National Parks Air Tour Management Act of 2000

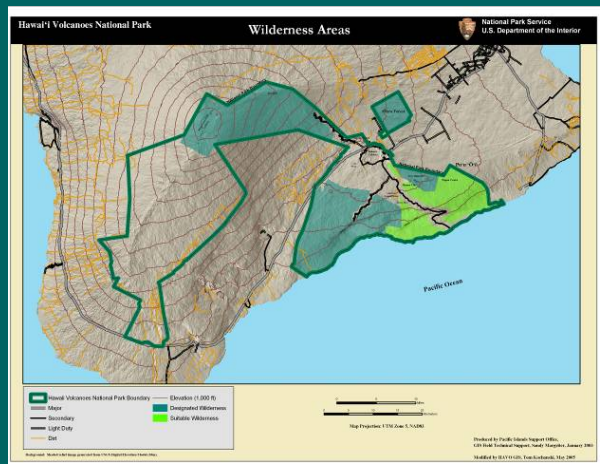
Hawai'i Volcanoes National Park

Open House Public Meetings

Comment on Preliminary Alternatives

April 18 - 20, 2011

The National Parks Air Tour Management Act requires the Federal Aviation Administration, in cooperation with the National Park Service, to develop an Air Tour Management Plan (ATMP) for each park or tribal land where air tour operations occur or are proposed.



Objective of an ATMP: "develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon the natural and cultural resources, visitor experiences, and tribal lands."

Agency roles and responsibilities from the Act:

The Federal Aviation Administration (FAA) has sole authority to control airspace over the United States and FAA has the authority to preserve, protect, and enhance the environment by minimizing, mitigating, or preventing the adverse effects of overflights on public and tribal lands.

Agency roles and responsibilities from the Act:

NPS has the responsibility of conserving the scenery, natural and historic objects, and wildlife in national parks and of providing for the enjoyment of the national parks in ways that leave the national parks unimpaired for future generations.

The Act applies to:

- 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)

Exceptions:

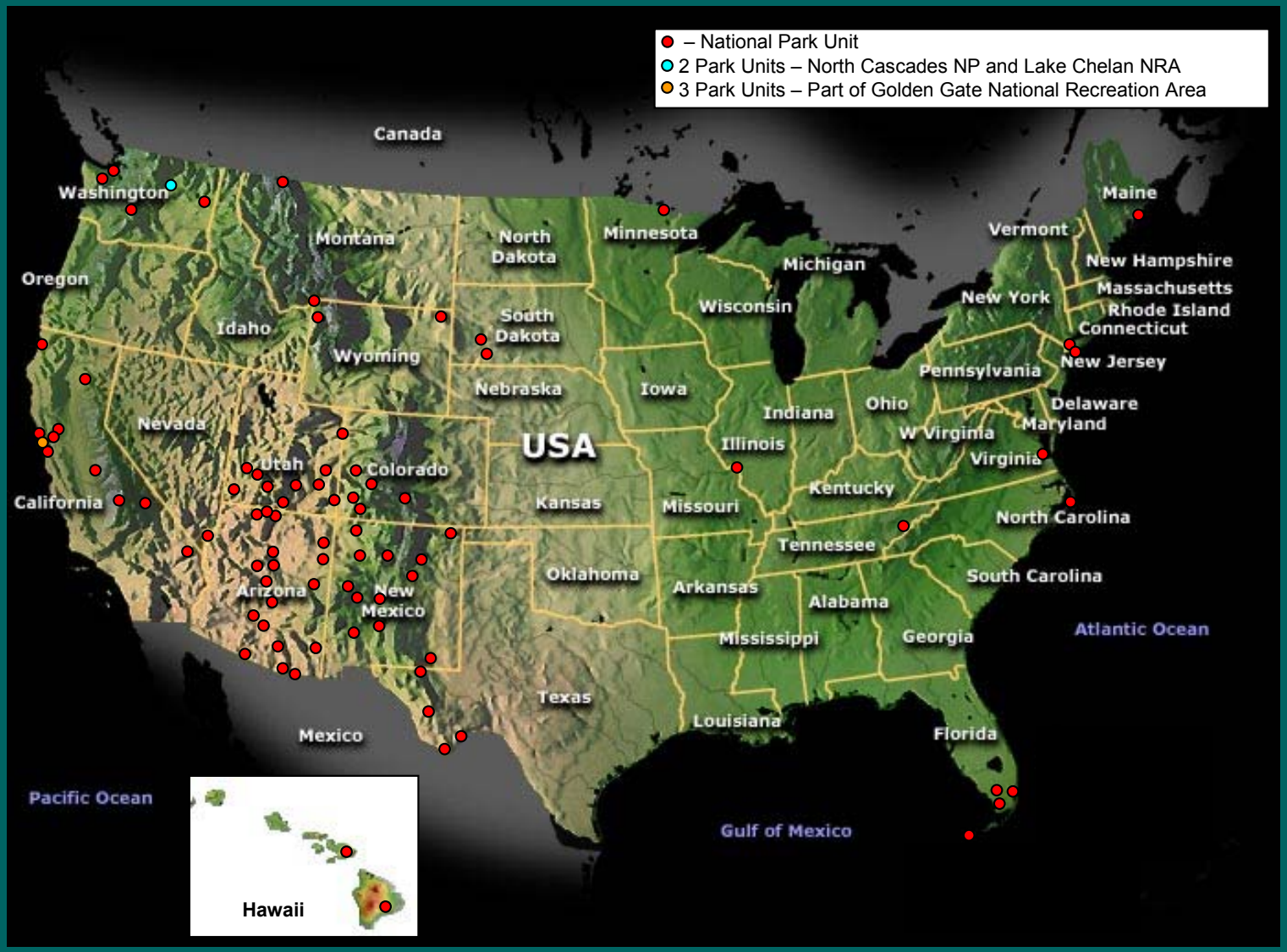
- Alaska
- Grand Canyon National Park
- Rocky Mountain National Park
- Flights over Lake Mead NRA when used solely as Grand Canyon National Park transportation route

ATMP must comply with the *National Environmental Policy Act* – NEPA

- FAA – Lead NEPA Agency
- NPS – Cooperating NEPA Agency
- Tribe – If abutting tribal lands, tribe must be solicited as cooperating agency
- Act requires FAA and NPS to sign the final environmental decision document for each park

National Parks Air Tour Management Program

- 85 National Park Units
- 23 Tribal Lands
- 71 Air Tour Operators
- 302,601 Annual Interim Operations Authorized


– National Park Unit
2 Park Units – North Cascades NP and Lake Chelan NRA
3 Park Units – Part of Golden Gate National Recreation Area
Canada
Washington
Oregon
Montana
North Dakota
Minnesota
Michigan
Wisconsin
Maine
Vermont
New Hampshire
Massachusetts
Rhode Island
Connecticut
New York
New Jersey
Pennsylvania
Delaware
Maryland
Ohio
W Virgina
Virginia
Idaho
Wyoming
South Dakota
Nebraska
Iowa
Indiana
Illinois
Nevada
Utah
Colorado
USA
California
Kansas
Missouri
Kentucky
North Carolina
Tennessee
Oklahoma
Arkansas
South Carolina
Arizona
New Mexico
Alabama
Mississippi
Georgia
Atlantic Ocean
Texas
Louisiana
Florida
Mexico
Pacific Ocean
Gulf of Mexico
Hawaii

FAA and NPS are currently working on the following ATMPs:

- Mount Rushmore National Monument
- Badlands National Park
- Hawai'i Volcanoes National Park
- Haleakala National Park
- Death Valley National Park
- Mount Rainier National Park
- Petrified Forest National Park

ATMP/NEPA Process – Planning and Environmental Analysis

- Public Scoping
- Alternatives
- Section 106 of the National Historic Preservation Act and tribal matters
- Section 7 consultation with US Fish & Wildlife Service
- Environmental analysis
  - FAA Order 1050.1E
  - NPS Director's Order #12
- Draft and Final NEPA document
- Decision

Public involvement opportunities

- Scoping
- Public comment period
- Act specifies at least one public meeting
- Contact lists

Agencies and other opportunities

- Endangered species consultations
- Participation of tribal communities
- Agency meeting

Alternatives Development per the Act

Potential Alternatives and other ATMP Elements

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

Potential Alternatives and other ATMP Elements

An ATMP (cont.):

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"

- Each ATMP will require a federal rulemaking action

- ATMP rulemaking completed by FAA

Definition of Interim Operating Authority

Existing Commercial Air Tour Operator- A commercial air tour operator that was actively engaged in the business of providing commercial air tour operations over a national park at any time during the 12-month period ending on April 5, 2000.

Annual authorization (interim operating authority – IOA) will be given for the greater of the number of flights used within the 12 month period prior to April 5, 2000

Or

The average number of flights per 12 month period used within the 36 month period prior to April 5, 2000, and for seasonal flights the number of flights used during the season or seasons covered by that 12 month period

Interim Operating Authority – as granted by FAA (Federal Register, Vol. 70, No. 194, October 7, 2005, page 59778)

14 operators: 28,441 operations

Above It All = 3878

Big Island Air, Inc. = 1643

Call Air, Inc. = 102

Hawaii Helicopters, Inc. = 141

Blue Hawaiian Helicopters = 12413

Tropical Helicopters = 1684

Volcano Heli-Tours, Volcano Helicopters, Inc. = 800

Maui Air, Volcano Air Tours = 611

Mokulele Flight Service, Inc. = 60

Paragon Air, Inc. = 1019

Magnum Helicopters (Rainbow Pacific) = 45

Safari Helicopter Tours = 3920

Makani Kai helicopters (Schuman Aviation Company) = 25

Sunshine Helicopters, Inc. =2100

Background

Red Lava=Air Tours

1983: Kilauea's East Rift eruptions at Pu'u Ō'ō start air tour industry on Hawaii Island. Red lava viewing attraction.

2000 NPATMA
IOA: 28,441 flights

During peak periods, the park experiences up to 60 flights per day.

Air tours are lava bound or in search of an eruption view.

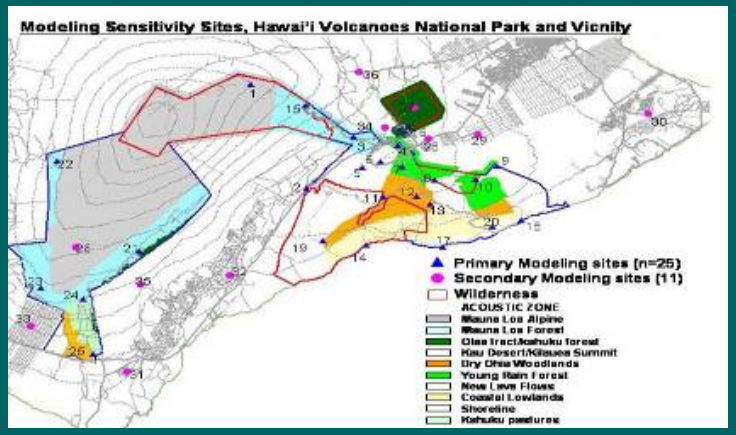
Flights circle multiple times at viewing areas and fly above neighboring communities.

Hawai'i Volcanoes ATMP History

2004 NOI for EA/Public Scoping

2005 Internal Alts Development (12 Alts)

- **Sensitivity Modeling/Acoustic Modeling/Maps**
- **EA to EIS/Alts. Development**



2007 Internal Alts Workshops

FALL 2009 FAA/NPS Internal Reviews

FALL 2010 NPS Completes Internal Review of Draft Alts. Approved by PWR Acting Regional Director

December 2010 FAA Approves Draft Alts

Issues

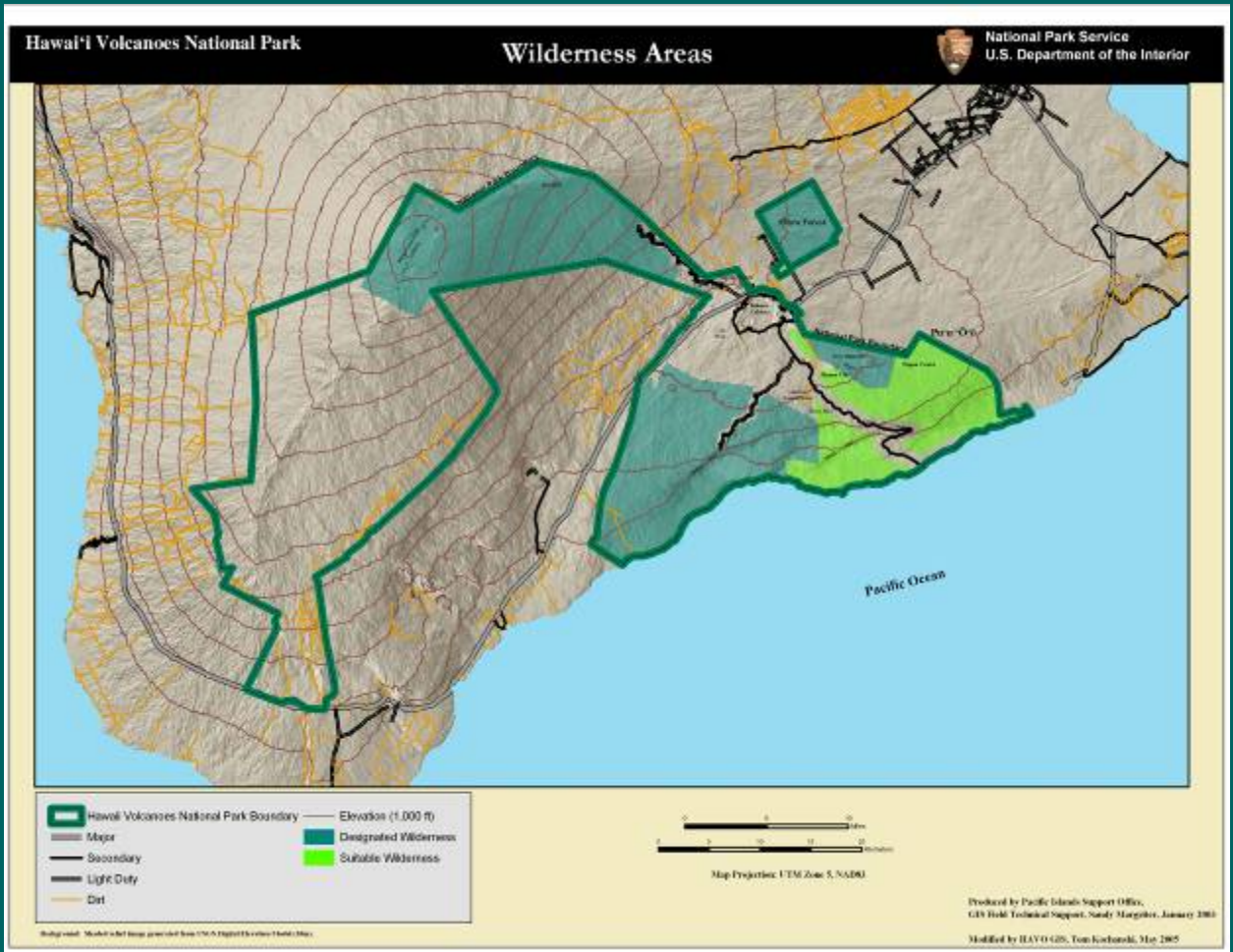
Cultural

- Kīlauea Volcano is the home of Pelehonuamea, deity of Hawaiian Volcanoes (Ka Piko O Ka Honua)
- Red lava represents the birth of Pele

Traditional use includes chants and dance that depend upon natural sounds and unobstructed vistas; skies are a layered extension of a sacred landscape

Issues

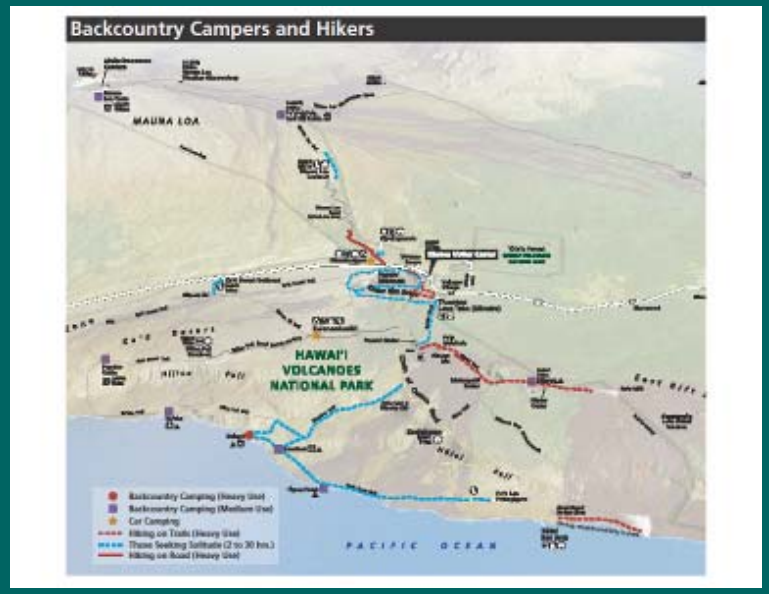
Designated Wilderness 130,950 acres (GIS)



Issues

Visitor Experience and Soundscapes

- No commercial flight paths
- HAVO has locations with very quiet soundscapes (10-15 dbl.)



- Concentrations of visitors and air tours.
- Visitors exposed to unexpected, multiple air tours in quiet soundscapes.

Issues

Widespread Endangered Bird Species

Year-round/Overlapping Nesting Seasons (7 T&E birds)

Concentrated Recovery Areas Vary Year to Year

Active Recovery Sites for Hawaiian Goose (Nene) Year 2000=1000 individuals
Critically Endangered Forest Birds

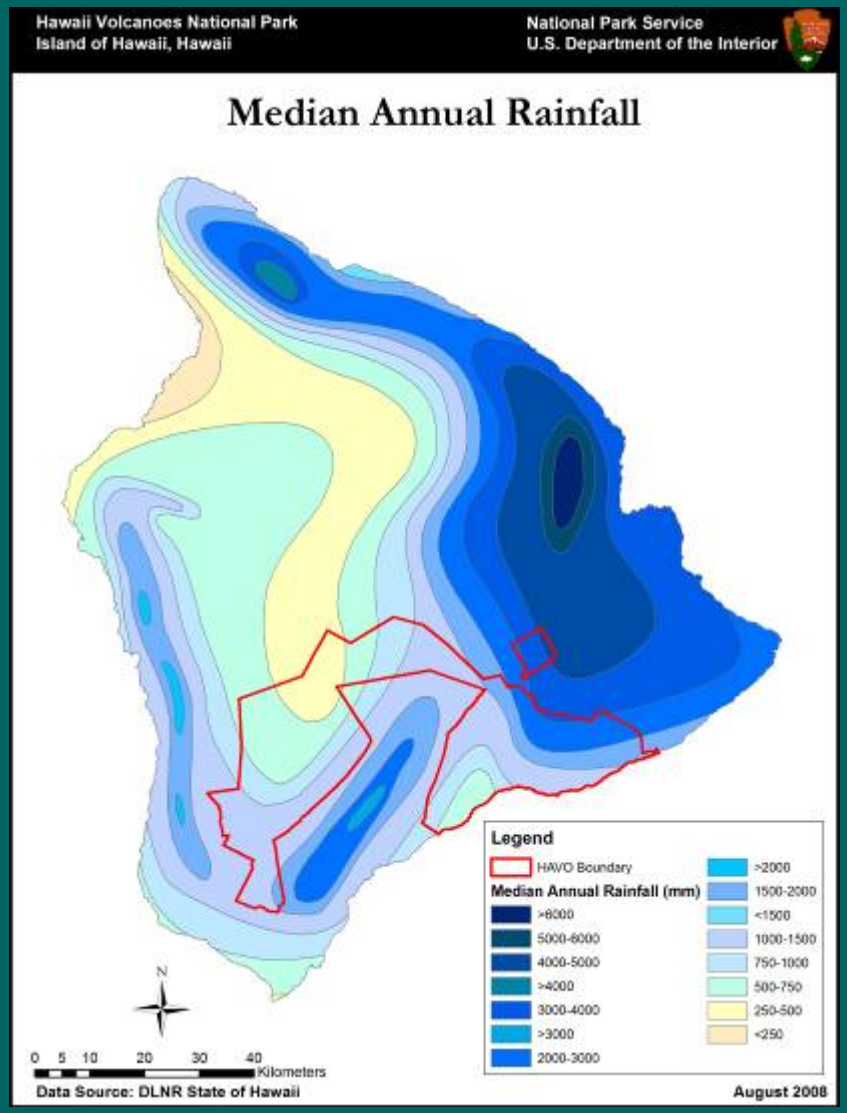
Safety

Routine Weather

- **Prevailing trade winds create constant and routine inversion.**

Altitude Deviations

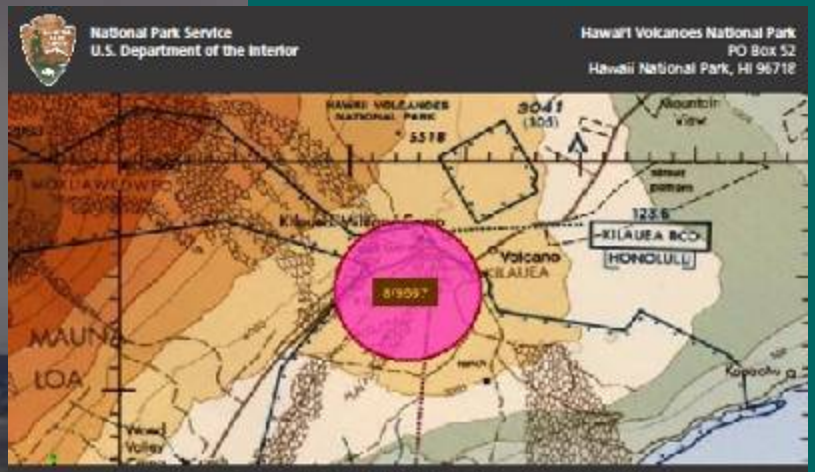
- **Hawaii FAA safety regs allow pilot discretion to drop to 200'-500' above ground level for safety reasons.**



Issues

Kīlauea and Mauna Loa are Active Volcanoes

2008 Kīlauea Summit Eruption



Kīlauea TFR (FDC 8/9697) remains in effect at Halema'uma'u Crater

Alternative Elements

- Maximum and minimum altitudes
- Caps on numbers of overflights
- Weather routes
- Competitive bidding – must bid if set caps on numbers
- Quiet Technology
- Curfews
- Reporting requirements for fee payments
- Adaptive Management
- Pilot Education

Alternative 1 No Action /IOA

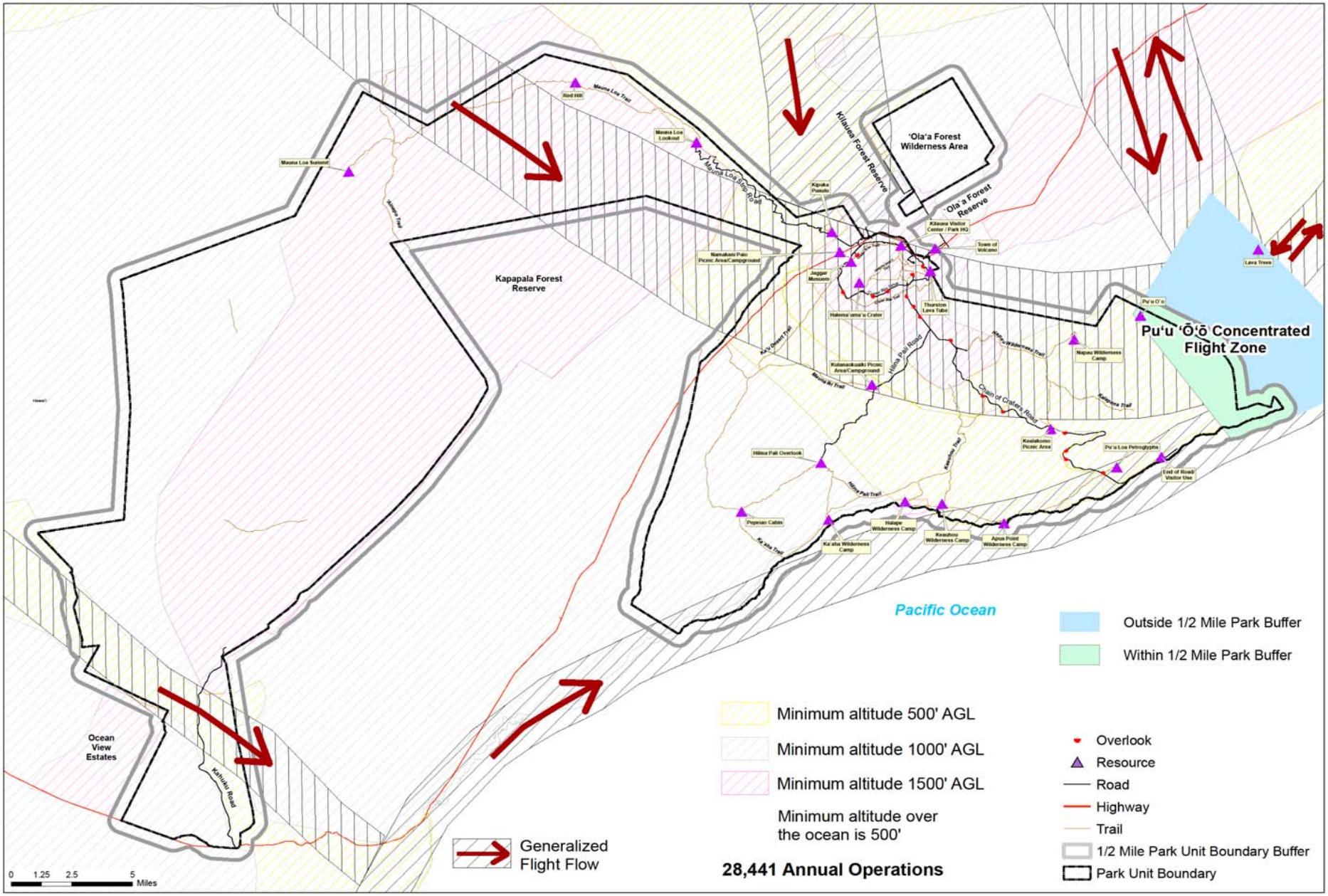
Objective: Required by NEPA CEQ

- No Action: What is legally-allowed and would continue under existing law: 28,441
- Current condition baseline: What is actually being flown? 12,000-18,000
- Routes? Kilauea TFR may be analyzed in current condition routes, otherwise no mandatory flight routes or zones.

Hawai'i Volcanoes National Park

DRAFT Alternative 1 - No Action IOA

April, 2011



Alternative 2

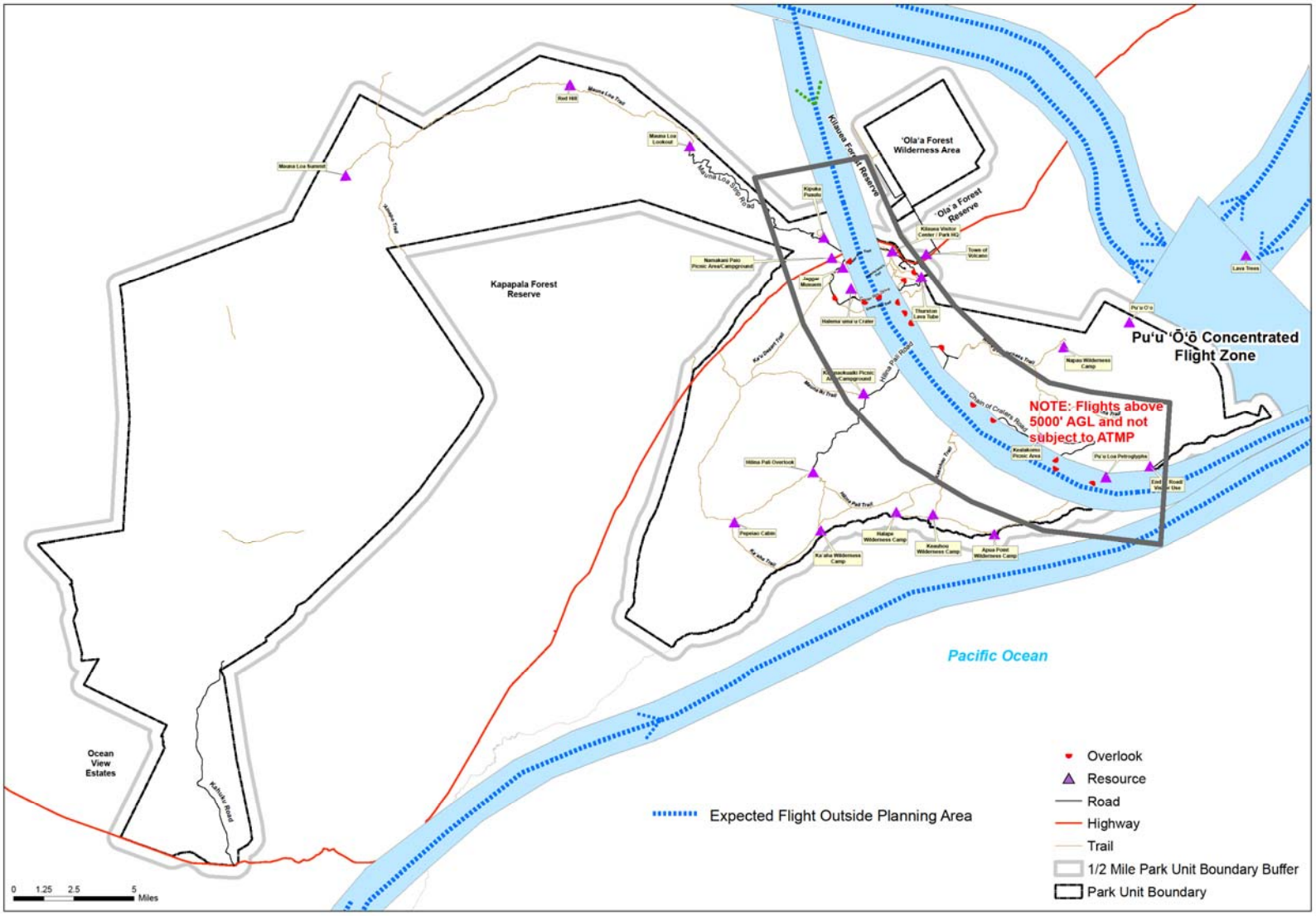
Objective: Examines impacts of no air tours in the ATMP planning area

- Greatest protection for park resources, visitors and safety
- Overflights continue outside of planning jurisdiction: ½ mile outside of park boundary; above 5,000 ft AGL if over park.
- Viewing of lava flows on Kīlauea's SE rift zone and ocean lava flows possible. Insures continued economic viability of air tour operators but may concentrate community noise issues.

Hawai'i Volcanoes National Park

DRAFT Alternative 2 - No Park Air Tours

April, 2011



Alternative 3

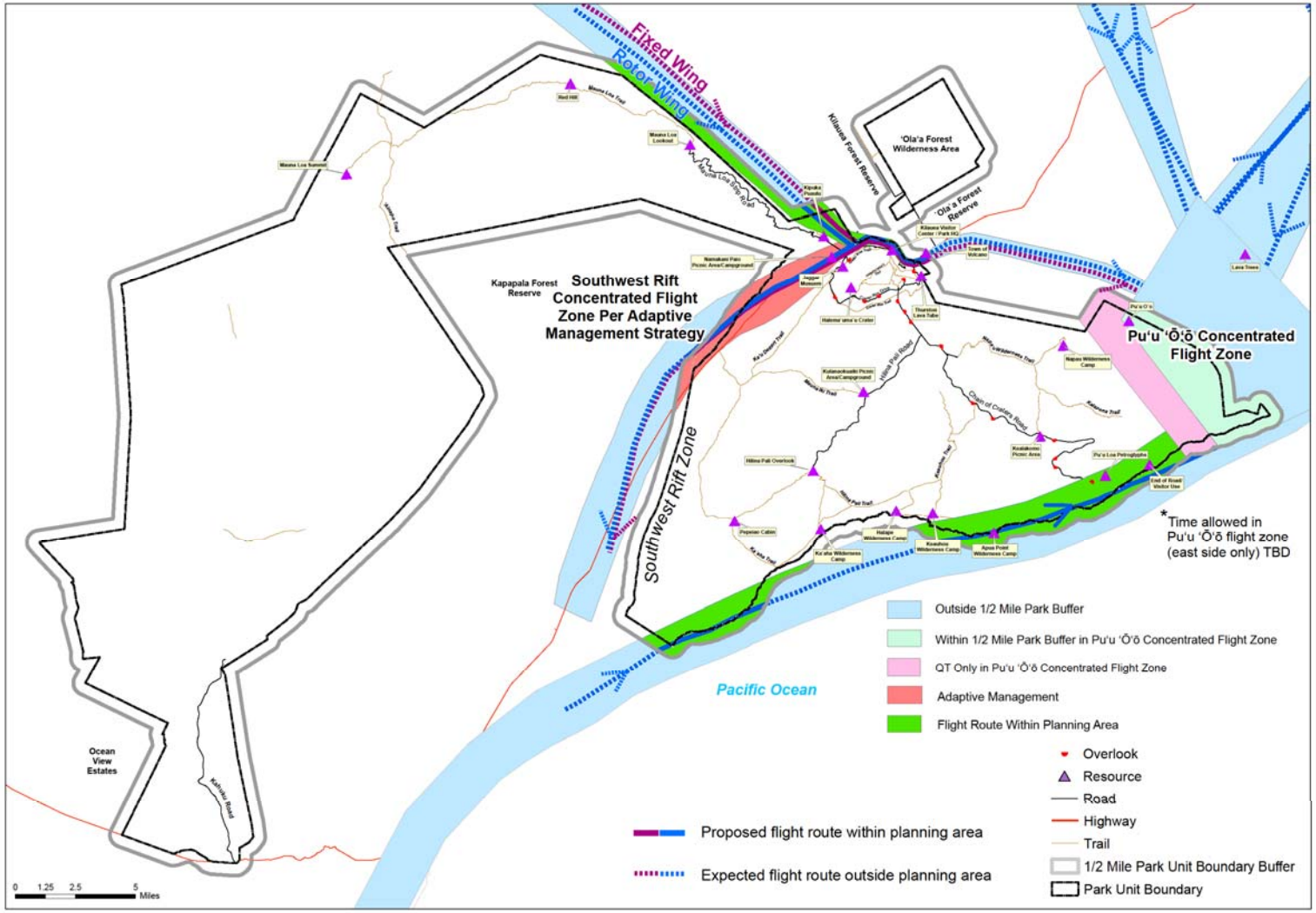
Objective: Examines impacts of providing multiple air tour access to the most volcanically active areas of the park, with mitigation and adaptive management for future change.

- Adaptive mgmt for routes and species
- Caps on numbers of flights and daily caps
- Time limit on loitering / circling
- Sunday curfews/event restrictions
- Quiet Technology: Incentives on caps, altitude, time of day, day of week subject to analysis
- Mandatory pilot education

Hawai'i Volcanoes National Park

April, 2011

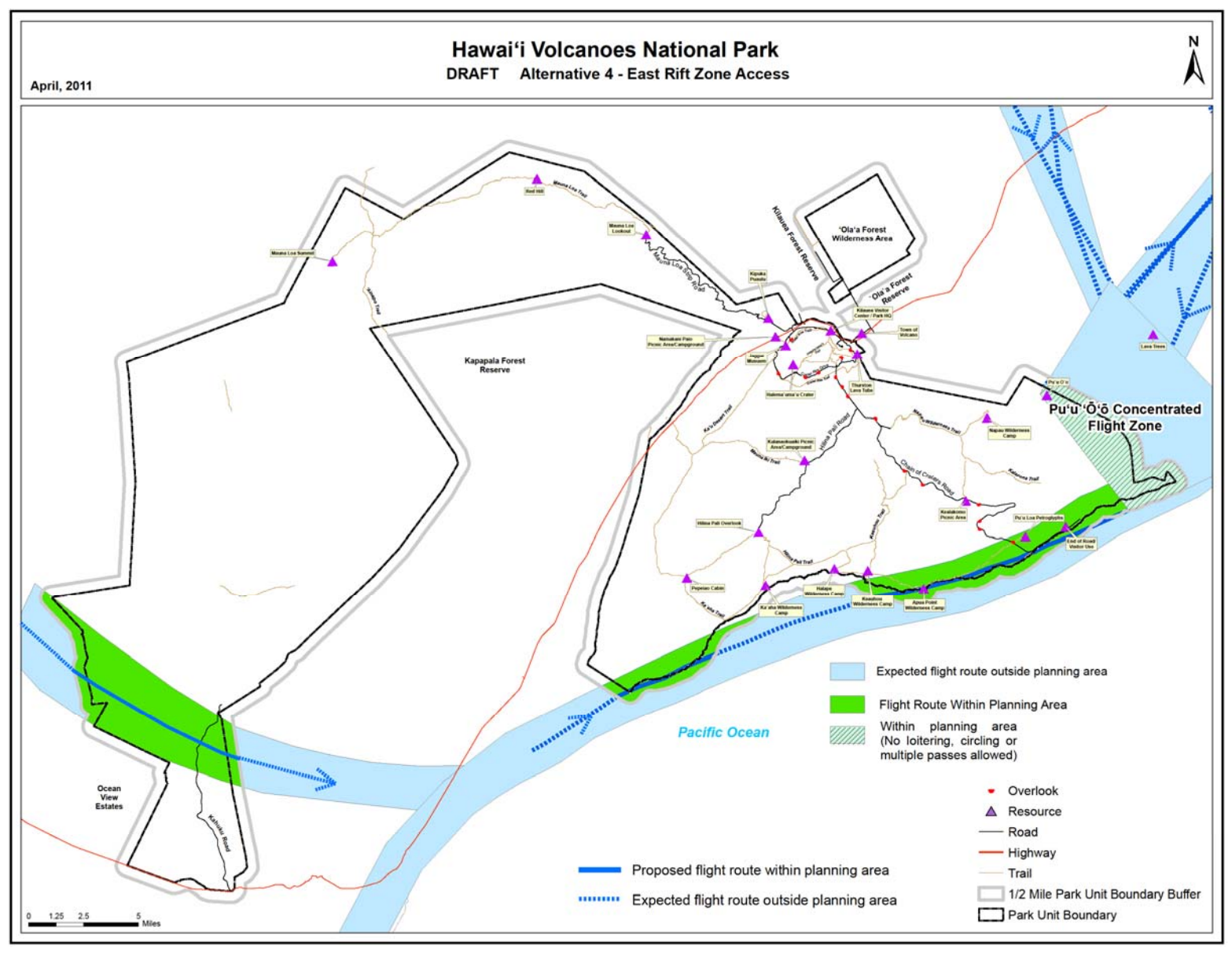
DRAFT Alternative 3 - Access to East and Southwest Rift Zones; Mitigation Measures and Adaptive Management for Southwest Rift Zone



Alternative 4

Objective: Examines impacts of providing air tour access to SE Rift zone; west side access across Kahuku. Heart of park free of air tours

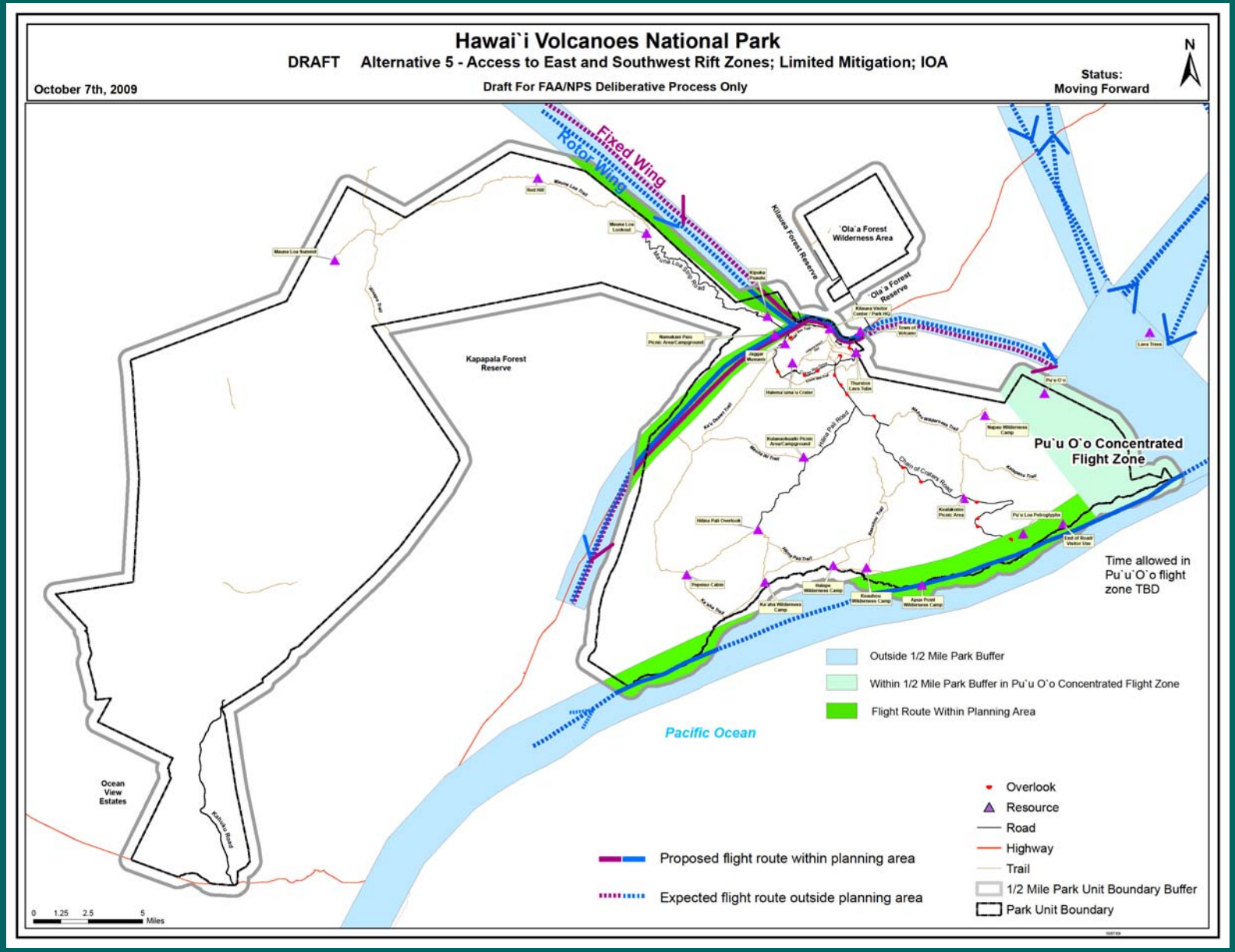
- Adaptive mgmt for routes and species
- Caps on numbers of flights and *weekly* caps
- Loitering / circling *not allowed*
- Sunday curfew and *voluntary* event restrictions (10-4pm)
- Potential quiet technology relief for time of day etc. subject to impacts analysis
- *Voluntary* pilot training/ education


Hawai'i Volcanoes National Park
DRAFT Alternative 4 - East Rift Zone Access
April, 2011
N
Kapapala Forest Reserve
Kilauea Forest Reserve
'Ola'a Forest Wilderness Area
'Ola'a Forest Reserve
Pu'u 'Ō'ō Concentrated Flight Zone
Pacific Ocean
Ocean View Estates
Expected flight route outside planning area
Flight Route Within Planning Area
Within planning area (No loitering, circling or multiple passes allowed)
Overlook
Resource
Road
Highway
Trail
1/2 Mile Park Unit Boundary Buffer
Park Unit Boundary
Proposed flight route within planning area
Expected flight route outside planning area
0 1.25 2.5 5 Miles

Alternative 5

Objective: Examines impacts of providing multiple air tour access to historically active volcanic areas of the park with no mitigations

- Adaptive mgmt for routes and species
- Caps on numbers of flights *annually but no daily or weekly caps*
- Loitering / circling restrictions TBD
- Curfews and event restrictions - *none*
- Quiet technology – *minimal incentives*
- Training, pilot education - *none*


Hawai`i Volcanoes National Park
DRAFT Alternative 5 - Access to East and Southwest Rift Zones; Limited Mitigation; IOA
October 7th, 2009
Draft For FAA/NPS Deliberative Process Only
Status:
Moving Forward
N
Fixed Wing
Rotor Wing
`Ola`a Forest Wilderness Area
Kilauea Forest Reserve
`Ola`a Forest Reserve
Kapapala Forest Reserve
Pu`u O`o Concentrated Flight Zone
Time allowed in Pu`u O`o flight zone TBD
Pacific Ocean
Ocean View Estates
Outside 1/2 Mile Park Buffer
Within 1/2 Mile Park Buffer in Pu`u O`o Concentrated Flight Zone
Flight Route Within Planning Area
Proposed flight route within planning area
Expected flight route outside planning area
Overlook
Resource
Road
Highway
Trail
1/2 Mile Park Unit Boundary Buffer
Park Unit Boundary
0 1.25 2.5 5 Miles

Next Steps

2011

- **Public Review of Preliminary Draft Alternatives**
- **Revision of Draft Alternatives**

2012

- **Impacts Analysis**
- **Draft EIS to public**

Questions??

Please let us know if you have any questions about the

National Parks Air Tour Management Act

Mahalo for your interest in the

Hawai'i Volcanoes National Park

Air Tour Management planning process