



NATIONAL AIR  
TRANSPORTATION  
ASSOCIATION

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June 7, 2001

U. S. Department of Transportation  
Docket Management System  
Docket No. FAA-2001-8690  
400 Seventh Street, SW  
Room PL401  
Washington, DC 20590

FAA-01-8690-43

**RE: DOCKET NO. FAA-2001-8690; 14 CFR PART 136 NATIONAL PARKS AIR  
TOUR MANAGEMENT PROPOSED RULE**

The National Air Transportation Association (NATA) represents the interests of aviation service businesses nationwide, including companies providing on-demand air charter services under 14 CFR Part 135. Several NATA members conduct aerial tours over scenic areas including national parks, providing thousands of people the opportunity to view our national parks from the unique perspective that only an aircraft can offer.

As an active partner in the effort to reach a compromise over noise-related issues, and so that all park visitors can enjoy their sightseeing experience, NATA participated in the National Parks Overflights Working Group (NPOWG). During the NPOWG process, a trigger altitude standard was discussed as part of the overall definition of a commercial air tour operation. However, Congress did not designate a specific altitude in the National Parks Air Tour Management Act of 2000.

While the current proposal to establish 5,000 ft. above ground level (AGL) as the trigger altitude is consistent with the NPOWG recommendations, NATA urges the FAA to adopt a 3,000 ft. AGL standard. Adopting a 3,000 ft. standard will allow for greater ease in understanding the applicability of Part 136 by the general aviation community as 3,000 ft. is already well known to pilots as the beginning of VFR cruising altitudes.

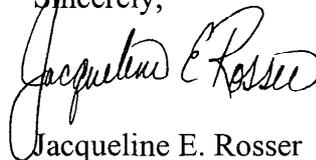
As noted in the proposed rulemaking, adoption of this altitude will complete the definition of a commercial air tour operation. It is important to note that this altitude does not restrict air tour operations over national parks and abutting tribal lands. Rather, it is utilized as part of the commercial air tour operation definition to identify those flights that may trigger development of an Air Tour Management Plan (ATMP) as well as subjecting an operator to the regulations within the proposed Part 136.

The trigger altitude is only one of several criteria to determine whether an operation is a commercial tour. Therefore the impact of adopting a trigger altitude of 3,000 ft. would not significantly alter the applicability of the regulation.

The benefits of this altitude are greater awareness and reduced confusion within the aviation community, regulatory consistency, and better identification of the specific air tour operations Part 136 is intended to address.

The Association appreciates the opportunity to comment on this rulemaking and is available to work with the Agency as it begins the ATMP process.

Sincerely,

A handwritten signature in black ink that reads "Jacqueline E. Rosser". The signature is written in a cursive style with a large initial "J".

Jacqueline E. Rosser  
Manager, Flight Operations