

**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 1-year approval expires on December 31, 2020. 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. Commercial air tour operators are required to report as a condition of their Operation Specification that allows them to conduct air tours over national park units. The entities that are required to report are those operators who are currently granted the authority to conduct air tours over national park units. The operators will report on a semi-annual (every six months) basis. The collection is operators reporting their air tour information to the FAA and NPS, and the information includes the date and time of the tour, the type of aircraft the tour was conducted in, and the route that was utilized for the tour of the park. The commercial air tour operational data is received by 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) which is

available here: https://www.faa.gov/about/office_org/headquarters_offices/arc/programs/air_tour_management_plan/program_information/.

Upon completing their report they will continue to be able to submit it via email to both FAA and NPS. Submitting this spreadsheet via email to two email addresses (the FAA and NPS email inboxes, respectively) is not an appreciable burden to the commercial air tour operators and is how the operators have been submitting the data since 2013. 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.

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. Both the FAA and NPS receive the reporting template (an Excel spreadsheet) via email to their respective email addresses. This ensures that both agencies have copies of the submitted data for their records. At this point the operators have met their requirement to report the data, from there the agencies can format and analyze the data as necessary.

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. In addition, in regards to this request for a 3-year extension, the agencies are going to reduce the frequency for submitting reports from a quarterly (every 3 months) basis to a semi-annual (every 6 months) basis.

6. Impact of less frequent collection of information. FAA and NPS had previously requested 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 have re-assessed the frequency of reporting requirements, and as part of this 3-year extension request will now require that operators only report on a semi-annual (twice a year) basis. 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. Based on the reporting information from the first 7-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 May 8, 2020, vol. 85, no. 90, pages 27506-27507. No comments were received that were applicable to the information collection. The one comment submitted was:

“The intention to gather information about airlines and their effect on the national parks they fly over is worth the request. Due to the fact that airlines are a huge consumer of gasoline and thus produce a lot of emissions, they could very well be hurting the environment. The information is valuable and thus worth requesting.”

The commenter mistakes the information being collected (we are collecting air tour operator not airline data), therefore it is not relevant.

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 were originally thought to be approximately 75 air tour operators with authority to conduct air tours over approximately 85 national park units nationwide. Based on the 7-year's worth of data received to date (2013-2019), 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 current list of active air tour operators with authority to conduct air tours over national parks is 47.

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 100) it will take them approximately **3 hours on average to fill out and submit the semi annual report.** For midsize operators (between 100 and 1,000 annual operations) it is anticipated it will take them **approximately 8 hours to fill out and submit the semi annual**

report. For larger operators at a number of parks or with a large number of operations (greater than 1,000) or a combination of both, they will take on average **approximately 24 hours to fill out and submit the semi annual report.**

There are approximately 16 “smaller” operators, 14 midsize operators, and 17 “larger” operators. Thus it will **take 16 x 3 = 48 hours for a semi annual report or 96 hours a year for “smaller” operator labor burden, and 14 x 8 = 112 for a semi annual report or 224 hours a year for “midsize” operator labor burden, and 17 x 24 = 408 for a semi annual report or 816 a year for “larger” operator labor burden.** The total would be 568 labor hours per semi annual report or 1,136 labor hours 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 semi annual) and only need to report the number of operations they conducted over that park in that year (not the additional information requested for semi annual reporting). This exception affects a small number of operators. Based on current reporting information, only 2 operators report on an annual basis for any park units where they conduct tours. One of these operators also reports on a semi annual basis at other parks as well. As this is such a negligible difference the labor burdens calculated above represent a good estimate for the commercial air tour operators involved in this information collection.

Summary (Annual numbers)	Reporti ng	Recordkeepi ng	Disclosure
# of Respondents	47		
# of Responses per respondent	2		
Time per Response	12.08 hours**		
Total # of responses	94		
Total burden (hours)	1,136		

Note** - This summary table is a blended average per response of the small, mid-size, and large operators shown in the respective tables below.

Small Operator	Reporti ng	Recordkeepi ng	Disclosure
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Summary (Annual numbers)	ng	ng	
# of Respondents	16		
# of Responses per respondent	2		
Time per Response	3 hours		
Total # of responses	32		
Total burden (hours)	96		

Mid-size Operator Summary (Annual numbers)	Reporti ng	Recordkeepi ng	Disclosure
# of Respondents	14		
# of Responses per respondent	2		
Time per Response	8 hours		
Total # of responses	28		
Total burden (hours)	224		

Large Operator Summary (Annual numbers)	Reporti ng	Recordkeepi ng	Disclosure
# of Respondents	17		
# of Responses per respondent	2		
Time per Response	24 hours		
Total # of responses	34		
Total burden (hours)	816		

Those operators who report semi annually 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 6 month period 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 employee compensation rate is \$35.96 per hour. This compensation rate comes from the Bureau of Labor Statistics, and is for private industry compensation and includes benefits. The data is from June 2020, and the \$35.96 per hour compensation rate is split roughly into 70% for wages and salaries and 30% for benefit costs.

<https://www.bls.gov/news.release/ecec.nr0.htm> Therefore, the annual annualized cost to respondents for employee compensation is estimated to be approximately \$40,850. This cost estimate does not account for any other overhead related costs like rent, utilities, office equipment, etc. that most businesses would also incur. Employee compensation costs were bumped up by 20% to account for overhead costs, resulting in a total cost of \$49,020.

13. Estimate of total annual costs to respondents. No costs other than those indicated in question 12. Note: Larger air tour operators typically have point of sale software systems that allow them to automatically collect and feed the required individual tour information (e.g. date / time / aircraft / route) readily into the reporting template. These air tour operators have had these systems for internal tracking / reporting requirements unrelated to this information collection.

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 80 hours each to review all the bi-annual / annual reports that are submitted by the air tour operators every six months / 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, one located in Los Angeles and one located in Denver. The federal employees total compensation is split roughly 70% wages and 30% benefits (<https://www.downsizinggovernment.org/federal-worker-pay>). Using OPM 2020 salary tables (<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2020/general-schedule/>) in Los Angeles the hourly wage for a mid-step GS-13 is \$56.58 for an estimated total compensation of \$80.82 / hour. In Denver, the hourly wage for a mid-step GS-13 is \$54.32 for an estimated total compensation of \$77.60 / hour. Including a 20% overhead rate, the annual estimated government costs are \$15,517 for Los Angeles and \$14,900 for Denver for a total annual cost to the federal government of \$30,417.

15. Explanation of program changes or adjustments. This submission reflects the change in the frequency of the reporting collection. We have reduced the frequency from a quarterly (every 3 months) to bi-annual (every six months) requirement. 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.