

FAA News



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FAA Issues Final Air Tour Rule To Protect the Environment of National Parks

WASHINGTON -- The U.S. Department of Transportation's Federal Aviation Administration (FAA) has issued a final rule for air tour operators that calls for development of site specific plans to protect the environment of U.S. national parks. The new rule was crafted with input from the National Park Service (NPS) and accommodates the varied interests of visitors to the parks, American Indian tribes, and local air tour operators.

"We are committed to protect our nation's natural treasures," said FAA Administrator Marion C. Blakey. "This innovative rule is responsive to the interests of all Americans and establishes safe, sound, and reasonable approaches to protect our national parks."

The National Parks Air Tour Management Act of 2000 directed the FAA, in cooperation with NPS, to establish an Air Tour Management Plan (ATMP) for any unit of the National Park System or abutting tribal lands where commercial air tour operations over the park are being conducted or planned. The act specifies that, "The objective of the ATMP is to provide acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon natural and cultural resources, visitor experiences, and tribal lands."

An ATMP will include a detailed analysis, review, and evaluation of all operators wishing to provide commercial air tours, including the performance of an environmental analysis under the National Environmental Policy Act of 1969 (NEPA). The plans may prohibit or restrict operations over a national park and may establish specific conditions, such as routes, maximum or minimum altitudes, or time of day for operations. The ATMP shall apply to all air tour operations up to one-half-mile outside the boundaries of national parks or abutting tribal lands.

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To continue air tour operations over any national park or abutting tribal lands, all existing air tour operators must submit an application for operating authority to the FAA for each national park unit by January 23, 2003. Existing operators who comply with all applicable federal requirements will be granted interim operating authority to continue air tour operations while ATMPs are under development. New entrant operators must apply for and be granted operating authority before commencing air tours over any national park or abutting tribal lands. The FAA, in cooperation with the NPS, may grant interim operating authority to new air tours to ensure competition as long as the granting of such authority will not create a safety or noise problem at the park.

Because a separate law and regulation initiated in 1996 addressed the needs of the Grand Canyon National Park, the 2000 law exempted the park from this regulation. The 2000 law also specifically excluded parks or tribal lands located in the state of Alaska. It also excluded flights conducted by a commercial air tour operator over or near the Lake Mead National Recreation Area solely as a transportation route to conduct air tours over the Grand Canyon. The 2000 law also expressly prohibited commercial air tour operations over Rocky Mountain National Park.

The regulation and an FAA Advisory Circular that provides more detailed information on the new rule are available on the FAA's ATMP website: www.atmp.faa.gov.



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