



Highlights of [GAO-06-263](#), a report to congressional requesters

NATIONAL PARKS AIR TOUR MANAGEMENT ACT

More Flexibility and Better Enforcement Needed

Why GAO Did This Study

Primarily because of concerns that noise from air tours over national parks could impair visitors' experiences and park resources, Congress passed the National Parks Air Tour Management Act of 2000 to regulate air tours. The act requires the Federal Aviation Administration (FAA) and the National Park Service to develop air tour management plans for all parks where air tour operators apply to conduct tours. A plan may establish controls over tours, such as routes, altitudes, time of day restrictions, and/or a maximum number of flights for a given period; or ban all air tours.

GAO was asked to (1) determine the status of FAA and the Park Service's implementation of the act; (2) assess how the air tour operators and national parks have been affected by implementation; and (3) identify what issues, if any, need to be addressed to improve implementation.

What GAO Recommends

To allow more cost-effective implementation, Congress may wish to consider amending the act to give the agencies authority to determine which parks should develop plans. GAO also recommends that FAA take several actions to improve compliance, enforcement, and implementation.

In commenting on the draft report, the Departments of Transportation and the Interior generally agreed with our recommendations.

www.gao.gov/cgi-bin/getrpt?GAO-06-263.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Robin M. Nazzaro at (202) 512-3841 or nazzaror@gao.gov.

What GAO Found

FAA and the Park Service have taken some steps to implement the National Parks Air Tour Management Act, but almost 6 years after its passage, the required air tour management plans have not been completed. FAA issued regulations implementing the act and the agencies began developing plans at nine parks. But implementation has been slow, in part, because FAA needed to address airline security after the September 11, 2001, attacks and because the two agencies disagreed over how to comply with environmental laws. Agency officials expect that future plans will be developed more quickly since they have drafted an implementation plan to guide their development. Nevertheless, because no plans have been completed, it is unclear how some of the act's key requirements will be addressed, such as creating incentives for air tour operators to adopt quiet aircraft technology.

FAA and the Park Service's slow implementation of the act has limited the ability of air tour operators to make major decisions, such as expanding or selling their businesses, while it has had little effect on the parks. For example, operators have been unable to increase their number of air tours beyond their pre-2000 levels or expand to additional parks. Also, air tour operators face uncertainty about whether they can legally transfer their authority to conduct air tours. In contrast, the implementation of the act has so far had little effect on the 112 national parks we surveyed. Most of the parks responded that they had not experienced any positive or negative effect of the implementation of the act, or that they were uncertain or did not know the extent of the effect. Nonetheless, 47 percent responded that their park could benefit by having a plan to mitigate or prevent potential adverse impacts on park resources, visitor experiences, and air safety.

GAO identified four key issues that need to be addressed to improve implementation of the act:

- *Lack of flexibility for determining which parks should develop plans.* Not all parks required to develop a plan may need one because they have few air tours or are more affected by other types of flights. Yet, the act does not provide the agencies with any flexibility to exclude some parks.
- *Absence of Park Service funding for its share of plan development costs.* The Park Service has not requested nor received funding for its share of the costs of developing plans.
- *Limited ability to verify and enforce the number of air tours.* Air tour operators are not required to report the number of tours they conduct. As a result, the agencies are limited in their ability to enforce the act. Based on information provided by operators, GAO found some operators had inappropriately exceeded their number of authorized tours.
- *FAA's inadequate guidance concerning the act's safety requirements.* FAA has not instructed its district offices or air tour operators on how to interpret the act's requirement that operators meet a specified level of safety certification.