

**AIR TOUR
MANAGEMENT PLAN
HALEAKALĀ NATIONAL PARK**

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SUMMARY

This Air Tour Management Plan (ATMP) provides the terms and conditions for commercial air tours conducted over Haleakalā National Park (Park) pursuant to the National Parks Air Tour Management Act (Act) of 2000.

1.0 INTRODUCTION

The Act requires that commercial air tour operators conducting or intending to conduct commercial air tours over a unit of the National Park System apply to the Federal Aviation Administration (FAA) for authority before engaging in that activity. The Act further requires that the FAA in cooperation with the National Park Service (NPS) establish an ATMP for each National Park System unit for which one or more applications has been submitted, unless that unit is exempt from this requirement.¹

The objective of this ATMP is to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tours on the Park’s natural and cultural landscapes and resources, areas of historic and spiritual significance to Native Hawaiians, Wilderness character, and visitor experience.

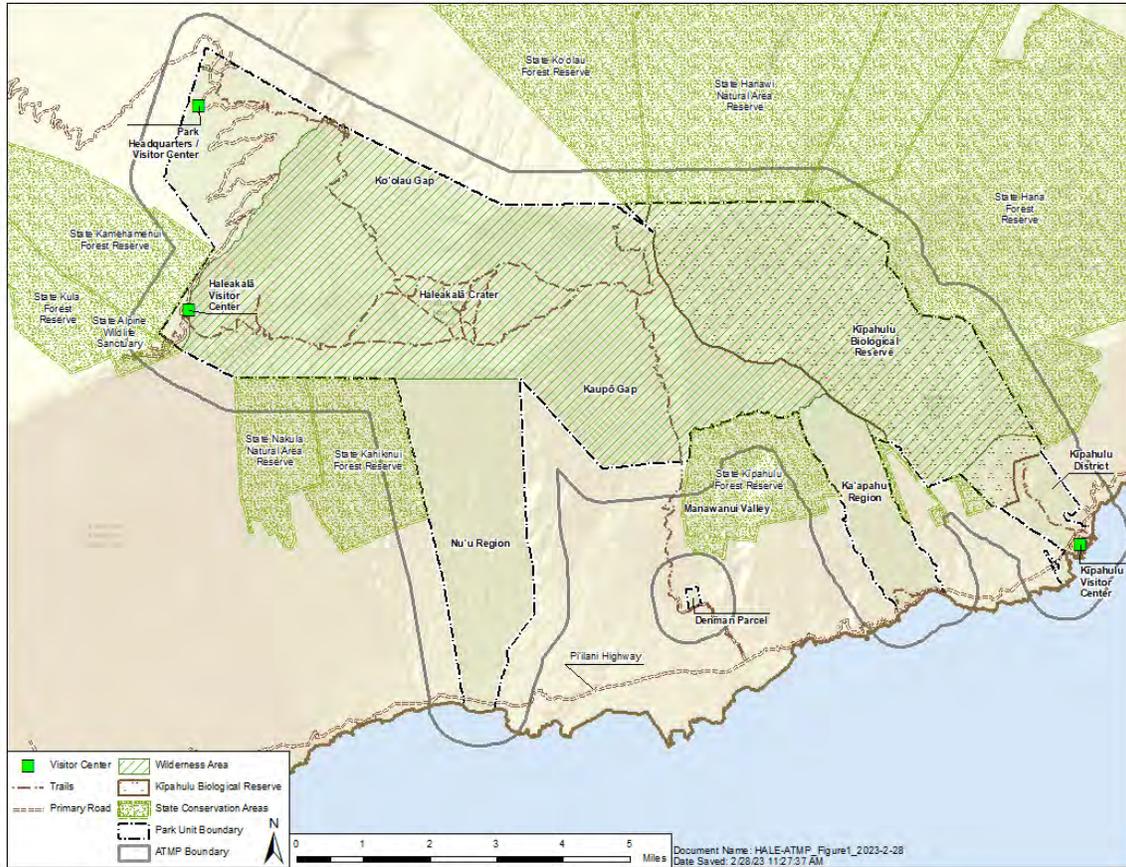
2.0 APPLICABILITY

This ATMP applies to all commercial air tours over the Park and commercial air tours within ½ mile outside the boundary of the Park as depicted in Figure 1 below. A commercial air tour subject to this 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 ½ mile of the Park boundary, during which the aircraft flies:

- (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 ½-mile outside the Park boundary).

See 14 CFR § 136.33(d). The area subject to the ATMP is also referred to as the area within the ATMP boundary.

¹ The Act provides an exemption to the ATMP requirement for parks with 50 or fewer commercial air tour operations each year unless the exemption is withdrawn by the Director of the NPS. *See* 49 U.S.C. § 40128(a)(5). As an alternative to an ATMP, the agencies also have the option to execute voluntary agreements with all operators operating at any of the parks.



33
34 **Figure 1.** Map of area subject to the ATMP for Haleakalā National Park

35 **2.1 Park Overview**

36 The Park manages over 33,000 acres of land on the eastern side of Maui, the second
37 largest island in the Hawaiian chain. The Park was originally established in 1916 as part
38 of Hawaii National Park. At that time the Park included lands on both the islands of
39 Hawai‘i (now part of Hawai‘i Volcanoes National Park) and Maui. The Park was
40 established as a separate NPS unit in 1961 (PL 86-744, 74 Stat. 88).

41 The Park is part of the East Maui volcano and features a large erosional depression,
42 Haleakalā Crater, at the summit and then opening to the northeast and southeast forming
43 large valleys that extend to the coast. There are two districts in the Park: the Summit
44 District and the Kīpahulu District. The Summit District includes a portion of Haleakalā
45 Highway (known as Crater Road within the Park), Haleakalā Crater, Kaupō Gap, and
46 Nu‘u. The Kīpahulu District includes ‘Ohe‘o Gulch, Kīpahulu Valley, Manawainui, and
47 Ka‘āpahu. The northern and eastern slopes of Haleakalā and the rainforests of the
48 Kīpahulu Valley are among the richest biological regions in Hawai‘i. More than 90% of
49 the native biota found in the Park is endemic to the Hawaiian Islands and nearly 50% is
50 endemic to Maui. In 1980, the United Nations Educational, Scientific and Cultural
51 Organization (UNESCO) designated the entire Park, together with Hawai‘i Volcanoes
52 National Park, as the Hawaiian Islands International Biosphere Reserve. The Park

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53 protects native Hawaiian ecosystems, providing a home for diverse threatened and
54 endangered species, including some that exist nowhere else in the world.

55 The Kīpahulu District of the Park protects Kīpahulu Valley and the scenic free-flowing
56 stream system ending at ‘Ohe‘o Gulch. From east of the volcano rim, the valley drops
57 thousands of feet down to the coast. The Kīpahulu coastal area is set atop a seaside cliff
58 and was first farmed by early Polynesians more than 800 years ago, distinguishing it as
59 both ecologically and historically significant. The upper Kīpahulu Valley is managed as
60 a biological reserve and is home to a vast profusion of flora and fauna, including some of
61 the world’s rarest birds, plants, and invertebrates.

62 The Park is a sacred place to *kānaka maoli* (Native Hawaiians) and is fundamentally
63 linked to their traditional and contemporary beliefs, practices, and way of life. The
64 concept of *kuleana* (responsibility) is central to these beliefs, passed on from *kūpuna*
65 (ancestors) to future generations to ensure stewardship and respect for all things spiritual
66 and physical. Closely connected to *kuleana* is the concept of *mālama ‘āina*, caring for
67 and nurturing the land so it continues to provide the essential means and resources
68 necessary to sustain life for present and future generations. For Native Hawaiians, the
69 summit of Haleakalā is the *Wao Akua* (“Place of the Gods”) where the demigod Maui
70 snared the sun. Tangible and intangible cultural resources and values, place names, oral
71 traditions/history, and features of the landscape are invaluable parts of Hawaiian culture.
72 At the *piko* (navel) of East Maui, traditional Hawaiian land districts (*moku*) converge at a
73 place called Pōhaku Pālaha. From ancient times to the present, Native Hawaiians have
74 used particular areas, sites, and features within the current park boundaries for a broad
75 range of activities, cultural practices, and protocols including ceremonies, spiritual
76 training, practices related to birth and burial, resource collection, and travel across East
77 Maui.

78 The Park has 24,719 acres (74% of the Park) of federally designated Wilderness. The
79 Haleakalā Wilderness provides a panorama of exceptional grandeur where people may
80 find solitude and inspiration within a vast and colorful landscape, and is part of a historic
81 district listed in the National Register of Historic Places in recognition of its significant
82 archeological resources and historic sites. The summit of Haleakalā, including Kīpahulu
83 Valley and Kaupō Gap, is also eligible for listing in the National Register as a traditional
84 cultural property (TCP) for its association with the cultural landscape of Maui and
85 because of its known uses, oral history, *mele* (chants or poems), and legends. It remains a
86 source of traditional materials and sacred uses, and a place of profound spiritual power.

87 Over the years 2017-2019, an average of 1,050,289 visitors annually came to the Park to
88 experience its natural and cultural wonders. Over those same years, an average of up to
89 24,120 air tour clients flew over the Park annually. The majority of land-based visitors
90 who travel to the summit and headquarters / visitor center are drawn there to witness the
91 awe-inspiring sunrise. In addition to these activities, hiking is available along 38 miles of
92 trails. Visitors to the Park enjoy a broad spectrum of natural sounds, including a rare
93 opportunity to experience intense quiet inside the Haleakalā Crater. Sound levels in the
94 crater are among the lowest recorded in any national park. The NPS 1995 Report to
95 Congress on the Effects of Aircraft Overflights on the National Park System identified
96 the Park as a top priority for maintaining or restoring natural quiet.

97 The purposes of the Park are the inspiration of current and future generations, to protect a
98 wild volcanic landscape with a wide array of fragile and diverse native ecosystems,
99 including species found nowhere else on Earth, and to perpetuate the unique connections
100 between Hawaiian culture and this sacred and evolving land.

101 The following Park management objectives relate to the development of this ATMP:

- 102 • Protect natural sounds. Natural sounds contribute to Haleakalā’s unique sense of
103 place. Ambient sound levels in the Haleakalā Crater are so low that they
104 approach the threshold of human hearing. Natural soundscapes are vital
105 components of a healthy, intact, biological community, and play an important role
106 in wildlife communication and behavior. The preservation of natural sounds is
107 also critical to effective wilderness management.
- 108 • Protect Wilderness character. The Wilderness area protects one of the most intact
109 rainforest ecosystems in the Hawaiian Islands and has cultural and spiritual
110 significance to Native Hawaiians. Visitors have opportunities to participate in
111 Wilderness experiences—from expansive views across undeveloped lands to
112 primitive recreation and solitude.
- 113 • Protect cultural and historic resources. The Park has cultural and spiritual value
114 for Native Hawaiians. Traditional cultural activities include ritual ceremonies,
115 spiritual training, and practices related to birth and burial. Sustaining the
116 connections and interrelationships between Native Hawaiians and culturally
117 significant Park resources and places is an important objective of Park managers.
118 The Park preserves pre-Contact and historic archeological resources that include
119 Native Hawaiian temples (heiau), shelters, trails, altars, fishing shrines, house
120 platforms, and other features. Historic resources such as historic agricultural sites
121 and trail systems are also preserved by the Park. Some of these resources are still
122 used today as part of the vibrant Hawaiian culture.
- 123 • Protect biological resources. The Park protects endemic and iconic species
124 including the nēnē (Hawaiian goose), ‘āhinahina (Haleakalā silversword),
125 ‘ākohekohe (the critically endangered crested honeycreeper), and many other
126 threatened and endangered species. The upper Kīpahulu Valley is a key refuge
127 for native Hawaiian plant and animal species that are disappearing elsewhere –
128 the NPS manages this area as the Kīpahulu Biological Reserve.

129 **3.0 CONDITIONS FOR THE MANAGEMENT OF COMMERCIAL AIR TOUR**
130 **OPERATIONS**

131 3.1 Commercial Air Tours Authorized

132 Under this ATMP, 2,412 commercial air tours are authorized per year. Appendix A
133 identifies the operators authorized to conduct commercial air tours and annual flight
134 allocations.

135 3.2 Commercial Air Tour Route and Altitudes

136 Commercial air tours authorized under this ATMP shall be conducted on the designated
137 air tour route and altitudes in Figure 2 below.² Altitude expressed in units above ground
138 level (AGL) is a measurement of the distance between the ground surface and the
139 aircraft.

140 This ATMP designates a single one-way route from west to east over the southern area of
141 the Park. Vertical separation (“stacking”) of aircraft along the route is prohibited.³
142 Minimum altitudes are 2,000 feet (ft.) AGL over land and 3,000 ft. AGL over the ocean.
143 Route segments are represented in Figure 2 by a line with a ¼-mile buffer on either side
144 of the route that indicates the acceptable range of deviation that would not trigger
145 enforcement action. Additional route details are described below:

- 146 • The first segment of the route enters the ATMP boundary at the southern
147 boundary of the State Kahikinui Forest Reserve at a minimum altitude of 2,000 ft.
148 AGL. Aircraft must maintain a minimum altitude of 2,000 ft. AGL across the
149 Nu‘u area until they exit the ATMP boundary.
- 150 • The second segment of the route re-enters the ATMP boundary within ½ mile
151 from the northern edge of the Park’s Denman parcel in Kaupō at a minimum
152 altitude of 2,000 ft. AGL. Aircraft must maintain a minimum altitude of 2,000 ft.
153 AGL until they exit the ATMP boundary.
- 154 • The third segment of the route re-enters the ATMP boundary ½ mile from the
155 Park’s Ka‘āpahu area at a minimum altitude of 2,000 ft. AGL. Aircraft must
156 maintain a minimum altitude of 2,000 ft. AGL until they exit the ATMP
157 boundary.
- 158 • The fourth segment of the route re-enters the ATMP boundary offshore from
159 Kīpahulu at a minimum altitude of 3,000 ft. AGL. Aircraft must maintain a
160 minimum altitude of 3,000 ft. AGL until they exit the ATMP boundary.

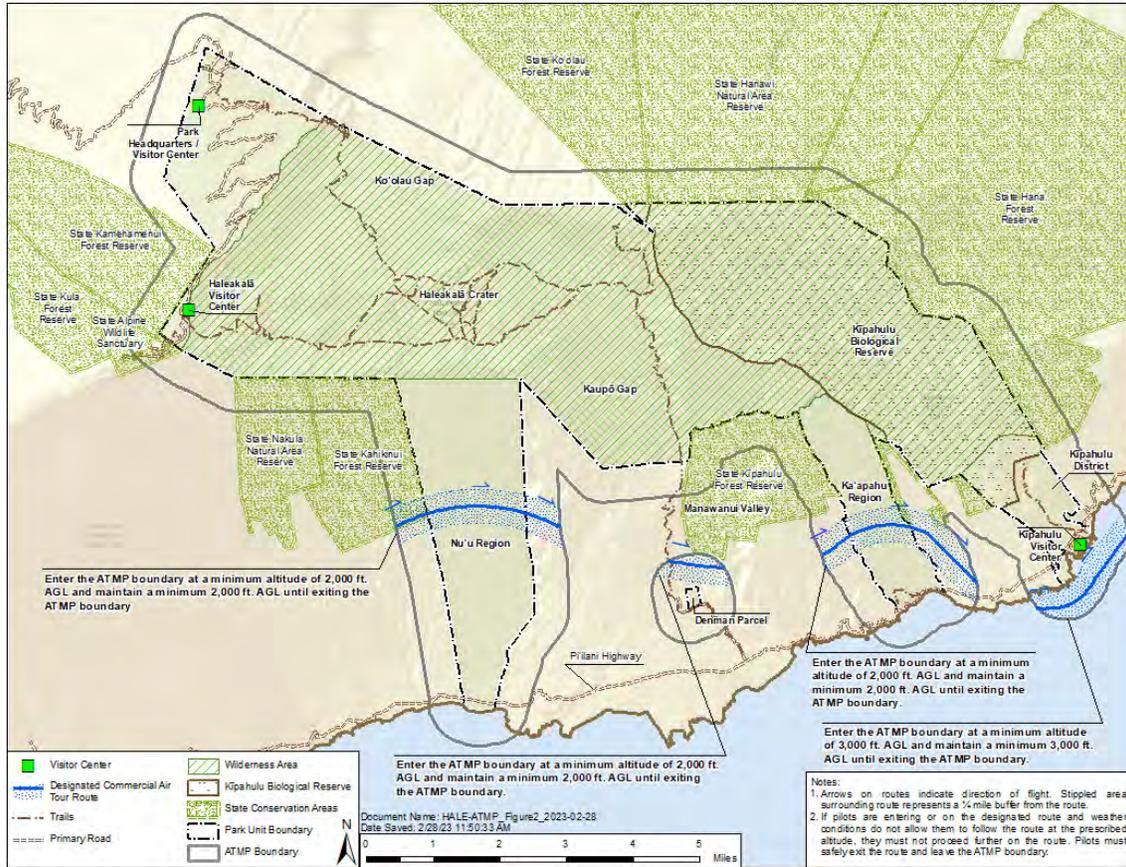
161 Aircraft are not required to fly the entirety of the route as long as they comply with the
162 altitude requirements and follow the designated route over the parcels overflown.

163 If pilots are entering or on the designated route and weather conditions do not allow them
164 to follow the route at the prescribed altitude, they must not proceed further on the route.
165 Pilots must safely exit the ATMP boundary.

166 Operators may not deviate from the designated route and altitudes except as necessary for
167 safe operation of an aircraft as determined under Federal Aviation Regulations requiring
168 the pilot-in-command to take action to ensure the safe operation of the aircraft.

² Appendix B contains an enlarged Figure 2.

³ Vertical separation occurs when aircraft following the same route are “stacked,” or separated from each other by a vertical buffer.



169
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Figure 2. Commercial air tour route over Haleakalā National Park

171 3.3 Aircraft Type

172 The aircraft types authorized to be used for commercial air tours are identified in
 173 Appendix A. Any new or replacement aircraft must not exceed the noise level produced
 174 by the aircraft being replaced. In addition to any other applicable notification
 175 requirements, operators will notify the FAA and the NPS in writing of any prospective
 176 new or replacement aircraft and obtain concurrence before initiating air tours with the
 177 new or replacement aircraft. As described in Section 3.7F “Transition to Quiet
 178 Technology Aircraft,” all commercial air tours must utilize exclusively quiet technology
 179 aircraft by 2033.

180 3.4 Day/Time

181 Except as provided in Section 3.8 “Quiet Technology Incentives,” air tours may operate
 182 from 11:00 AM to 2:00 PM local time. Commercial air tours are permitted on all days of
 183 the week except Sundays and Wednesdays, and except as provided in Section 3.5
 184 “Restrictions for Particular Events.”

185 3.5 Restrictions for Particular Events

186 This ATMP establishes six no-fly days per year for commercial air tours based on the
187 Park’s existing commercial-free days⁴ that follow the Hawaiian Moon Calendar and
188 Makahiki Season, and which vary from year to year. The NPS will provide notice of the
189 six commercial no-fly dates to all air tour operators. These no-fly days are generally as
190 follows:

- 191 • End of Makahiki (typically in January)
- 192 • Zenith Noon (typically in May)
- 193 • Summer Solstice (June)
- 194 • Zenith Noon (typically in July)
- 195 • Start of Makahiki (typically in October)
- 196 • Winter Solstice (December)

197 This ATMP establishes two no-fly days per year for commercial air tours based on
198 historically significant Hawai‘i State holidays. These no-fly days, which do not vary
199 from year to year⁵, are as follows:

- 200 • Prince Jonah Kūhiō Kalaniana‘ole Day (March 26)
- 201 • King Kamehameha I Day (June 11)

202 In addition to the six no-fly days that follow the Hawaiian Moon Calendar and Makahiki
203 Season and the two no-fly days based on Hawaiian State holidays, the NPS can establish
204 additional temporary no-fly periods that apply to commercial air tours for other special
205 events or planned Park management. Absent exigent circumstances or emergency
206 operations, the NPS will provide a minimum of two months’ notice to the operators in
207 writing in advance of the no-fly period. Events may include Native Hawaiian ceremonies
208 or other similar events.

209 3.6 Required Reporting

210 Operators will submit to the FAA and the NPS semi-annual reports regarding the number
211 of commercial air tours within the ATMP boundary that are conducted by the operator.
212 These reports will also include the flight monitoring data required under Section 4.1 of
213 this ATMP and such other information as the FAA and the NPS may request. Reports
214 are due to both the FAA and the NPS no later than 30 days after the close of each
215 reporting period. Reporting periods are January 1 through June 30 and July 1 through
216 December 31. Operators shall adhere to the requirements of any reporting template
217 provided by the agencies.

⁴ Commercial-free days are opportunities for Kānaka Maoli (Native Hawaiians) to conduct traditional cultural practices in the Park without commercial tours present.

⁵ Unless a holiday falls on the weekend and the holiday is observed on the nearest weekday.

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218 Air tour fee payment is required for commercial air tour operations conducted over the
219 Park under 54 U.S.C. § 100904(f). In order to streamline the payment process, reduce
220 administrative costs, avoid accounting errors, and make it easier for private sector
221 partners doing business with the NPS, the NPS uses the Pay.gov system, which is the
222 U.S. Department of the Treasury’s electronic payment system. Each air tour operator
223 allocated commercial air tour operations under this ATMP will report the total number of
224 air tours conducted in the previous month to the NPS via email to
225 hale_commercial_manager@nps.gov no later than the 30th day of the following month.
226 For example, the total number of air tours conducted in March must be submitted to the
227 NPS no later than April 30th. The email should also include the name and contact
228 information for the person who is responsible for the fee payment, including their email
229 address, to ensure that the bill is sent to the correct person. Upon receipt of this
230 information from an air tour operator, the NPS will send an electronic bill, via email, to
231 the contact provided for fee payment. Detailed directions for fee payment through
232 Pay.gov will be included with the electronic bill.

233 3.7 Additional Requirements

234 3.7A Operator Training and Education: When made available by Park staff,
235 operators/pilots will take at least one training course per year conducted by the
236 NPS. The training will include Park information that operators can use to further
237 their own understanding of Park priorities and management objectives as well as
238 enhance the interpretive narrative for air tour clients and increase understanding
239 of parks by air tour clients. In addition, helicopter pilots must complete the FAA
240 *Introduction to Fly Neighborly* training within 180 days of the effective date of
241 this ATMP and retain certificates of completion on file. This training is available
242 at the FAA Safety website here:
243 [https://www.faasafety.gov/gslac/ALC/course_content.aspx?cID=500&sID=841&](https://www.faasafety.gov/gslac/ALC/course_content.aspx?cID=500&sID=841&preview=true&d=1)
244 [preview=true&d=1](https://www.faasafety.gov/gslac/ALC/course_content.aspx?cID=500&sID=841&preview=true&d=1). Additional information is available from Helicopter
245 Association International (HAI) at the HAI Fly Neighborly website
246 (<https://rotor.org/fly-neighborly/>).

247 3.7B Annual Meeting: At the request of either of the agencies, the Park staff, the
248 local FAA Flight Standards District Office (FSDO), and all operators will meet
249 once per year to discuss the implementation of this ATMP and any amendments
250 or other changes to the ATMP. This annual meeting could be conducted in
251 conjunction with any required annual training.

252 3.7C In-Flight Communication: For situational awareness when conducting tours
253 of the Park, the operators will utilize frequency 122.85 and report when they enter
254 the ATMP boundary to begin the route and upon completion of the route. The
255 pilots should identify their company, aircraft, and route to make any other aircraft
256 in the vicinity aware of their position.

257 3.7D Daily Air Tour Limitation: The maximum number of air tours each operator
258 may conduct in a single day are as follows:

- 259 • Aris, Inc. (Air Maui Helicopter Tours) may conduct a maximum of 3
260 commercial air tours per day
- 261 • Hawai‘i Helicopters, Inc. may conduct a maximum of 2 commercial air
262 tours per day
- 263 • Helicopter Consultants of Maui, Inc. (Blue Hawaiian Helicopters) may
264 conduct a maximum of 6 commercial air tours per day
- 265 • Sunshine Helicopters, Inc. may conduct a maximum of 3 commercial air
266 tours per day
- 267 • Alika Aviation, Inc. (Alexair, Maverick) may conduct a maximum of 2
268 commercial air tours per day

269 These restrictions are also identified in Table 1 included in Appendix A.

270 3.7E Hovering/Circling: Hovering and/or circling of aircraft is prohibited.

271 3.7F Transition to Quiet Technology Aircraft: All commercial air tours must
272 utilize exclusively quiet technology aircraft by 2033.

273 3.7G Non-transferability of Allocations: Operations under this ATMP are non-
274 transferable. An allocation of annual operations may be assumed by a successor
275 purchaser that acquires an entity holding allocations under this ATMP in its
276 entirety. In such case, the prospective purchaser shall notify the FAA and the
277 NPS of its intention to purchase the operator at the earliest possible opportunity to
278 avoid any potential interruption in the authority to conduct commercial air tours
279 under this ATMP. This notification must include a certification that the
280 prospective purchaser has read and will comply with the terms and conditions in
281 the ATMP. The FAA will consult with the NPS before issuing new or modified
282 operations specifications (OpSpecs)⁶ or taking other formal steps to memorialize
283 the change in ownership.

284 3.7H Emergency Landings: In the event of an emergency landing inside the Park,
285 once the aircraft has safely landed and any medical or other emergency issues
286 have been addressed, the operator shall immediately notify the NPS through Park
287 Dispatch or emergency contacts of the incident and location. Prior approval from
288 the Park superintendent or designee is required for the removal or take off of the
289 landed aircraft in order to coordinate joint resources for the safety of Park visitors
290 and resources (36 CFR 2.17). Prior approval from the Park superintendent or
291 designee is required for any non-emergency landing of aircraft within the Park
292 boundaries, including replacement aircraft deployed to retrieve passengers who
293 are not able to exit via ground transportation.

⁶ OpSpecs are issued by the FAA to each operator and prescribe the authorizations, limitations, and procedures under which air tour operations must be conducted and require certain other procedures under which each class and size of aircraft is to be operated.

294 3.8 Quiet Technology Incentives

295 This ATMP incentivizes the use of quiet technology aircraft by commercial air tour
296 operators conducting commercial air tours within the ATMP boundary. Operators that
297 have converted to quiet technology aircraft, or are considering converting to quiet
298 technology aircraft, may request to be allowed to conduct air tours using quiet technology
299 aircraft from 11:00 AM to 4:00 PM on all days that flights are authorized. Because
300 aviation technology continues to evolve and advance and the FAA updates its noise
301 certification standards periodically, the aircraft eligible for this incentive will be analyzed
302 on a case-by-case basis at the time of the operator's request to be considered for this
303 incentive. The NPS will periodically monitor Park conditions and coordinate with the
304 FAA to assess the effectiveness of this incentive. If implementation of this incentive
305 results in unanticipated effects on Park resources, visitor experience, or Native Hawaiian
306 use, further agency action may be required to ensure the protection of Park resources,
307 visitor experience, and Native Hawaiian use.

308 **4.0 COMPLIANCE**

309 No later than one hundred and eighty days after the effective date of this ATMP, all
310 commercial air tours within the ATMP boundary will be required to comply with the
311 terms of this ATMP in all respects. The NPS and the FAA are both responsible for the
312 monitoring and oversight of the ATMP. If the NPS identifies instances of
313 noncompliance, the NPS will report such findings to the FAA's FSDO with geographic
314 oversight of the Park. The public may also report allegations of noncompliance with this
315 ATMP to the FSDO. The FSDO will investigate and respond to all written reports
316 consistent with applicable FAA guidance. The NPS will address any issues related to
317 commercial tour use fees.

318 FAA determination of noncompliance may result in loss of authorization to conduct
319 commercial air tours authorized by this ATMP. Any violation of OpSpecs shall be
320 treated in accordance with FAA Order 2150.3, *FAA Compliance and Enforcement*
321 *Program*.

322 4.1 Aircraft Monitoring Technology

323 Operators are required to equip all aircraft used for air tours with flight monitoring
324 technology, to use flight monitoring technology during all air tours under this ATMP, and
325 to report flight monitoring data as an attachment to the operator's semi-annual reports.
326 The required flight monitoring data shall be provided in a file format approved by the
327 agencies, such as a .csv or .xlsx format. Data must include the following information for
328 each row of data (i.e., each ping):

- 329 • Unique flight identifier
- 330 • Latitude
- 331 • Longitude
- 332 • Geometric altitude
- 333 • Tail number
- 334 • Date

- 335 • Time stamp
- 336 • Operator and Doing Business As (DBA), if different
- 337 • Aircraft type
- 338 • Aircraft model

339 The ping rate should be set to a maximum of 15 seconds. Operators already using
340 aircraft equipped with flight monitoring technology shall ensure it meets the performance
341 standards listed above or acquire and install acceptable flight monitoring technology
342 within 180 days of the effective date of this ATMP. For aircraft not already equipped
343 with flight monitoring technology, within 180 days of the effective date of this ATMP,
344 operators shall equip those aircraft with suitable flight monitoring technology.

345 **5.0 JUSTIFICATION FOR MEASURES TAKEN**

346 The provisions and conditions in this ATMP are designed to protect Park resources and
347 visitor experience from the effects of commercial air tours, and to support NPS
348 management objectives for the Park.

349 Under the Act, the FAA was required to grant Interim Operating Authority (IOA) for
350 commercial air tours over the Park as a temporary measure until an ATMP could be
351 established. IOA does not provide any operating conditions (e.g., routes, altitudes, time
352 of day, etc.) for air tours other than an annual limit.

353 The number of flights authorized per year was selected to reduce impacts to noise
354 sensitive areas in the Park including those with Wilderness values, cultural resources,
355 natural acoustic environment, wildlife, and visitor experience while also providing
356 expansive views of the coastal areas to commercial air tour customers. These are noise
357 sensitive areas of the Park where a quiet setting is a generally recognized feature or
358 attribute. The initial allocation of commercial air tours for each operator is based on the
359 proportional number of total flights per year from 2017-2019 reported by the five air tour
360 companies.

361 The daily flight limits are intended to manage the daily noise footprint from commercial
362 air tours and to adequately protect Park natural and cultural resources, traditional cultural
363 properties, designated Wilderness and visitor experience. The daily limits do not allow
364 operators to exceed annual proportional allocations and can be verified by the required
365 flight tracking.

366 The Park's ambient acoustic environment⁷ is very low (below 35 decibels in many
367 places, which is comparable to a low whisper). These low ambient background levels,
368 coupled with the high number of annual air tours flying at low altitudes, make helicopter
369 noise intrusions very noticeable and difficult to mitigate at current levels. This ATMP

⁷ The NPS defines the ambient acoustic environment as the aggregate of all sounds within an area; it is the total acoustic environment in the park. In a national park setting, the ambient acoustic environment can be composed of both natural ambient sound and a variety of human-made sounds. (NPS Management Policies, 4.9).

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370 uses a combination of the route, altitudes, no-fly days, a 50% reduction in air tours from
371 current levels, substantially condensed operating hours, and quiet technology incentives
372 to reduce the average sound levels (over a 12-hour day) by over 30 decibels for many of
373 the most noise sensitive regions of the Park.

374 A survey conducted at the Park found that the majority of people who reported hearing
375 aircraft considered it either unacceptable or annoying.^{8,9} Accordingly, the single flight
376 path enhances visitor experience in areas without overflights, and protects Wilderness
377 values by avoiding the Keonehe'ehe'e (Sliding Sands) Trailhead at the visitor center
378 parking lot, Waimoku Falls and lower Kīpahulu area including the Visitor Center, and the
379 Halemau'u Trail switchback areas. According to sound modeling, implementation of the
380 ATMP results in visitors hearing air tour noise up to three hours less each day in the
381 location with the largest reduction (Haleakalā Visitor Center), and an average of 113
382 minutes across all noise sensitive locations.¹⁰

383 The Summit of Haleakalā, including Kīpahulu Valley and Kaupō Gap, is a TCP and is
384 part of the cultural landscape of Maui. This area has known oral history, mele (songs),
385 legends, and sacred uses. The exceptional stillness and serenity of the Summit of
386 Haleakalā are significant characteristics of the TCP that allow Native Hawaiians to
387 continue conducting traditional ceremonies, which require a quiet setting. The current
388 level of air tours creates an unacceptable impact under NPS Management Policies and is
389 inconsistent with the Park's purpose and values including perpetuating the traditional
390 Hawaiian cultural connections to the Park's landscapes. Noise from the current level of
391 air tours negatively impacts existing sacred sites within the Park associated with Native
392 Hawaiian people. The terms and conditions in this ATMP were included to mitigate
393 these impacts substantially. The single flight path avoids identified culturally significant
394 areas, including those used by cultural practitioners, the Kīpahulu Historic District, Crater
395 Historic District, the Kapahu Living Farm, and cultural fishing access and use in certain
396 coastal areas. According to noise modeling, the amount of time that air tour noise is
397 above 35 decibels decreases by an hour each day near the crater rim at Nu'u 7,500 ft, a
398 culturally significant area, when compared to existing conditions. Noise also decreases at
399 Haleakalā Visitor Center at the crater rim, which is one of the most used Native Hawaiian
400 cultural areas in the Park. In addition, noise modeling indicates the designated route
401 reduces noise impacts to the Civilian Conservation Corps Haleakalā Crater Trails
402 Historic District Cultural Landscape and the Kīpahulu Historic District. The time that air
403 tour noise is above 52 decibels, which is a level of noise at which speech interference

⁸ Lawson S. R., Hockett K., Kiser B. C., Reigner N. R., Ingram A., Barnes C., Dymond S.F. (2008). *Research to support visitor use management and resource protection at the 'Ohe'o Pools in Haleakalā National Park: Final report*. Virginia Polytechnic Institute and State University, Department of Forestry.

⁹ Lawson S., Kiser B., Hockett K., Reigner N., Howard J., Ingram A., Dymond S. (2007). *Social Science Research to Inform Soundscape Management in Haleakalā National Park*, Department of Forestry, College of Natural Resources, Virginia Polytechnic Institute and State University, December, 2007.

¹⁰ See Appendix F, *Noise Technical Analysis*, of *Environmental Assessment for an Air Tour Management Plan for Haleakalā National Park*.

404 occurs between two people five meters apart, is estimated to decrease by as much as 24
 405 minutes per day near the crater rim (Nu‘u 7,500 ft. elevation) which is a noise sensitive
 406 cultural resource.

407 Noise modeling indicates that under the ATMP, the area of the Park with aircraft noise
 408 above 35 decibels is 42% less than existing conditions. The amount of time air tours is
 409 audible is reduced across all locations analyzed in development of this ATMP, as
 410 compared to existing conditions. The largest reductions are estimated to be at key visitor
 411 use areas, Kalahaku Overlook (166-minute reduction) and the Haleakalā Visitor Center
 412 (194-minute reduction). The smallest reductions are at Waimoku Falls (37-minute
 413 reduction) and Lelekea Stream Bridge (52-minute reduction), which are closer to the
 414 coastal segment of the route.

415 The Park has 66 federally listed threatened and endangered species (49 plants, 17
 416 wildlife). Of these, 28 species (42%) are found only on Maui. Helicopter noise could
 417 detrimentally affect physiology, pairing and breeding success, and territory size of birds
 418 by limiting communication between individuals.^{11,12,13,14} These effects could have a
 419 greater impact on critically endangered Hawaiian endemics, which already face a number
 420 of additional stressors. At least two federally endangered forest bird species within the
 421 Park, the kiwikiu and ‘ākohekohe, are at imminent risk of extinction, with fewer than 200
 422 and 1800 individuals, respectively, left in the wild. In addition to impacts to the birds
 423 themselves, aircraft noise adversely impacts the NPS’s ability to monitor federally
 424 protected Hawaiian forest birds, which is done primarily by acoustic-based surveys to
 425 detect birdsongs. The single flight path avoids the bioserve and reduces impacts to
 426 forest birds, and ‘ua‘u by maintaining mid-slope elevations (i.e., staying below 4,000 ft.
 427 contour line elevations). Thus, the designated route shifts air tours away from key avian
 428 habitat. It allows lower altitude flights through a specific location over the Park away
 429 from cliff-nesting seabirds and forest birds of the Manawainui plateau. Restrictions on
 430 time of day protect birds during times when they are most active. The altitude
 431 restrictions are also protective of marine threatened and endangered species.

432 Sunrise and sunset are important times of the day for wildlife and visitor use and
 433 experience. Behaviors critical for survival of many species occur during this time, such

¹¹ Habib, L., Bayne, E. M., Boutin, S. (2007). *Chronic industrial noise affects pairing success and age structure of ovenbirds *Seiurus aurocapilla**. Journal of Applied Ecology Volume 44, Issue 1, 176-184. <https://doi.org/10.1111/j.1365-2664.2006.01234.x>.

¹² Nemeth, E., Brumm, H. (2010). *Birds and Anthropogenic Noise: Are Urban Songs Adaptive?* The American Naturalist, Volume 176, Number 4. <https://doi.org/10.1086/656275>.

¹³ Halfwerk, W., Holleman, L. J. M., Lessells, C. M., Slabbekoorn, H. (2011). *Negative impact of traffic noise on avian reproductive success*. Journal of Applied Ecology, Volume 48, Issue 1, 210-219. <https://doi.org/10.1111/j.1365-2664.2010.01914.x>.

¹⁴ Kleist, N. J., Guralnick, R. P., Cruz, A., Francis, C. D. (2018). *Chronic anthropogenic noise disrupts glucocorticoid signaling and has multiple effects on fitness in an avian community*. Proceedings of the National Academy of Sciences of the United States of America. 115 (4) E648-E657. <https://doi.org/10.1073/pnas.1709200115>.

434 as foraging, mating, and communication. The time restrictions have been included in this
435 ATMP to protect wildlife resources. Furthermore, eliminating air tours before 11:00 AM
436 is critical for acoustic surveys and song meter recordings of endangered forest birds.

437 Eliminating air tours during the six no-fly days based on the Park’s existing commercial-
438 free days that follow the Hawaiian Moon Calendar and Makahiki Season, and the two no-
439 fly days based on historically significant Hawaiian State holidays, are intended to prevent
440 noise interruptions to Native Hawaiian cultural practices. The non-consecutive no-fly
441 days comprising one weekend day and one weekday offer a range of visitor access to the
442 natural acoustic environment and the renowned quiet of the Haleakalā Crater. In
443 addition, Park stewardship actions (i.e., song meter recordings of endangered forest birds)
444 will benefit from these no-fly days where stewardship actions can be conducted
445 unhindered by air tour noise interruptions.

446 The Act requires that each ATMP include incentives for the use of quiet technology.
447 Under this ATMP, the quiet technology incentive allows visitors to experience lower
448 noise levels in the latter part of day when Park visitation numbers are higher.

449 Hovering and/or circling, and the prohibition on the vertical separation (“stacking”) of
450 aircraft along the route, are prohibited because they increase noise levels and duration
451 and negatively impact visitor experience and noise sensitive cultural and natural
452 resources.

453 Operator training and education will provide opportunities for operators to enhance their
454 interpretive narrative for air tour clients and increase understanding of Park natural and
455 cultural resources by air tour companies and their clients. The annual meeting will
456 facilitate effective implementation of the ATMP because it will be used to review and
457 discuss implementation of this ATMP between Park staff, local FAA FSDO, and all
458 operators. The meeting will serve to ensure that air tour operators remain informed
459 regarding the terms and conditions of this ATMP, including any adaptive management
460 measures or amendments, and that operators are made aware of new or reoccurring
461 concerns regarding Park resources.

462 The requirements to equip aircraft with flight monitoring technology, to use flight
463 monitoring technology during all air tours under this ATMP, and to report flight
464 monitoring data as an attachment to the operator’s semi-annual reports are necessary to
465 enable the agencies to appropriately monitor operations and ensure compliance with this
466 ATMP.

467 **6.0 NEW ENTRANTS**

468 For the purposes of this ATMP, a “new entrant” is a commercial air tour operator that has
469 not been granted any operations under this ATMP or that no longer holds operations
470 under this ATMP at the time of the application. New entrants must apply for and be
471 granted operating authority before conducting commercial air tours over the lands and
472 waters covered by this ATMP.

473 The FAA and the NPS will publish additional information for interested parties about the
474 form and required content of a new entrant application. The FAA and the NPS will

475 jointly consider new entrant applications and determine whether to approve such
476 applications. Review of applications submitted prior to the effective date of this ATMP
477 will commence within 180 days of the effective date. Applications submitted after that
478 time will be considered no less frequently than every three years from the effective date
479 of this ATMP.

480 If any new entrant is granted operating authority under this ATMP, the FAA will issue
481 OpSpecs in a timely manner (and, if necessary, will amend OpSpecs of operators whose
482 allocation of operating authority changes due to accommodation of a new entrant).

483 **7.0 COMPETITIVE BIDDING**

484 When appropriate, the FAA and the NPS will conduct a competitive bidding process
485 pursuant to the criteria set forth in 49 U.S.C. § 40128(a)(2)(B) and other criteria
486 developed by the agencies. Competitive bidding may be appropriate to address, for
487 example, a new entrant application, a request by an existing operator for additional
488 operating authority, or consideration by the agencies of Park-specific resources, impacts,
489 or safety concerns.

490 The agencies will request information necessary for them to undertake the competitive
491 bidding process from operators. Operators who do not provide information in a timely
492 manner may be disqualified from further consideration in the competitive bidding
493 process.

494 Competitive bidding may necessitate an amendment to this ATMP, additional
495 environmental review, and/or the issuance of new or amended OpSpecs. If OpSpecs are
496 required, they will be issued by the FAA.

497 **8.0 ADAPTIVE MANAGEMENT**

498 Adaptive management allows for minor modifications to this ATMP without a formal
499 ATMP amendment if the impacts of such changes are within the impacts already
500 analyzed by the agencies under the National Environmental Policy Act, the National
501 Historic Preservation Act, the Coastal Zone Management Act, and the Endangered
502 Species Act. Adjustments to the number of commercial air tours allocated to individual
503 operators as a result of the competitive bidding process and minor changes to routes,
504 altitudes, or other operating parameters are examples of adaptive management measures
505 that may not require a formal ATMP Amendment. Such modifications may be made if:
506 1) the NPS determines that they are necessary to avoid adverse impacts to Park resources,
507 values, or visitor experiences; 2) the FAA determines the need for such changes due to
508 safety concerns; or 3) the agencies determine that appropriate, minor changes to this
509 ATMP are necessary to address new information (including information received through
510 Native Hawaiian individuals and Native Hawaiian Organizations (NHOs), input and/or
511 consultation) or changed circumstances. The FAA and the NPS will provide additional
512 information for interested parties about the notice and process for adaptive management
513 changes.

514 The NPS will conduct monitoring to ensure that the terms and conditions of this ATMP
515 remain consistent with Park management objectives.

516 **9.0 AMENDMENT**

517 This ATMP may be amended at any time: if the NPS, by notification to the FAA and the
518 operator(s), determines that the ATMP is not adequately protecting Park resources,
519 Native Hawaiian traditional practices and sacred sites, and/or visitor enjoyment; if the
520 FAA, by notification to the NPS and the operator(s), determines that the ATMP is
521 adversely affecting aviation safety and/or the national aviation system; or, if the agencies
522 determine that appropriate changes to this ATMP are necessary to address new
523 information or changed circumstances that cannot be addressed through adaptive
524 management.

525 The FAA and the NPS will jointly consider requests to amend this ATMP from interested
526 parties. Requests must be made in writing and submitted to both the FAA and the NPS.
527 Requests must also include justification that includes information regarding how the
528 requested amendment: is consistent with the objectives of this ATMP with respect to
529 protecting Park resources, Native Hawaiian traditional practices and sacred sites, or
530 visitor use and enjoyment; and would not adversely affect aviation safety or the national
531 aviation system. The FAA and the NPS will publish additional information for interested
532 parties about the form and manner for submitting a request.

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

536 Notice of all Amendments to this ATMP will be published in the Federal Register for
537 notice and comment.

538 **10.0 CONFORMANCE OF OPERATIONS SPECIFICATIONS**

539 All IOA for the Park terminates by operation of law 180 days after the establishment
540 (effective date) of this ATMP, 49 U.S.C. § 40128(c)(2)(E), after which time no operator
541 may continue to rely on any OpSpec issued under IOA as authority to conduct
542 commercial air tours within the ATMP boundary. Amended OpSpecs that incorporate
543 the operating parameters set forth in this ATMP shall be issued within 180 days of the
544 effective date of this ATMP.

545 **11.0 EFFECTIVE DATE**

546 This ATMP is established and effective on the date it is signed by all required signatories.
547 Operators will be permitted to continue to conduct air tours within the ATMP boundary
548 up to the limit of their IOA until their OpSpecs are amended to incorporate the ATMP's
549 operating parameters, which will occur no later than 180 days after the effective date of
550 the ATMP.

551 **12.0 RIGHT OF APPEAL**

552 The Record of Decision for this ATMP constitutes a final order of the FAA
553 Administrator and is subject to exclusive judicial review under 49 U.S.C. § 46110 by the
554 U.S. Circuit Court of Appeals for the District of Columbia or the U.S. Circuit Court of
555 Appeals for the circuit in which the person contesting the Record of Decision resides or
556 has its principal place of business. Any party having a substantial interest in this order
557 may seek judicial review of the Record of Decision for this ATMP by filing a petition for
558 review in the appropriate U.S. Court of Appeals no later than 60 days after the order is
559 issued in accordance with the provisions of 49 U.S.C. § 46110.

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[NAME]	Date	[NAME]	Date
Superintendent		Regional Administrator	
Haleakalā National Park		Western-Pacific Region	
National Park Service		Federal Aviation Administration	

<hr/>	<hr/>	<hr/>	<hr/>
[NAME]	Date	[NAME]	Date
Regional Director		Executive Director	
Interior Regions 8, 9, 10, 12		Office of Environment & Energy	
National Park Service		Federal Aviation Administration	

<hr/>	<hr/>
[NAME]	Date
Associate Director	
Natural Resource Stewardship and Science Directorate	
National Park Service	

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APPENDIX A

566 **1.0 COMMERCIAL AIR TOUR ALLOCATIONS**

567 Table 1 provides allocations of the annual operations along with authorized aircraft type
 568 by operator. IOA for the Park terminates by operation of law 180 days after the effective
 569 date of this ATMP.

570 **Table 1.** Air Tour Operations and Aircraft Type by Operator

Air Tour Operator	Annual Operations	Maximum Daily Operations	Aircraft Type
Aris, Inc. (Air Maui Helicopter Tours)	417	3	AS350BA
Hawai'i Helicopters, Inc.	188	2	AS350B2
Helicopter Consultants of Maui, Inc. (Blue Hawaiian Helicopters)	1,224	6	AS350B2, EC130 T2, EC130 B4
Sunshine Helicopters, Inc.	393	3	AS350BA
Alika Aviation, Inc. (Alexair, Maverick)	190	2	EC130B4

571

572 **2.0 DAY/TIME RESTRICTIONS**

573 Table 2 lists the time-of-day and day-of-week when air tours may occur.

574

Table 2. Air Tour Authorizations by Time-of-Day and Day-of-Week

Air Tour Operator	Time and Day (Non-Quiet Technology)	Time and Day (Quiet Technology Incentive*)
Aris, Inc. (Air Maui Helicopter Tours)	11:00 AM to 2:00 PM on all days of the week except Sunday and Wednesday. Commercial air tours are permitted on all other days of the week except as prohibited according to the no-fly days established in Section 3.5. The NPS can establish temporary no-fly periods that apply to air tours for special events or planned Park management.	11:00 AM to 4:00 PM on all days of the week except Sunday and Wednesday. Commercial air tours are permitted on all other days of the week except as prohibited according to the no-fly days established in Section 3.5. The NPS can establish temporary no-fly periods that apply to air tours for special events or planned park management.
Hawai'i Helicopters, Inc.	11:00 AM to 2:00 PM on all days of the week except Sunday and Wednesday. Commercial air tours are permitted on all other days of the week except as prohibited according to the no-fly days established in Section 3.5. The NPS can establish temporary no-fly periods that apply to air tours for special events or planned Park management.	11:00 AM to 4:00 PM on all days of the week except Sunday and Wednesday. Commercial air tours are permitted on all other days of the week except as prohibited according to the no-fly days established in Section 3.5. The NPS can establish temporary no-fly periods that apply to air tours for special events or planned park management.
Helicopter Consultants of Maui, Inc. (Blue Hawaiian Helicopters)	11:00 AM to 2:00 PM on all days of the week except Sunday and Wednesday. Commercial air tours are permitted on all other days of the week except as prohibited according to the no-fly days established in Section 3.5. The NPS can establish temporary no-fly periods that apply to air tours for special events or planned Park management.	11:00 AM to 4:00 PM on all days of the week except Sunday and Wednesday. Commercial air tours are permitted on all other days of the week except as prohibited according to the no-fly days established in Section 3.5. The NPS can establish temporary no-fly periods that apply to air tours for special events or planned park management.
Sunshine Helicopters, Inc.	11:00 AM to 2:00 PM on all days of the week except Sunday and Wednesday. Commercial air tours are permitted on all other days of the week except as prohibited according to the no-fly days established in Section 3.5. The NPS can establish temporary no-fly periods that apply to air tours for special events or planned Park management.	11:00 AM to 4:00 PM on all days of the week except Sunday and Wednesday. Commercial air tours are permitted on all other days of the week except as prohibited according to the no-fly days established in Section 3.5. The NPS can establish temporary no-fly periods that apply to air tours for special events or planned park management.
Alika Aviation, Inc. (Alexair, Maverick)	11:00 AM to 2:00 PM on all days of the week except Sunday and Wednesday. Commercial air tours are permitted on all other days of the week except as prohibited according to the no-fly days established in Section 3.5. The NPS can establish temporary no-fly periods that apply to air tours for special events or planned Park management.	11:00 AM to 4:00 PM on all days of the week except Sunday and Wednesday. Commercial air tours are permitted on all other days of the week except as prohibited according to the no-fly days established in Section 3.5. The NPS can establish temporary no-fly periods that apply to air tours for special events or planned park management.

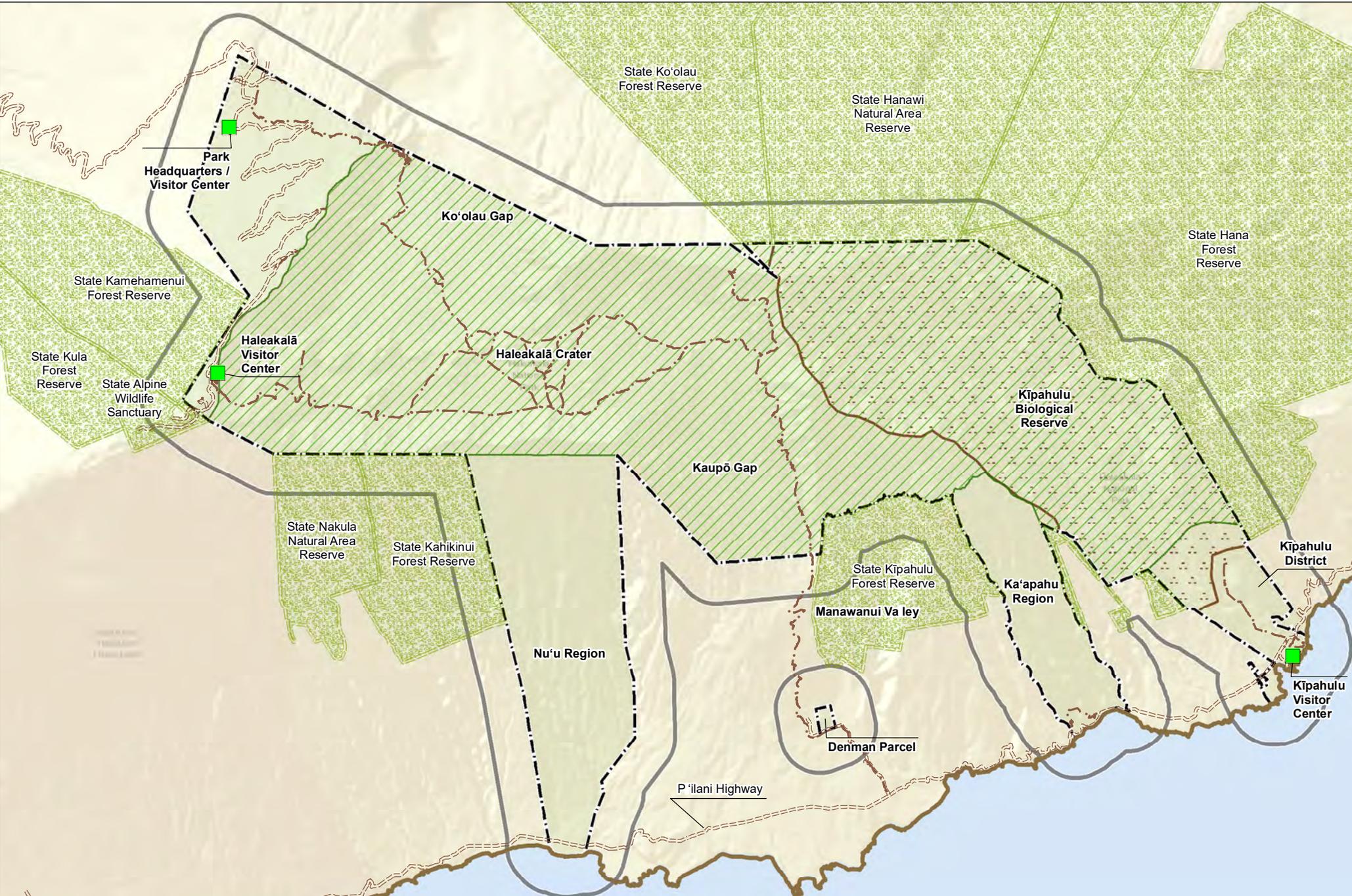
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* The quiet technology incentive for air tours conducted with quiet technology aircraft is only applicable to those aircraft that the agencies have determined, on a case-by-case basis, qualify for the quiet technology incentive. This appendix will be updated to identify any aircraft that the agencies have determined qualify for the incentive.

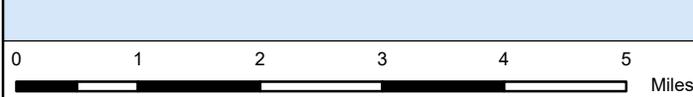
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APPENDIX B

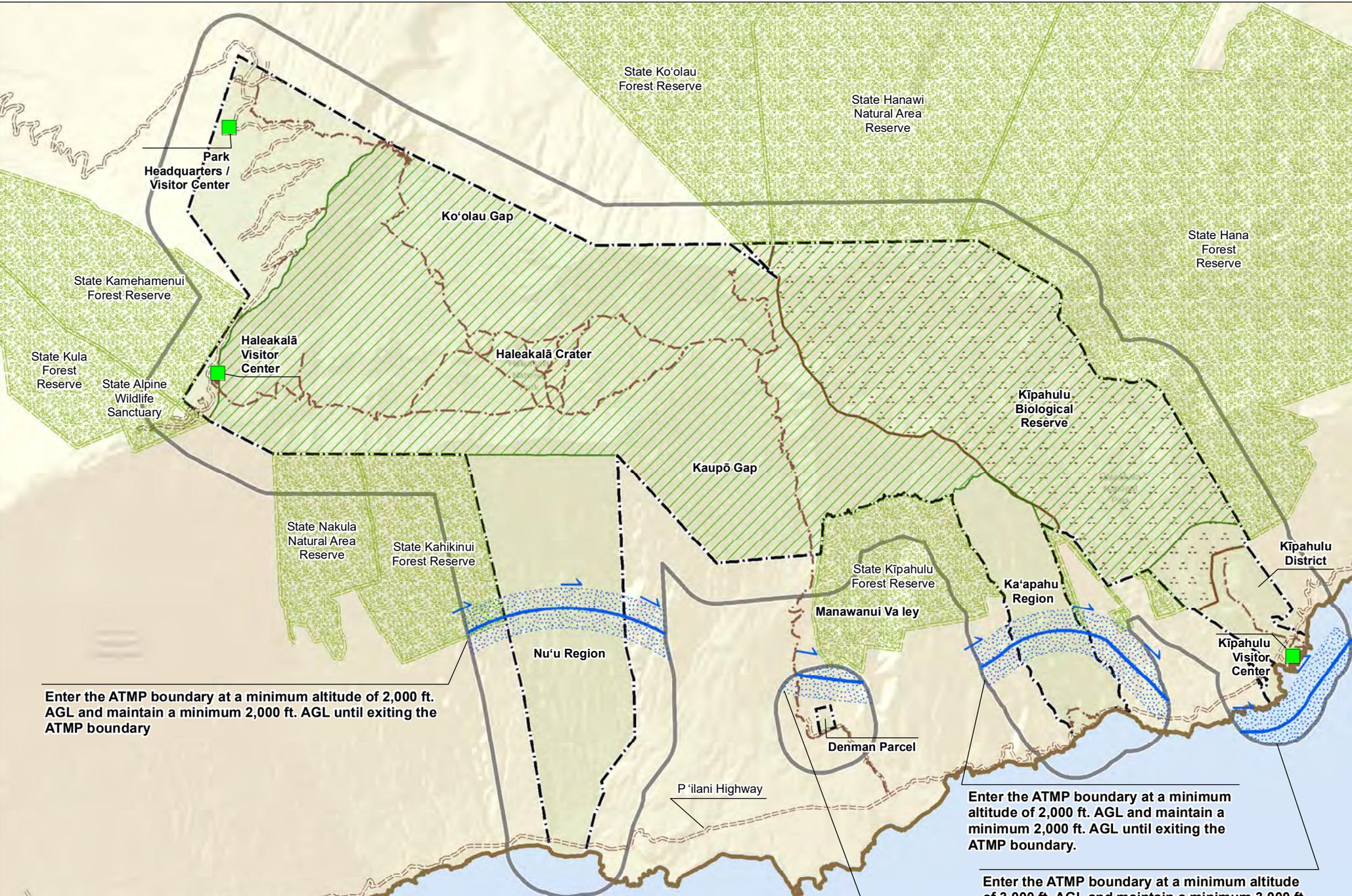
580 Enlarged Figures 1 and 2



	Visitor Center		Wilderness Area
	Trails		Kīpahulu Biological Reserve
	Primary Road		State Conservation Areas
	Park Unit Boundary		ATMP Boundary



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Enter the ATMP boundary at a minimum altitude of 2,000 ft. AGL and maintain a minimum 2,000 ft. AGL until exiting the ATMP boundary

Enter the ATMP boundary at a minimum altitude of 2,000 ft. AGL and maintain a minimum 2,000 ft. AGL until exiting the ATMP boundary.

Enter the ATMP boundary at a minimum altitude of 2,000 ft. AGL and maintain a minimum 2,000 ft. AGL until exiting the ATMP boundary.

	Visitor Center		Wilderness Area
	Designated Commercial Air Tour Route		Kīpahulu Biological Reserve
	Trails		State Conservation Areas
	Primary Road		Park Unit Boundary
			ATMP Boundary

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Notes:
 1. Arrows on routes indicate direction of flight. Stippled area surrounding route represents a ¼ mile buffer from the route.
 2. If pilots are entering or on the designated route and weather conditions do not allow them to follow the route at the prescribed altitude, they must not proceed further on the route. Pilots must safely exit the route and leave the ATMP boundary.