

**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 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 FAA and NPS received an initial 3-year approval on this information collection request in December 2012 and a renewal in December 2015. The current 3-year approval expires on December 31, 2018. This is an ongoing requirement, per the legislation cited above, to continue this information collection.

2. How, by whom, and for what purpose is the information used.

Commercial air tour operators mandatorily report on the number of operations tours over national park units they conduct to the FAA. The commercial air tour operational data provided to the FAA and NPS has and 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 has and also will 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 was an 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 continue to be able to download an Excel spreadsheet reporting template with blank fields in which they can populate their information / data (see reporting template attached). Upon completing their report they will continue to 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, until the initial 3-year

information collection request for this was granted by OMB in December 2012. The agencies request information from the operators flights over national park units related to 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. The initial 3-year information collection request that was approved by OMB in December 2012 asked the operators for the date and time (down to minutes), “N” number and make/model/series of aircraft, and departure airport/helipad and route flown for each operation they conducted in a given quarter (every 3 month period). Based on the information received during the initial 3-year collection (2012 thru 2015), the agencies reduced the collection burden on operators by dropping the need for operators to report the aircraft “N” number and departure airport/helipad for each operation for the 2015 renewal request. The agencies do not believe continued reporting of those two pieces of information were still necessary, however, the agencies have included an entry field for operators to do a one time list of all their aircraft “N” numbers – but no requirement they report which individual aircraft flies each specific operation.

6. Impact of less frequent collection of information. FAA and NPS are requesting that commercial air tour operators continue to 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. However,, the agencies continue to see a need for receiving these reports on a quarterly basis at this time. For national parks having less than 50 flights annually, FAA and NPS are only asking air tour operators to report annually, and they only need to report the number of flights conducted. In addition, based on the reporting information from the first 5-year’s of this collection, there are approximately 55-60 parks that qualify as exempt (less than 50 operations), therefore requiring operators at these parks to only report on an annual basis and only identify the number of flights flown (not all the other information in the reporting template).

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 August 13, 2015, vol. 80, no. 156, page 48620. No comments were received that were applicable to the information collection.

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:**

Based on operating authorities granted since NPATMA came into effect, there are approximately 75 air tour operators with authority to conduct air tours over approximately 85 national park units nationwide. Some air tour operators operate at multiple park units. Potentially, 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. Based on the 5-year's worth of data received to date (2013-2017), however, there are less operators conducting tours over national parks than authorized and less flights being conducted over parks than authorized. This could be due to a number of factors: operators out of business or no longer having a certificate, decrease in demand for air tours, other business opportunities besides air tours, etc.

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 25 "smaller" operators, 10 midsize operators, and 20 "larger" operators. Thus it will **take $25 \times 3 = 75$ hours a quarter or 300 hours a year for "smaller" operator labor burden,** and **$10 \times 8 = 80$ a quarter or 320 hours a year for "midsize" operator labor burden,** and **$20 \times 24 = 480$ a quarter or 1,920 a year for "larger" operator labor burden.** The total would be 635 labor hours a quarter or 2,540 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 610 labor hours a quarter or 2,440 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, aircraft make / model / series, 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 \$61,000.

13. Estimate of total annual costs to respondents. No costs other those indicated in question 12.

14. Estimate of cost to the Federal government. The air tour operators electronically submit this information concurrently to FAA and NPS. Agency costs 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 takes 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 No changes or adjustments. The agency has separated collection activity into appropriate information collections, there has not been additional forms or applications added.

16. Publication of results of data collection. No publication of the comprehensive data set is anticipated, it is primarily for internal use and tracking. General summary reports (aggregated so as not to disclose operator specific information) have been posted to agency websites (for both FAA and NPS) to provide some high level data on air tour operations over national park units. Some of the specific 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 or voluntary agreement.

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.