

Badlands National Park Air Tour Management Plan

Planning, Environment, & Public Comment - Frequently Asked Questions

Topics on this page and related links:

- Badlands National Park ATMP FAQs
- General ATMP FAQs:
 - [FAA Website](#)
 - [NPS Website](#)
- **What will an ATMP do specifically for Badlands National Park?**
 - The objective of this ATMP, under the Act, is to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations on the Park's natural and cultural resources, tribal sacred sites and ceremonial areas, Wilderness character, and visitor experience inside the ATMP planning area.
 - Under this ATMP, commercial air tours will be prohibited within the ATMP planning area, i.e., over Badlands National Park or within ½-mile of the Park's boundary below 5,000 feet altitude above ground level (AGL).
- **What is the current status of the Air Tour Management Plan (ATMP) planning process?**
 - The public comment period for the draft ATMP and draft Environmental Assessment (EA) begins on May 16, 2023 and ends on June 20, 2023. Comments must be received by June 20, 2023, at 11:59 PM MDT. The NPS and the FAA will analyze the comments received during the public comment period.
 - The NPS and the FAA will host a public meeting on May 24, 2023 at 6:00 – 7:30 PM MDT and will share information on online platforms to provide the greatest opportunity for public participation and comment. Notice of availability of the Draft ATMP and Draft EA will also be published in the Federal Register for public review.
- **How do I submit a comment(s) on the Draft ATMP and Draft EA for Badlands National Park?**
 - The public is encouraged to submit official comments on the Draft ATMP and Draft EA through this NPS PEPC website. You can access the Draft ATMP and Draft EA by clicking "Open for Comment" on the left side of this page and then clicking on the link to the Draft ATMP and Draft EA under "Select a document to review and comment". Select the "Comment Now" button to enter your official comments on the Draft EA. Comments will not be accepted by email. -Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised that your entire comment (including your personal identifying information) may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.
 - Written comments may be sent via postal mail to the following address:
Volpe National Transportation Systems Center
Kaitlyn Rimol, V-326
Attn: Badlands National Park ATMP
55 Broadway
Cambridge, MA 02142
- **What are commercial air tours that are subject to the ATMP?**
 - Commercial air tours subject to the ATMP are powered flights for compensation or hire for

the purpose of sightseeing over Badlands National Park or within ½-mile outside the Park's boundary at altitudes below 5,000 feet above ground level (AGL). This is referred to as the ATMP planning area in the Draft EA and as the ATMP boundary in the Draft ATMP.

- **How will the ATMP affect commercial air tour operators that currently operate over Badlands National Park?**
 - Operators will no longer be able to operate commercial air tours over Badlands National Park or within ½-mile outside of the Park's boundary below 5,000 feet altitude above ground level (AGL). Operators may continue to fly to points of interest outside of the ATMP planning area where they already fly or fly routes over or around the ATMP planning area.
- **If commercial air tour operators cannot fly within the ATMP planning area, where are air tours allowed?**
 - Air tours outside of the ATMP planning area (i.e., at or above 5,000 ft. AGL or more than ½-mile outside the Park boundary) are not subject to the Act and are therefore not regulated under the ATMP. Thus, there would be no limitations on the number of air tours that could occur outside the ATMP planning area. Operators may continue to fly to points of interest outside of the ATMP planning area where they already fly or fly routes over or around the ATMP planning area.
- **How will the ATMP be enforced?**
 - Aircraft monitoring and enforcement would still occur under to ensure that commercial air tour operators are complying with the terms and conditions of the ATMP by not conducting tours within the ATMP planning area. The NPS and the FAA would both be responsible for the monitoring and oversight.
- **How many air tour flights are currently reported over Badlands National Park every year?**
 - Based on data from 2017-2019, an average of 1,425 commercial air tours occur over Badlands National Park every year. Commercial operators have Interim Operating Authority (IOA) to fly up to 4,117 flights per year.
 - As of January 1, 2013, all operators with an IOA or who operate following an ATMP or voluntary agreement are required to report operations and other information semi-annually to the NPS and the FAA. These semi-annual reports are due no later than 30 days after the end of each six-month period.
- **What is the current maximum number of flights allowed each year? How will this change under the ATMP?**
 - Two commercial air tour operators currently hold IOA to fly up to a combined total of 4,117 annual commercial air tours over the Park. The actual number of commercial air tours reported over the Park on an annual basis averaged 1,425 from 2017-2019.
 - The ATMP will prohibit commercial air tours within the ATMP planning area. Air tours would be prohibited over Badlands National Park or within ½-mile outside of the Park's boundary below 5,000 feet altitude above ground level (AGL).
- **How does the ATMP seek to protect cultural resources, protect tribal lands, properties, ceremonies, or practices?**
 - The prohibition of commercial air tours in the draft ATMP are intended to protect cultural resources and related cultural landscapes and ethnographic resources throughout the Park

by limiting the number of potential disturbances caused by commercial air tours. The ATMP may include additional conditions as identified during consultation under Section 106 of the National Historic Preservation Act (NHPA).

- In extensive consultation with Northern Plains Tribes, have articulated strong opposition to air tours over the Park because of the effects of flights to the cultural landscape, wildlife, and plants, and concerns over privacy during traditional cultural practices and ceremonies within the ATMP boundary. Prohibiting air tours over this area is needed to protect Tribal privacy during traditional cultural practices and ceremonies and is consistent with the Tribes' opposition to air tours over the Park.
- **What are the impacts of air tours?**
 - In the Draft EA, The NPS and FAA analyzed each alternative for its impact on Park resources. The Park identified the following potential impacts of air tours on Park resources and visitor experience, including:
 - Soundscapes (e.g., noise or noise pollution);
 - Native wildlife, including federally listed species;
 - Cultural Resources, including sacred landscapes and Traditional Cultural Properties;
 - Wilderness character; and
 - Visitor experience.
 - The alternatives analysis in the Draft EA determined which alternative has the least impact to Park resources and visitors and best accomplishes the purpose of the ATMP.
- **How are air tours outside of the Park regulated?**
 - Applicable regulations that govern aviation safety are found at [14 CFR § 136](#), [Appendix A](#) (formerly Special Federal Aviation Regulation 71) and in accordance with [FAA Advisory Circular 91-36D](#) *Visual Flight Rules Flight Near Noise Sensitive Areas*.
- **What happens after the public review period on a Draft ATMP and Draft EA?**
 - Agencies will consider comments received on the Draft ATMP and Draft EA and continue consultations with other agencies and tribal governments, as necessary. A final ATMP and final EA documenting the project's outcomes (including comments received and consultations undertaken) will be developed with ultimate approval resting with the FAA and the NPS.