

National Parks Air Tour Management Program



**Federal Aviation
Administration**



**National Park
Service**

**WELCOME –
We will begin shortly**

May 24, 2023



NPS Photo

National Parks Air Tour Management Program



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Draft Air Tour
Management Plan for:

**Badlands National
Park**

May 24, 2023



NPS Photo

Welcome

- Thank you for joining us today.
- Today's meeting focuses on the draft Air Tour Management Plan (ATMP) for Badlands National Park.
- We invite you to share your feedback on this draft ATMP.
- 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** – FAA, Senior Policy Advisor
- **Adam Beeco** – NSNSD, Program Manager, Policy Planning and Compliance
- **Eric Veach** – NPS, Superintendent



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.
- Questions will be addressed at the end of the presentations as part of the Q&A portion as time will allow.
- If you want your questions to be considered part of the official record, please submit them to PEPC. The purpose of today's meeting is to provide an opportunity for participants to ask questions and clarify information so that you can submit official comments.



Submitting Official Comments

- All written official 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 Badlands National Park PEPC site.
- These written comments become part of the official record.
- Please note that written comments must be submitted on or before **June 20, 2023, at 11:59 PM MDT.**



Format of Meeting

- This meeting will be 90 minutes long.
- We will adjourn at 7:30 PM Mountain Daylight 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.



National Parks Air Tour Management Program

Overview of the National Parks Air Tour Management Act and Air Tour Management Plans

May 24, 2023



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NPATMA Overview

- Requires the FAA, in cooperation with the NPS, to develop an Air Tour Management Plan (ATMP) for those parks and Tribal lands where operators have applied to conduct commercial air tours.
- An ATMP applies to commercial air tours:
 - Within ½ mile of a park;
 - Over Tribal lands within or abutting a park; and
 - Below 5,000 feet altitude above ground level (AGL).
- Does not apply to general aviation, commercial airline, or military flights.
- Commercial air tour operators apply for FAA Interim Operating Authority (IOA) in order to operate over National Park System units and abutting Tribal lands.

Air Tour Management Plans

The objective of this draft ATMP 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 resource and values, and visitor experience, as well as Wilderness character.



Air Tour Management Plans

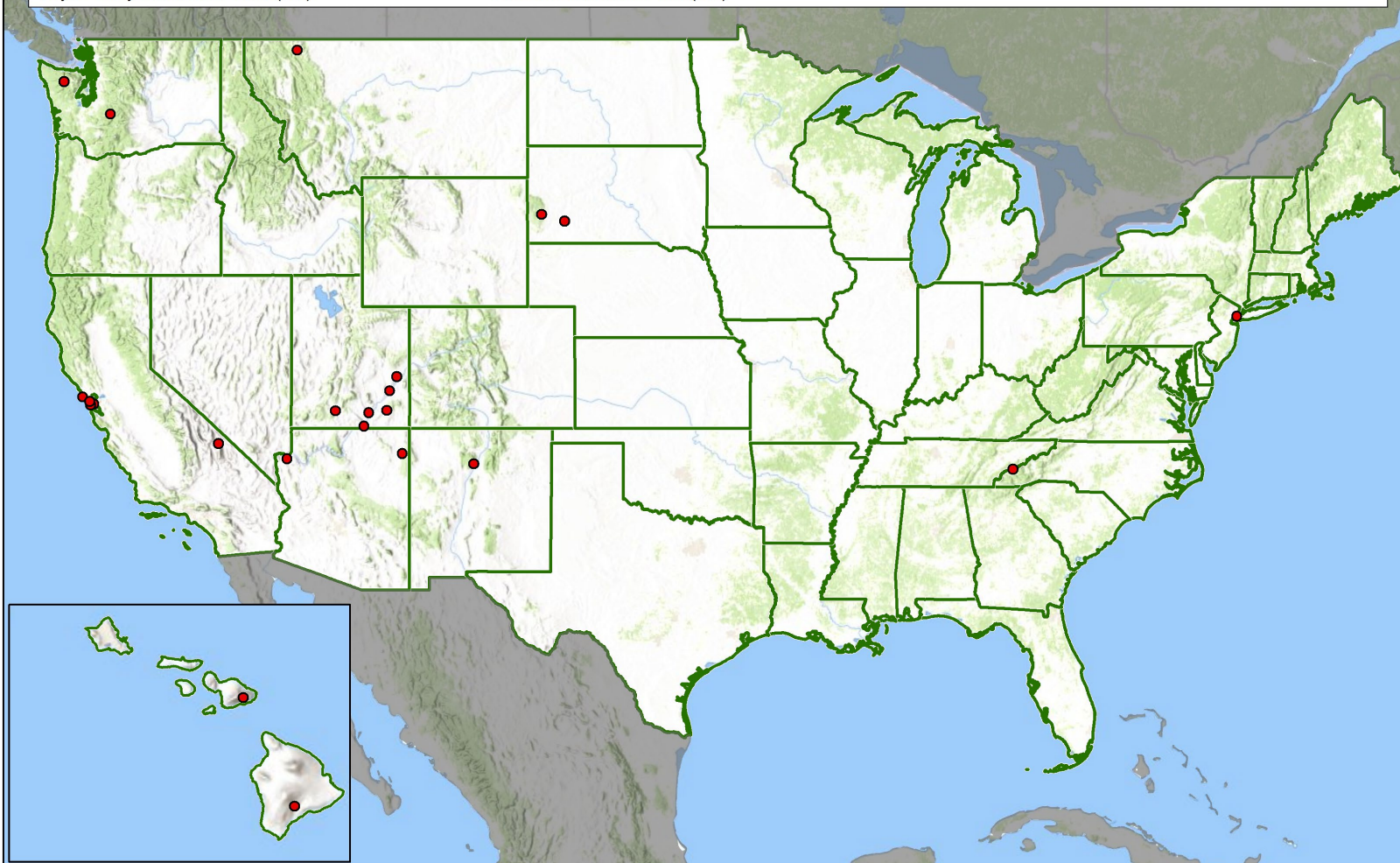
An ATMP:

- May prohibit commercial air tour operations in whole or in part;
- 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.;
- Shall apply to all commercial air tour operations within ½ mile outside the boundary of a national park;
- Shall include incentives for the adoption of quiet aircraft technology;
- Shall provide for the allocation of opportunities to conduct air tours when the ATMP limits the number of operations; and
- Shall justify and document the need for measures taken pursuant to items above and include such justifications in the record of decision.



23 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)
- Haleakalā National Park (HI)
- Hawai'i Volcanoes National Park (HI)



ATMP Updates

Completed ATMPs

- Mount Rainier National Park (WA)
- Olympic National Park (WA)
- Point Reyes National Seashore (CA)
- San Francisco Maritime National Historic Park (CA)
- Golden Gate National Recreation Area (CA)
- Muir Woods National Monument
- Death Valley National Park (CA/NV)
- Glacier National Park (MT)
- Bryce Canyon National Park (UT)
- Canyonlands National Park (UT)
- Natural Bridges National Monument (UT)
- Arches National Park (UT)
- Great Smokey National Park (NC/TN)

Completed Voluntary Agreement's (VA)

- National Parks of New York Harbor (NY)

Ongoing ATMPs

- Haleakalā National Park (HI)
- Hawai'i Volcanoes National Park (HI)
- Badlands National Park (SD)
- Mount Rushmore National Memorial (SD)
- Bandelier National Monument (NM)
- Glen Canyon National Recreation Area (UT)
- Rainbow Bridge National Monument (UT)
- Lake Mead National Recreation Area (NV/AZ)
- Canyon de Chelly National Monument (AZ)

ATMP Development

- For each ATMP, the agencies:
 - Publish proposed ATMPs in the Federal Register;
 - Hold at least one public meeting; and
 - Comply with the National Environmental Policy Act (NEPA), and other legal requirements.
- The purpose of today's meeting is to review the components of the draft ATMP.



National Parks Air Tour Management Program



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**Draft Air Tour
Management Plan for:
Badlands National Park**

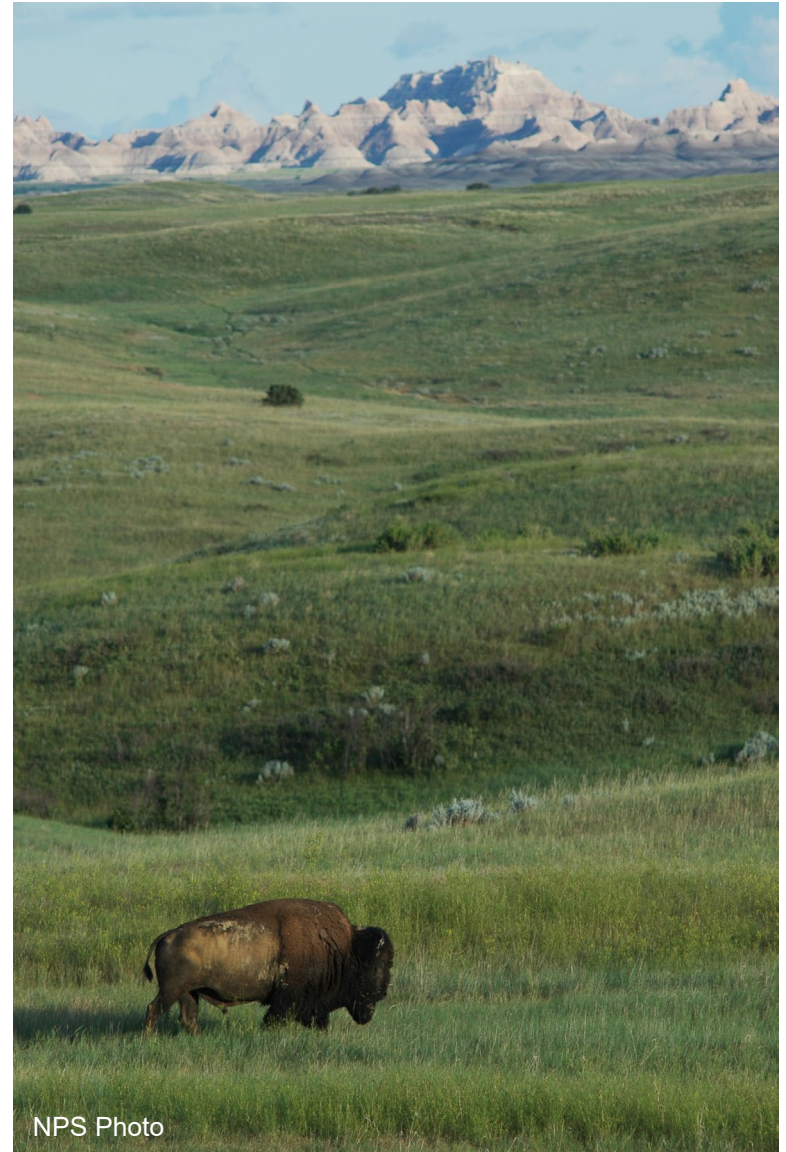
May 24, 2023

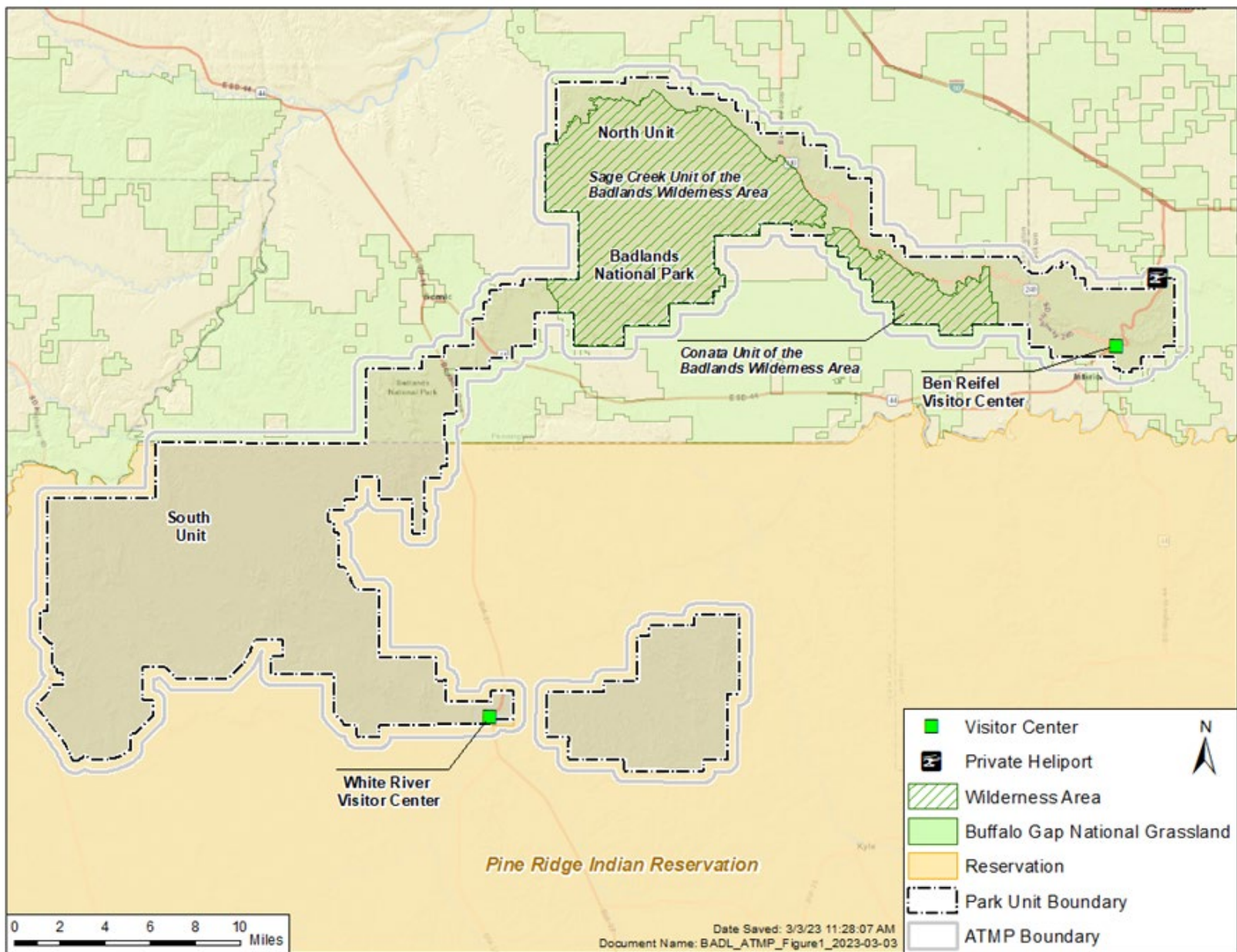


NPS Photo

Park Overview

- Badlands National Park preserves 242,756 acres, 64,144 acres of which are designated as Wilderness, in south-western South Dakota. 133,000 acres of the Park are Oglala Sioux Tribal trust lands
- The Park includes unique geological features, such as eroded buttes and pinnacles, a herd of over 1,200 bison.





Park Resources

- The Park is and has historically been utilized by Native American Tribes as a continuous and sacred landscape.
- There are many historic properties within the Park, including Cedar Pass Road, historic farmsteads, and several archeological sites.
- The Park hosts a diversity of wildlife, including:
 - Black-footed ferret, northern long-eared bat, golden eagle, peregrine falcon, bighorn sheep, bison, and prairie dogs



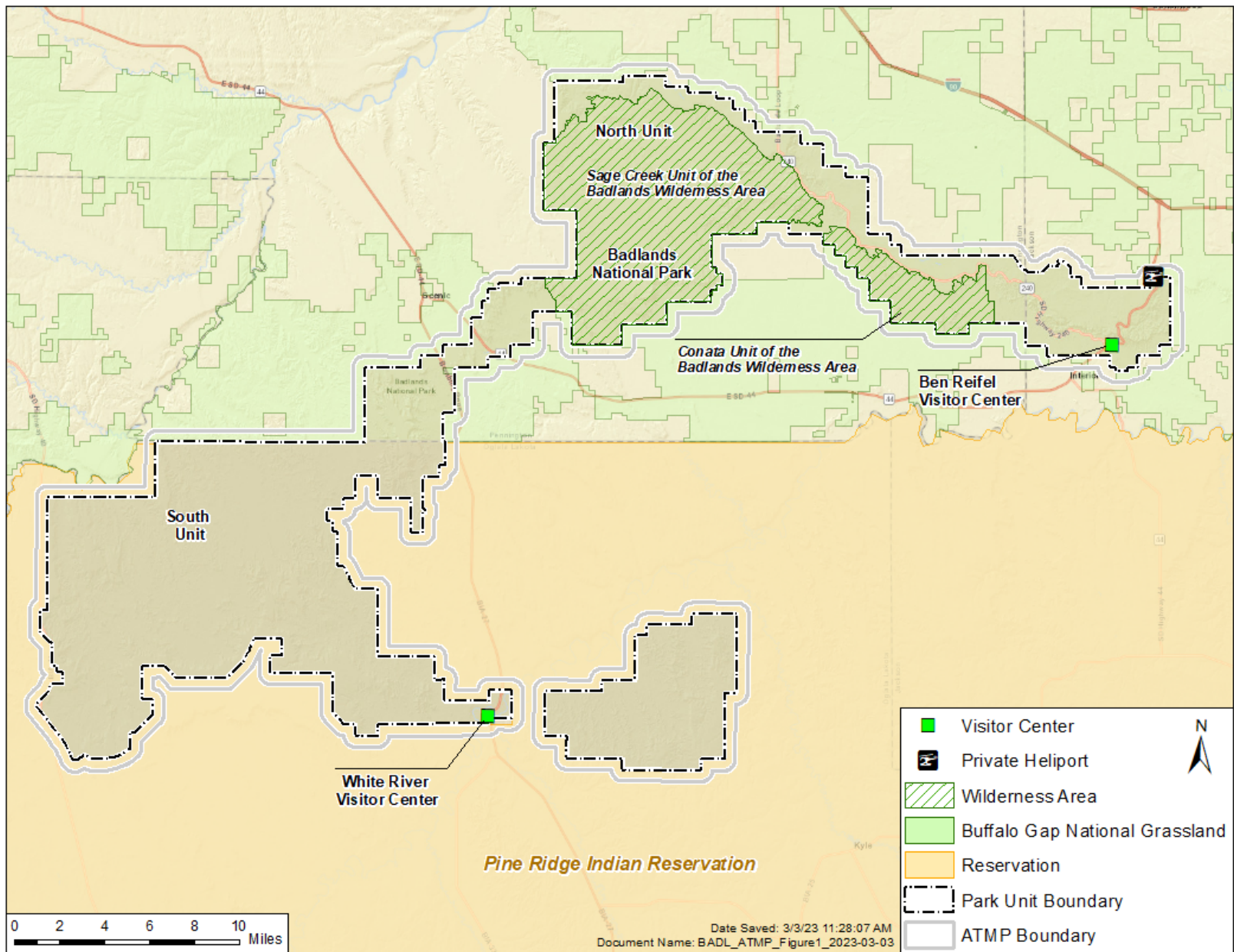
Existing Air Tour Conditions

- Two commercial air tour operators currently hold Interim Operating Authority (IOA) for a combined total of 4,117 flights per year over the Park.
- The three-year average of reporting data (2017-2019) is 1,425 total flights conducted by the 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 or time-of-day; no procedures to establish no-fly periods.



Draft ATMP for the Park

Attribute	Existing Air Tour Conditions	Draft ATMP
Number of Air Tours Authorized Per Year	IOA: 4,117 flights per year 3-Yr. Average (2017-2019): 1,425	0 flights per year The establishment of the ATMP would result in the termination of IOA for the operators.
Routes and Altitudes	No mandatory routes or no-fly zones.	No air tours would be allowed within the ATMP planning area. Operators may continue to fly to points of interest in the area outside of the ATMP planning area where they already fly, fly around the ATMP planning area similar to existing flights, or above the ATMP planning area (at or above 5,000 ft. AGL).
Time-of-Day Restrictions	No restrictions, may occur at any time	N/A – commercial air tours would not be permitted within the ATMP planning area.
Day-of-Week Restrictions	No restrictions, may occur on any day of the week	N/A – commercial air tours would not be permitted within the ATMP planning area.
Restrictions for Particular Events	No restrictions, may occur on any day of the year	N/A – commercial air tours would not be permitted within the ATMP planning area.
Training, Education, and Meetings	No interpretive training, education or annual meeting.	N/A – commercial air tours would not be permitted within the ATMP planning area.



Justification for Measures Taken

- Commercial air tour operations at existing levels result in unacceptable impacts to the Park's natural and cultural resources, tribal resources and values, Wilderness character, and visitor experience, and are inconsistent with the Park's purpose and values.
- Prohibiting air tours over the Park protects tribal resources and values during traditional cultural practices and ceremonies and is consistent with the opposition to air tours heard in Tribal consultation.
- Increasing minimum altitudes is not feasible due to the location of the private heliport near the Park boundary and existing route configurations would not allow operators to reach an altitude that would protect Park resources before beginning the descent back to the private heliport.
- Adjusting reported routes to other areas of the Park is not feasible as this would result in air tours flying over Wilderness, which would increase noise levels and impact Wilderness character. Existing reported routes also impact bighorn sheep and peregrine falcon within the Park.
- Prohibiting air tours within the ATMP boundary is necessary to protect Park resources and values, meet Park management objectives, and is responsive to the concerns of the Tribes.

NEPA

- The FAA and the NPS are complying 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 NEPA review.
 - Prepare associated environmental review documents.
- The agencies considered over 100 public scoping comments obtained September 6 through October 6, 2022, on the potential alternatives, information obtained during consultations, and fully assessed the environmental impacts while developing the draft EA. The draft EA is currently available for public review and official comment.



Section 106 / NHPA

- The FAA and the NPS are complying with Section 106 of the National Historic Preservation Act (NHPA) in development of the draft ATMP and draft EA.
- Section 106 includes the requirement that the agencies:
 - Define the Undertaking and Identify Consulting Parties;
 - Determine the Area of Potential Effects and Identify Historic Properties;
 - Assess Effects to Historic Properties; and
 - Resolve Adverse Effects, if Any, to Historic Properties.
- The FAA and the NPS have consulted with the South Dakota SHPO, Native American Tribes affiliated with the Great Plains Region, and other Consulting Parties. The agencies also considered comments during scoping of the alternatives regarding potential impacts to cultural resources.
- The FAA proposed a finding of No Adverse Effect to historic properties in a letter that was sent to the SHPO and all Consulting Parties on March 14, 2023.



Section 7 / ESA

- The FAA and the NPS are complying with Section 7 of the Endangered Species Act (ESA) in development of the draft ATMP and draft EA.
- 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 agencies are currently conducting Section 7 analysis for federally listed species and anticipate the preferred alternative would have no effect on federally listed threatened or endangered species or designated critical habitat.



Public Review of the Draft ATMP and Draft EA

- The FAA and the NPS invite official comments from the public, agencies, Native American Tribes, and other interested parties on the draft ATMP and draft EA.
- Official comments must be received on or before **June 20, 2023, at 11:59 PM MDT**.
- Submit your official comments:
 - Online: <https://parkplanning.nps.gov/BadlandsATMP> or <https://parkplanning.nps.gov/BadlandsDraftATMPandEA>
 - Via Mail:

Volpe National Transportation Systems Center
Kaitlyn Rimol, V-326
Attn: Badlands National Park ATMP
55 Broadway
Cambridge, MA 02142



Next Steps

- Following the end of the public comment period, the FAA and the NPS will:
 - Review the comments and use them to inform the final ATMP.
 - Complete Section 106, Section 7, and any other necessary consultations and compliance.
 - Conclude the NEPA process and sign a decision document.
- Upon the completion of the public comment period, consultations, and NEPA process, the ATMP will be finalized. 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.
- Please submit your **official comments** for the record on or before **June 20, 2023**, at **11:59 PM MDT**:
 - Online:
<https://parkplanning.nps.gov/BadlandsATMP>
or <https://parkplanning.nps.gov/BadlandsDraftATMPandEA>
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Protecting Personally Identifiable Information (PII)

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.

