

**AIR TOUR
MANAGEMENT PLAN
GREAT SMOKY MOUNTAINS NATIONAL PARK**

SUMMARY

This Air Tour Management Plan (ATMP) provides the terms and conditions for commercial air tours conducted over Great Smoky Mountains 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 natural and cultural resources, visitor experiences and tribal lands.

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, 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).

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to the ATMP requirement for parks with 50 or fewer commercial air tour operations each year unless the exemption is withdrawn by the Director of NPS. *See* 49 U.S.C. § 40128(a)(5). As an alternative to an ATMP, the agencies also have the option to prepare a voluntary agreement for the Park.

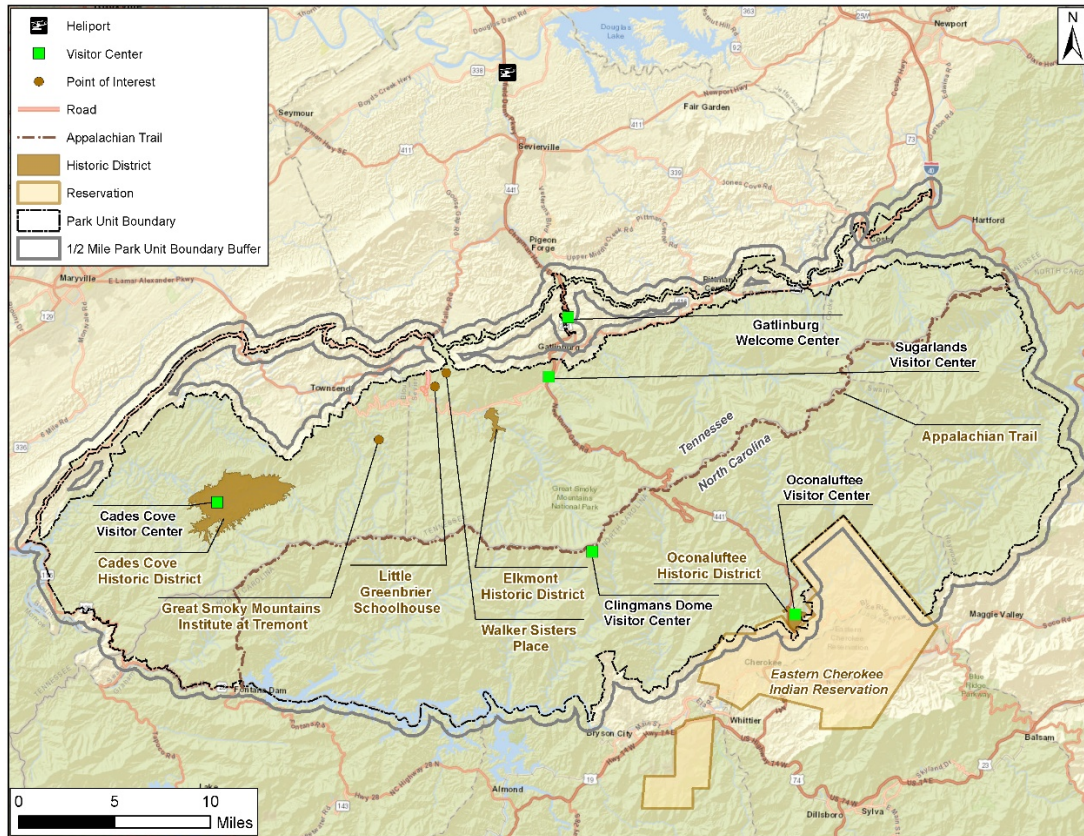


Figure 1. Map of area subject to this ATMP for Great Smoky Mountains National Park

2.1 Park Overview

World renowned for its diversity of plant and animal life, the beauty of its ancient mountains, and its remnants of Southern Appalachian mountain culture, the Park is America's most visited national park with over 12 million visitors per year. The Park is located in the Southern Appalachian Mountains and straddles the border between North Carolina and Tennessee. The Park comprises a total of 522,000 acres, of which 464,544 acres are recommended and proposed wilderness, representing approximately 89% of the Park. The Park provides habitat for numerous federally threatened and endangered species, including the Carolina northern flying squirrel, gray bat, northern long-eared bat, and Indiana bat, as well as sensitive species such as the bald eagle and peregrine falcon.

The Appalachian National Scenic Trail, a separate National Park System unit, runs through the Park. The Appalachian National Scenic Trail is a cultural resource eligible for inclusion on the National Register of Historic Places (National Register). The Park contains numerous other National Register eligible or listed cultural resources, including the following listed sites:

- Cades Cove Historic District (National Register Listed - 1977): The Cades Cove Historic District protects and interprets European-American settlements that occurred between 1818 and 1821. Native American presence in the area extends back centuries. The Cades Cove Historic District offers the widest variety of

historic buildings of any area in the Park. It is also known for the large numbers of white-tailed deer frequently seen in the area, and sightings of black bear, coyote, groundhog, turkey, raccoon, and skunk, many of which were historically hunted by the Cherokee Indians. Approximately 2.1 million visitors spent time experiencing the Cades Cove Historic District in 2019.

- Elkmont Historic District (National Register Listed - 1994): The Elkmont Historic District protects and interprets eighteen of the cabins associated with the Appalachian Club. Nearly 90,000 registered visitors camped at Elkmont Campground in 2019.
- Walker Sisters Place (National Register Listed - 1976): This historic site protects and interprets a late 19th century homestead.
- Little Greenbrier Schoolhouse (National Register Listed - 1976): This historic site protects and interprets a late 19th/early 20th century mountain schoolhouse. Interpretive events are regularly scheduled throughout the year to allow visitors to participate with a former school teacher who provides lessons about life for the students and families that once lived in the area.

The Park also offers outdoor experiential education programs at the Great Smoky Mountains Institute at Tremont (Tremont).

Tribal reservation lands of the Eastern Band of the Cherokee Indian tribe are adjacent to the Park in North Carolina.

The purposes of the Park are to preserve a vast expanse of the southern Appalachian Mountains ecosystem including its scenic beauty, extraordinary diversity of natural resources, cultural resources, and rich human history, that together provide opportunities for the enjoyment and inspiration of present and future generations. The following Park management objectives related to ATMP development will ensure:

- Park acoustic resources (i.e. sounds within the Park) are in a natural condition and support an outstanding visitor experience and opportunities to hear and enjoy natural sounds.
- Acoustic resources of the Park are maintained such that wilderness character (solitude or primitive and unconfined recreation, including remoteness from sights and sounds; untrammelled or wildness; naturalness; undeveloped; other features or values) is preserved.
- Park staff can conduct, and visitors are able to experience, interpretive programming with minimal interference due to noise.
- Natural sounds are protected to conserve healthy and robust wildlife populations. Natural biological and ecological processes should dominate the sounds within the Park.
- Inappropriate or excessive types and levels of noise are prevented from unacceptably impacting the ability of the soundscape to transmit the cultural and historic resource sounds, as well as the visitor's experience of those resources.

3.0 CONDITIONS FOR THE MANAGEMENT OF COMMERCIAL AIR TOUR OPERATIONS AT THE PARK

3.1 Annual Commercial Air Tours Authorized

Under this ATMP, 946 annual commercial air tours are authorized. Appendix A identifies the operators authorized to conduct commercial air tours and annual flight allocations.

3.2 Commercial Air Tour Routes and Altitudes

Commercial air tours authorized under this ATMP shall be conducted on designated air tour routes specific to each operator (Figure 2; Appendix B contains an enlarged Figure 2) 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 ½ 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 Parkways 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 ½ mile outside of the remainder of the Park.

Altitude expressed in units above ground level (AGL) is a measurement of the distance between the ground surface and the aircraft. At the Park, air tours will fly no lower than 2,600 feet (ft.) AGL. Except in an emergency or to avoid unsafe conditions, or unless

otherwise authorized for a specified purpose, operators may not deviate from these routes and altitudes.

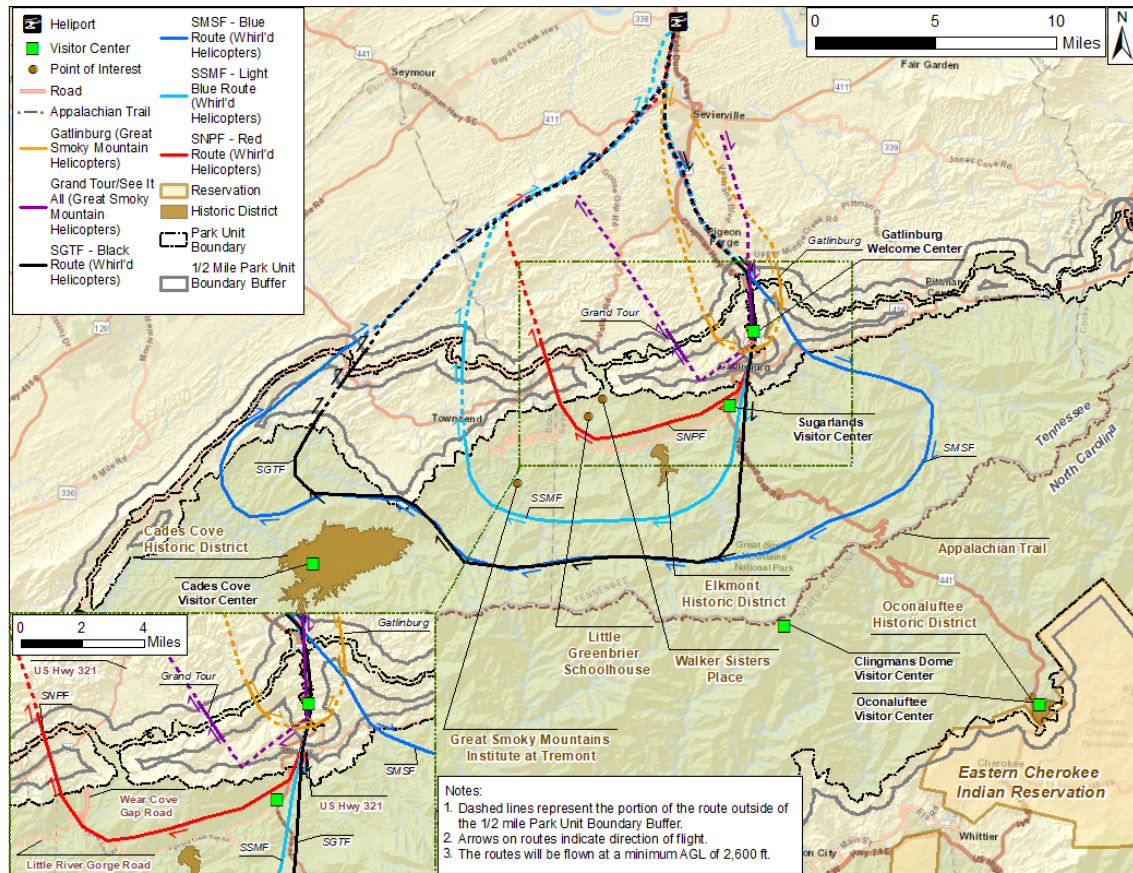


Figure 2. Commercial air tour routes at Great Smoky Mountains National Park

3.3 Aircraft Type

The aircraft types authorized to be used for commercial air tours are identified in Appendix A. Any new or replacement aircraft must not exceed the noise level produced by the aircraft being replaced. In addition to any other applicable notification requirements, operators will notify the FAA and the NPS in writing of any prospective new or replacement aircraft and obtain concurrence before initiating air tours with the new or replacement aircraft.

3.4 Day/Time

Except as provided in the section below entitled “Quiet Technology Incentives,” air tours may operate two hours after sunrise until two hours before sunset, as defined by the National Oceanic and Atmospheric Administration (NOAA).² Air tours may operate any

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

day of the year, except under circumstances provided in the following section entitled “Restrictions for Particular Events.”

3.5 Restrictions for Particular Events

The NPS can establish temporary no-fly periods that apply to air tours for special events or planned Park management. Absent exigent circumstances or emergency operations, the NPS will provide a minimum of one month notice to the operators in writing in advance of the no-fly period. Events may include tribal ceremonies or other similar events.

3.6 Required Reporting

Operators will submit to the FAA and the NPS semi-annual reports regarding the number of commercial air tours over the Park that are conducted by the operator. These reports will also include the flight monitoring data required under Section 5.1 of this ATMP and such other information as the FAA and the NPS may request. Reports are due to both the FAA and the NPS no later than 30 days after the close of each reporting period. Reporting periods are January 1 through June 30 and July 1 through December 31. Operators shall adhere to the requirements of any reporting template provided by the agencies.

3.7 Additional Requirements

3.7A Operator Training and Education: When made available by Park staff, operators/pilots will take at least one training course per year conducted by NPS staff. The training will include the Park information that operators 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.

3.7B Annual Meeting: At the request of either of the agencies, the Park staff, the local FAA Flight Standards District Office (FSDO), and all 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.

3.7C In-Flight Communication: 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.

3.7D Route Allocations: Under this ATMP, up to 26 flights on the Black Route (SGTF) and up to 17 flights on the Blue Route (SMSF) are authorized per year.

3.7E Daily Air Tour Allocations: This ATMP includes restrictions on the number of air tours that the operators may conduct each day. These restrictions provide a maximum number of air tours that may be conducted on Standard Days, but allow

for a limited number of Flex Days on which the maximum number of air tours allowed are slightly higher.

Whirl'd Helicopters, Inc. may conduct up to 4 commercial air tours per day, and Great Smoky Mountain Helicopter Inc. may conduct up to 1 commercial air tour per day on Standard Days. The operators are each authorized up to forty days per year (Flex Days) during which Whirl'd Helicopters, Inc. may conduct up to 5 commercial air tours per day, and Great Smoky Mountain Helicopter Inc. may conduct up to 2 commercial air tours per day.

3.7F Hovering: Aircraft will not hover or loop while conducting air tours over the park.

3.8 Quiet Technology Incentives

This ATMP incentivizes the adoption of quiet technology aircraft by commercial air tour operators conducting commercial air tours over the Park. Operators that have converted to quiet technology aircraft will be allowed to conduct tours beginning at sunrise or ending at sunset on all days that flights are authorized. If implementation of this incentive results in a change in existing conditions or a change in the effects of air tour noise on Park resources or visitor enjoyment, additional analysis may be required in order to ensure the continued effectiveness of the incentive.

4.0 JUSTIFICATION FOR MEASURES TAKEN

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

Under the Act, the FAA granted Interim Operating Authority (IOA) for air tours over the Park. IOA does not provide any operating conditions (e.g., routes, altitudes, time of day, etc.) for air tours other than an annual limit.

The total number of air tours authorized under this ATMP is consistent with the existing air tours reported over the Park. The annual flight limits in this ATMP are intended to protect visitor experience including NPS interpretive programs, backcountry experience, and cultural resources throughout the Park, as well as Park wildlife by limiting the number of potential disturbances caused by commercial air tours. Annual flight limits on the Black Route (SGTF) and Blue Route (SMSF) are further intended to protect the acoustic environment and backcountry experience of visitors in the Park. These routes fly much further into the Park which can create noise in otherwise quiet and noise sensitive areas, including the backcountry of the Park. Further, these longer routes also have much larger noise footprints and produce much longer durations of noise than other routes.

The daily operation limits included in this ATMP in the form of Standard Days and Flex Days are intended to reduce the number of intrusions of non-natural sounds across the Park and to protect backcountry character, visitors' ability to hear natural sounds,

interpretive programs and visitor experience, and cultural sites. These limits are consistent with existing daily air tour operations reported over the Park.

Routes assigned as part of this ATMP are intended to protect visitor experience and acoustic resources of the Park by aligning flight routes with existing transportation corridors, avoiding noise-sensitive wildlife habitat, and avoiding cultural resources. Aligning routes with transportation corridors including Highway 321, Highway 441, Little River Road, and Wear Cove Gap Road helps mask noise created by air tours. Other specific resource protection measures associated with each route include the following:

- Red Route (SNPF): The placement of the Red Route (SNPF) avoids Elkmont Historic District, Walker Sisters Place, and Little Greenbrier School, which are noise-sensitive cultural resources of the Park.
- Light Blue Route (SSMF): The placement of the Light Blue Route (SSMF) avoids Elkmont Historic District and Great Smoky Mountains Institute at Tremont and is intended to protect noise-sensitive cultural resources and education/interpretive programming at the Park.
- Black Route (SGTF): The placement of the Black Route (SGTF) avoids the Appalachian National Scenic Trail and Cades Cove Historic District, which are noise-sensitive cultural resources of the Park.
- Blue Route (SMSF): The placement of the Blue Route (SMSF) avoids the Appalachian National Scenic Trail and Cades Cove Historic District, which are noise-sensitive cultural resources of the Park.

The altitude restrictions in this ATMP are consistent with the National Bald Eagle Management Guidelines (2007),³ raptor protection guidelines,⁴ and other general concerns about wildlife, specifically avian species and migratory avian species.⁵ Nesting eagle and raptor habitat exist across the Park, and nest locations may change over time. Therefore, the minimum altitude extends across the entire Park.

Sunrise and sunset are important times of the day for wildlife and visitor use and experience. Biologically important behaviors for many species occur during this time, such as the dawn chorus for songbirds. Wildlife viewing is often conducted during this time of day as well. Day/time restrictions have been included in this ATMP to protect these Park resources. Restrictions for particular events are intended to prevent noise interruptions of Park events or tribal practices.

³ National Bald Eagle Management Guidelines (2007), U.S. Fish and Wildlife Service; The Bald and Golden Eagle Protection Act, 16 U.S.C. § 668 et seq.

⁴ Richardson, C. & Miller C., Recommendations for protecting raptors from human disturbance: A review. *Wildlife Society Bulletin*, 25(3), 634-638 (1997).; See also Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors, Colorado Division of Wildlife (2008). The peregrine falcon is protected under the Migratory Bird Treaty Act. The peregrine falcon is a state-listed species in both North Carolina and Tennessee and as an endangered species in Tennessee.

⁵ The Migratory Bird Treaty Act, 16. U.S.C. § 703 et seq.

Operator training and education facilitates effective implementation of the ATMP by making sure that operators remain informed regarding the requirements of this ATMP including any adaptive management measures or amendments, advances operator understanding of Park management objectives and priorities, including noise sensitive areas, and provides opportunities to enhance the interpretive narrative for air tour clients and increases understanding of parks by air tour clients. The annual meeting will be used to review and discuss implementation of this ATMP between Park staff, local FAA FSDO, and all operators and will serve to ensure that air tour operators are aware of the terms and conditions of this ATMP and are made aware of new or reoccurring concerns regarding Park resources.

5.0 COMPLIANCE

On the effective date of this ATMP, all commercial air tours over the Park must comply with the terms of this ATMP in all respects, except that operators may continue to conduct the number of air tour operations authorized under IOA as reflected in their existing Operations Specifications (OpSpecs) until such OpSpecs are modified to require compliance with this ATMP. The NPS and the FAA are both responsible for the 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. The FSDO will investigate all reports of noncompliance. The public may also report allegations of non-compliance with this ATMP to the FSDO which may result in an investigation by the FAA.

Investigative determination of non-compliance may result in partial or total loss of authorization to conduct commercial air tours authorized by this ATMP. Any violation of OpSpecs shall be treated in accordance with FAA Order 2150.3, *FAA Compliance and Enforcement Program*.

5.1 Aircraft Monitoring Technology

Operators are required to equip all aircraft used for air tours with flight monitoring technology and to report flight monitoring data as part of their semi-annual reports. Required flight monitoring data shall include the following:

- Latitude, longitude, and geometric altitude
- Tail number
- Date and time stamps for each ping
- Operator and Doing Business As (DBA), if different
- Aircraft type
- Pings set to a maximum of 15 seconds
- Certificate number

Operators already using aircraft equipped with flight monitoring technology shall ensure it meets the performance standards listed above or acquire and install acceptable flight monitoring technology within 180 days of the effective date of this ATMP. For aircraft not already equipped with flight monitoring technology, within 180 days of the effective date of this ATMP, operators shall equip those aircraft with suitable flight monitoring

technology. Operators shall use flight monitoring technology during all air tours under this ATMP.

6.0 NEW ENTRANTS

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

The FAA and the NPS will publish additional information for interested parties about the form and required content of a new entrant application. The FAA and the NPS will jointly consider new entrant applications and determine whether to approve such applications. Review of applications submitted prior to the effective date of this ATMP will commence within six months of the effective date. Applications submitted after that time will be considered no less frequently than every three years from the effective date of this ATMP.

If any new entrant is granted operating authority under this ATMP, the FAA will issue OpSpecs (and, if necessary, will revise OpSpecs to operators whose allocation of operating authority change due to accommodation of a new entrant) within 90 days of the publication of an amended ATMP or of the effective date of ATMP changes implemented through the adaptive management process.

7.0 COMPETITIVE BIDDING

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

The agencies will request information necessary for them to undertake the competitive bidding process from existing operators. Failure to provide such information in a timely manner may result in the disqualification of any such operator.

Competitive bidding may necessitate an amendment to this ATMP, additional environmental review, and/or the issuance of new or revised OpSpecs. If updated OpSpecs are required, they will be issued within 90 days of the effective date of this ATMP.

8.0 ADAPTIVE MANAGEMENT

Adaptive management allows for minor modifications to this ATMP without a formal ATMP amendment if the impacts of such changes are within the impacts already

analyzed by the agencies under the National Environmental Policy Act, the National Historic Preservation Act, and the Endangered Species Act. Adjustments to the number of commercial air tours allocated to individual operators as a result of the competitive bidding process and minor changes to routes, altitudes, or other operating parameters are examples of adaptive management measures that may not require a formal ATMP Amendment. Such modifications may be made if: 1) the NPS determines that they are necessary to avoid adverse impacts to Park resources, values, or visitor experiences; 2) the FAA determines the need for such changes due to safety concerns; or 3) the agencies determine that appropriate, minor changes to this ATMP are necessary to address new information or changed circumstances.

9.0 AMENDMENT

This ATMP may be amended at any time: if the NPS, by notification to the FAA and the operators, determines that the ATMP is not adequately protecting Park resources and/or visitor enjoyment; if the FAA, by notification to the NPS and the operators, determines that the ATMP is adversely affecting aviation safety and/or the national aviation system; or, if the agencies determine that appropriate changes to this ATMP are necessary to address new information or changed circumstances that cannot be addressed through adaptive management.

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

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

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

10.0 CONFORMANCE OF OPERATIONS SPECIFICATIONS

New OpSpecs that incorporate the operating parameters set forth in this ATMP will be issued within 90 days of the effective date of this ATMP.

11.0 EFFECTIVE DATE

This ATMP is effective [date].

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<INSERT name>, Superintendent
Great Smoky Mountains National
Park
National Park Service

<INSERT name>, <INSERT title>
<INSERT name of FAA office>
Federal Aviation Administration

<INSERT name>, Regional
Director
Unified Interior Region 2: South
Atlantic-Gulf
National Park Service

<INSERT name>, Associate
Director
Natural Resource Stewardship and
Science Directorate
National Park Service

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APPENDIX A

1.0 COMMERCIAL AIR TOUR ALLOCATIONS

Table 1 provides allocations of the annual operations along with authorized aircraft type by operator.

Table 1. Air Tour Operations and Aircraft Type by Operator

Air Tour Operator	Annual Operations	Daily Operations	Aircraft Type
Whirl'd Helicopters, Inc.	864 tours Annual limit of 26 flights on the Black Route (SGTF) and 17 flights on the Blue Route (SMSF)	4 tours on Standard Days, with 40 Flex Days per year days on which up to 5 tours is allowed	BHT-206-B, BHT-206-L1, BHT-206-L3, R-44-44, R-44-II, R-44-RavenII
Great Smoky Mountain Helicopter Inc. (Smoky Mountain Helicopters, M Helicopters of TN, Delta Helicopters, Cherokee Helicopters)	82 tours	1 tour on Standard Days, with 40 Flex Days per year on which up to 2 tours is allowed	BHT-206-B

2.0 DAY/TIME RESTRICTIONS

Table 2 lists the time-of-day and day-of-week operating parameters.

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

Air Tour Operator	Time-of-Day	Day-of-Week
Whirl'd Helicopters, Inc.	Two hours after sunrise until two hours before sunset	The NPS can establish temporary no-fly periods that apply to air tours for special events or planned Park management.
Great Smoky Mountain Helicopter Inc. (Smoky Mountain Helicopters, M Helicopters of TN, Delta Helicopters, Cherokee Helicopters)	Two hours after sunrise until two hours before sunset	The NPS can establish temporary no-fly periods that apply to air tours for special events or planned Park management.

389 Table 3 lists the standard day and flex day restrictions by operator.

390 **Table 3.** Air Tour Standard Day and Flex Day Restrictions by Operator

Air Tour Operator	Standard Day Flight Limit	Number of Standard Days	Flex Day Limit	Number of Flex Days
Whirl'd Helicopters, Inc.	4	Unrestricted	5	40
Great Smoky Mountain Helicopter Inc. (Smoky Mountain Helicopters, M Helicopters of TN, Delta Helicopters, Cherokee Helicopters)	1	Unrestricted	2	40

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







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APPENDIX B

395 Enlarged Figure 1 and 2

-  Helipoint
-  Visitor Center
-  Point of Interest
-  Road
-  Appalachian Trail
-  Historic District
-  Reservation
-  Park Unit Boundary
-  1/2 Mile Park Unit Boundary Buffer

