

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

N 8900.312

National Policy

Effective Date:
7/27/15

Cancellation Date:
7/27/16

SUBJ: OpSpec/LOA B057, National Parks Air Tour Management Operations Under 14 CFR Part 136

1. Purpose of This Notice. This notice provides revised guidance for Federal Aviation Administration (FAA) certificate-holding district offices (CHDO) and principal operations inspectors (POI) assigned to operators conducting air tour operations under Title 14 of the Code of Federal Regulations (14 CFR) part 136. This notice amends all B057 templates (i.e., operations specification (OpSpec)/letter of authorization (LOA) B057) for operators conducting air tour operations under 14 CFR parts 91, 121, 121/135, and 135. This is a mandatory change to OpSpec/LOA B057.

2. Audience. The primary audience for this notice is FAA CHDOs and POIs assigned to operators conducting air tour operations under parts 91, 121, 121/135, and 135. The secondary audience includes Flight Standards divisions and branches in the regions and in headquarters (HQ).

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee Web site at https://employees.faa.gov/tools_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Operators can find this notice on the FAA's Web site at <http://fsims.faa.gov>. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

4. Background. This change is being made to include the requirement and instructions for reporting air tour data on a quarterly basis for all operators conducting air tours over national parks, except for exempt parks. For exempt parks, operators are required to report only on an annual basis. The basis of this reporting requirement is the Federal Aviation Modernization and Reauthorization Act of 2012, Public Law (PL) 112–95 Stat. 103, Section 501(e).

5. Guidance. The Air Transportation Division (AFS-200), in cooperation with the FAA Air Tour Management Program Office (AWP-1SP), and industry members of the Operations Specifications Working Group (OSWG), developed this notice. This notice contains the following:

- The sample OpSpec B057 template in Appendix A applies to part 121.
- The sample OpSpec B057 template in Appendix B applies to part 121/135.

Distribution: Electronic Only

Initiated By: AFS-200

- The sample OpSpec B057 template in Appendix C applies to part 135.
- The sample LOA B057 template in Appendix D applies to part 91.

6. Action. This action is mandatory, with a compliance date of 30 days from the date of this notice. POIs should review the revised guidance for issuance of OpSpec/LOA B057. POIs should provide this notice to the operators for whom they are responsible, alerting them to updated operating procedures. POIs will enter “B057” into the Program Tracking and Reporting Subsystem (PTRS) “National Use” field when they have complied with the notice. POIs are also reminded that anytime an air tour authorization is issued or modified, the issuing Flight Standards District Office (FSDO)/CHDO will provide a signed copy of this authorization to AWP-1SP, within 5 business days of issuance, for further distribution to all applicable FAA and National Park Service (NPS) stakeholders. The “Air Tour Operators Report Template_20121218Final.xls” and guidance to be used for reporting and submitting air tour activity data may be downloaded from either of the following sites:

- https://www.faa.gov/about/office_org/headquarters_offices/arc/programs/air_tour_management_plan/program_information.
- <http://www.nature.nps.gov/sound/resources.cfm>.

7. Disposition. We will incorporate the information in this notice into FAA Order 8900.1 before this notice expires. Direct questions concerning the information in this notice to the Part 135 Air Carrier Operations Branch (AFS-250) at 202-267-8166.

ORIGINAL SIGNED by

/s/ John Barbagallo
Deputy Director, Flight Standards Service

**Appendix A. Sample OpSpec Paragraph B057, National Parks Air Tour
Management Operations Under 14 CFR Part 136: 14 CFR Part 121**

- a. The certificate holder is authorized to conduct commercial air tour operations, as defined in 14 CFR part 136, § 136.3, below 5,000 feet above ground level (AGL) and over or within ½ nautical mile (NM) of the following national park unit(s) and/or abutting tribal land(s), in accordance with part 136 and the conditions, limitations, and provisions in this operations specification.
- b. The certificate holder must not exceed the annual number of commercial air tour operations, as authorized by its interim operating authority (IOA), for each national park unit and/or tribal land listed in Table 1.

Table 1 – Authorized Commercial Air Tour Operations

National Park Unit/ Tribal Land Name	Max. # Air Tour Operations/Year Authorized Under IOA	Limitations and Provisions
Example: Glen Canyon National Recreation Area (GLCA)	Example: 10,000	Example: Air tour flights limited to EC-130 type aircraft and no air tour flight may be conducted after sunset over or within ½ NM of an NPS park unit. (Note: These limitations are very rare for existing operators with IOA.)

NOTES:

1. A (T) following the park unit name indicates that tribal lands are within or abutting the national park.
 2. Commercial air tour operators that are conducting commercial air tour flights for the first time under an Air Tour Management Plan (ATMP) or Voluntary Agreement (VA) will not reflect any IOA in Table 1.
- c. The IOA authorized by this operations specification authorizes the certificate holder to conduct air tour operations over the national park unit(s) and/or abutting tribal land(s) listed in Table 1 for not more than 180 days after issuance of an ATMP nor beyond 90 days after the effective date of a VA as listed in Table 2 below.
- d. As of the effective date of the ATMP (on or before 180 days after the ATMP has been signed) or VA (on or before 90 days after the VA has been signed) listed in Table 2, the certificate holder is authorized to conduct air tour operations in accordance with the provisions, conditions, and limitations outlined in the certificate holder's ATMP/VA. If a VA is canceled in writing by the FAA, the National Park Service (NPS), or the certificate holder, the certificate holder must, within 90 days, resume operations under the original terms and conditions of its IOA that were in effect prior to entering into a VA, as listed in Table 1, unless otherwise revoked by the FAA.

Table 2 – Authorized Air Tour Management Plans or Voluntary Agreements

National Park Unit/ Tribal Land Name	Max. # Air Tour Operations/Year	This operator is subject to the additional authorizations, conditions, and limitations referenced in ATMP# or VA# below:	Effective Date of the ATMP or VA (Date operator must comply with the ATMP/VA)
Ex: Glen Canyon National Recreation Area (GLCA)	Ex: 15,000	Ex: AWP-VA-GCRA-001	Ex: 10/15/2013
Ex: Jefferson National Expansion Memorial, St. Louis, MO (JEFF)	Ex: 15,000	Ex: ACE-ATMP-JEFF-001	Ex: 10/30/2014

NOTE: The FAA AWP-1SP ATMP Program Office must maintain the original signed ATMP or VA. AWP-1SP will provide copies of the ATMP or VA to the air tour operator, POI/FSDO, Geographic FSDO having remote air tour oversight, the NPS park unit superintendent, and the NPS Natural Sounds and Night Skies Division.

- e. The operations specification authorizing IOA, ATMP, or VA is not a property interest of the certificate holder and may not be purchased or sold between certificate holders or operators. Rather, it is an operating privilege that can be modified or revoked by the FAA. Upon revocation, any new application for authority by the certificate holder, operator, or principal owner of a revoked air tour operation will be treated like a new entrant application.
- f. Anytime this authorization is issued or modified, the issuing Flight Standards District Office (FSDO)/certificate-holding district office (CHDO) will provide a signed copy of this authorization to the FAA Air Tour Management Program Office (AWP-1SP), within five (5) business days of issuance, for further distribution to all applicable FAA and NPS stakeholders.
- g. Except for air tour operations over exempt parks, the certificate holder must complete the Commercial Air Tour Reporting Data spreadsheet (OMB Control Number 2120-0750) in its entirety and submit it quarterly, within 30 days after the close of the calendar quarter. For air tour operations over exempt parks, the certificate holder need only report the number of flights conducted at the park during the calendar year and does not need to use the reporting template. Annual reports are due 30 days after the end of the calendar year.

Appendix B. Sample OpSpec Paragraph B057, National Parks Air Tour Management Operations Under 14 CFR Part 136: 14 CFR Part 121/135

- a. The certificate holder is authorized to conduct commercial air tour operations, as defined in 14 CFR part 136, § 136.3, below 5,000 feet above ground level (AGL) and over or within ½ nautical mile (NM) of the following national park unit(s) and/or abutting tribal land(s), in accordance with part 136 and the conditions, limitations, and provisions in this operations specification.
- b. The certificate holder must not exceed the annual number of commercial air tour operations, as authorized by its interim operating authority (IOA), for each national park unit and/or tribal land listed in Table 1:

Table 1 – Authorized Commercial Air Tour Operations

National Park Unit/ Tribal Land Name	Max. # Air Tour Operations/Year Authorized Under IOA	Limitations and Provisions
Example: Glen Canyon National Recreation Area (GLCA)	Example: 10,000	Example: Air tour flights limited to EC-130 type aircraft and no air tour flight may be conducted after sunset over or within ½ NM of an NPS park unit. (Note: These limitations are very rare for existing operators with IOA.)

NOTES:

1. A (T) following the park unit name indicates that tribal lands are within or abutting the national park.
 2. Commercial air tour operators that are conducting commercial air tour flights for the first time under an Air Tour Management Plan (ATMP) or Voluntary Agreement (VA) will not reflect any IOA in Table 1.
- c. The IOA authorized by this operations specification authorizes the certificate holder to conduct air tour operations over the national park unit(s) and/or abutting tribal land(s) listed in Table 1 for not more than 180 days after issuance of an ATMP nor beyond 90 days after the effective date of a VA listed in Table 2 below.
- d. As of the effective date of the ATMP (on or before 180 days after the ATMP has been signed) or VA (on or before 90 days after the VA has been signed) listed in Table 2, the certificate holder is authorized to conduct air tour operations in accordance with the provisions, conditions, and limitations outlined in the certificate holder's ATMP/VA. If a VA is canceled in writing by the FAA, the National Park Service (NPS), or the certificate holder, the certificate holder must, within 90 days, resume operations under the original terms and conditions of its IOA that were in effect prior to entering into a VA, as listed in Table 1, unless otherwise revoked by the FAA.

Table 2 – Authorized Air Tour Management Plans or Voluntary Agreements

National Park Unit/ Tribal Land Name	Max. # Air Tour Operations/Year	This operator is subject to the additional authorizations, conditions, and limitations referenced in ATMP# or VA# below:	Effective Date of the ATMP or VA (Date operator must comply with the ATMP/VA)
Ex: Glen Canyon National Recreation Area (GLCA)	Ex: 15,000	Ex: AWP-VA-GCRA-001	Ex: 10/15/2013
Ex: Jefferson National Expansion Memorial, St. Louis, MO (JEFF)	Ex: 15,000	Ex: ACE-ATMP-JEFF-001	Ex: 10/30/2014

NOTE: The FAA AWP-1SP ATMP Program Office must maintain the original signed ATMP or VA. AWP-1SP will provide copies of the ATMP or VA to the air tour operator, POI/FSDO, Geographic FSDO having remote air tour oversight, the NPS park unit superintendent, and the NPS Natural Sounds and Night Skies Division.

- e. The operations specification authorizing IOA, ATMP, or VA is not a property interest of the certificate holder and may not be purchased or sold between certificate holders or operators. Rather, it is an operating privilege that can be modified or revoked by the FAA. Upon revocation, any new application for authority by the certificate holder, operator, or principal owner of a revoked air tour operation will be treated like a new entrant application.
- f. Anytime this authorization is issued or modified, the issuing Flight Standards District Office (FSDO)/certificate-holding district office (CHDO) will provide a signed copy of this authorization to the FAA Air Tour Management Program Office (AWP-1SP), within five (5) business days of issuance, for further distribution to all applicable FAA and NPS stakeholders.
- g. Except for air tour operations over exempt parks, the certificate holder must complete the Commercial Air Tour Reporting Data spreadsheet (OMB Control Number 2120-0750) in its entirety and submit it quarterly, within 30 days after the close of the calendar quarter. For air tour operations over exempt parks, the certificate holder need only report the number of flights conducted at the park during the calendar year and does not need to use the reporting template. Annual reports are due 30 days after the end of the calendar year.

**Appendix C. Sample OpSpec Paragraph B057, National Parks Air Tour
Management Operations Under 14 CFR Part 136: 14 CFR Part 135**

- a. The certificate holder is authorized to conduct commercial air tour operations, as defined in 14 CFR part 136, § 136.3, below 5,000 feet above ground level (AGL) and over or within ½ nautical mile (NM) of the following national park unit(s) and/or abutting tribal land(s), in accordance with part 136 and the conditions, limitations, and provisions in this operations specification.
- b. The certificate holder must not exceed the annual number of commercial air tour operations, as authorized by its interim operating authority (IOA), for each national park unit and/or tribal land listed in Table 1.

Table 1 – Authorized Commercial Air Tour Operations

National Park Unit/ Tribal Land Name	Max. # Air Tour Operations/Year Authorized Under IOA	Limitations and Provisions
Example: Glen Canyon National Recreation Area (GLCA)	Example: 10,000	Example: Air tour flights limited to EC-130 type aircraft and no air tour flight may be conducted after sunset over or within ½ NM of an NPS park unit. (Note: These limitations are very rare for existing operators with IOA.)

NOTES:

1. A (T) following the park unit name indicates that tribal lands are within or abutting the national park.
 2. Commercial air tour operators that are conducting commercial air tour flights for the first time under an Air Tour Management Plan (ATMP) or Voluntary Agreement (VA) will not reflect any IOA in Table 1.
- c. The IOA authorized by this operations specification authorizes the certificate holder to conduct air tour operations over the national park unit(s) and/or abutting tribal land(s) listed in Table 1 for not more than 180 days after issuance of an ATMP nor beyond 90 days after the effective date of a VA as listed in Table 2 below.
- d. As of the effective date of the ATMP (on or before 180 days after the ATMP has been signed) or VA (on or before 90 days after the VA has been signed) listed in Table 2, the certificate holder is authorized to conduct air tour operations in accordance with the provisions, conditions, and limitations outlined in the certificate holder's ATMP/VA. If a VA is canceled in writing by the FAA, the National Park Service (NPS), or the certificate holder, the certificate holder must, within 90 days, resume operations under the original terms and conditions of its IOA that were in effect prior to entering into a VA, as listed in Table 1, unless otherwise revoked by the FAA.

Table 2 – Authorized Air Tour Management Plans or Voluntary Agreements

National Park Unit/ Tribal Land Name	Max. # Air Tour Operations/Year	This operator is subject to the additional authorizations, conditions, and limitations referenced in ATMP# or VA# below:	Effective Date of the ATMP or VA (Date operator must comply with the ATMP/VA)
Ex: Glen Canyon National Recreation Area (GLCA)	Ex: 15,000	Ex: AWP-VA-GCRA-001	Ex: 10/15/2013
Ex: Jefferson National Expansion Memorial, St. Louis, MO (JEFF)	Ex: 15,000	Ex: ACE-ATMP-JEFF-001	Ex: 10/30/2014

NOTE: The FAA AWP-1SP ATMP Program Office must maintain the original signed ATMP or VA. AWP-1SP will provide copies of the ATMP or VA to the air tour operator, POI/FSDO, Geographic FSDO having remote air tour oversight, the NPS park unit superintendent, and the NPS Natural Sounds and Night Skies Division.

- e. The operations specification authorizing IOA, ATMP, or VA is not a property interest of the certificate holder and may not be purchased or sold between certificate holders or operators. Rather, it is an operating privilege that can be modified or revoked by the FAA. Upon revocation, any new application for authority by the certificate holder, operator, or principal owner of a revoked air tour operation will be treated like a new entrant application.
- f. Anytime this authorization is issued or modified, the issuing Flight Standards District Office (FSDO)/certificate-holding district office (CHDO) will provide a signed copy of this authorization to the FAA Air Tour Management Program Office (AWP-1SP), within five (5) business days of issuance, for further distribution to all applicable FAA and NPS stakeholders.
- g. Except for air tour operations over exempt parks, the certificate holder must complete the Commercial Air Tour Reporting Data spreadsheet (OMB Control Number 2120-0750) in its entirety and submit it quarterly, within 30 days after the close of the calendar quarter. For air tour operations over exempt parks, the certificate holder need only report the number of flights conducted at the park during the calendar year and does not need to use the reporting template. Annual reports are due 30 days after the end of the calendar year.

Appendix D. Sample LOA B057, National Parks Air Tour Management Operations Under 14 CFR Part 136: 14 CFR Part 91

1. The operator listed at the bottom of this letter of authorization (LOA) is authorized to conduct commercial air tour operations, as defined in 14 CFR part 136, § 136.3, below 5,000 feet above ground level (AGL) and over or within ½ nautical mile (NM) of the following national park unit(s) and/or abutting tribal land(s), in accordance with part 136 and the conditions, limitations, and provisions of this LOA.

2. The operator must not exceed the annual number of commercial air tour operations, as authorized by its interim operating authority (IOA), for each national park unit and/or tribal land listed in Table 1.

Table 1 – Authorized Commercial Air Tour Operations

National Park Unit/ Tribal Land Name	Max. # Air Tour Operations/Year Authorized Under IOA	Limitations and Provisions
Example: Glen Canyon National Recreation Area (GLCA)	Example: 10,000	Example: Air tour flights limited to EC-130 type aircraft and no air tour flight may be conducted after sunset over or within ½ NM of an NPS park unit. (Note: These limitations are very rare for existing operators with IOA.)

NOTES:

1. A (T) following the park unit name indicates that tribal lands are within or abutting the national park.
2. Commercial air tour operators that are conducting commercial air tour flights for the first time under an Air Tour Management Plan (ATMP) or Voluntary Agreement (VA) will not reflect any IOA in Table 1.

3. The IOA authorized by this LOA authorizes the operator to conduct air tour operations over the national park unit(s) and/or abutting tribal land(s) listed in Table 1, for not more than 180 days after issuance of an ATMP nor beyond 90 days after the effective date of a VA listed in Table 2 below.

4. As of the effective date of the ATMP (on or before 180 days after the ATMP has been signed) or VA (on or before 90 days after the VA has been signed) listed in Table 2, the operator is authorized to conduct air tour operations in accordance with the provisions, conditions, and limitations outlined in the operator’s ATMP/VA. If a VA is canceled in writing by the FAA, the National Park Service (NPS), or the operator, the operator must, within 90 days, resume operations under the original terms and conditions of its IOA that were in effect prior to entering into a VA, as listed in Table 1, unless otherwise revoked by the FAA.

Table 2 – Authorized Air Tour Management Plans or Voluntary Agreements

National Park Unit/ Tribal Land Name	Max. # Air Tour Operations/Year	This operator is subject to the additional authorizations, conditions, and limitations referenced in ATMP# or VA# below:	Effective Date of the ATMP or VA (Date operator must comply with the ATMP/VA)
Ex: Glen Canyon National Recreation Area (GLCA)	Ex: 15,000	Ex: AWP-VA-GCRA-001	Ex: 10/15/2013
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NOTE: The FAA AWP-1SP ATMP Program Office must maintain the original signed ATMP or VA. AWP-1SP will provide copies of the ATMP or VA to the air tour operator, POI/FSDO, Geographic FSDO having remote air tour oversight, the NPS park unit superintendent, and the NPS Natural Sounds and Night Skies Division.

5. The LOA authorizing IOA, ATMP, or VA is not a property interest of the operator and may not be purchased or sold between operators. Rather, it is an operating privilege that can be modified or revoked by the FAA. Upon revocation, any new application for authority by the operator or principal owner of a revoked air tour operation will be treated like a new entrant application.
6. Anytime this authorization is issued or modified, the issuing Flight Standards District Office (FSDO)/certificate-holding district office (CHDO) will provide a signed copy of this authorization to the FAA Air Tour Management Program Office (AWP-1SP), within five (5) business days of issuance, for further distribution to all applicable FAA and NPS stakeholders.
7. Except for air tour operations over exempt parks, the certificate holder must complete the Commercial Air Tour Reporting Data spreadsheet (OMB Control Number 2120-0750) in its entirety and submit it quarterly, within 30 days after the close of the calendar quarter. For air tour operations over exempt parks, the certificate holder need only report the number of flights conducted at the park during the calendar year and does not need to use the reporting template. Annual reports are due 30 days after the end of the calendar year.