

APPENDIX J

Interagency Airspace Agreement Regarding 2000' Advisory

Interagency Agreement
between
National Park Service,
Fish and Wildlife Service,
Bureau of Land Management,
and Federal Aviation Administration

This interagency agreement is among and between the National Park Service of the Department of the Interior (NPS), the Fish and Wildlife Service of the Department of the Interior (FWS), the Bureau of Land Management of the Department of the Interior (BLM), and the Federal Aviation Administration of the Department of Transportation (FAA).

WHEREAS, it is the purpose of the NPS to administer Federal parks, monuments, and reservations, to conserve the scenery, the natural and historic objects, and the wildlife therein, and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations as provided for in the Act of August 25, 1916 (16 U.S.C. Section 1 et seq.)

WHEREAS, it is the purpose of the FWS to operate and maintain certain Federal lands for the betterment of fish and wildlife resources, and for fish and wildlife research and fish culture, as provided for in the National Wildlife Refuge System Administration Act (16 U.S.C. Section 661 et seq.), and the Fish and Wildlife Act of 1956 (16 U.S.C. Section 742a et seq.).

WHEREAS, it is the purpose of the BLM to administer designated wilderness areas for the permanent good of the whole people, and for other purposes, as part of the National Wilderness Preservation System, as provided for in the Wilderness Act of September 3, 1964 (16 U.S.C. Section 1121, 1131-1136), and the Federal Land Policy and Management Act of 1976 (43 U.S.C. Section 1701).

WHEREAS, it is the function of the FAA to manage the safe and efficient use of the navigable airspace of the United States, as provided for in the Federal Aviation Act of 1958 (49 U.S.C. app. Section 1301 et seq.)

WHEREAS, the NPS, FWS, and BLM manage lands for the purposes of wilderness preservation, protecting natural, cultural, and wildlife resources, and for promotion of the public enjoyment and use of these resources.

WHEREAS, the FAA, recognizing the values for which NPS, FWS and BLM lands are managed, has established 2,000 feet above ground level (AGL) as the requested minimum altitude for aircraft flying in airspace over lands administered by the NPS, FWS and BLM.

WHEREAS, the auditory and visual intrusion of aircraft flying at low altitudes is the source of public complaint in certain areas administered by the NPS, FWS, and BLM.

WHEREAS, aircraft flying at low altitudes may pose a potential hazard to wildlife in certain areas administered by the NPS, FWS, and BLM.

WHEREAS, aircraft flying at low altitudes over large concentrations of migratory birds may pose a potential safety hazard to pilots and passengers in certain areas administered by the NPS, FWS, and BLM.

WHEREAS, the FAA, NPS, FWS, AND BLM, while recognizing the public freedom of transit of the navigable airspace, desire to act in cooperation to reduce the incidence of low-flying aircraft, including fixed-wing aircraft, helicopters, ultralight vehicles, balloons, and gliders over NPS, FWS, and BLM administered land by seeking voluntary cooperation with the 2,000 feet AGL minimum altitude advisory.

NOW THEREFORE:

I. The NPS, FWS, and BLM agree:

- A. To identify specific field units where low-flying aircraft may constitute an adverse impact on resources and to convey specific information to the FAA for appropriate action as described in this agreement.
- B. To develop and implement a standardized reporting system acceptable to the FAA to document instances of low-flying aircraft over NPS, FWS, or BLM administered lands. This reporting system will provide for transmittal of such documentation in a timely manner to the appropriate FAA Flight Standards District Office.
- C. To develop training programs and instructional materials for NPS, FWS, and BLM field personnel to enable them to recognize and report instances of low-flying aircraft in a competent and professional manner. The appropriate training programs of the NPS, FWS, and BLM will expand to incorporate this subject matter into in-service training requirements. All agencies will seek the assistance of FAA to help develop training curriculums.

- D. To make personnel available from the respective agencies to meet with the FAA and affected pilots to discuss resources management objectives and issues associated with low-flying aircraft quarterly.

II. The FAA agrees:

- A. To communicate to pilots the concerns and objectives of the NPS, FWS, and BLM about low-flying aircraft in specified areas, using advisories, bulletins, the FAA publication FAA Aviation News, the ongoing "Accident Prevention Program" for routine pilots contact, and other means of communication with pilots. To impress upon pilots that pilot participation is strongly encouraged to ensure protection of resources and the enjoyment of natural areas by the public.
- B. To investigate instances of pilot deviations from the FAA-requested minimum altitude over areas administered by the NPS, FWS, and BLM and take action to discourage deviations with the objective of reducing or eliminating such incidents in these areas.
- C. To assist the NPS, FWS, and BLM in communicating with the various agencies of the Department of Defense with regard to military aircraft operations over NPS, FWS, and BLM administered areas.
- D. To make available to the NPS, FWS, and BLM, at the FAA Flight Standard District Offices, the status and results of the FAA's investigation of instances reported by the NPS, FWS, and BLM.
- E. To enlist the support of all aviation groups and organizations by requesting they disseminate information about problems associated with aircraft operating at low altitudes over areas administered by the NPS, FWS, and BLM.
- F. To assist NPS, FWS, and BLM personnel in combating problems associated with low-flying aircraft by participating in appropriate meetings at field and regional levels.

III. The FAA, NPS, FWS, and BLM agree jointly:

- A. To assess severe situations where impacts of aircraft operations upon human, cultural, or natural resources are sufficiently serious to

warrant consideration of site-specific action by the FAA to minimize or eliminate the causes of such problems.

- B. To prepare public informational materials, including printed matter and audio visual programs, for communication to pilots using existing FAA pilot-contact meetings and programs, aviation periodicals, and other means of generating pilot understanding of NPS, FWS, and BLM resource management objectives. Where appropriate, the FAA, NPS, FWS, and BLM will share information on techniques of conducting scientific studies and data collection to facilitate understanding of the impact of aircraft operations on affected resources.
- C. All the parties will work to define procedures for use at National Headquarters and field office levels to address overflight issues over public lands area.

IV. For the purposes of facilitating communications in implementing this agreement, each party has identified the following key contact officials:

FAA
Harold W. Becker
Manager, Airspace-Rules and
Aeronautical Information Division, ATP-200
(202) 267-3731

NPS
Wesley Henry
Visitor Services Division
Branch of Ranger Activities
(202) 208-4874

FWS
David L. Olsen
Assistant Director
Refuges and Wildlife
(202) 208-5333

BLM
Keith Corrigall
Wilderness Branch
(202) 208-6064

- V. If any of the parties determines that it is necessary to modify this MOU, the other parties shall be notified in writing of the specific change(s) desired, with proposed language and the reason(s) therefore. The proposed changes shall become effective upon agreement of all parties.
- VI. This MOU shall become effective on the last signature date below and shall remain in effect until December 31, 1999, or unless otherwise rescinded by all signatory parties.
- VII. Any party to this agreement may terminate involvement in the agreement by providing 60 days written notice to the other parties.



Director, National Park Service

12/21/92
Date



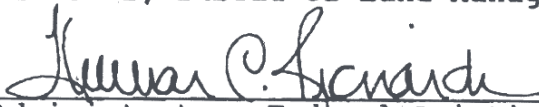
Director, Fish and Wildlife Service

NOV 18 1992
Date



Director, Bureau of Land Management

12/10/92
Date



Administrator, Federal Aviation Administration

1/15/93
Date

Mr. Robert Stanton
Director, National Park Service
1849 C Street, NW.
Washington, DC 20240

Dear Mr. Stanton:

The Interagency Agreement signed January 1993 between the Federal Aviation Administration (FAA), National Park Service (NPS), U.S. Fish and Wildlife Service, and Bureau of Land Management is expiring December 31, 1999. Much has changed during the past 7 years; an example is the improved relationship between the NPS and the FAA in the area of overflights of national parks, including the Grand Canyon. The ability of the agencies to sit down and reasonably discuss issues has been commendable.

The Interagency Agreement has held us in good stead over the years, and I believe that it has been effective. I suggest that we do not let the benefits derived from the current document expire. Understanding that the agreement needs some work, I suggest we extend the current agreement for an additional year and convene a working group to update it as necessary.

If you agree, I ask for a favorable reply on the extension and the name(s) of your point(s) of contact to arrange follow-on meetings of a working group. My point of contact is Howard Nesbitt in the Office of Environment and Energy, (202) 267-3521.

493-4981

Sincerely,

15/

Jane F. Garvey
Administrator