

**Department of Transportation
Federal Aviation Administration**

SUPPORTING STATEMENT
Commercial Air Tour Operator Reports

INTRODUCTION

This information collection is submitted to the Office of Management and Budget (OMB) to request a three-year approval clearance for the information collection entitled, Commercial Air Tour Operator Reports.

Part A. Justification

1. Circumstances that make collection of information necessary. The FAA Modernization and Reform Act of 2012 included amendment provisions to the National Parks Air Tour Management Act (NPATMA) of 2000. One amendment provision [see attached highlighted Section 501(e)] requires commercial air tour operators conducting tours over national park units to begin reporting on the number of operations they conduct and any such other information prescribed by the FAA Administrator and the Director of the National Park Service (NPS). The Administrator and Director have 90 days from date of enactment of the FAA Modernization and Reform Act of 2012 (enacted February 14, 2012) to jointly issue an initial request for reports and the specified frequency and format of these reports. The initial request for reports was to have been met with a Federal Register notice published in mid May 2012. However, that notice was not published due to initial concerns that the establishment of these reporting requirements appeared to require Federal rulemaking, notwithstanding the 90 day Congressional mandate. FAA has worked through this issue over the last two months and is close to finalizing the process for issuing this initial reporting request. This may result in a delay in when the data collection will be initiated, although the agencies had originally been targeting October 1, 2012 for operators to begin collecting data.

2. How, by whom, and for what purpose is the information used. The commercial air tour operational data provided to the FAA and NPS will be used by the agencies as background information useful in the development of air tour management plans and voluntary agreements for purposes of meeting the mandate of NPATMA. The data will also be used to assist FAA and NPS in developing and publishing an annual list of parks with 50 or fewer air tour operations a year which is also a new amendment provision to NPATMA in the FAA Modernization and Reform Act of 2012.

3. Extent of automated information collection. The commercial air tour operators will be able to download an Excel spreadsheet reporting template with blank fields in which they can

populate their information / data. Upon completing their report they will be able to submit it via email to both FAA and NPS.

4. Efforts to identify duplication. Under the initial NPATMA legislation there was no requirement for air tour operators to report the number of flights they conducted for any given time period so that information has not previously been available. The new amendment to NPATMA also allows FAA and NPS to ask for additional information besides operational numbers. The agencies are now requesting aircraft type, route flown, and temporal data as well which is not available from other sources.

5. Efforts to minimize the burden on small businesses. The information requested is limited to the minimum necessary to fulfill these new reporting requirements as developed by FAA and NPS.

6. Impact of less frequent collection of information. FAA and NPS are initially requesting that commercial air tour operators submit reports on a quarterly basis. After some experience and having developed a baseline of information about air tour operations at various parks, the agencies may re-assess the frequency of reporting requirements. For national parks having less than 50 flights annually, FAA and NPS are only asking air tour operators to report annually, and only need to report the number of flights conducted.

7. Special circumstances. There are no special circumstances that are applicable to this request.

8. Compliance with 5 CFR 1320.8: A 60-day notice for public comments was published in the Federal Register on May 9, 2012, vol. 77, no. 90, pages 27271-27272. No comments were received.

9. Payments or gifts to respondents. No payment or gift to respondents is made.

10. Assurance of confidentiality: No specific authority for confidential information applies to the reported data.

11. Justification for collection of sensitive information: No sensitive information is requested.

12. Estimate of burden hours for information requested:

- There are approximately 75 air tour operators conducting air tours over approximately 85 national park units nationwide. Some air tour operators operate at multiple park units. There are approximately 320 discrete air tour operator / park unit combinations. The operators will be required to report this air tour information on a quarterly basis. The annual hour burden will vary greatly between the operators based on the number of parks

and number of air tours the operators conduct. It is estimated that for smaller operators who operate at one or a few parks with a low number of total annual operations (less than 500) it will take them approximately 3 hours on average to fill out and submit the quarterly report. For midsize operators (between 500 and 2,000 annual operations) it is anticipated it will take them approximately 8 hours to fill out and submit the quarterly report. For larger operators at a number of parks or with a large number of operations (greater than 2,000) or a combination of both, they will take on average approximately 24 hours to fill out and submit the quarterly report. There are approximately 35 “smaller” operators, 15 midsize operators, and 25 “larger” operators. Thus it will take $35 \times 3 = 105$ hours a quarter or 420 hours a year for “smaller” operator labor burden, and $15 \times 8 = 120$ a quarter or 480 hours a year for “midsize” operator labor burden, and $25 \times 24 = 600$ a quarter or 2,400 a year for “larger” operator labor burden. The total would be 825 labor hours a quarter or 3,300 a year for all the respondents.

As mentioned earlier, however, for parks having less than 50 operations annually, operators only have to report on an annual basis (not quarterly) and only need to report the number of operations they conducted over that park in that year (not the additional information requested for quarterly reporting). This exception affects a small number of operators and is expected to reduce the overall labor hours by 25 hours a quarter or 100 hours a year. Therefore, the estimated total hours for both quarterly and annual reporting would be 800 labor hours a quarter or 3,200 a year for all respondents.

- Those operators who report quarterly will input their data on the attached Excel spreadsheet template, which has some general information the operator must input regarding his company (name of company, dba, FAA certificate number, and their FAA Flight Standards District Office. In addition, for each commercial air tour operation they conducted during the quarter they will need to enter the date and time of day the operation occurred, as well as “N” number of aircraft, aircraft make / model / series, departure airport / helipad, and flight route. For air tour operators at exempt parks, and need only report annually, they would just need to report the number of flights they conducted over the park for that year.
- The assumed hourly labor rate is \$25 / hour (one operator provided an hourly rate for their personnel who input tour operational data as required at Grand Canyon National Park), therefore the annual annualized cost to respondents is estimated to be approximately \$80,000.

13. Estimate of total annual costs to respondents. It is not anticipated that there would be any additional capital / startup costs or operation / maintenance associated with this reporting effort. The air tour operators are being asked to fill in an Excel spreadsheet template which would only require a computer and standard software package that virtually everyone should already possess.

14. Estimate of cost to the Federal government. The air tour operators will electronically submit this information concurrently to FAA and NPS. Agency costs will include a quick review of each operator’s submittal to ensure information looks to be properly reported and a check to ensure every operator has submitted a quarterly report or an annual report if the park is on the exempt list. It is anticipated that it would take each agency approximately 40 hours each to

review all the quarterly / annual reports that are submitted by the air tour operators each quarter / year, for a total of 320 hours for the FAA and NPS. The review would be likely be conducted by a GS-13 level employee at \$43.67 / hour (source: fedsmith.com) for a total government cost of \$13,975.

15. Explanation of program changes or adjustments. This submission reflects the change in the frequency requirement for park units with less than 50 tours per year. Those operators now will only have to report on an annual (not quarterly) basis. Currently, 33 of the approximately 85 parks have 50 or fewer annual air tours, and 40 of the approximately 320 discrete air tour operator / park unit combinations mentioned above would only have to report annually. However one operator alone is responsible for 33 of the 40 discrete air tour operator / park unit combinations that would only need to report annually. This results in a reduction of 100 hours annually.

16. Publication of results of data collection. No publication of the comprehensive data set is anticipated, it is primarily for internal use and tracking. Some of the operational information collected (such as number of operations and aircraft types and routes) may be included as background information to document baseline conditions in National Environmental Policy Act (NEPA) documents prepared in association with any air tour management plan.

17. Approval for not displaying the expiration date of OMB approval. We are not seeking approval to not display the expiration date.

18. Exceptions to certification statement. There are no exceptions to the certification statement.