding the Development of an ATMP at Haleakalā National Park



Greetings,

The Federal Aviation Administration (FAA) and the National Park Service (NPS) are inviting you to a virtual Section 106 consulting party meeting for the development of an Air Tour Management Plan (ATMP) at Haleakalā National Park. The purpose of this meeting is to discuss the identification of historic properties that may be affected by the implementation of the ATMP and a preliminary discussion of potential effects.

The meeting will be held on Thursday, November 10th at 11:00 a.m. to 12:30 p.m. HST over Zoom and can be accessed at:

<https://usdot.zoomgov.com/j/1614528465?pwd=RW9acG0yWVVQZFBDblpXK2xYWfY2ZzO9>

Meeting ID: 161 452 8465

Passcode: 143081

The call-in numbers are:

Dial by your location

+1 669 254 5252 US (San Jose)

+1 646 828 7666 US (New York)

+1 669 216 1590 US (San Jose)

+1 551 285 1373 US

Meeting ID: 161 452 8465


Passcode: 143081

In preparation for the meeting, the FAA is providing the enclosed proposed APE map, preliminary historic properties list, and maps of the alternatives under consideration for your review.

Should you wish to receive additional information about any of the above, please contact me at (202) 267-4185 or at [judith.walker@faa.gov](mailto:judith.walker@faa.gov), copying [ATMPTeam@dot.gov](mailto:ATMPTeam@dot.gov). You may also reach out to the Haleakalā National Park Point of Contact, Bennadette K. "Honeygirl" Duman, at (808) 264-7701 or [REDACTED]

Best Regards,

Judith Walker



# Section 106 Consulting Party Meeting for Haleakalā National Park Air Tour Management Plan

**November 10, 2022**



# Agenda

- Introductions
- Oli/‘ōlelo no‘eau
- Provide Project Overview
- Development of Area of Potential Effects
- Identification of Historic Properties
- Review Proposed Alternatives
- Discuss Agencies' Assessment of Effects
- Next Steps
- Request Input from Consulting Parties



# Introductions – Federal Agencies

## **Federal Aviation Administration**

- Judith Walker – Federal Preservation Officer
- Eric Elmore – FAA Senior Policy Advisor

## **National Park Service, Haleakalā National Park**

- Natalie Gates - Superintendent
- Lindsay Moore - Environmental Protection Specialist
- Rachel Hodara Nelson - Archeologist & Cultural Resources Program Manager
- Honeygirl Duman – Education Specialist & Hawaiian Community Liaison





# Introductions – Consulting Parties

- Native Hawaiian Organizations
- Kūpuna
- Hawai'i State Historic Preservation Division (SHPD)
- Property Owners
- Operators



# Oli and 'ōlelo no'eau



# NPATMA Overview

- Enacted April 5, 2000
- Requires an ATMP or Voluntary Agreement
- The agencies have chosen to develop an ATMP for this park
- Required FAA to grant Interim Operating Authority (IOA) for existing commercial air tour operations
  - Based on the number of flights conducted in the 12-month period prior to enactment of NPATMA (or average of three prior years)
  - Granted 25,827 IOA to 6 operators for Haleakalā
  - IOA was published in the Federal Register in 2005
- Established the National Parks Overflights Advisory Group (NPOAG) to provide advice and guidance to the agencies from personnel with aviation, environmental, and tribal interests.





# Project Overview

- Purpose of the Project – to comply with National Parks Air Tour Management Act (NPATMA) and other applicable laws, consistent with the Plan and Schedule for Completion of Air Tour Management Plans (ATMPs) at 23 Parks under Court Order
- Need for the Project – NPATMA requires the FAA, in cooperation with the NPS, to develop an ATMP for Parks with applications to conduct commercial air tours.
- Objective of the ATMP, under NPATMA, is to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations on the natural and cultural resources, traditional cultural properties (TCPs), sacred sites and ceremonial areas, wilderness character, and visitor experiences





# Project Overview

- Undertaking is the development of an ATMP for the Park
- ATMP would regulate commercial air tours over the Park or within a half-mile buffer during which the aircraft flies below 5,000 ft. AGL
- Three alternatives are being considered for the ATMP at the Park
- Consultation under Section 106 was initiated in Spring of 2021 and is ongoing
- Both the FAA and NPS must prepare National Environmental Policy Act (NEPA) documentation and sign the decision document for the ATMP
  - The FAA is acting as the lead agency overseeing compliance with NEPA and Section 106 consultation under the National Historic Preservation Act (NHPA), with the NPS serving as a cooperating agency
  - An Environmental Assessment (EA) will be prepared for the Park



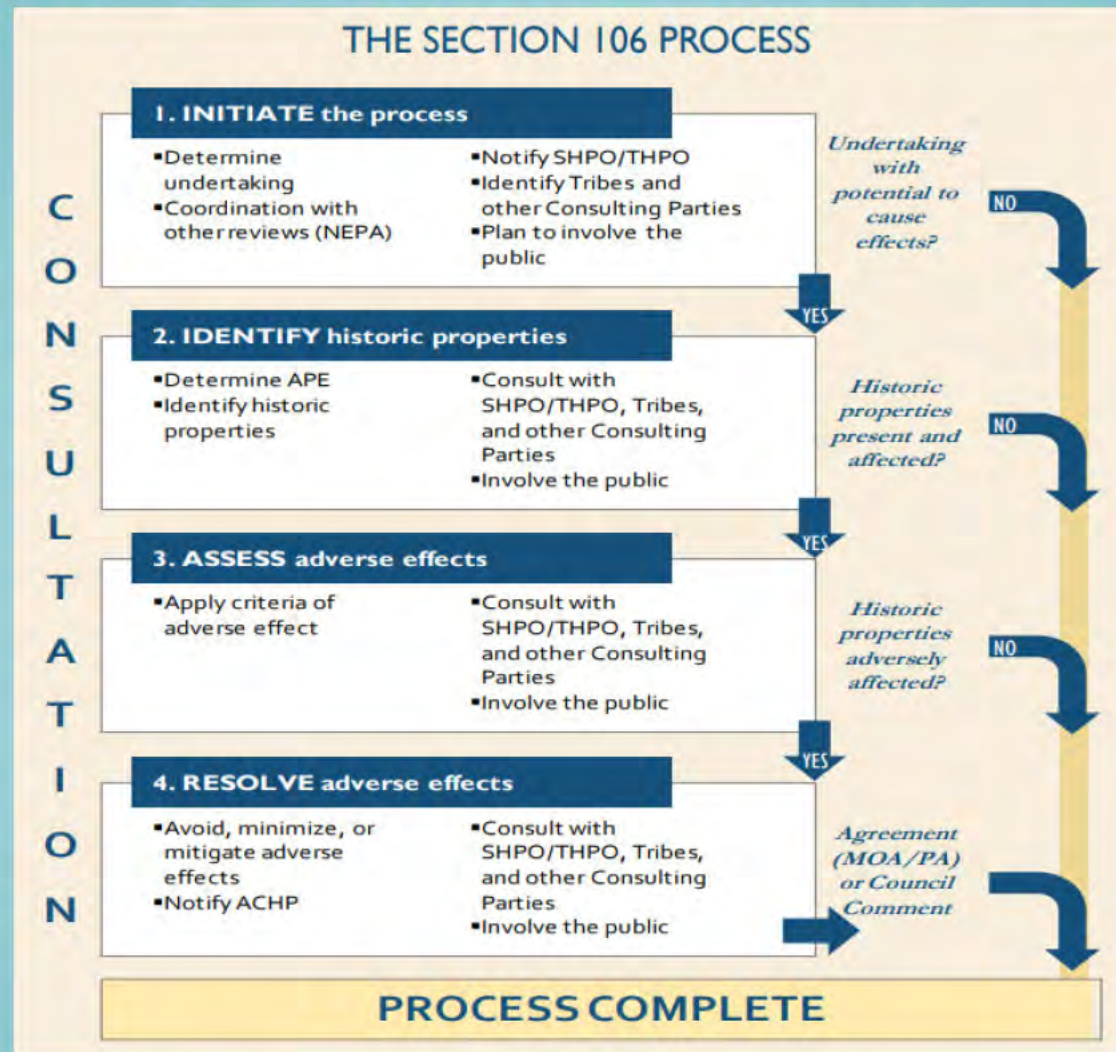
# Consulting Party Roles under Section 106

- By-right consulting parties include the applicants, State Historic Preservation Offices (SHPOs)/Tribal Historic Preservation Offices (THPOs), NHOs, and local governments
- Invited consulting parties include others with a demonstrated interest, such as the operators
- Consulting parties are entitled to share their views, receive and review pertinent information, offer ideas, and consider possible solutions
- Views of the public are also important and considered in the Section 106 process and NEPA





# Steps of the Section 106 Process



Graphic from *NEPA and NHPA: A Handbook for Integrating NEPA and Section 106*

# Development of Area of Potential Effects

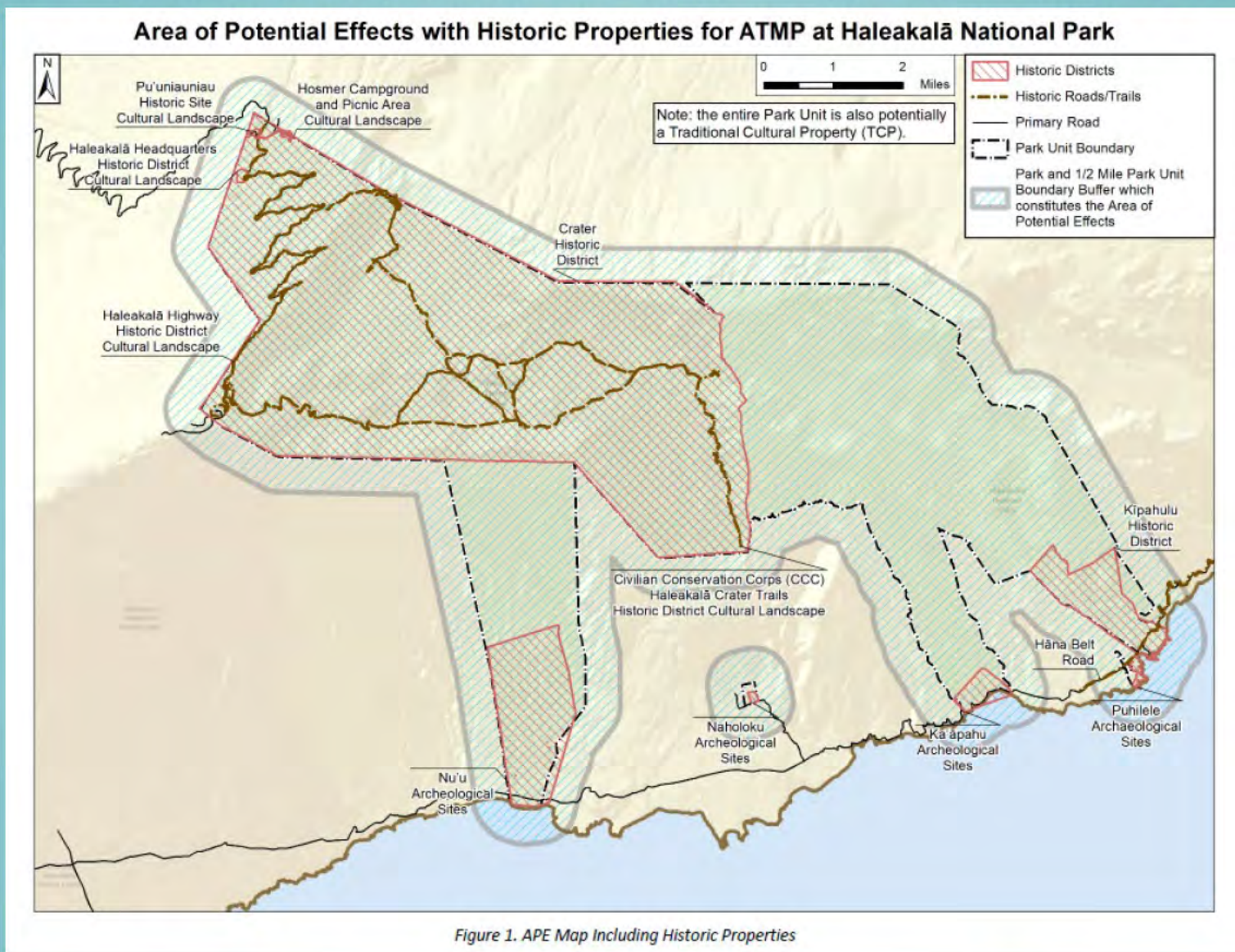
**Area of Potential Effects (APE)** is defined as *“the geographic area or areas within which an undertaking may directly or indirectly cause alteration in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.”*  
36 CFR 800.16(d)

- The APE is based on the undertaking and its potential impacts to cultural resources in accordance with 36 CFR 800.
- Potential impacts include the introduction of audible or visual elements





# Haleakalā National Park Proposed APE – Park plus ½ mile outside the Park boundary





# Preliminary Identification of Historic Properties

**For identifying historic properties within the APE, the FAA and NPS consider the:**

- views of consulting parties, planning, research, and studies
- the magnitude and nature of the undertaking
- the nature and extent of potential effects on historic properties, and the use of traditional cultural properties associated with cultural practices, customs or beliefs that continue to be practiced today

**Current Identification Efforts include:**

- data pulled from NPS and the Hawai'i State Historic Preservation Division's (SHPD) Hawai'i Cultural Resource Information System identified 13 above-ground historic properties within the APE, which includes a TCP, the Summit of Haleakalā, and several cultural landscapes



# Preliminary Identification of Historic Properties

- Traditional Cultural Property (TCP) defined as Summit of Haleakalā including Kīpahulu Valley and Kaupō Gap
- Civilian Conservation Corps Haleakalā Crater Trails Historic District Cultural Landscape
- Crater Historic District
- Haleakalā Headquarters Historic District Cultural Landscape
- Haleakalā Highway Historic District Cultural Landscape
- Hāna Belt Road
- Hosmer Campground and Picnic Area Cultural Landscape
- Kaʻāpahu Archeological Sites
- Kīpahulu Historic District
- Naholoku Archeological Sites
- Nuʻu Archeological Sites
- Puhilele Archaeological Sites
- Puʻuniauniau Historic Site Cultural Landscape





# Questions or Comments?



# Existing Air Tour Operations – Haleakalā National Park

Operator	Aircraft Type	2017 Reported Tours	2018 Reported Tours	2019 Reported Tours	3-year Reported Average No. of Air Tours (2017-2019)	Interim Operating Authority (IOA)
Aris, Inc. (Air Maui Helicopter Tours)	AS350BA	905	863	735	834	3,996
Hawai'i Helicopters, Inc.	AS350B2	516	328	283	376	5,682
Helicopter Consultants of Maui, Inc. (Blue Hawaiian Helicopters)	AS350B2, EC130 T2, EC130 B4	2,100	2,503	2,740	2,448	8,348
Schuman / Makani Kai	No Data	0	0	0	0	25
Sunshine Helicopters, Inc.	AS350BA	881	703	775	786	4,853
Alika Aviation, Inc. (Alexair, Maverick)	EC130B4	437	360	342	380	2,923
		<b>4,839</b>	<b>4,757</b>	<b>4,875</b>	<b>4,824</b>	<b>25,827</b>

# Existing Air Tour Operations – Haleakalā National Park

- 6 helicopter operators
- 4,824 flights per year on average.
- Interim operating authority (IOA) for up to 25,827 flights, all helicopter operations
- No time-of-day restrictions
- No provisions for NPS to establish temporary no-fly periods.
- Tours occur year-round on most days of the year.
- January or July is the peak operation month with a 3-year average of 551 flights or about 18 flights per day during the peak month.





# Project Alternatives for Haleakalā National Park

- ~~Alternative 1~~

- No Action – Continuation of current conditions up to IOA limits
- Not selectable as NPATMA requires implementation of ATMP or Voluntary Agreement

- **Alternative 2**

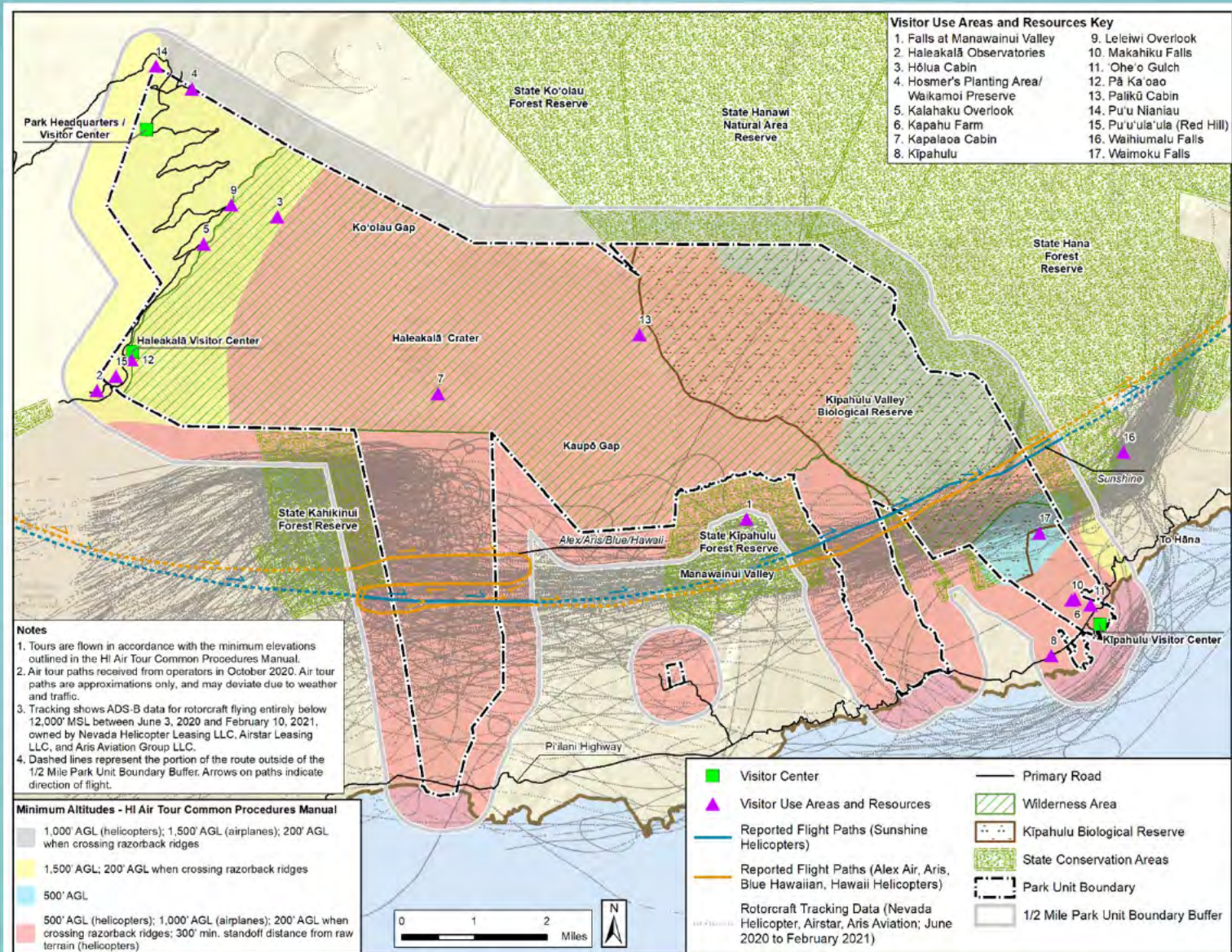
- No air tours within 5,000ft AGL over or within ½ mile of the Park
- Air tours could still occur outside of this area and around the Park

- **Alternative 3**

- Reduction in annual number of commercial air tours over the Park
- A singular flight path with altitudes ranging from 1,500 – 2,000ft AGL
- Flights permitted between 11AM-2PM (with Quiet Technology allowed from 11AM-4PM), except for Wednesday and Sunday
- Hovering/circling prohibited

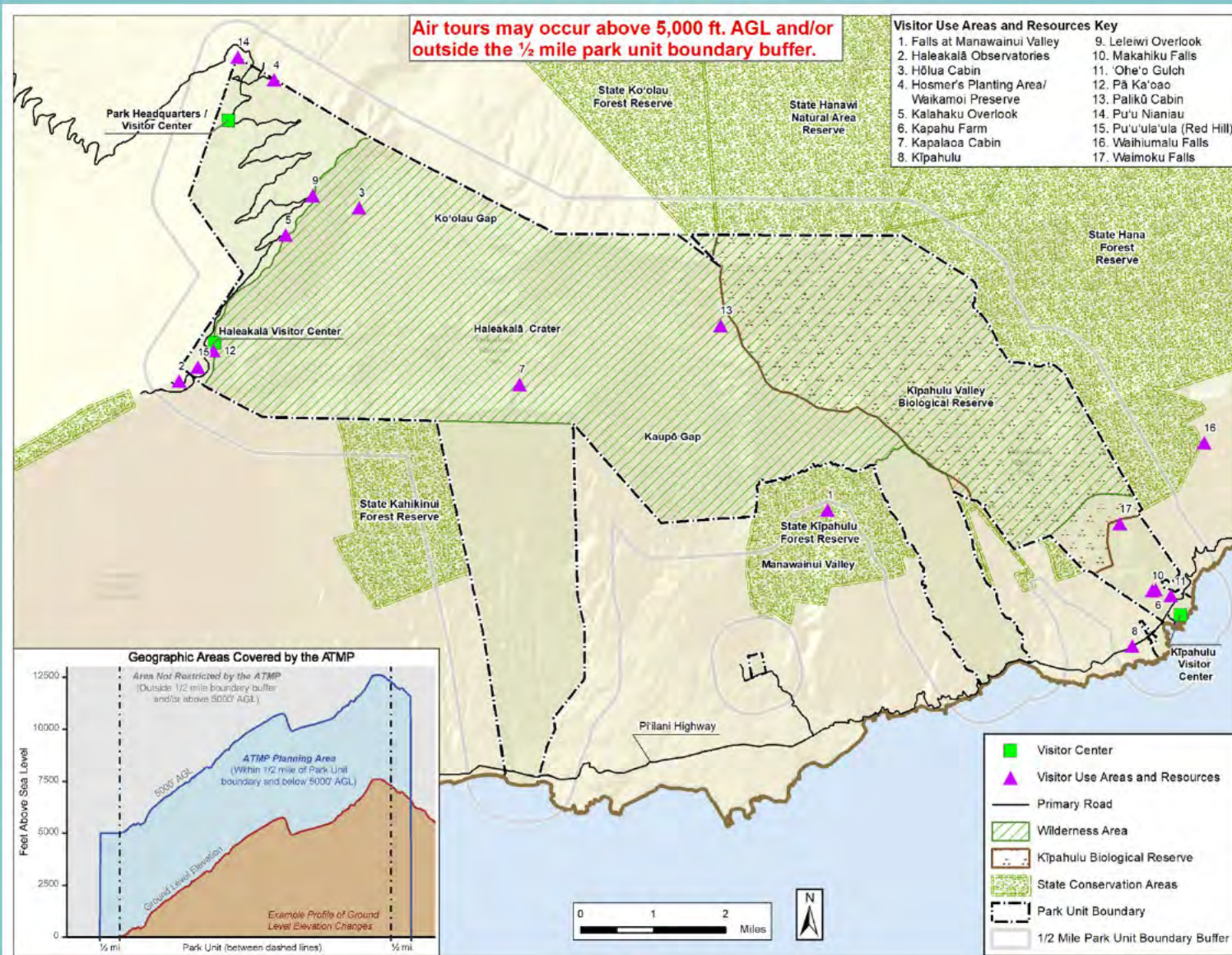


# Alternative 1



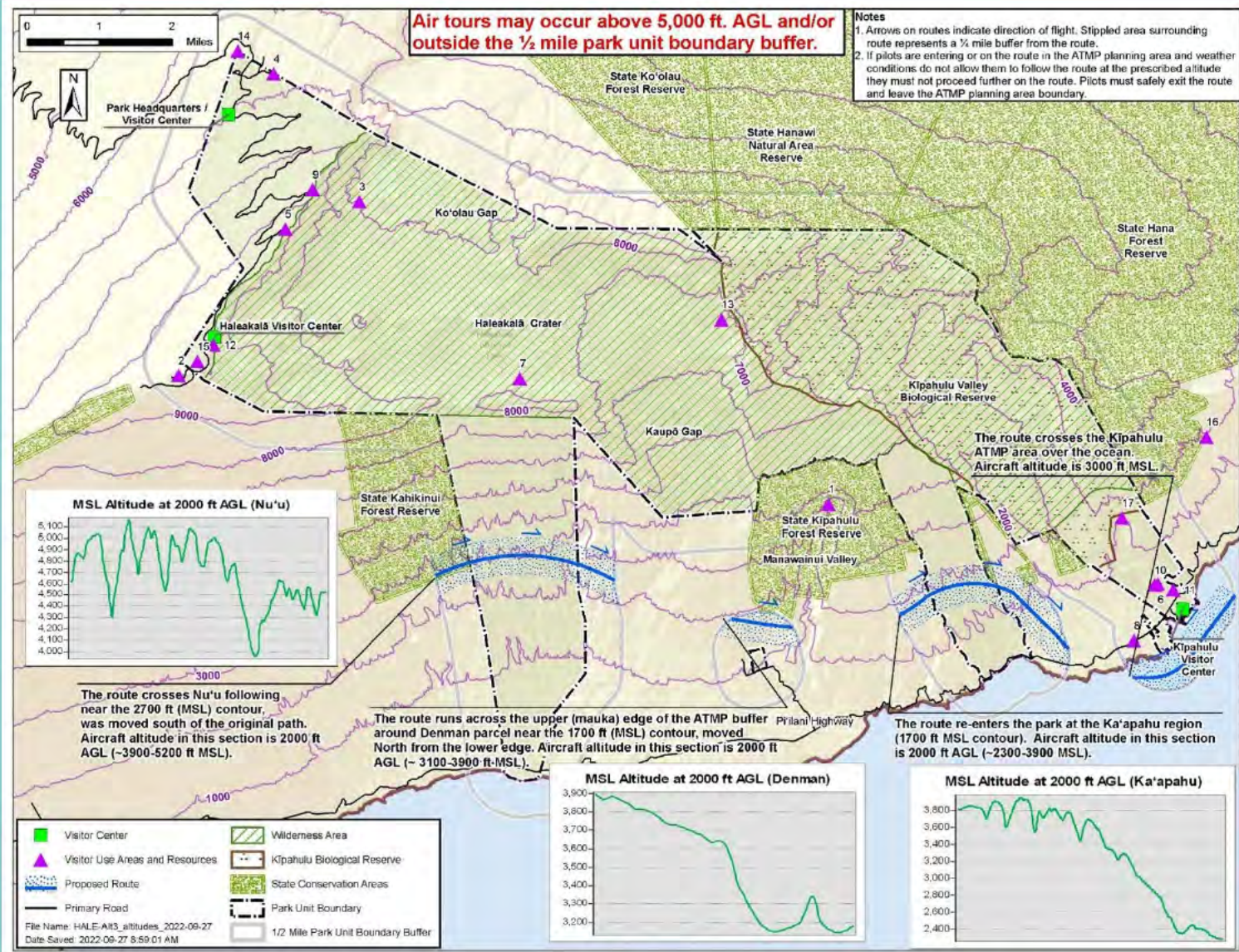


# Alternative 2





# Alternative 3





# Assessment of Effects

- **The proposed ATMP draft alternatives would not require land acquisition, construction, or ground disturbance**
  - No physical effects to historic properties anticipated
- **Focus of the assessment – new introduction of visual or audible elements beyond current effects that could diminish the integrity of any identified significant historic property**
  - The FAA and NPS will consider consulting parties' input on potential adverse effects
  - Analyze visual and audible elements of air tours



# Questions or Comments?





# Next Steps – Section 106 Consultations

## The FAA and the NPS will:

- Revise alternatives as needed based on the comments received during consultation
- Continue to consult on the APE and identification of historic properties (including TCPs or sacred sites) within the APE
- Complete impact modeling and analysis
- Complete and distribute EA and Draft ATMP for comment
- Be open to holding additional consultation meetings to discuss development of an ATMP and ways to avoid or minimize any adverse effects that could result from air tours in the APE
- Send a consolidated consultation letter summarizing the FAA's steps in the Section 106 process and the effects to historic properties for consulting party input this winter
- Complete and distribute EA and Draft ATMP for comment and hold a public meeting

**The findings reached during the Section 106 consultation process will inform decision on the final ATMP.**



# THANK YOU

- **Should you wish to provide further input on cultural property identification and/or the area of potential effects, please contact:**
  - Judith Walker at (202) 267-4185 or at [judith.walker@faa.gov](mailto:judith.walker@faa.gov), copying [ATMPTeam@dot.gov](mailto:ATMPTeam@dot.gov)

