

**Exhibit 5 – Finding of Effects Letter, dated
May 3, 2022, and Responses**



U.S. Department
of Transportation
Federal Aviation
Administration

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

May 3, 2022

Re: Continuing Section 106 Consultation and Finding of No Adverse Effect under Section 106 of the National Historic Preservation Act for the development of an Air Tour Management Plan for Great Smoky Mountains National Park

E. Patrick McIntyre, Jr.
Executive Director and State Historic Preservation Officer
Tennessee State Historic Preservation Office
2941 Lebanon Pike
Nashville, TN 37214

Dear E. Patrick McIntyre:

Introduction

The Federal Aviation Administration (FAA), in coordination with the National Park Service (NPS), seeks to continue Section 106 consultation with your office under Section 106 of the National Historic Preservation Act (NHPA) for the development of an Air Tour Management Plan (ATMP) for Great Smoky Mountains National Park (Park). At this time, the FAA requests your concurrence with its proposed finding of “no adverse effect” on historic properties, in accordance with 36 CFR 800.5(c). On this date, we are also notifying all consulting parties of this proposed finding and providing the documentation below for their review.

In accordance with the requirements of 36 CFR 800.11(e), this letter describes the undertaking, including: changes that have occurred since the draft ATMP was issued to the public; the Area of Potential Effect (APE); a description of steps taken to identify historic properties; a description of affected historic properties in the APE and the characteristics that qualify them for the National Register of Historic Places (NRHP); and an explanation of why the criteria of adverse effect do not apply to this undertaking. This letter also describes the Section 106 consultation process and public involvement completed for this undertaking.

The FAA initiated Section 106 consultation with your office by letter dated March 29, 2021. In a follow-up letter dated August 30, 2021, we described the proposed undertaking in more detail, proposed a preliminary APE, and provided our initial list of historic properties identified within the APE. FAA conducted additional identification efforts and provided a revised list of historic properties in our most recent correspondence dated February 4, 2022. Similar letters were sent to all consulting parties.

Public involvement for this undertaking was integrated with the National Parks Air Tour Management Act (NPATMA) process. We issued the draft ATMP on September 3, 2021, and notice of the availability of the draft was published in the Federal Register. The public comment period for the draft ATMP extended from September 3, 2021, through October 13, 2021. A public meeting was held on September 16, 2021. The results of our Section 106 consultation with tribes are described below.

The FAA and NPS received three public comments requesting the agencies ensure protection of cultural resources within the APE for the ATMP. These comments were general in nature and broadly encouraged the agencies to comply with Section 106 of the NHPA. The FAA and NPS also received public comments expressing concern about the potential noise and visual effects resulting from commercial air tours. None of these comments specifically related to historic properties or the undertaking's potential effect on them.

Description of the Undertaking

The FAA and the NPS are developing ATMPs for 24 parks, including Great Smoky Mountains National Park. The ATMPs are being developed in accordance with NPATMA. Each ATMP is unique and therefore, each ATMP is being assessed individually under Section 106.

Commercial air tours have been operating over the Park for over 20 years. Since 2005, these air tours have been conducted pursuant to interim operating authority (IOA) issued by FAA in accordance with NPATMA. IOA does not provide any operating conditions (e.g., routes, altitudes, time of day, etc.) for air tours other than a limit of 1,920 air tours per year over the Park and Eastern Cherokee tribal lands within $\frac{1}{2}$ mile of the Park's boundary. The ATMP will replace IOA for both the Park and tribal lands. The ATMP will not regulate the airspace over tribal lands belonging to the Eastern Band of the Cherokee Indians more than $\frac{1}{2}$ mile outside the Park boundary.

The FAA and the NPS have documented the existing conditions for commercial air tour operations at the Park. The FAA and the NPS consider the existing operations for commercial air tours to be an average of 2017-2019 annual air tours flown, which is 946 air tours. The agencies decided to use a three-year average because it reflects the most accurate and reliable air tour conditions based on available operator reporting, and accounts for variations across multiple years, excluding more recent years affected by the COVID 19 pandemic. Commercial air tours currently are conducted in BHT-206-L1, BHT-206-L3, BHT-206-B, R-44-44, R-44-II, and R-44-RavenII helicopters. Commercial air tour operations presently fly between 1,000 and 1,500 ft. above ground level (AGL).¹ Under existing conditions, commercial air tours are conducted along the routes shown in **Attachment A**.

The undertaking for purposes of Section 106 is implementing the ATMP that applies to all commercial air tours over the Park and within $\frac{1}{2}$ mile outside the boundary of the Park, including tribal lands belonging to the Eastern Band of the Cherokee Indians within $\frac{1}{2}$ mile of the Park's boundary. A commercial air tour subject to the ATMP is any flight conducted for compensation or hire in a powered aircraft where a purpose of the flight is sightseeing over the Park, or within $\frac{1}{2}$ mile of the Park boundary, during which the aircraft flies:

¹ Altitude expressed in units above ground level (AGL) is a measurement of the distance between the ground surface and the aircraft, whereas altitude expressed in median sea level (MSL) refers to the altitude of aircraft above sea level, regardless of the terrain below it. Aircraft flying at a constant MSL altitude would simultaneously fly at varying AGL altitudes, and vice versa, assuming uneven terrain is present below the aircraft.

- (1) Below 5,000 feet above ground level (except solely for the purposes of takeoff or landing, or necessary for safe operation of an aircraft as determined under the rules and regulations of the FAA requiring the pilot-in-command to take action to ensure the safe operation of the aircraft); or
- (2) Less than one mile laterally from any geographic feature within the Park (unless more than $\frac{1}{2}$ mile outside the Park boundary).

The undertaking would result in commercial air tours being conducted along the routes shown in **Attachment B**. The new routes are based on the existing conditions but modified so that the routes avoid flying directly over the following historic properties: Appalachian National Scenic Trail, Cades Cove Historic District, Clingman's Dome, Great Smoky Mountains Institute at Tremont, Elkmont Historic District, Walker Sisters Place, Voorheis Estate, and Little Greenbrier School.

The undertaking was previously described in detail in our Section 106 consultation letter to you dated August 30, 2021. The following elements of the ATMP have remained unchanged since the issuance of the draft ATMP to the public.

- A maximum of 946 commercial air tours are authorized per year on the routes depicted in **Attachment B**, none of which fly over, or can be seen or heard from, tribal lands belonging to the Eastern Band of the Cherokee Indians;
- Air tours will fly no lower than 2,600 ft. AGL.
- The aircraft type authorized for commercial air tours are BHT-206-L1, BHT-206-L3, BHT-206-B, R-44-44, R-44-II, and R-44-RavenII helicopters. Any new or replacement aircraft must not exceed the noise level produced by the aircraft being replaced;
- Commercial air tours authorized under this ATMP shall be conducted on designated air tour routes specific to each operator and as described below:

Whirl'd Helicopters, Inc.:

- Red Route (SNPF): Air tours along the Red Route (SNPF) will follow the road corridors of Highway 321, Highway 441, Little River Road, and Wear Cove Gap Road. As this route turns north to exit the Park, the route will fly west of Wear Cove Gap Road.
- Light Blue Route (SSMF): Air tours along the Light Blue Route (SSMF) will enter the Park following along the road corridors of Highway 321 and Highway 441. Air tours on the Light Blue Route (SSMF) will stay at least one mile south of the Elkmont Historic District and Tremont.
- Black Route (SGTF): Air tours along the Black Route (SGTF) will enter the Park following along the road corridors of Highway 321 and Highway 441. Air tours will stay at least one-half mile north of the Appalachian National Scenic Trail and one mile north of Cades Cove Historic District.
- Blue Route (SMSF): Air tours along the Blue Route (SMSF) will stay at least one-half mile north of the Appalachian National Scenic Trail and one mile north of Cades Cove Historic District.

Great Smoky Mountain Helicopter Inc.:

- Orange Route (Gatlinburg): Air tours along the Orange Route (Gatlinburg) will cross over the Foothills Parkway west of Gatlinburg, head east over the Hwy 321 spur of the Foothills Parkway, and then exit back over the Foothills Parkway east of Gatlinburg. This route will

- only overfly the Foothills Parkway and will stay at least $\frac{1}{2}$ mile outside of the remainder of the Park.
- Purple Route (Grand Tour/See It All): Air tours along the Purple Route (Grand Tour/See It All) will fly over the Foothills Parkway along the Hwy 321 spur heading south. The tour routes will then head west and exit the Park west of Gatlinburg. This route will only overfly the Foothills Parkway and will stay at least $\frac{1}{2}$ mile outside of the remainder of the Park.
- Routes assigned as part of this ATMP are intended to protect visitor experience, natural and cultural resources, and acoustic resources of the Park by aligning flight routes with existing transportation corridors, avoiding noise-sensitive wildlife habitat, as well as NRHP- eligible or listed historic properties. Aligning routes with transportation corridors including Highway 321, Highway 441, Little River Road, and Wear Cove Gap Road is intended to mask noise created by air tours. Other specific resource protection measures associated with each route include the following:
 - Red Route (SNPF): The existing route flown by the operator was modified to avoid overflights of Elkmont Historic District, Voorheis Estate, Walker Sisters Place, and Little Greenbrier School historic properties located within the APE.
 - Light Blue Route (SSMF): The existing route flown by the operator was modified to avoid overflights of Elkmont Historic District, Voorheis Estate, and Great Smoky Mountains Institute at Tremont and is intended to protect historic properties within the APE and education/interpretive programming at the Park.
 - Black Route (SGTF): The existing route flown by the operator was modified to avoid overflights of the Appalachian National Scenic Trail, Voorheis Estate, and Cades Cove Historic District, which are historic properties located within the APE.
 - Blue Route (SMSF): The existing route flown by the operator was modified to avoid overflights of the Appalachian National Scenic Trail, Cades Cove Historic District, and Clingman's Dome and is intended to avoid historic properties within the APE.

The ATMP includes restrictions on the number of commercial air tours that the operators may conduct each day. These restrictions provide a maximum number of commercial air tours that will be conducted on Standard Days (total of 5 air tours across all operators), but allow for a limited number of Flex Days on which the maximum number of commercial air tours allowed are slightly higher (total of 7 across all operators).

- Whirl'd Helicopters, Inc. will be able to conduct up to four commercial air tours per day, and Great Smoky Mountain Helicopter, Inc. will be able to conduct up to one commercial air tour per day on Standard Days. The operators will each be authorized to fly up to forty days per year (Flex Days) during which Whirl'd Helicopters, Inc. will be able to conduct up to five commercial air tours per day, and Great Smoky Mountain Helicopter, Inc. will be able to conduct up to two commercial air tours per day.
- Aircraft will not be able to hover or loop while conducting commercial air tours over the Park.
- Commercial air tours may operate two hours after sunrise until two hours before sunset, as defined by the National Oceanic and Atmospheric Administration (NOAA), unless they qualify for the quiet technology incentive.²

² Sunrise and sunset data is available from the NOAA Solar Calculator, <https://www.esrl.noaa.gov/gmd/grad/solcalc/>

- Air tours may operate any day of the year except that the NPS can establish temporary no-fly periods for special events (including tribal ceremonies or other similar events) or planned Park management, with a minimum of one month notice to the operators in writing, absent exigent circumstances or emergency operations;
- The operator is required to install and use flight monitoring technology on all authorized commercial air tours, and to include flight monitoring data in their semi-annual reports to the agencies, along with the number of commercial air tours conducted.
- When made available by Park staff, the operators/pilots will take at least one training course per year conducted by the NPS. The training will include Park information that the operator can use to further their own understanding of Park priorities and management objectives as well as enhance the interpretive narrative for air tour clients and increase understanding of parks by air tour clients;
- At the request of either of the agencies, the Park staff, the local FAA Flight Standards District Office (FSDO), and the operators will meet once per year to discuss the implementation of this ATMP and any amendments or other changes to the ATMP. This annual meeting could be conducted in conjunction with any required annual training;
- For situational awareness when conducting tours of the Park, the operators will utilize frequency 122.9 and report when they enter and depart a route. The pilot should identify their company, aircraft, and route to make any other aircraft in the vicinity aware of their position;
- The FAA and the NPS are both responsible for monitoring and oversight of the ATMP. If the NPS identifies instances of non-compliance, the NPS will report such findings to the FAA's FSDO having geographic oversight for the Park.

A new subsection was added in response to questions and comments regarding the transferability of air tour allocations, or the assumption of allocations of commercial air tours by a successor corporation. The added language makes clear that annual allocations of air tours are not transferrable between operators, though they may be assumed by a successor purchaser. Conditions are included to ensure that the agencies have sufficient time to review the transaction to avoid an interruption of service and the successor operator must acknowledge and agree to comply with the ATMP. This language is excerpted below:

- Annual operations under the ATMP are non-transferable. An allocation of annual operations may be assumed by a successor purchaser that acquires an entity holding allocations under this ATMP in its entirety. In such case the prospective purchaser shall notify the FAA and the NPS of its intention to purchase the operator at the earliest possible opportunity to avoid any potential interruption in the authority to conduct commercial air tours under the ATMP. This notification must include a certification that the prospective purchase has read and will comply with the terms and conditions in the ATMP. The FAA will consult with the NPS before issuing new or modified operations specifications or taking other formal steps to memorialize the change in ownership.

The agencies revised some of the language related to the quiet technology incentive, but not the incentive itself, in order to clarify that applications for the incentive will be analyzed on a case-by-case basis. The revised language is below:

- The ATMP incentivizes the use of quiet technology aircraft by commercial air tour operators. Operators that have converted to quiet technology aircraft, or are considering converting to quiet technology aircraft may request to be allowed to conduct air tours beginning at sunrise or ending at sunset on all days that flights are authorized. Because aviation technology continues

to evolve and advance and FAA updates its noise certification standards periodically, the aircraft eligible for this incentive will be analyzed on a case-by-case basis at the time of the operator's request to be considered for this incentive. The NPS will periodically monitor Park conditions and coordinate with FAA to assess the effectiveness of this incentive. If implementation of this incentive results in unanticipated effects on Park resources or visitor experience, further agency action may be required to ensure the protection of Park resources and visitor experience.

The draft ATMP and the included maps were edited to clearly identify the tribal lands belonging to the Eastern Band of the Cherokee Indians within ½ mile of the Park boundary. The ATMP was revised to explain that none of the routes designated in the ATMP fly over tribal lands of the Eastern Band of Cherokee Indians. Further edits were made to make clearer that the restrictions imposed by the ATMP apply not only when the operator is flying over lands or waters within the Park boundary but also when the operator is flying over lands or waters outside of the Park but within ½ mile of its boundary.

The agencies also clarified that a plan amendment, and additional environmental review, would be required in order to increase the number of authorized commercial air tours per year above the 946 authorized in the ATMP. The revised language is below:

- Increases to the total number of air tours authorized under the ATMP resulting from accommodation of a new entrant application or a request by an existing operator will require an amendment to the ATMP and additional environmental review.

Area of Potential Effects

The APE for the undertaking was proposed in the Section 106 consultation letter dated August 30, 2021. The undertaking does not require land acquisition, construction, or ground disturbance. In establishing the APE, the FAA sought to include areas where any historic property present could be affected by noise from or sight of commercial air tours over the Park or adjacent tribal lands. The FAA considered the number and altitude of commercial air tours over historic properties in these areas to further assess the potential for visual effects and any incremental change in noise levels that may result in alteration of the characteristics of historic properties qualifying them as eligible for listing in the NRHP.

The APE for the undertaking comprises the Park and a ½ mile outside the boundary of the Park, as depicted in **Attachment B** below. This map also displays the air tour routes authorized under the ATMP. The FAA requested comments from all consulting parties including federally recognized tribes. The FAA has not received any comments regarding the APE from any identified consulting party identified thus far. The changes to the undertaking described above do not have the potential to cause alterations in the character or use of historic properties. The FAA determined the delineated APE adequately captures potential effects from the undertaking on historic properties and is unchanged.

Identification of Historic Properties

Preliminary identification of historic properties relied upon data submitted by NPS park staff about known historic properties within the Park. The Section 106 consultation efforts involved outreach to tribes, the Tennessee Historical Commission, North Carolina State Historic Preservation Office, operators, and other consulting parties including local governments and neighboring federal land managers. Public comments submitted as part of the draft ATMP public review process also informed identification efforts.

The FAA, in cooperation with the NPS, coordinated with Park staff to identify known historic properties located within the APE. The FAA also accessed the Tennessee Historical Commission Viewer, the list of

National Register properties in Tennessee available on the TNSHPO website, including the Multiple Property Documentation Form for Historic Resources of Great Smoky Mountains National Park, and the North Carolina Department of Natural and Cultural Resources' GIS database on November 08, 2021, to collect GIS data for previously-identified properties both inside and outside the Park and consulted with the tribes listed in **Attachment C** regarding the identification of any other previously unidentified historic properties that may also be located within the APE.

On January 28, 2022, Section 106 consulting party "A Walk in the Woods" responded to the FAA's letter dated January 27, 2022. "A Walk in the Woods" requested the Cataloochee, Cosby, and Greenbrier areas of Great Smoky Mountains National Park be identified as historic properties within the APE for the undertaking. The FAA coordinated with the NPS on this request and determined that only the Greenbrier Area falls within the APE. Pursuant to 36 CFR 800.4(c)(2), the FAA considers the Greenbrier Area as eligible for the NRHP under Criterion A for its association with the development of early mountain settlements in eastern Tennessee, and requests concurrence from the Tennessee Historical Commission on the eligibility of the Greenbrier Area for purposes of this Section 106 review.

As the undertaking would not result in physical effects, the identification effort focused on identifying properties where setting and feeling are characteristics contributing to a property's NRHP eligibility, as they are the type of historic properties most sensitive to the effects of aircraft overflights. These may include isolated properties where a cultural landscape is part of the property's significance, rural historic districts, outdoor spaces designed for meditation or contemplation, and certain traditional cultural properties (TCPs) in ongoing use. In so doing, the FAA has taken into consideration the views of tribes, consulting parties, past planning, research and studies, the magnitude and nature of the undertaking, the degree of Federal involvement, the nature and extent of potential effects on historic properties, and the likely nature of historic properties within the APE in accordance with 36 CFR 800.4(b)(1).

In accordance with 36 CFR 800.4, the FAA has made a reasonable and good faith effort to identify historic properties within the APE. Those efforts resulted in identification of 15 historic properties, including the Elkmont Historic District, which includes 30 contributing properties within the APE listed in **Attachment D** and shown in the APE map provided in **Attachment B**. In prior Section 106 consultation letters, the contributing properties within Elkmont Historic District were reported as individual historic properties. Additionally, the FAA has looked more closely at the Elkmont Historic District National Register Nomination and determined four properties previously identified as contributing resources do not contribute to the significance of the historic district. These properties are: Swan Cabin, Wonderland Hotel (demolished in 2016), Parrott Cabin, and Young Cabin. The Greenbrier Area has been added to the list of historic properties identified in the APE since the FAA's February 4, 2022 Section 106 consultation letter.

Summary of Section 106 Consultation with Tribes

The FAA contacted eight federally recognized tribes via letter on March 26, 2021, inviting them to participate in Section 106 consultations and to request their expertise regarding historic properties, including TCPs that may be located within the APE. On August 30, 2021, the FAA sent the identified federally recognized tribes a Section 106 consultation letter describing the proposed undertaking in greater detail in which we proposed an APE and provided the results of our preliminary identification of historic properties.

On September 9, 2021, the agencies met with Stephen Yerka, Historic Preservation Specialist at the Eastern Band of Cherokee Indians. During the conversation, Stephen Yerka indicated that there were TCPs located throughout the park, noting the particular significance of Clingman's Dome. The FAA

responded to this comment by stating that the draft ATMP had already distanced the existing route to be further away from Clingman's Dome.

Between December 1, 2021 and January 21, 2022, the FAA sent follow-up emails to tribes that did not respond to our prior Section 106 consultation requests once again inviting them to participate in Section 106 consultations. The FAA followed up with phone calls to those tribes that did not respond to our prior correspondence. The FAA received responses from three tribes – Catawba Indian Nation, Cherokee Nation, and Eastern Band of Cherokee Indians – expressing interest in participating in Section 106 consultation for the undertaking. One tribe, Chickasaw Nation, opted out of further Section 106 consultation for the undertaking. The tribes the FAA contacted as part of this undertaking are included in the list of consulting parties enclosed as **Attachment C**. Other than the Eastern Band of Cherokee Indians, no other tribes have identified historic properties or TCPs in response to the FAA's March, and August 2021, and February 2022 Section 106 consultation letters.

Assessment of Effects

The undertaking could have an effect on a historic property if it alters the characteristics that qualify the property for eligibility for listing or inclusion in the NRHP. The characteristics of the historic properties within the APE that qualify them for inclusion in the NRHP are described in **Attachment D**. Effects are considered adverse if they diminish the integrity of a property's elements that contribute to its significance. The undertaking does not include land acquisition, construction, or ground disturbance and will not result in physical effects to historic properties. FAA, in coordination with NPS, focused the assessment of effects on the potential for adverse effects from the introduction of audible or visual elements that could diminish the integrity of the property's significant historic features.

Assessment of Noise Effects

The undertaking would reduce noise effects to historic properties and therefore would not alter the characteristics of historic properties within the APE in comparison to existing conditions. To assess the potential for the introduction of audible elements, including changes in the character of aircraft noise, the FAA and NPS considered whether there would be a potential change in the annual number, daily frequency, routes or altitude of commercial air tours, as well as the type of aircraft used to conduct those tours.

The ATMP also requires commercial air tours to increase altitudes as compared to those flown under existing conditions. The increase in altitude, which ranges from 1,100 to 1,600 ft. (from a minimum of 1,000 ft. AGL under existing conditions) will reduce the maximum noise levels at sites directly below the commercial air tour routes. It should be noted that when the altitude of an aircraft is increased, the total area exposed to the noise from that aircraft may also increase depending on the surrounding terrain. Although the area exposed to noise might increase, this would not meaningfully affect the acoustic environment because of the attenuation of the noise from the higher altitude and transient nature of the impacts.

The proposed ATMP specifically alters four of the existing air tour routes to minimize overflights of historic properties. Specifically, routes were moved away from Appalachian Trail, Clingman's Dome, Elkmont Historic District, Voorheis Estate, Little Greenbrier School, and Walker Sisters Place.

The ATMP authorizes the use of the BHT-206-L1, BHT-206-L3, BHT-206-B, R-44-44, R-44-II, and R-44-RavenII helicopters, the same aircraft currently in use and any new or replacement aircraft must not exceed the noise level produced by the aircraft being replaced.

For purposes of assessing noise impacts from commercial air tours on the acoustic environment of the Park under the National Environmental Policy Act (NEPA), the FAA noise evaluation is based on Yearly³ Day Night Average Sound Level (Ldn or DNL); the cumulative noise energy exposure from aircraft over 24 hours. The DNL analysis indicates that the undertaking would not result in any noise exposure that would be “significant” or “reportable” under FAA’s policy for NEPA.⁴

As part of the ATMP noise analysis, the NPS provided supplemental metrics to further assess the impact of commercial air tours in quiet settings. **Attachment E** provides further information about the supplemental noise metrics and presents the noise contours (i.e., graphical illustration depicting noise exposure) from the modeling.

Attachment E also presents noise contours for the Time Above 35 dBA (the amount of time in minutes that aircraft sound levels are above 35 dBA) and Time Above 52 dBA. Noise related to commercial air tours is modeled to be greater than 35 dBA for less than 35 minutes a day within the Park and greater than 52 dBA for less than 5 minutes a day within the Park. The Gatlinburg Inn is situated just south of the location of the greatest duration of noise. Because noise is modeled using conservative assumptions (see **Attachment E**) and implementing the ATMP would result in limiting the number of flights and using the same aircraft to fly at higher altitudes along routes that have been adjusted away from the location of historic properties noise effects are anticipated to decrease under the ATMP.

Because the ATMP would potentially decrease noise levels on historic properties compared to the existing condition, it would not diminish the integrity of any historic property’s significant historic features.

Assessment of Visual Effects

The undertaking would alter the characteristics of historic properties within the APE because there would be an improvement from existing conditions. The level of commercial air tour activity under the ATMP is expected to improve or remain the same. The ATMP sets the number of commercial air tours consistent with the three-year average from 2017-2019 and implements limits on the number of flights and times of day during which commercial air tours are able to operate. These limits do not currently exist.

Recognizing that some types of historic properties may be affected by visual effects of commercial air tours, the FAA and NPS considered the potential for the introduction of visual elements that could alter the characteristics of a historic property that qualifies it for inclusion in the NRHP. Aircraft are transitory elements in a scene and visual impacts tend to be relatively short. The short duration and low number of flights make it unlikely a historic property would experience a visual effect from the undertaking. One’s perspective of or viewshed from a historic property is often drawn to the horizon and aircraft at higher altitudes are less likely to be noticed. Aircraft at lower altitudes may attract visual attention but are also more likely to be screened by vegetation.

³ Yearly conditions are represented as the Average Annual Day (AAD)

⁴ Under FAA policy, an increase in the Day-Night Average Sound Level (DNL) of 1.5 dBA or more for a noise sensitive area that is exposed to noise at or above the DNL 65 dBA noise exposure level, or that will be exposed at or above the DNL 65 dBA level due to a DNL 1.5 dBA or greater increase, is significant. FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*, Exhibit 4-1. Noise increases are “reportable” if the DNL increases by 5 dB or more within areas exposed to DNL 45-60 dB, or by 3 dB or more within areas exposed to DNL 60-65 dB. FAA Order 1050.1F, Appendix B, section B-1.4.

The FAA and NPS also considered the experience of tribal members who may be conducting ceremonies or practices that could involve looking toward the sky. The ATMP includes a provision for the NPS to establish temporary no-fly periods for special events such as tribal ceremonies or other similar events with a minimum of one week notice to the operator. This, along with the requirements for the operators to fly designated routes, represents an improvement over existing conditions where no such provision exists.

Under existing conditions, commercial air tours at the Park are generally flown on six different routes, though they are not required to fly on any particular route. The Appalachian National Scenic Trail is a historic property within the APE significant for its views, among other factors. Under the ATMP, existing commercial air tour routes would be modified away from the Appalachian National Scenic Trail to ensure they do not fly within $\frac{1}{2}$ mile of the trail. The ATMP would prohibit commercial air tours within $\frac{1}{2}$ mile of the trail. This prohibition helps preserve the scenic values of the trail that contribute to its historical significance. Further, the two routes that fly nearest to the Appalachian National Scenic Trail would be limited under the ATMP to a maximum of 43 tours annually, limits that do not exist under the existing condition (IOA).

The ATMP limits the annual number of commercial air tours to 946 and includes designated routes that modify the current routes flown by the operators over the Park to avoid potential visual and audible effects to historic properties. Therefore, visual effects to historic properties are expected to decrease compared to impacts currently occurring because the number of authorized flights under the ATMP will be the same or less than the average number of flights from 2017-2019, and four of the six routes would be relocated in order to limit audible and visual effects to historic properties. As a result of provisions in the ATMP such as the increase in altitude of flights, adjustment of route locations, and limits to the daily frequency and time of day flights can operate, the undertaking would not introduce visual elements that would alter the characteristics of any historic property that qualifies it for inclusion in the NRHP.

Finding of No Adverse Effect Criteria

To support a Finding of No Adverse Effect, an undertaking must not meet any of the criteria set forth in the Advisory Council on Historic Preservation's Section 106 regulations at 36 CFR 800.5(a). This section demonstrates the undertaking does not meet those criteria. The undertaking would not have any physical impact on any property. The undertaking is located in the airspace above historic properties and would not result in any alteration or physical modifications to these resources. The undertaking would not remove any property from its location. The undertaking would not change the character of any property's use or any physical features in any historic property's setting. As discussed above, the undertaking would not introduce any audible or visual elements that would diminish the integrity of the significant historical features of any historic properties in the APE. The undertaking would not cause any property to be neglected, sold, or transferred.

Proposed Finding and Request for Review and Concurrence

FAA and NPS approval of the undertaking would not alter the characteristics of any historic properties located within the APE as the undertaking would represent a reduction in audible and visual effects on historic properties when compared to existing conditions. Based on the above analysis, the FAA and NPS propose a finding of no adverse effect on historic properties. We request that you review the information and respond whether you concur with the proposed finding within thirty days of receiving this letter.

Should you have any questions regarding any of the above, please contact Judith Walker at 202-267-4185 or Judith.Walker@faa.gov and copy the ATMP team at ATMPTeam@dot.gov.

Sincerely,



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

CC: Kelley Reid, Historic Preservation Specialist

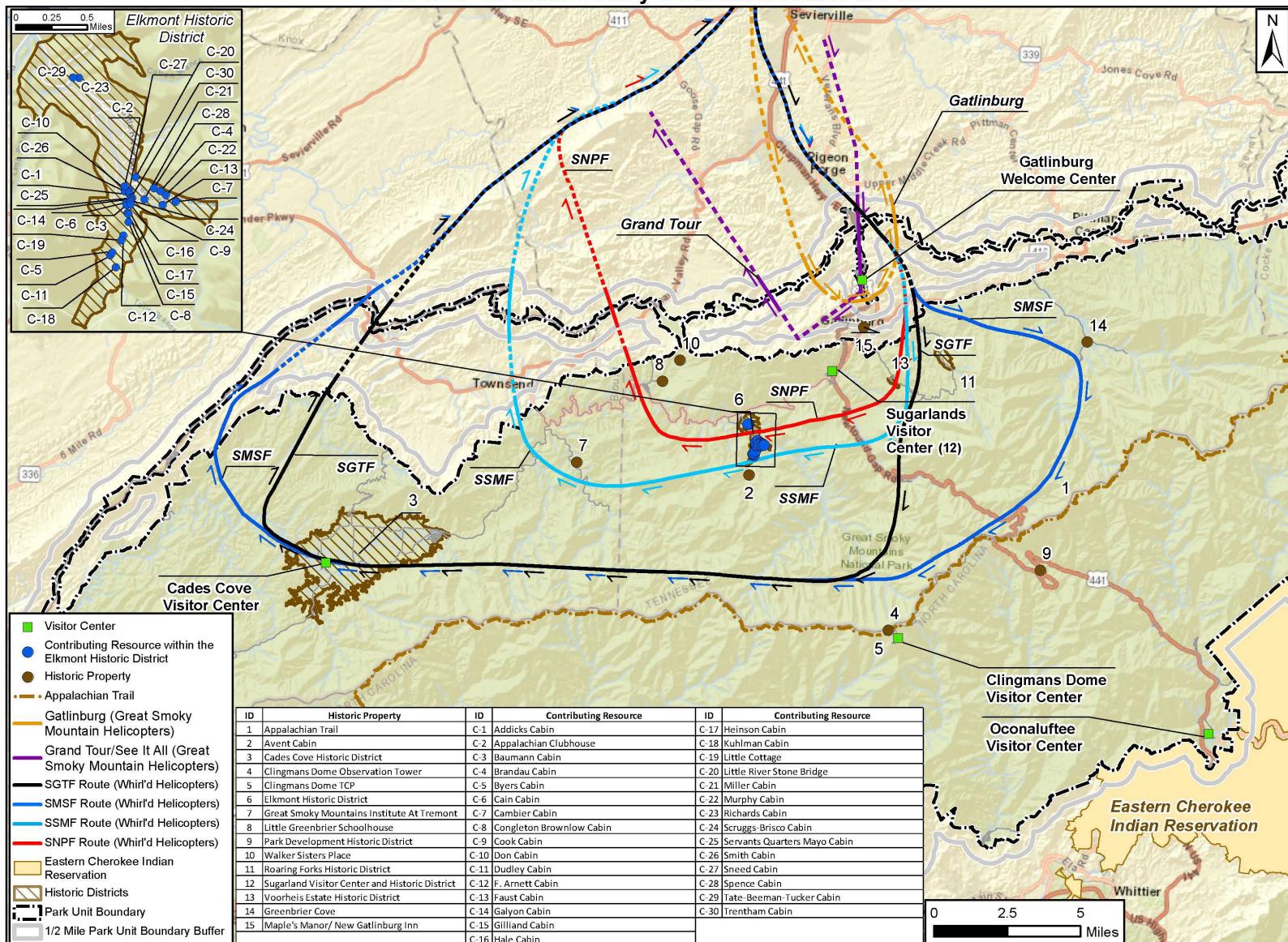
Attachments

- A. Map of Existing Commercial Air Tour Routes
- B. APE Map including Proposed Commercial Air Tour Routes
- C. List of Consulting Parties
- D. List of Historic Properties in the APE and Description of Historic Characteristics
- E. Methodology of NEPA Technical Noise Analysis

ATTACHMENT A

**Map of Existing Commercial Air Tour Routes
Including Identified Historic Properties**

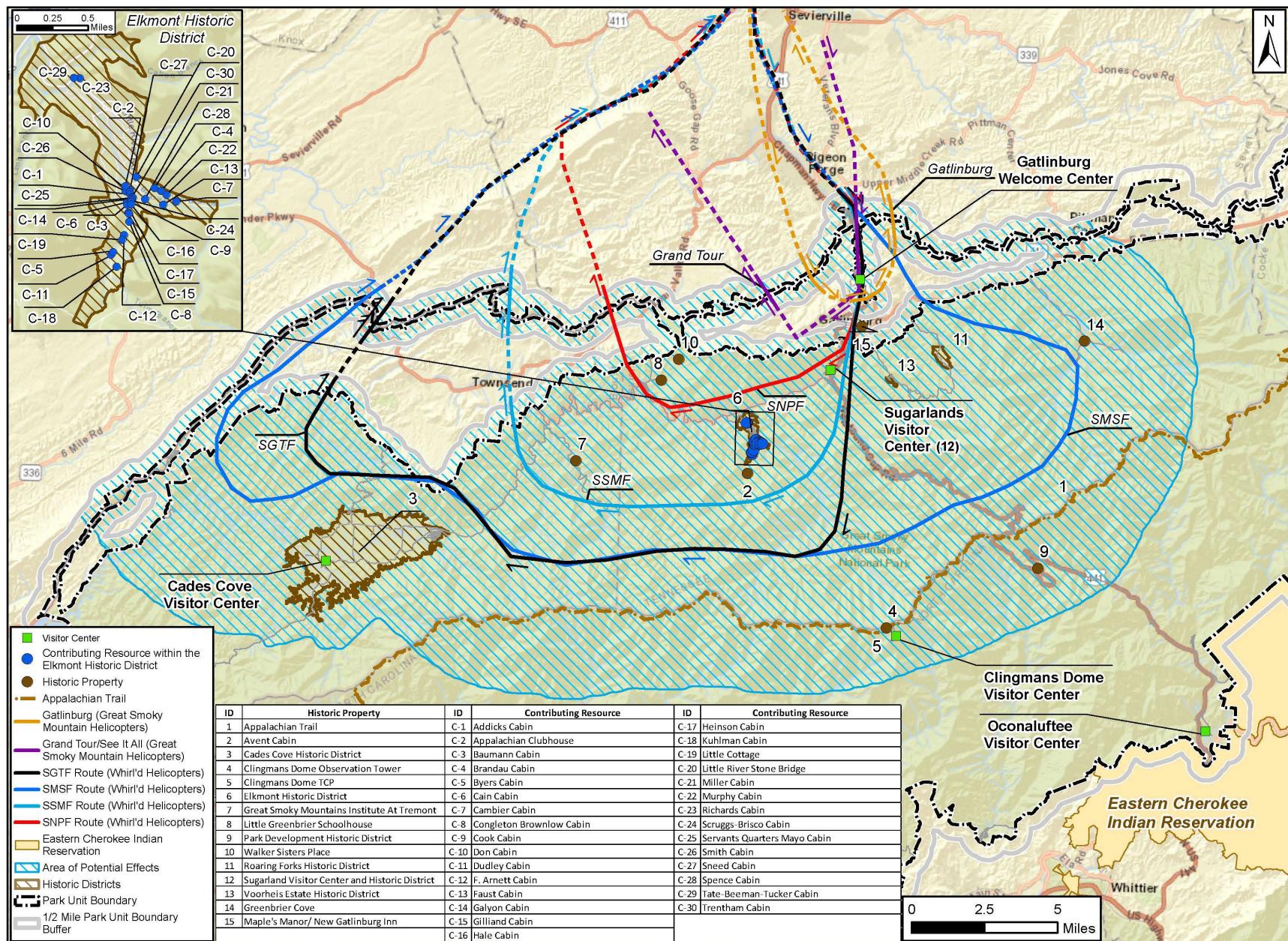
Map of Existing Air Tour Routes with Location of Identified Historic Properties
for ATMP at Great Smoky Mountains National Park



ATTACHMENT B

**Area of Potential Effects Map
Including Commercial Air Tour Routes under the ATMP**

Area of Potential Effects Map for ATMP at Great Smoky Mountains National Park (Proposed Air Tour Routes)



ATTACHMENT C

List of Additional Consulting Parties Invited to Participate in Section 106 Consultation

A Walk In the Woods
Alabama-Coushatta Tribe of Texas ¹
Blount County
Catawba Indian Nation
Cherokee Nation
Cherokee National Forest
Chickasaw Nation ²
Coushatta Tribe of Louisiana ¹
Eastern Band of Cherokee Indians
Gatlinburg
Great Smoky Mountain Helicopters Inc. (Smoky Mountain Helicopters, M Helicopters of TN, Delta Helicopters, Cherokee Helicopters)
Muscogee Creek Nation
Nantahala National Forest
National Trust for Historic Preservation
North Carolina State Historic Preservation Office
Pigeon Forge
Pisgah National Forest
Sevier County
Tennessee State Historic Preservation Office
Tennessee Valley Authority/Fontana Dam
United Keetoowah Band of Cherokee Indians in Oklahoma ¹
Whirl'd Helicopters, Inc. (formerly Rambo Helicopter Charter, Inc. dba Scenic Helicopter Tours)

¹Tribe received follow up email and/or phone calls in December 2021 and January 2022.

²Tribe opted out of Section 106 consultation

ATTACHMENT D

List of Historic Properties in the APE

Property Name	Property Type	NRHP Status	Summary of Character Defining Elements
Appalachian Trail	Landscape	Eligible	<p>The Appalachian Trail is a significant cultural landscape that reveals the history of human use and settlement along the Appalachian Mountain range and the resulting distinct regional traditions. Visitors to the trail have the unique opportunity to interact with the communities and resources representing diverse eras in U.S. history and pre-history. The trail provides a direct physical link to Great Smoky Mountains National Park. Visitors are afforded sweeping views of vast landscapes extending beyond the trail corridor.</p>
Avent Cabin	Building	Listed	<p>Avent Cabin is listed in the NRHP under Criterion B for its association with Mayna Treanor Avent and Criterion C as a representative example of log structure built during the mid-nineteenth century. The cabin is the last surviving example of this property type on the banks of Jakes Creek. Significant characteristics of the building include its single-pen design and use of logs as a construction material.</p>
Cades Cove Historic District	Historic District	Listed	<p>Cades Cove Historic District is significant as an intact example of a community that valued traditional agricultural practices. The buildings within the district reflect the materials, skills, and needs of the people that first inhabited them. Buildings are situated close to the fields of the farms, water, and other resources needed to support life in a frontier area. Though many buildings have been relocated or reconstructed, great care has been taken to preserve the architectural form, materials, and appearance.</p>

Property Name	Property Type	NRHP Status	Summary of Character Defining Elements
Clingman's Dome	Traditional Cultural Property	Eligible	Identified by Eastern Band of Cherokee Indians as significant.
Clingman's Dome Observation Tower	Structure	Listed	Clingman's Dome Observation Tower was constructed in 1959. It is a prominent example of National Park Service Modern architecture, which broke away from the long-standing "rustic" style of the National Park Service. It is additionally significant as a representation of the National Park Service's Mission 66 program.
Elkmont Historic District	Historic District	Listed	The Elkmont Historic District is listed in the NRHP under Criteria A and C for its architectural and historical significance. The district is significant as the only remaining collection of early 20 th century resort cabins retaining integrity in the Appalachian Mountains of Tennessee. It is also significant as representative of rustic or vernacular architecture of the early 20 th century. The historic district contains 32 contributing properties.
Great Smoky Mountains Institute	Building	Eligible	The Great Smoky Mountains Institute was constructed on the site of a logging camp. It was established in the early 1960s as a Job Corps Center and between 1969 and 1979 operated as the Tremont Environmental Education Center in a partnership between Maryville College and the National Park Service. The buildings are representative of the National Park Service's Mission 66 program.
Little Greenbrier Schoolhouse	Building	Listed	Little Greenbrier School House is significant as an example of a late 19 th century schoolhouse and church in rural Tennessee. It is additionally significant as an example of architecture associated with the practice of Primitive Baptism.
Park Development Historic District	Historic District	Eligible	The Park Development Historic District is eligible under Criteria A and C. It encompasses the original automobile circulation system and major developed areas accessed in Great Smoky Mountains National Park during the period of significance from 1933 to 1942.

Property Name	Property Type	NRHP Status	Summary of Character Defining Elements
Walker Sisters' Place	Building Complex	Listed	The Walker Sisters' Place is significant as a late-period example of a traditional homestead within Great Smoky Mountains National Park. The agricultural complex features a variety of nineteenth century agricultural outbuildings that remained in continuous use through the middle of the twentieth century.
Roaring Forks Historic District	Historic District	Listed	The valley of the Roaring Fork is significant for its collection of late 19 th and early 20 th century agricultural buildings set within the extremely narrow, rock-strewn hollow.
Sugarlands	Historic District	Eligible	The Sugarlands is a valley in the north-central Great Smoky Mountains formerly home to a string of small Appalachian communities. The area was named by Euro-American settlers who made syrup from sugar maple trees found in the area.
Voorheis Estate	Cultural Landscape	Eligible	The Voorheis estate is a cultural landscape within the North District of Great Smoky Mountains National Park. The 38-acre site encompasses the former mountain retreat developed by Lois E. Voorheis between 1928 and 1944. The estate is an example of rustic style of architecture and landscape architecture which is evident in the form of structures, designed water features, and the intentional use of natural materials. Numerous flowers, shrubs, and trees were planted for ornamental color, visual character, and to outline walks with seasonal color.
Greenbrier Cove	Structure	Eligible	Identified by "A Walk in the Woods." The Greenbrier Area consists of significant historic resources that help share the story of early mountain settlements within the boundaries of the Park. The Greenbrier Area consists of numerous cemeteries, rock walls, chimneys, and a few preserved cabins and outbuildings.

Property Name	Property Type	NRHP Status	Summary of Character Defining Elements
Maples Manor/New Gatlinburg Inn	Building	Listed	Maples Manor/New Gatlinburg Inn is locally significant and eligible under Criterion C for architecture. The hotel experienced a variety of unsympathetic alterations during the late twentieth century, many of which have been removed or modified during more recent renovation projects.

ATTACHMENT E

Summary of Noise Technical Analysis from NEPA Review

There are numerous ways to measure the potential impacts from commercial air tours on the acoustic environment of a park, including intensity, duration, and spatial footprint of the noise. The metrics and acoustical terminology used for the ATMPs are shown in the table below.

Metric	Relevance and citation
Day-night average sound level, L_{dn} (or DNL)	<p>The logarithmic average of sound levels, in dBA, over a 24-hour day, DNL takes into account the increased sensitivity to noise at night by including a ten dB penalty between 10 p.m. and 7 a.m. local time.</p> <p>The FAA's indicators of significant impacts are for an action that would increase noise by DNL 1.5 dB or more for a noise sensitive area that is exposed to noise at or above the DNL 65 dB noise exposure level, or that will be exposed at or above the DNL 65 dB level due to a DNL 1.5 dB or greater increase, when compared to the no action alternative for the same timeframe⁵.</p>
Equivalent sound level, $L_{Aeq, 12\text{ hr}}$	<p>The logarithmic average of commercial air tour sound levels, in dBA, over a 12-hour day. The selected 12-hour period is 7 a.m. to 7 p.m. to represent typical daytime commercial air tour operating hours.</p> <p>Note: Both $L_{Aeq, 12\text{hr}}$ and L_{dn} characterize:</p> <ul style="list-style-type: none">• Increases in both the loudness and duration of noise events• The number of noise events during specific time period (12 hours for $L_{Aeq, 12\text{hr}}$ and 24-hours for L_{dn}) <p>However, DNL takes into account the increased sensitivity to noise at night by including a ten dB penalty between 10 p.m. and 7 a.m. local time. If there are no nighttime events, $L_{Aeq, 12\text{hr}}$ will be three dB higher than DNL.</p>
Time Above 35 dBA ⁶	The amount of time (in minutes) that aircraft sound levels are above a given threshold (i.e., 35 dBA)

⁵ FAA Order 1050.1F, Exhibit 4-1

⁶ dBA (A-weighted decibels): Sound is measured on a logarithmic scale relative to the reference sound pressure for atmospheric sources, 20 μPa . The logarithmic scale is a useful way to express the wide range of sound pressures perceived by the human ear. Sound levels are reported in units of decibels (dB) (ANSI S1.1-1994, American National Standard Acoustical Terminology). A-weighting is applied to sound levels in order to account for the

	In quiet settings, outdoor sound levels exceeding 35 dB degrade experience in outdoor performance venues (ANSI 12.9-2007, Quantities And Procedures For Description And Measurement Of Environmental Sound – Part 5: Sound Level Descriptors For Determination Of Compatible Land Use); Blood pressure increases in sleeping humans (Haralabidis et al., 2008); maximum background noise level inside classrooms (ANSI/ASA S12.60/Part 1-2010, Acoustical Performance Criteria, Design Requirements, And Guidelines For Schools, Part 1: Permanent Schools).
Time Above 52 dBA	<p>The amount of time (in minutes) that aircraft sound levels are above a given threshold (i.e., 52 dBA)</p> <p>This metric represents the level at which one may reasonably expect interference with Park interpretive programs. At this background sound level (52 dB), normal voice communication at five meters (two people five meters apart), or a raised voice to an audience at ten meters would result in 95% sentence intelligibility.⁷</p>
Maximum sound level, L_{max}	The loudest sound level, in dBA, generated by the loudest event; it is event-based and is independent of the number of operations. L_{max} does not provide any context of frequency, duration, or timing of exposure.

For aviation noise analyses under the National Environmental Policy Act (NEPA), the FAA determines the cumulative noise energy exposure of individuals resulting from aviation activities in terms of an Average Annual Day (AAD). However, because ATMP operations in the park occur at low annual operational levels and are highly seasonal in nature it was determined that a peak day representation of the operations would more adequately allow for disclosure of any potential impacts. A peak day has therefore been used as a conservative representation of assessment of AAD conditions required by FAA policy. The 90th percentile day was identified for representation of a peak day and derived from the busiest year of commercial air tour activity from 2017-2019, based on the total number of commercial air tour operations and total flight miles over the Park. It was then further assessed for the type of aircraft and route flown to determine if it is a reasonable representation of the commercial air tour activity at the Park.

For the Park, the 90th percentile day was identified as the following:

- Red Route (SNPF) – three flights, BHT-206-L1 aircraft
- Light Blue Route (SSMF) – one flight, BHT-206-L1 aircraft
- Blue Route (SMSF) – one flight, BHT-206-L1 aircraft
- Orange Route (Gatlinburg) – one flight, Bell 206-L aircraft
- Purple Route (Grand Tour/See It All) – one flight, Bell 206-L aircraft

sensitivity of the human ear (ANSI S1.42-2001, Design Response of Weighting Networks for Acoustical Measurements). To approximate human hearing sensitivity, A-weighting discounts sounds below 1 kHz and above 6 kHz.

⁷ Environmental Protection Agency. Information on Levels of Noise Requisite to Protect the Public Health and Welfare with an Adequate Margin of Safety, March 1974.

Noise contours for the acoustic indicators were developed using the Federal Aviation Administration's Aviation Environmental Design Tool (AEDT) version 3d and are provided below. A noise contour presents a graphical illustration or "footprint" of the area potentially affected by the noise.

- Time above 35 dBA (minutes) – see Figure 1
- Time above 52 dBA (minutes) – see Figure 2
- Equivalent sound level, $L_{Aeq, 12hr}$ – see Figures 3 and 4
 - Note: Contours are not presented for L_{dn} (or DNL) as it is arithmetically three dBA lower than $L_{Aeq, 12hr}$ if there are no nighttime events, which is the case for the ATMP modeled at the Park.
- Maximum sound level or L_{max} – see Figure 5

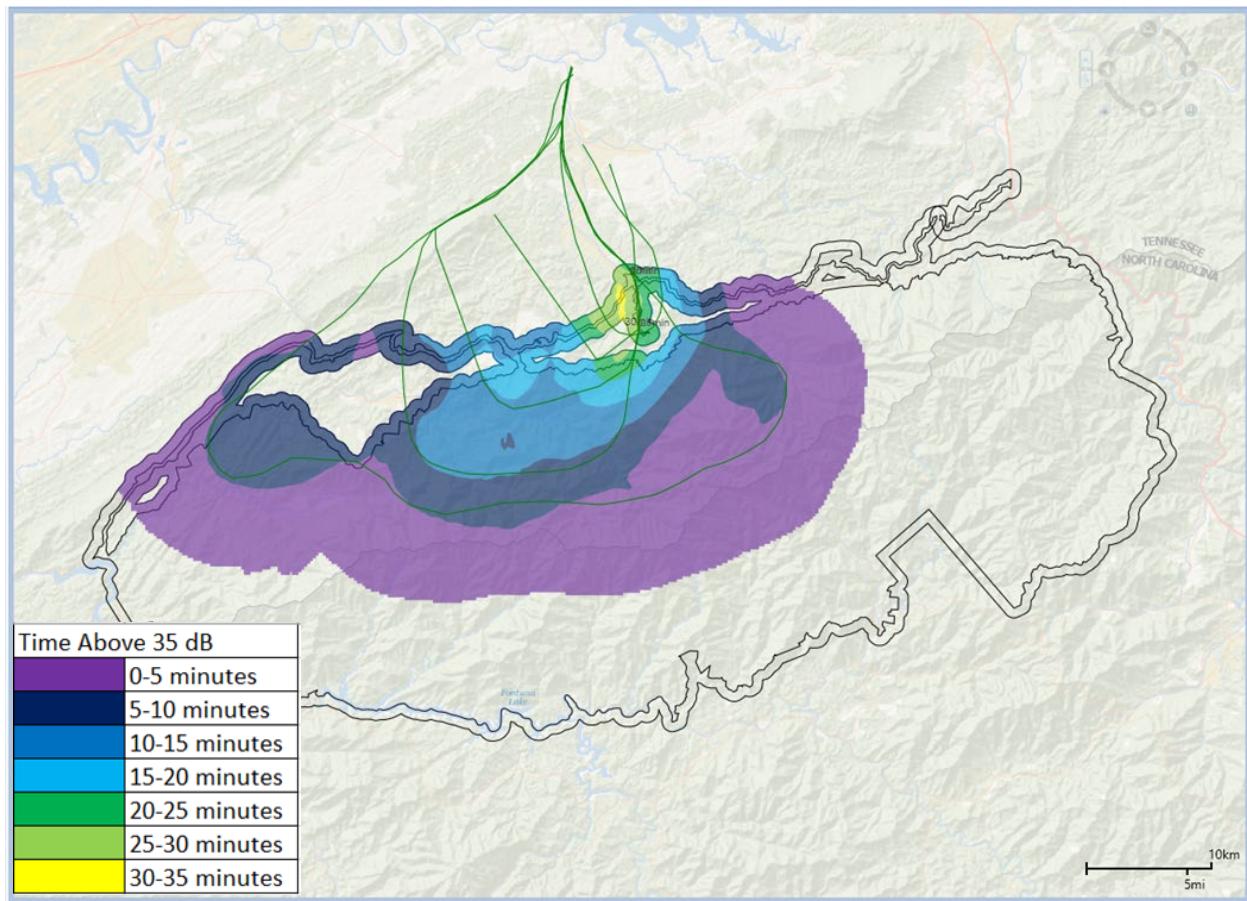


Figure 1. Noise contour results for Time Above 35 dBA

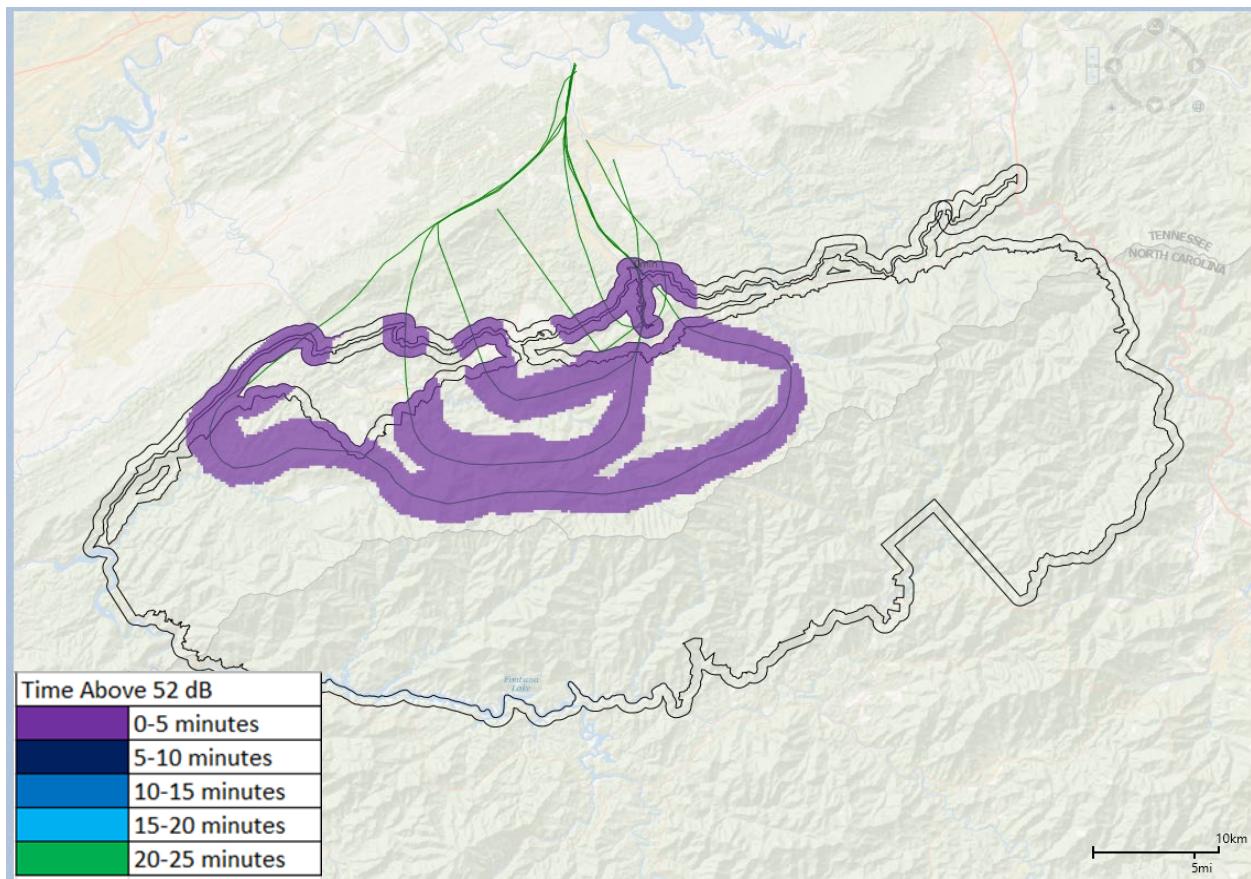


Figure 2. Noise contour results for Time Above 52 dBA

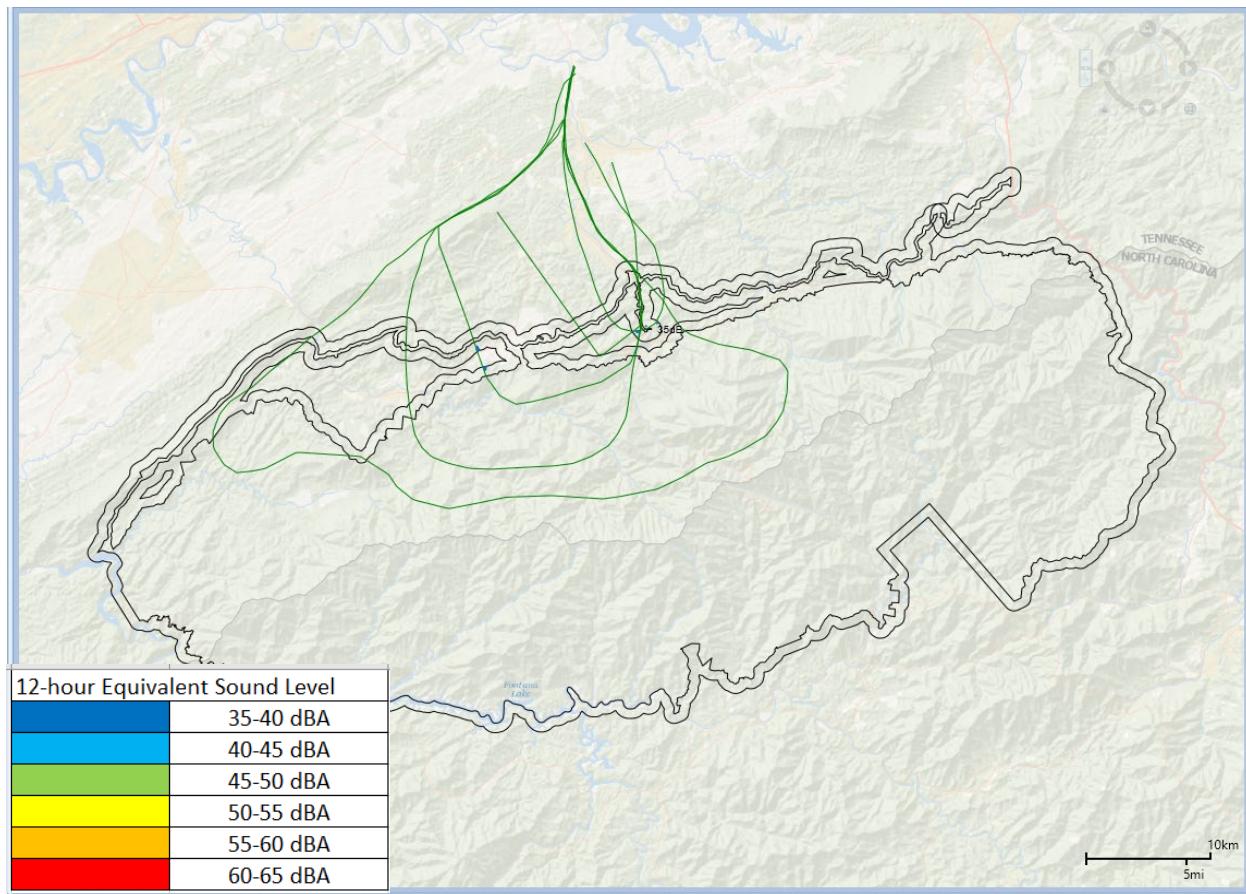


Figure 3. Noise contour results for $L_{Aeq, 12hr}$

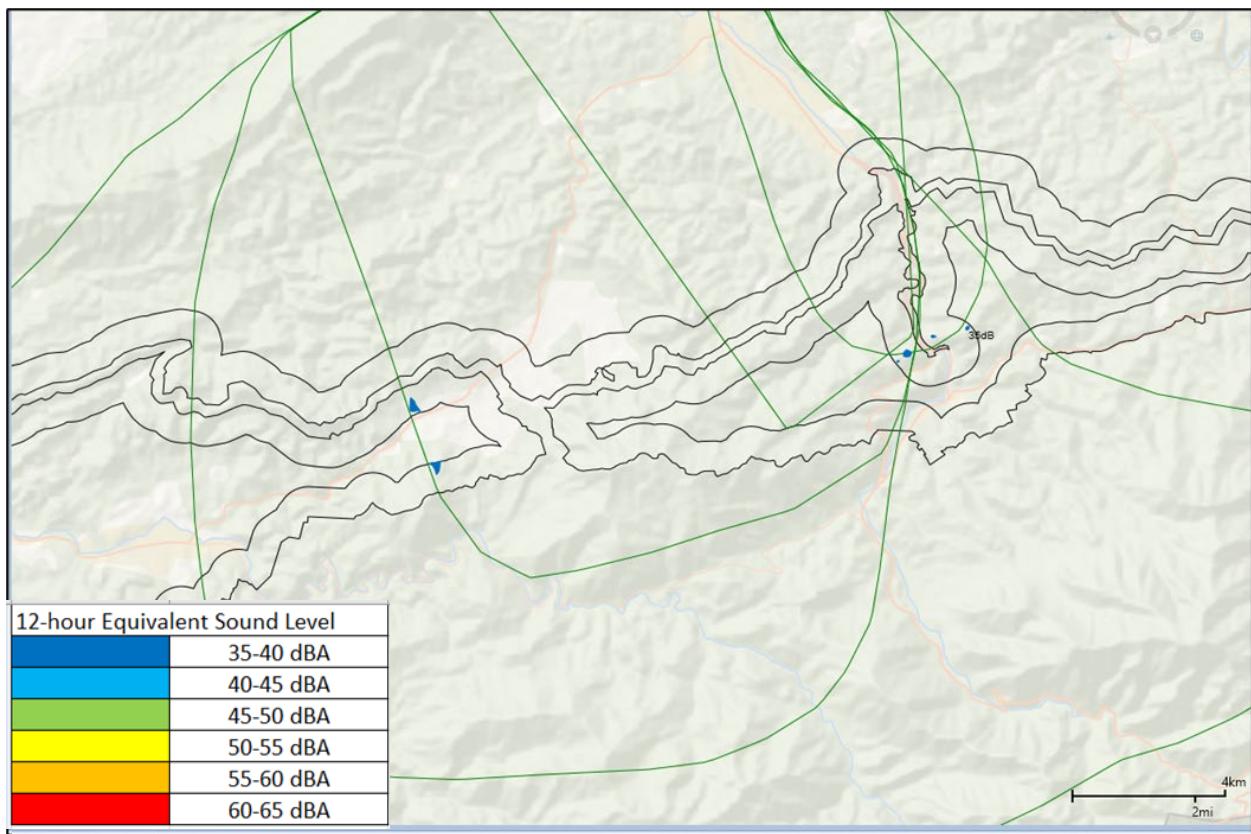


Figure 4. Zoomed in noise contour results for $L_{Aeq, 12hr}$

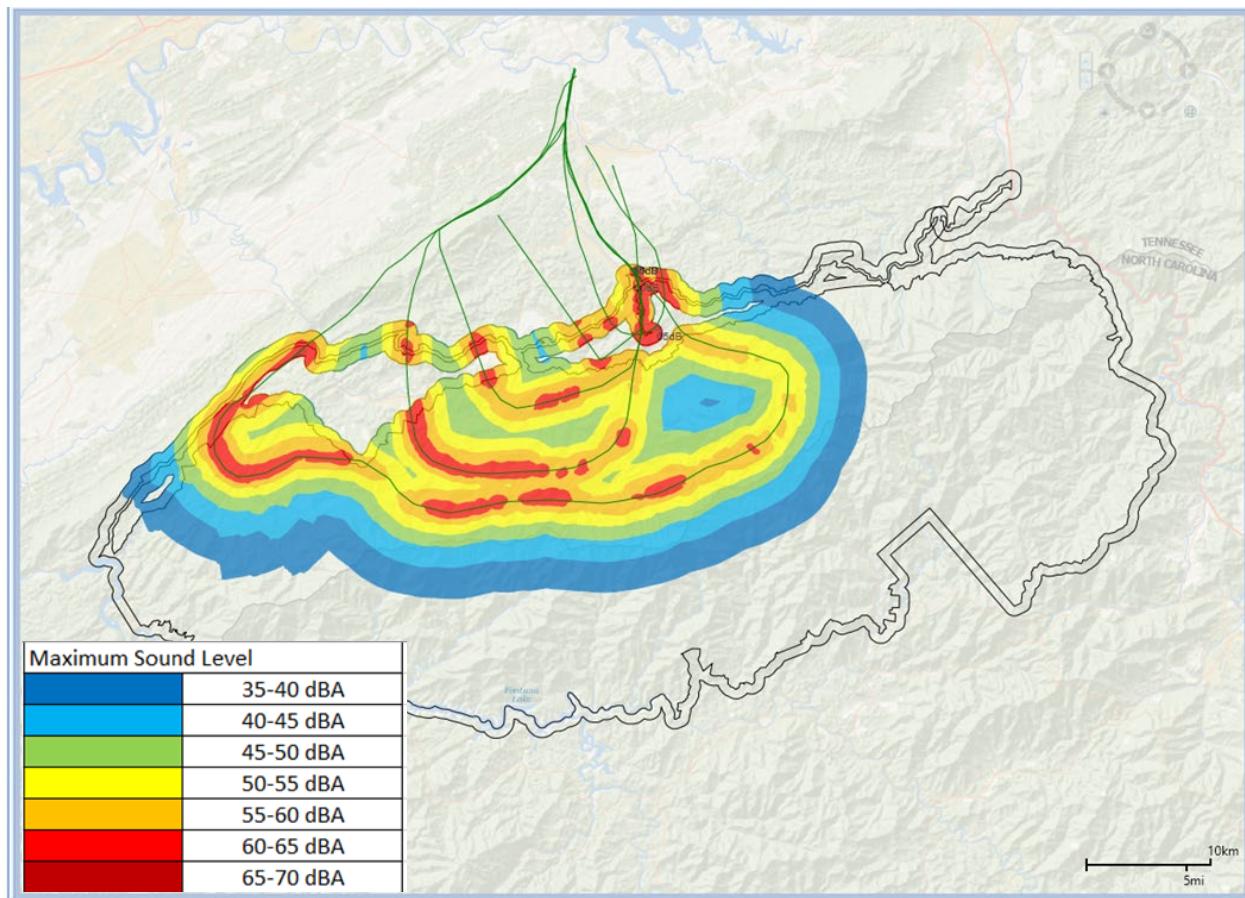


Figure 5. Noise contour results for L_{max}

FINDING OF EFFECTS LETTER – RESPONSES RECEIVED



North Carolina Department of Natural and Cultural Resources

State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary D. Reid Wilson

Office of Archives and History
Deputy Secretary, Darin J. Waters, Ph.D.

May 4, 2022

Judith Walker
Federal Aviation Administration
1781 East Fir Avenue, Suite 203
Fresno, CA 93720

Judith.Walker@faa.gov

Re: Development of an Air Tour Management Plan for Great Smoky Mountains National Park,
Multiple Counties, ER 21-0791

Dear Ms. Walker:

Thank you for your letter of May 3, 2022, regarding the above-referenced undertaking. We have reviewed the submittal and offer the following comments.

We concur with the Federal Aviation Administration and the National Park Service's finding that no historic properties in North Carolina will be affected by the purposed undertaking/plan.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,

Renee Gledhill-Earley
for Ramona Bartos, Deputy
State Historic Preservation Officer

From: [TN Help](#)
To: [Walker, Judith <FAA>](#)
Cc: [ATMPTeam](#)
Subject: GSMNP, Air Tour Management Plan - Project # SHPO0001033
Date: Thursday, May 19, 2022 2:17:58 PM
Attachments: [State Seal for TDEC.png](#)
[patricksignature.png](#)
[TN SHPO READ ME!.pdf](#)

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.



TENNESSEE HISTORICAL COMMISSION
STATE HISTORIC PRESERVATION OFFICE
2941 LEBANON PIKE
NASHVILLE, TENNESSEE 37243-0442
OFFICE: (615) 532-1550
www.tnhistoricalcommission.org

2022-05-16 13:35:03 CDT

Ms. Judith Walker
Federal Aviation Administration
Judith.Walker@faa.gov

RE: Federal Aviation Administration (FAA), GSMNP, Air Tour Management Plan, Project#: SHPO0001033, Blount and Sevier Counties, TN

Dear Ms. Walker:

Pursuant to your request, this office has reviewed documentation concerning the above-referenced undertaking. Our review of and comment on your proposed undertaking are among the requirements of Section 106 of the National Historic Preservation Act. This Act requires federal agencies or applicants for federal assistance to consult with the appropriate State Historic Preservation Office before they carry out their proposed undertakings. The Advisory Council on Historic Preservation has codified procedures for carrying out Section 106 review in 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739).

Setting is an integral part of the integrity for many of the resources within the Great Smoky Mountains National Park that are eligible or listed in the National Register of Historic Places. The presence of both visual and auditory disturbance from helicopters diminishes the integrity of these resources. We recognize and appreciate that the Air Tour Management Plan is being developed to minimize these visual and auditory effects from air tours that have been operated over the Great Smoky

Mountains National Park for over 20 years and that never went through compliance. However, as air tours will still be operated over the park under this plan, the adverse effect is still present. The minimization presented in the Air Tour Management Plan has been thoughtfully planned out and should be laid out in a Memorandum of Agreement along with any mitigation for the continuance of the air tours over the park.

Considering available information, we maintain that the project as currently proposed will adversely affect multiple resources within the Great Smoky Mountains National Park that are listed in or eligible for listing in the National Register of Historic Places. Per 36 CFR 800.5 (c)(2)(i), you may contact the Advisory Council on Historic Preservation for their assistance in resolving this dispute. Include the Project # if you need to submit any additional information regarding this undertaking. Questions and comments may be directed to Kelley Reid, who drafted this response, at Kelley.Reid@tn.gov, +16157701099. We appreciate your cooperation.

Sincerely,

A handwritten signature in black ink that reads "E. Patrick McIntyre, Jr." The signature is fluid and cursive, with "E. Patrick" on the first line and "McIntyre, Jr." on the second line.

E. Patrick McIntyre, Jr.
Executive Director and
State Historic Preservation Officer

Ref:MSG6535626_piYqvHHgUKIFowgqdShF



United States
Department of
Agriculture

Forest
Service

Cherokee National Forest

2800 North Ocoee Street
Cleveland, TN 37312
423-476-9700
Fax: 423-476-9721

File Code: 2360
Date: May 23, 2022

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

Dear Ms. Walker:

In response to your letter of May 3, 2022, the Area of Potential Effect for the Great Smoky Mountains National Park air tour plan does not appear to encompass any National Forest System lands of the Cherokee National Forest. However, we do manage sections of the Appalachian National Scenic Trail located in the Cherokee National Forest north of Great Smoky Mountains National Park. We do appreciate the modification of existing air tour routes away from the trail to benefit the overall trail setting and visitor experience. The Cherokee National Forest concurs with the proposed finding of “no adverse effect” on historic properties.

Thank you for the opportunity to review and comment. If you have any questions or need additional information, contact Danielle Shelton, Forest Heritage Program Manager, at stephanie.shelton@usda.gov.

Sincerely,

MICHAEL A WRIGHT
Acting Forest Supervisor

cc: Judith.Walker@faa.gov, Doug Byerly, Danielle Shelton



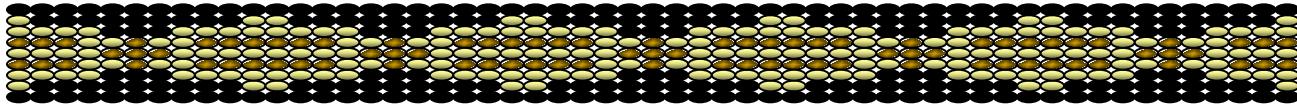
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Catawba Indian Nation
Tribal Historic Preservation Office
1536 Tom Steven Road
Rock Hill, South Carolina 29730

Office 803-328-2427



June 8, 2022

Attention: Judith Walker
Federal Aviation Administration

Re. THPO # TCNS # Project Description
 Development of an Air Tour Management Plan for Great Smokey Mountains National
2022-40-5 Park

Dear Ms. Walker,

The Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. **However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.**

If you have questions please contact Caitlin Rogers at 803-328-2427 ext. 226, or e-mail Caitlin.Rogers@catawba.com.

Sincerely,

Caitlin Rogers for

Wenonah G. Haire
Tribal Historic Preservation Officer

FAA RESPONSE TO TN SHPO OBJECTION



U.S. Department
of Transportation
**Federal Aviation
Administration**

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

June 1, 2022

Re: Continuing Section 106 Consultation for the development of an Air Tour Management Plan for Great Smoky Mountains National Park

E. Patrick McIntyre, Jr.
Executive Director and State Historic Preservation Officer
Tennessee State Historic Preservation Office
2941 Lebanon Pike
Nashville, TN 37214

Dear E. Patrick McIntyre:

The Federal Aviation Administration (FAA) and the National Park Service (NPS) are in receipt of your letter dated May 16, 2022, in which the Tennessee Historical Commission (TN SHPO) objects to the FAA's proposed finding of no adverse effect to historic properties under Section 106 of the National Historic Preservation Act (NHPA) for the development of an Air Tour Management Plan (ATMP) for Great Smoky Mountains National Park. In accordance with 36 CFR § 800.5(c)(2)(i), the FAA is requesting the opportunity to continue consultation in an effort to resolve the disagreement.

The FAA is interested in meeting with your office to further discuss your stated concerns related to the FAA's proposed finding of no adverse effect. We will be contacting your office on June 1, 2022, to schedule a date and time to continue consultation. We look forward to speaking with you.

Should you have any questions regarding any of the above, please contact me at 202-267-4185 or Judith.Walker@faa.gov and copy the ATMP team at ATMPTeam@dot.gov.

Sincerely,

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

CC: Michael Wright, Acting Forest Supervisor, Cherokee National Forest
Renee Gledhill-Earley, Environmental Review Coordinator, NC SHPO
Kelley Reid, Historic Preservation Specialist, TN SHPO
Jaime Loichinger, Assistant Director, Federal Permitting, Licensing, and Assistance Section,
Advisory Council on Historic Preservation