

National Parks Air Tour Management Program



**Federal Aviation
Administration**



**National Park
Service**

**WELCOME – WE WILL
BEGIN SHORTLY**

August 17, 2021



Photo Credit: U.S. DOT Volpe Center

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**Draft Air Tour
Management Plan for:**

**Death Valley
National Park**

August 17, 2021



Photo Credit: U.S. DOT Volpe Center

Welcome

- Thank you for joining us today.
- Today's meeting focuses on the draft Air Tour Management Plan for Death Valley National Park.
- We invite you to share your feedback on this draft.
- Specific instructions will be provided throughout this meeting on how to submit your questions.
- This meeting is held pursuant to the National Parks Air Tour Management Act (NPATMA) and its implementing regulations.



Presenters

- **Eric Elmore**, Senior Policy Advisor, FAA
- **Vicki Ward**, Overflights Program Manager, Natural Sounds and Night Skies Division, NPS
- **Mike Reynolds**, Superintendent, Death Valley National Park
- **Rob Wissinger**, Chief Ranger, Death Valley National Park



Asking Questions

- Throughout the meeting, we invite you to share your questions. Please submit questions using the Google form posted by the FAA in the chat area of the social media platform you are using (Facebook, Twitter, or YouTube).
- Questions will be addressed at the end of the presentations as part of the Q&A portion.



Submitting Comments

- All written comments for the record must be submitted via the NPS Planning, Environment and Public Comment (PEPC) site or sent to the mailing addresses listed on the Death Valley National Park's PEPC site.
- These written comments become part of the official record.
- Please note that written comments must be submitted on or before August 28, 2021.



Format of Meeting

- This meeting will be 90 minutes long.
- We will adjourn at 6:00 PM Pacific Time.
- In the event questions are addressed before this end time, we will continue to hold the meeting until this identified end time to allow for any additional questions that might come in.



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**Overview of the National
Parks Air Tour Management
Act (NPATMA) and Air Tour
Management Plans (ATMP)**

August 17, 2021



Photo Credit: U.S. DOT Volpe Center

NPATMA Overview

- Requires the FAA, in cooperation with the NPS, to develop an ATMP for those parks and Tribal lands where operators have applied to conduct commercial air tours
- Act applies to commercial air tours:
 - Within ½ mile of park
 - Over Tribal lands within or abutting a park
 - 5,000 feet altitude or less above ground level (AGL)



NPATMA Overview

- Does not apply to general aviation, commercial airline, or military flights
- Does not apply to Alaska parks, Grand Canyon National Park, or Rocky Mountain National Park
- Parks with fewer than 50 reported flights per year are exempt from developing an ATMP, unless this exemption is withdrawn by NPS
- If abutting Tribal lands are or may be overflown, Tribes must be invited as cooperating agency for National Environmental Policy Act (NEPA) compliance



NPATMA Overview

- Commercial air tour operators apply for FAA Operating Authority in order to operate over National Park System units and abutting Tribal land
- Commercial air tour operators fall into two categories:
 - Existing commercial air tour operator
 - New entrant commercial air tour operator



Air Tour Management Plans

The objective of any ATMP is to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, resulting from commercial air tour operations upon natural and cultural resources, visitor experiences, and Tribal lands.



Air Tour Management Plans

An ATMP:

- A. May prohibit commercial air tour operations in whole or in part
- B. May establish conditions for the conduct of air tour operations including routes, altitudes, time-of-day restrictions, restrictions for particular events, maximum number of flights, etc.
- C. Shall apply to all commercial air tour operations within ½ mile outside the boundary of a national park
- D. Shall include incentives for the adoption of quiet aircraft technology
- E. Shall provide for the allocation of opportunities to conduct air tours when the ATMP limits the number of operations
- F. Shall justify and document the need for measures taken pursuant to items (A) through (E), above, and include such justifications in the record of decision



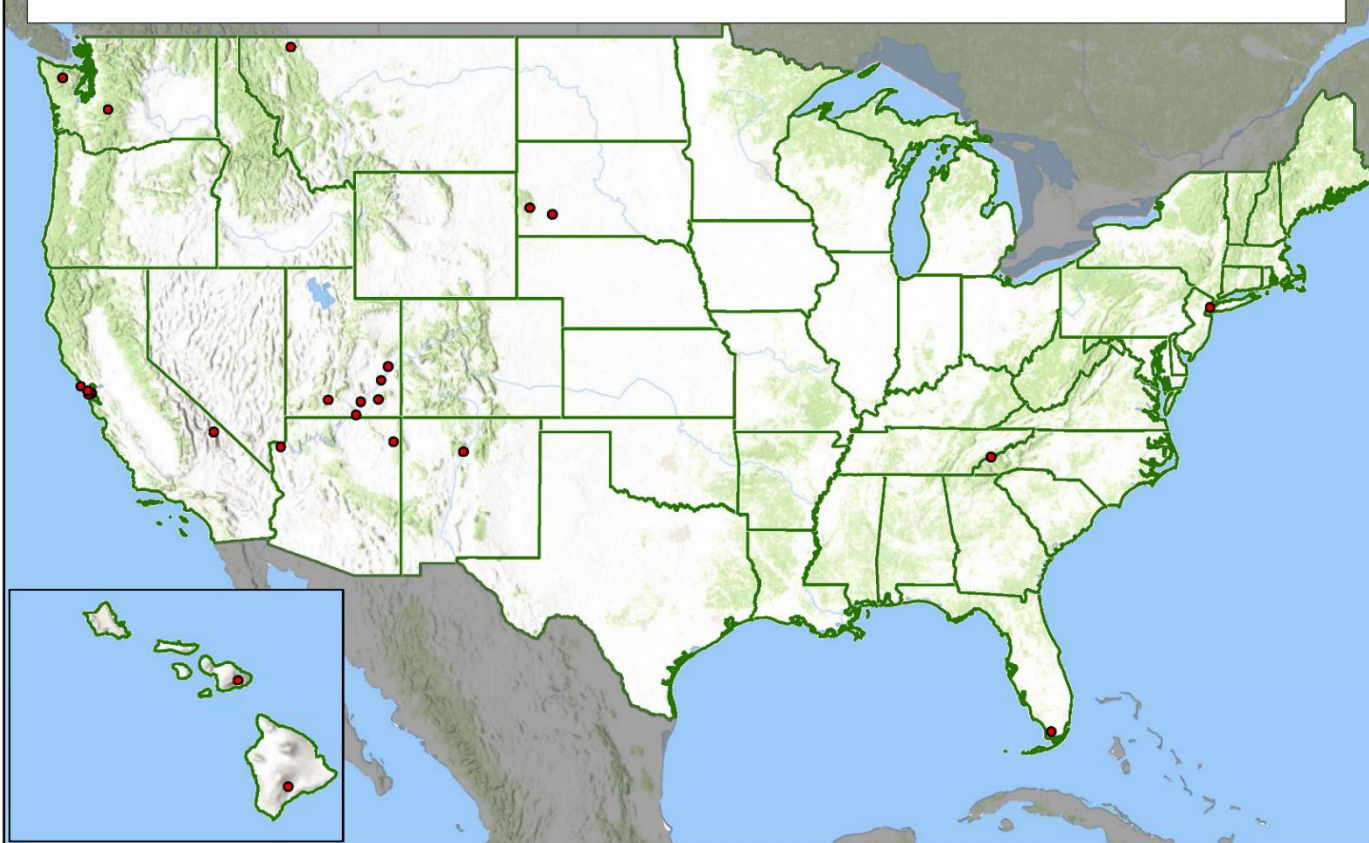
ATMP Parks

24 Parks

- Mount Rainier National Park (WA)
- Olympic National Park (WA)
- Point Reyes National Seashore (CA)
- San Francisco Maritime National Historical Park (CA)
- Golden Gate National Recreation Area (CA)
- Muir Woods National Monument (CA)
- Death Valley National Park (CA/NV)
- Glacier National Park (MT)
- Bryce Canyon National Park (UT)

- Canyonlands National Park (UT)
- Rainbow Bridge National Monument (UT)
- Natural Bridges National Monument (UT)
- Glen Canyon National Recreation Area (UT)
- Arches National Park (UT)
- Canyon de Chelly National Monument (AZ)
- Lake Mead National Recreation Area (NV/AZ)
- Bandelier National Monument (NM)
- Mount Rushmore National Memorial (SD)
- Badlands National Park (SD)

- Great Smoky Mountains National Park (NC/TN)
- National Parks of New York Harbor (NY)
- Everglades National Park (FL)
- Haleakala National Park (HI)
- Hawai'i Volcanoes National Park (HI)



ATMP Development

- For each ATMP, the agencies will:
 1. Publish proposed ATMPs in the Federal Register;
 2. Hold at least one public meeting;
 3. Comply with the National Environmental Policy Act (NEPA), and other legal requirements; and,
 4. Invite Tribes to participate as cooperating agencies for NEPA compliance in cases where Tribal lands are, or may be, overflown.
- The purpose of today's meeting is to review the components of the draft ATMP.



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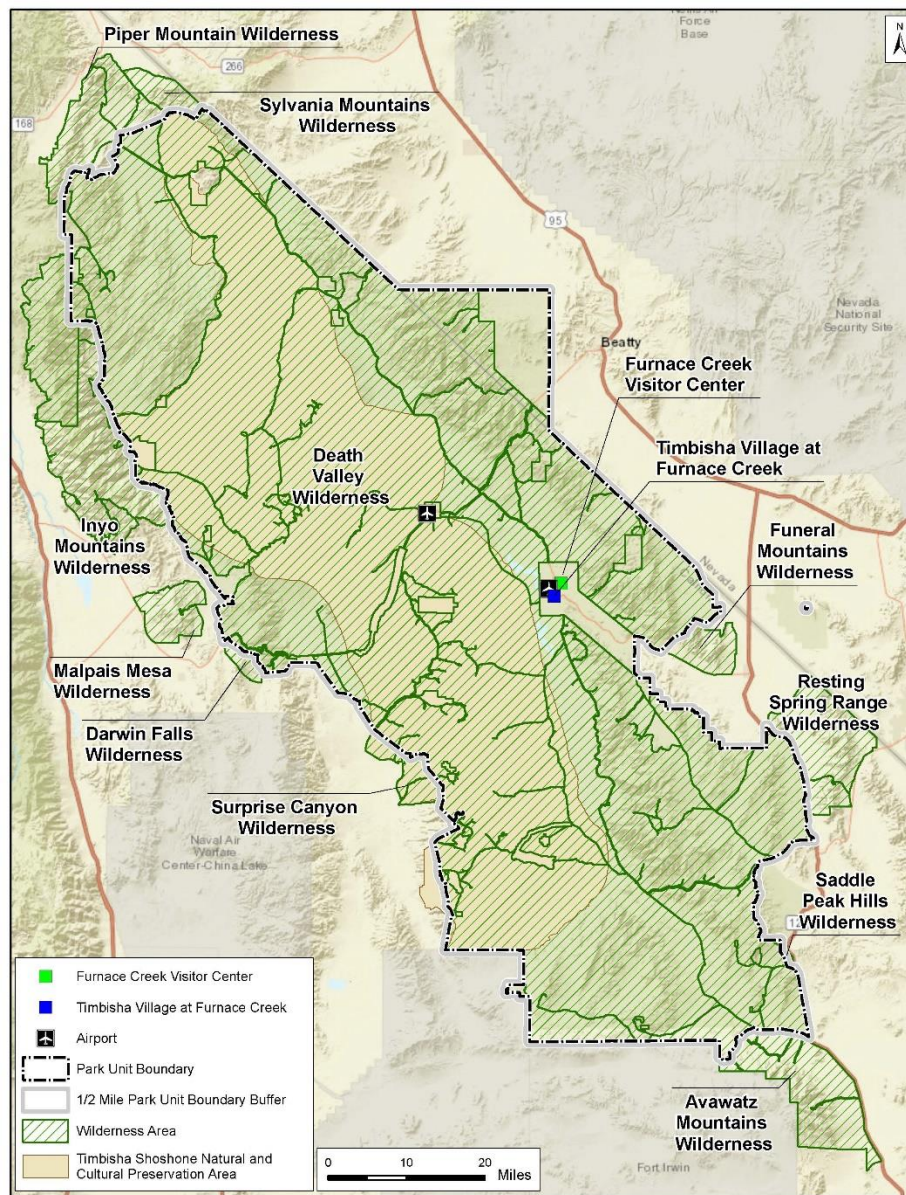
Photo Credit: U.S. DOT Volpe Center

Park Overview

- Death Valley National Park, at 3,422,024 acres, is the largest National Park in the contiguous US and is located on the California/Nevada border.
- Elevations range from -282' in Badwater Basin to 11,049' on Telescope Peak.



Photo Credit: U.S. DOT Volpe Center



Park Resources

- Land within the Park holds spiritual and cultural significance for Tribes, including:
 - Timbisha Shoshone Tribe has lands inside and abutting the park, and a management interest in the Timbisha Shoshone Natural and Cultural Preservation Area.
- Approximately 93 percent of the Park is designated wilderness, and natural quiet and solitude are important park resources.
- Numerous cultural resources are present within the Park, including archaeological sites, ethnographic resources, historic structures, and museum collections.



Photo Credits: U.S. DOT Volpe Center

Existing Air Tour Conditions at the Park

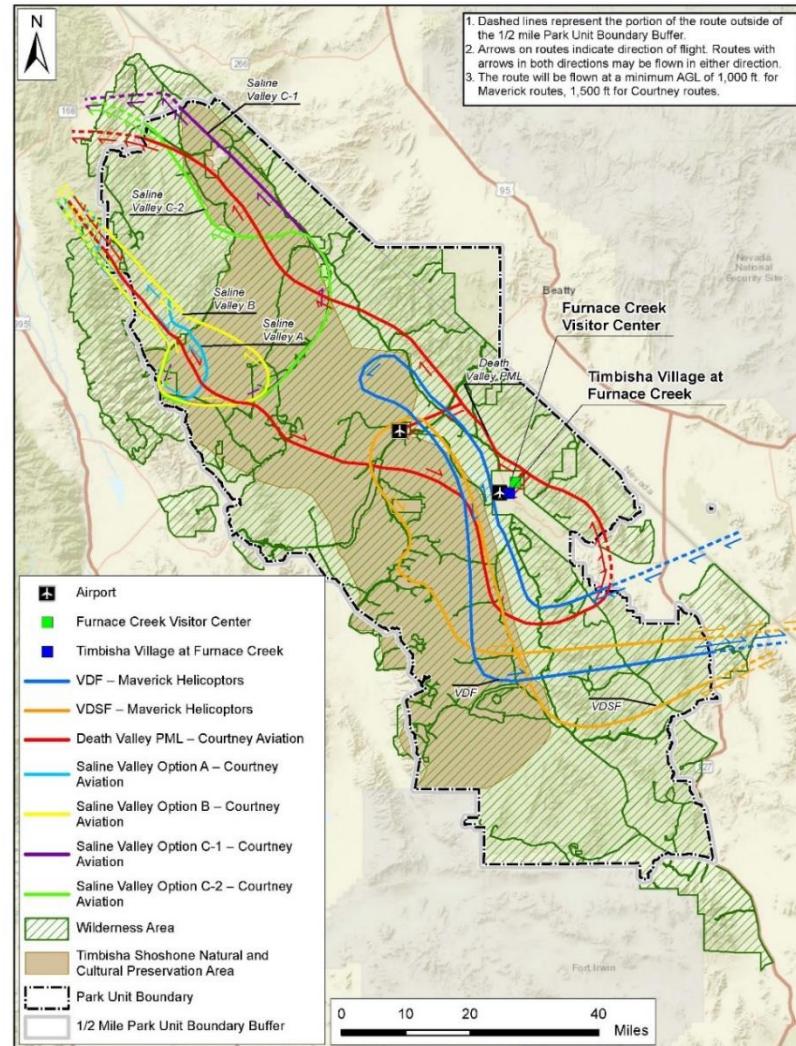
- Four air tour operators currently hold Interim Operating Authority (IOA) for 37 flights each year.
- The three-year average of reporting data (2017-2019) is less than one flight each conducted by two operators each year.
- Annual number of commercial air tours at the Park is limited by the IOA.
- There are no designated parameters on route, time-of-day, or altitude restrictions; no procedures to establish no-fly periods; and no training or education requirements.



Draft ATMP at the Park

Category	Existing Air Tour Conditions	Draft ATMP
Number of Air Tours Authorized Per Year	IOA: 37 3 Year Average (2017-2019): <1 flight per operator per year	2
Altitudes	No restrictions, reported altitude currently 1,000 feet (helicopter) AGL and ranging between 2,400 feet and 5,500 feet (fixed wing) AGL	No lower than 1,000 feet (helicopter) or 1,500 feet (fixed wing) AGL
Aircraft Types	No restrictions, currently reported as helicopter and fixed wing	Helicopter and fixed wing
Time-of-Day Restrictions	No restrictions, reported air tours currently between 9:00 a.m. – 5:00 p.m. local time	May operate two hours after sunrise until two hours before sunset
Day-of-Week Restrictions	No restrictions	No restrictions
Required Reporting and Additional Requirements	Semi-annual reporting requirement; no additional requirements	<ul style="list-style-type: none"> ▪ Restrictions for particular events ▪ Semi-annual reporting requirement ▪ Operator training when made available by NPS ▪ Option for annual meeting ▪ Specified in-flight communications frequency

Proposed Air Tour Route



Justification for Measures Taken

- Annual flight limits are intended to protect visitor experience (including interpretive programs), cultural resources, Tribal use, sensitive species, and wilderness areas.
- Condition that commercial air tours may fly no lower than 1,000 ft. (helicopter) and 1,500 ft. (fixed wing) AGL is intended to protect the acoustic environment and visitor experience of the Park by reducing the amount of air tour noise to which visitors on the ground are exposed.
- Time-of-day restrictions avoid sunrise and sunset, important for wildlife and visitor use/experience. Day/time restrictions for particular events prevent noise interruptions of Park events or Tribal practices.

Justification for Measures Taken

- The condition that commercial air tours would fly at least one mile from the Timbisha Village at Furnace Creek is intended to protect Tribal use of this area.
- Total number of air tours proposed under this draft ATMP would be consistent with the existing air tours reported over the Park.
- Operator training/education and annual meeting facilitate effective implementation of the ATMP.



National Environmental Policy Act

- The FAA and the NPS must comply with the National Environmental Policy Act (NEPA) in development of the draft ATMP.
- NEPA requires that the agencies:
 - Consider the human and natural environment that could be affected by their action (ATMP).
 - Determine the appropriate level of environmental review.
 - Prepare associated environmental review documents.
- At this time, the FAA and the NPS are considering developing the ATMP under an NPS Categorical Exclusion.
- The agencies will consider public comments on the ATMP, information obtained during consultations, and fully assess the environmental impacts before making a final decision on the appropriate level of environmental review.



Section 106 of the National Historic Preservation Act

- The FAA and the NPS are working to complete Section 106 of the National Historic Preservation Act in development of the draft ATMP.
- Section 106 includes the requirement that the agencies:
 - Define the Undertaking and Identify Participants
 - Determine the Area of Potential Effects and Identify Historic Properties
 - Assess Effects to Historic Properties
 - Resolve Adverse Effects to Historic Properties
- The FAA and the NPS have initiated consultation with the SHPO, Tribes, and consulting parties.



Section 7 of the Endangered Species Act

- The FAA and the NPS are complying with Section 7 of the Endangered Species Act (ESA) in development of the draft ATMP.
- Section 7 includes the requirement that the agencies:
 - Ensure their actions do not jeopardize the existence of any species listed under ESA or result in the destruction or adverse modification of designated critical habitat.
- The FAA and the NPS have completed a preliminary assessment and do not anticipate impacts to listed species or designated critical habitat.



Public Review of the Draft ATMP

- The FAA and the NPS invite comments from the public, agencies, Tribes, and other interested parties on the draft ATMP.
- Comments must be received on or before August 28, 2021.
- Submit your comments:
 - Online: <https://parkplanning.nps.gov/DeathValleyATMP>
 - Via Mail:

National Park Service
Natural Sounds & Night Skies Division
Death Valley ATMP
1201 Oakridge Dr., Suite 100
Fort Collins, CO 80525



Next Steps

- Following the end of the public comment period, the FAA and the NPS will:
 - Review the comments and use these to inform the final ATMP.
 - Continue to coordinate and complete Tribal, Section 106, and Section 7 consultations.
 - Conclude the NEPA process by signing a decision document.
- Upon the completion of the public comment period, consultations, and NEPA process, the ATMP will be considered complete. The final ATMP will be available on the FAA and the NPS websites.
- Once the final ATMP is in place, the FAA will update Operations Specifications for each air tour operator.



Questions and Comments

- **During the meeting**, please submit questions using the Google form posted by the FAA in the chat area of the social media platform you are using (Facebook, Twitter, or YouTube).

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- **After the meeting**, please submit your comments for the record on or before August 28, 2021, at:

- Online: <https://parkplanning.nps.gov/DeathValleyATMP>
- Via Mail:

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