

10/24/05

Bob -

ATC's policy on overflights is contained in Chapter 4(K) of the Planning Guide. The third paragraph references ATC's policy on overflights:

"Low-level overflights, particularly repeated overflights, intrude on the quiet and solitude that have always been considered essential to the A.T. experience. Consistent with FAA recommendations for flights over national park units, a minimum floor of 2,000 feet above ground level should be required for all aircraft, including military aircraft, for the entire length of the Appalachian Trail."

However, NPS and FAA policy on overflights has advanced on several fronts since ATC policy was passed in 1989. Most of the NPS policy is a result of the National Park Air Tour Management Act of 2000. I've underlined the portions of the policy that seems particularly relevant below:

#### 8.4 Overflights and Aviation Uses

A variety of aircraft, including military, commercial, general aviation, and aircraft used for National Park Service administrative purposes, fly in the airspace over national parks. While there are many legitimate aviation uses, overflights can adversely affect park resources and values and interfere with visitor enjoyment. The Service will take all necessary steps to avoid or to mitigate adverse effects from aircraft overflights.

Because the nation's airspace is managed by the Federal Aviation Administration (FAA), the Service will work constructively and cooperatively with the FAA, as well as with national defense and other agencies, to ensure that authorized aviation activities affecting units of the national park system occur in a safe and appropriate manner, with minimal impact on park resources and values and visitor experiences. The Service will build and maintain a cooperative and problem-solving relationship with national defense agencies to address the congressionally mandated mission of each agency, and which will prevent or mitigate any adverse effects of military training or operational flights on park resources or visitors. Cooperation is essential because the other agencies involved have statutory authorities and responsibilities that must be recognized by the Service.

*(See Soundscape Management 4.9. Also see Director's Orders #47: Soundscape Preservation and Noise Management; #60: Aviation Management)*

##### 8.4.1 Alaska and Remote Areas

Aviation can provide an important, and in some cases the preferred, means of access to remote areas in certain parks, especially in Alaska. In such cases, access by aircraft may

make an important contribution to the protection and enjoyment of those areas. Dependence on aviation will be fully considered and addressed in the planning process for those parks. Alaska parks have specific regulations concerning fixed-wing aircraft, published at 36 CFR Part 13, and 43 CFR 36.11(f).

#### 8.4.2 Education

The Service will develop educational materials for the general public and for aviation interests, describing the importance of the natural soundscape and tranquility to park visitors, as well as the need for cooperation from the aviation community.

*(See Chapter 7: Interpretation and Education; Soundscape Management 4.9)*

#### 8.4.3 General Aviation

The Service will work closely with the FAA and with general aviation organizations to ensure that general aviation operations over units of the national park system are conducted in accordance with applicable FAA advisories and “fly-friendly” techniques and procedures designed to help pilots minimize impacts on national parks. The Service will seek the assistance of these organizations in problem resolution if general aviation concerns arise over national parks.

#### 8.4.4 Administrative Use

Aviation is a necessary and acceptable management tool in some parks when used in a manner consistent with the NPS mission. Aviation activities will comply with all applicable policies and regulations issued by the Department of the Interior, the FAA, and the NPS. In its administrative use of aircraft, the Service will:

Use, to the maximum extent practicable, the quietest aircraft available for its aviation operations. Limit official use of flights over parks to those needed to support or carry out emergency operations or essential management activities in cases where there are no practical alternatives or when alternative methods would be unreasonable. Full consideration will be given to safety; wilderness management implications; impacts on resources, values, or visitors; impacts on other administrative activities and overall cost-effectiveness. Plan, schedule, and consolidate flights so as to avoid or minimize adverse impacts on park resources and values and visitor enjoyment. Require other agencies that request to use aircraft within park boundaries to comply with the standards and policies applicable to NPS aircraft.

*(Also see Director’s Order #60: Aviation Management)*

#### 8.4.5 Military Aviation

The Service will work cooperatively with agencies of the Department of Defense in order to address the congressionally mandated missions of all agencies. In addition, the Service will prevent or strive to mitigate any adverse effects of overflights related to military training or operational low-level overflights on park resources, values, or

visitor experiences in national park units. Superintendents are responsible for opening lines of communication with base commanders controlling Military Training Routes or Military Operations Areas that may affect their parks, and for developing formal agreements that mitigate identified impacts.

#### 8.4.6 Commercial Air Tour Management

The National Parks Air Tour Management Act of 2000, and implementing FAA regulations, provide for a joint FAA/ NPS planning process that will lead to the management of commercial air tours over national parks by the FAA (with the exception of parks in Alaska, which are specifically excluded from the process). The NPS, as a cooperating agency, will assist the FAA in developing an air tour management plan (ATMP) for each park with existing or proposed air tours. Superintendents will work cooperatively with the FAA, air tour operators, and other stakeholders in the development of ATMPs, and will determine the nature and extent of impacts on natural and cultural resources and visitor experience opportunities inside park boundaries. The FAA, with responsibility for ensuring the safe and efficient use of the nation's airspace and for protecting the public health and welfare from aircraft noise, will implement the ATMP and regulate commercial air tours in accordance with it.

#### 8.4.7 Permitted Overflights

When issuing permits for activities such as filming or research, in which the use of aircraft is proposed, the superintendent will impose conditions to protect park resources and values from adverse impacts. Permit requests will be denied if the activity will have unacceptable impacts on a park's resources, values, or desired visitor experiences.

#### 8.4.8 Airports and Landing Sites

Private or commercial aircraft may be operated in parks only on lands or water surfaces designated by the Park Service as landing sites through special regulation. (See section 8.4.1 regarding Alaska and some remote areas.) The Service will evaluate and manage aircraft landing sites under its jurisdiction to ensure that the use of the sites will have no unacceptable impacts on park resources and values, public safety, or visitor enjoyment. Existing sites that meet these criteria and that have been designated as a result of previously established use may be retained as long as the administrative need for them continues. New sites will be designated only where essential to provide administrative access to remote areas (other than wilderness), and only where the site can be established, used, and maintained without the need for new construction or major site improvements.

The National Park Service will also work with entities having jurisdiction over landing sites and airports adjacent to parks for the purpose of preventing, reducing, or otherwise mitigating the effects of aircraft operations. Whether landing sites or airports are situated within or adjacent to parks, the objective will be to minimize noise and other impacts, and confine them to the smallest and most appropriate portion of the park as possible, consistent with safe aircraft operations.

*(Also see 36 CFR 2.17; 43 CFR 36.11(f); Reference Manual 47)*

The only other information that I can think of that might be helpful at this point is attached. In 1997, we wrote a letter expressing our concern to the state of Massachusetts when they proposed an expansion of the Harriman West Airport in North Adams, Massachusetts. Unfortunately, it was written back in the early Precambrian Era when dinosaurs ruled the earth and the NPS was still using Word Perfect, and I can't open the file. Perhaps Bob Too can open it if you can't.

Hope this helps!

Don

p.s. Is this a commercial airport or a military airport? And how close is it to the A.T.? And are there any NPS A.T. Park Office lands that might be affected?

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10/24/2005 10:45  
AM AST

To: "Don  
cc: "Carol  
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Subject: Queen City Airport

Hi Don:

Attached are Barb Wiemann's excellent minutes from the MA-RPC meeting 10/15.

Note the Airport news on p. 2. Would you and Caroline be willing to help me locate ATC policy and documentation regarding past airport issues (I recall military overflights, airport beacons in Massachusetts, etc).

Do any past TLC issue papers come to mind?

Thanks.

Bob