

Bandelier National Monument Air Tour Management Plan

Planning, Environment, & Public Comment – Frequently Asked Questions

Topics on this page and related links:

- Bandelier National Monument ATMP FAQs
- General ATMP FAQs:
 - [FAA Website](#)
 - [NPS Website](#)
- **What will an ATMP do for Bandelier National Monument?**
 - The objective of this ATMP, under the Act, is to develop acceptable and effective measures to mitigate or prevent 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 Bandelier National Monument 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)?**
 - The NPS and FAA will provide a minimum 30-day public comment period for the draft ATMP and draft Environmental Assessment (EA). The comment period is anticipated to begin on July 12, 2023, and end on August 11, 2023. Comments must be received by 11:59 PM Mountain Daylight Time (MDT) on the last day of the comment period. 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 July 25, 2023, at 5:30 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 and instructions on how to comment 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 Bandelier National Monument?**
 - The public is encouraged to submit official comments on the Draft ATMP and Draft EA through the NPS PEPC website. You can access the Draft ATMP and Draft EA by clicking "Open for Comment" on the left side of the 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: Bandelier National Monument 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 Bandelier National Monument 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.
- **What overflights are not subject to the ATMP?**
 - Overflights conducted for other purposes (e.g., commercial jets or military overflights), including to air tours conducted over lands that are greater than ½ mile from the Park boundary or public lands managed by agencies other than the National Park Service are not subject to the ATMP.
- **How will the ATMP affect commercial air tour operations over Bandelier National Monument?**
 - Commercial air tour operations will no longer be permitted over Bandelier National Monument or within ½-mile outside of the Park's boundary below 5,000 feet altitude above ground level (AGL). Commercial air tours could continue to be conducted outside the ATMP planning area on routes similar to existing flight paths, or routes could vary greatly from those currently flown and would depend on operator preference and weather conditions at the time of the tour.
- **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. Because air tours outside of the ATMP planning area are not regulated by the ATMP, air tour operations outside of this area are difficult to predict with specificity. Operators could fly routes outside the ATMP planning area similar to existing flight paths, or routes could vary greatly from those currently flown and would depend on operator preference and weather conditions at the time of the tour.
- **Does the Draft EA analyze the impacts of air tours on Valles Caldera National Preserve?**
 - No. While a portion of Valles Caldera National Preserve is within the ATMP planning area, the Draft EA does not analyze the impacts of air tours on Valles Caldera National Preserve's resources since air tours are not authorized over Valles Caldera National Preserve.
- **How will the ATMP be enforced?**
 - Aircraft monitoring and enforcement would still occur under the Act 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 Bandelier National Monument every year?**
 - Based on data from 2017-2019, an average of 101 commercial air tours occurs over Bandelier National Monument every year. The commercial air tour operator has Interim Operating Authority (IOA) to fly up to 126 flights per year.
 - As of January 1, 2013, all operators with IOA or with commercial air tour allocations under 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?**
 - One commercial air tour operator currently holds IOA to fly up to 126 commercial air tours per year over the Park. The actual number of commercial air tours reported over the Park on an annual basis averaged 101 from 2017 -2019. The ATMP will prohibit commercial air tours within the planning area, which includes the main Park unit and the Tsankawi Unit of the Park, located 12 miles northeast of the main Park unit, as well as the area within ½ mile of the boundary of both the main park and the Tsankawi Unit.

- **How does the ATMP seek to protect cultural resources, protect tribal lands, properties, ceremonies, or practices?**
 - During Section 106 consultation and consultation under Executive Order 13175, tribes stated that overflights, including commercial air tours, have disturbed gatherings and traditional religious practices at sacred sites, impacted viewsheds to and from sacred peaks, are inappropriate to the sacred landscape and sky, and disrupt the tranquility of accessing the lands for reflection or religious and cultural purposes. Prohibiting air tours over this area protects traditional religious and cultural practices and ceremonies.
 - The prohibition of commercial air tours in the draft ATMP are designed primarily to protect the Park's National Register listed or eligible cultural resources, including sacred sites, ancestral sites, cultural landscapes, and traditional cultural properties, all of which include the natural resources within, from the effects of commercial air tours, and to support NPS management objectives for the Park. The provisions and conditions of the ATMP also maintain confidentiality of sacred sites, respect the spiritual significance of the Park to tribal people; maintain cultural connections to the Park; respect privacy for tribes during traditional uses and ceremonies within the ATMP boundary; and prioritize elevating the voices and values of tribal nations.

- **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).
- **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 consultation 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.