



UPDATED DECEMBER 2020

**NOTIFICATION AND GUIDANCE
for
New Reporting Requirements for Commercial Air Tour Operators
Conducting Air Tour Operations Over National Parks**

Commercial air tour operators conducting air tours over national parks and abutting tribal lands are required to submit reports to the Federal Aviation Administration (FAA) and the National Park Service (NPS). In accordance with statutory requirements, this document details the reporting requirements and provides updated guidance on how to complete the required commercial air tour operator reports, including types of information to be reported, format, reporting frequency, and data submission. Changes have been made to the reporting template as well as to the reporting frequency; primarily, that operator reports at non-exempt parks are now to be submitted on a semi-annual, not quarterly, basis.

BACKGROUND: The National Parks Air Tour Management Act of 2000, Public Law 106-181 (“NPATMA”), governing the conduct of commercial air tours over units of the national park system and abutting tribal lands, was signed into law on April 5, 2000. The law is codified at 49 USC 40128. The regulations implementing NPATMA are 14 CFR Part 136, Subpart B, *National Parks Air Tour Management*.

The FAA Modernization and Reform Act of 2012 (Title V – Environmental Streamlining) amended NPATMA and established new reporting requirements for air tour operators under two provisions. One provision [Section 501(e)(2)] amended subsection 501(d)(1) of NPATMA to require each operator conducting a commercial air tour operation over a national park unit under interim operating authority (IOA), or in accordance with an air tour management plan (ATMP) or a voluntary agreement, to submit a report to both the FAA and the NPS regarding the number of commercial air tour operations over each national park that are conducted by the operator and such other information as FAA and NPS may request, with a frequency and in a format

prescribed by the agencies. The second provision [Section 501(b)] exempted national park units that have 50 or fewer commercial air tour operations each year from the requirements of NPATMA and established a separate annual reporting requirement for air tour operators conducting commercial air tour operations over exempt parks. The FAA and NPS have developed and recently revised the following framework for these reporting requirements. The information collection has been authorized by the Office of Management and Budget (OMB Control Number 2120-0750).

WHO THIS REPORTING REQUIREMENT APPLIES TO: NPATMA applies to any person who conducts a commercial air tour operation below 5,000 feet above ground level over a unit of the national park system, over tribal lands that are within or abutting a unit of the national park system, or any area within a ½ mile outside a unit of the national park system or less than one mile laterally from any geographic feature within the park (unless more than ½ mile outside the park boundary). On October 25, 2002 the FAA published the final rule (14 CFR Part 136) to fulfill the mandate of NPATMA. The FAA granted Interim Operating Authority (IOA) to those operators who had conducted air tours over national parks prior to the enactment of NPATMA (April 2000). Operators who currently hold IOA at one or more national park units that **fall under NPATMA*** are subject to these revised reporting requirements. (* **Note:** Grand Canyon National Park and park units in Alaska do not fall under the provisions of NPATMA).

REPORTING REQUIREMENTS FOR AIR TOUR OPERATORS AT PARKS THAT ARE NOT EXEMPT: In accordance with the statutory amendment, the FAA and NPS required air tour operators conducting commercial air tours at parks that are not exempt from the requirements of NPATMA to begin collecting information on their air tour operations starting on January 1, 2013. Initially the agencies required that the operators submit reports on a quarterly basis – every three months with the reports due no later than 30 days after the close of each quarter. The agencies have revised the requested reporting frequency and are now requiring operators to submit reports semi-annually. The first report, covering the period January 1 to June 30 of each year, will be due 30 days after the close of that six month period. The second report,

covering the period July 1 to December 31 of each year, will be due 30 days after the close of that six month period.

For standardization and ease of data collection, an updated Excel spreadsheet reporting template has been developed in which air tour operators can electronically enter their information and data. This reporting template is to be used for those operators who are required to report semi-annually and is available for download at the following websites:

- http://www.faa.gov/about/office_org/headquarters_offices/arc/programs/air_tour_management_plan/program_information/
- <https://www.nps.gov/subjects/sound/airtours.htm>

The Excel spreadsheet flight operations reporting template has open fields where operators will input the information and data required by FAA and NPS in accordance with the statute. The spreadsheet provides instructional text pop-up windows when the cursor is activated on the input cell(s). The spreadsheet also includes an “Example” tab to assist operators in providing the required information. At the top of the Excel spreadsheet template, the agencies are requiring the following general information about each operator: operator / company name; dba – doing-business-as (if applicable); FAA certificate designator; reporting period (respondents need to change the dates for each subsequent report); name of assigned FAA principal operations inspector (POI); name of operator’s assigned FAA Flight Standards District Office (FSDO); and FSDO phone number. There are now metadata fields for: location information where the operator provides information on the parks where tours are conducted and departure sites; aircraft information where aircraft tail numbers are included; and route information where route names are defined. These metadata fields are not expected to change appreciably after being filled out the first time. Then there is the air tour data submission section where the operators provide the following information for each tour they conduct: date of tour; hour of tour; aircraft make/model; and park route code. Instructional text pop-up windows are provided in most of the column headers where information is requested (i.e. “Route Code”). In the bottom left corner of the reporting template is a tab named “Example” where you can click on that to see how an example report should be filled out. You can use that as guidance for your own submission.

No later than 30 days after the close of each six month period the operator must submit their report concurrently to both the FAA and NPS. Operators will submit the filled out Excel spreadsheet template via email to:

- 9-AWP-ATMP-Reports@faa.gov
- and
- NPS_NRSS_NRPC_AirTourPlanning@nps.gov

Or they may be mailed via the U.S. Postal Service directly to:

Special Programs Staff
Federal Aviation Administration
777 S. Aviation Boulevard, Suite 150
El Segundo, CA 90245

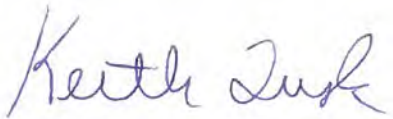
ANNUAL REPORTING REQUIREMENTS FOR EXEMPT PARKS: In accordance with statutory amendment, air tour operators conducting commercial air tours at parks that are exempt from NPATMA on the basis of having 50 or fewer annual commercial air tours are to report to both the FAA and NPS the annual number of operations for those parks in order for the agencies to affirm park exemptions each year. If you are flying over any of the parks listed on the most recent exempt park list, you only need to report the total number of commercial air tour flights that you conducted during the prior reporting year for each individual park over which you conducted those operations. For example, if you conducted operations over five of the parks on the exempt park list, you will submit five operational counts; one for each of the parks over which you conducted air tours during the prior reporting year.

Reports will be made annually, not semi-annually. Reports are due 30 days after the close of the calendar year. Operators must send an email reporting the number of annual operations flown over any exempt park(s) for the period January 1 – December 31 to the same email addresses listed above, or that information can be mailed to the FAA Special Programs Staff (mailing

address listed above). Each subsequent year of reportable data collection will begin January 1 of each year, and each resulting subsequent annual report must be submitted to both the FAA and NPS no later than January 30 of the next year.

The FAA and NPS will annually publish a list of exempt parks in the Federal Register and post the list on the FAA and NPS websites listed under above. The list could change from year to year. Parks may be added to the exempt list based on the prior year's number of annual operations. Parks may also be withdrawn from the exempt list if it is found, through the reporting or other information, that operators have cumulatively exceeded the 50 annual commercial air tour operation threshold for the given park in a given year. Under the statute, exemptions may also be withdrawn by the NPS if determined necessary to protect park resources or park visitor use and enjoyment. In carrying out this responsibility, the NPS may request additional information from operators at specific parks to assist in determining whether that park should remain on the exempt park list. Parks that lose exempt status will return to semi-annual reporting requirements and will require establishment of an air tour management plan or a voluntary agreement.

FOR FURTHER INFORMATION CONTACT: Should you have questions regarding this guidance document please contact Keith Lusk, FAA Western-Pacific Region Special Programs Staff, (424) 405-7017, keith.lusk@faa.gov.



Federal Aviation Administration (FAA)

November 17, 2020

Date