

**Kaloko-Honokohau National Historical Park
Air Tour Management Plan
Planning and NEPA Scoping Document**

March 3, 2004

Prepared by
Volpe National Transportation Systems Center
U.S. Department of Transportation

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[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Environmental Assessments for the Air Tour Management Plan Program at Haleakala National Park, Hawaii Volcanoes National Park, Puukohola Heiau National Historic Site, Kaloko-Honokohau National Historical Park, Kalaupapa National Historical Park, and Pu'uhonua O Honaunau National Historical Park

AGENCY: Federal Aviation Administration, DOT

ACTION: Notice of Intent to Prepare Environmental Assessments and Notice of Initiation of Public Scoping

SUMMARY: The Federal Aviation Administration (FAA), in cooperation with the National Park Service (NPS), has initiated the development of Air Tour Management Plans (ATMPs) for Haleakala National Park, Hawaii Volcanoes National Park, Puukohola Heiau National Historic Site, Kaloko-Honokohau National Historical Park, Kalaupapa National Historical Park, and Pu'uhonua O Honaunau National Historical Park, pursuant to the National Parks Air Tour Management Act of 2000 (Public Law 106-181) and its implementing regulations contained in Title 14, Code of Federal Regulations, Part 136, *National Parks Air Tour Management*. The objective of each ATMP is to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon the natural resources, cultural resources, and visitor experiences of the subject national park unit.

DATES:

Scoping Period: The 45-day scoping period will be initiated upon publication of this notice. Please submit any written response you may have within 45 days from the date of this Notice, or no later than Monday, April 12, 2004.

Scoping Meetings: Public scoping meetings have been scheduled for these projects as follows:

Subject Park	Date	Time	Location
Puukohola Heiau National Historic Site	Wednesday, March 24, 2004	4:30 PM to 7:00 PM	Waimea Civic Center Conference Room 67-5189 Kamamalu Street Kamuela, Hawaii
Hawaii Volcanoes National Park	Thursday, March 25, 2004	6:00 PM to 8:30 PM	King Kamehameha's Hotel, Kamakahonu Ballroom 75-5660 Palani Road Kailua-Kona, Hawaii
Hawaii Volcanoes National Park	Friday, March 26, 2004	6:00 PM to 8:30 PM	University of Hawaii at Hilo University Classroom Building 301 Room 100 200 West Kawili St. Hilo, Hawaii

Pu'uhonua O Honaunau National Historical Park	Thursday, March 25, 2004	6:00 PM to 8:30 PM	King Kamehameha's Hotel, Kamakahonu Ballroom 75-5660 Palani Road Kailua-Kona, Hawaii
Kaloko-Honokohau National Historical Park	Thursday, March 25, 2004	6:00 PM to 8:30 PM	King Kamehameha's Hotel, Kamakahonu Ballroom 75-5660 Palani Road Kailua-Kona, Hawaii
Kalaupapa National Historical Park	Saturday, March 27, 2004	6:00 PM to 8:30 PM	Kaunakakai Elementary School 30 Ailo Street Kaunakakai, Molokai
Kalaupapa National Historical Park	Monday, March 29, 2004	12:00 PM to 2:30 PM	Mc Veigh Social Hall Kalaupapa National Park Kalaupapa, Molokai
Haleakala National Park	Tuesday, March 30, 2004	6:00 PM to 8:30 PM	Hana Community Center (Old Hana School Cafeteria) 150 Uakea Road Hana, Maui
Haleakala National Park	Wednesday, March 31, 2004	6:00 PM to 9:30 PM	Mayor Hannibal Tavares Community Center 91 Pukalani Street Pukalani, Maui

ADDRESSES: Please submit any written response you may have within 45 days from the date of this Notice, or no later than Monday, April 12, 2004. Address your comments to:

Docket Management System
Doc No. FAA-2004-17174
U.S. Department of Transportation
Room Plaza 401, 400 Seventh Street, SW.
Washington, DC 20590-0001

You must identify the docket number FAA-2004-17174 at the beginning of your comments. If you wish to receive confirmation that FAA received your comments, include a self-addressed, stamped postcard. You may also submit comments through the Internet to <http://dms.dot.gov>. You may review the public docket containing comments in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Dockets Office is on the plaza level of the NASSIF Building at the Department of Transportation at the above address. Also, you may review public dockets on the Internet at <http://dms.dot.gov>. Additionally, comments will be received and recorded at the public scoping meetings.

FOR FURTHER INFORMATION CONTACT: Steve May, Air Tour Management Plan Program Manager, Executive Resource Staff, AWP-4, Federal Aviation Administration, Western-Pacific Region. Mailing address: P.O. Box 92007, Los Angeles, California 90009-2007. Telephone: (310) 725-3808. Street address: 15000 Aviation Boulevard, Lawndale, California 90261. Email: Steve.May@faa.gov

SUPPLEMENTARY INFORMATION: In developing each ATMP and any associated rulemaking actions, the FAA is required to comply with the National Environmental Policy Act of 1969, which calls on Federal agencies to consider environmental issues as part of their decision making process. For the purposes of compliance with the National Environmental Policy Act, the FAA is the Lead Agency and the NPS is a Cooperating Agency. The FAA Air Tour Management Plan Program Office and the NPS Natural Sounds Program Office are responsible for the overall implementation of the ATMP Program.

Environmental Assessments are being prepared in accordance with FAA Order 1050.1D, *Policies and Procedures for Considering Environmental Impacts*. The FAA is now inviting the public, agencies, and other interested parties to provide comments, suggestions, and input regarding: (1) the scope, issues, and concerns related to the development of each ATMP; (2) the scope of issues and the identification of significant issues regarding commercial air tours and their potential impacts to be addressed in the environmental process; (3) the potential effects of commercial air tours on cultural and historic resources; (4) past, present, and reasonably foreseeable future actions which, when considered with ATMP alternatives, may result in significant cumulative impacts; and (5) potential ATMP alternatives. The FAA requests that comments be as specific as possible in response to actions that are being proposed under this notice.

Public scoping meetings have been scheduled for this project. The purpose of these scoping meetings is to describe the ATMP development and environmental processes, obtain public input regarding the ATMP and potential environmental concerns that may be appropriate for consideration in the Environmental Assessment, and to identify alternatives to be considered. Both oral and written comments will be accepted during these meetings. Agency personnel will be available to record your spoken comments. All recorded and written comments become part of the official record. The public scoping meetings will consist of a presentation in which the National Parks Air Tour Management Act of 2000 is introduced, existing conditions at Haleakala National Park, Hawaii Volcanoes National Park, Puukohola Heiau National Historic Site, Kaloko-Honokohau National Historical Park, and Pu'u honua O Honaunau National Historical Park are described and the ATMP development process at each park unit is explained. Following the presentation, the floor will be opened for public comments to be received.

Park-specific scoping documents that describe the project in greater detail are available at the following locations:

- Kalaupapa National Park Headquarters, Kalaupapa, Molokai
- Molokai Public Library, 15 Ala Malama, Kaunakakai, Molokai
- Haleakala National Park Headquarters, Mile Marker 11, Crater Road, Kula, Maui
- Hana Public and School Library, Hana, Maui
- Makawao Public Library, 1159 Makawao Avenue, Makawao, Maui
- Kahului Public Library in 90 School Street, Kahului, Maui
- Kalaupapa National Historic Park, P.O. Box 2222, Kalaupapa, Hawaii
- Kihei Public Library, 35 Waimahaihai Street, Kihei, Maui
- Lahaina Public Library, 680 Wharf Street, Lahaina, Maui
- Lana'i Public and School Library, 555 Fraser Avenue, Lana'i City, Maui
- Wailuku Public Library, 251 High Street, Wailuku, Maui

- Hawaii Volcanoes National Park Headquarters, 1 Crater Rim Drive, Hawaii Volcanoes, Hawaii
- Puukohola Heiau National Historic Site Headquarters, 62-3601 Kawaihai Road, Kawaihai, Hawaii
- Kaloko-Honokohau National Historical Park Headquarters, 73-4786 Kanalani Street, #14, Kailua-Kona, Hawaii
- Pu'uhonua O Honaunau National Historical Park, Highway 160, Honaunau, Hawaii
- Hilo Public Library, 300 Waianuenue Avenue, Hilo, Hawaii
- Kailua-Kona Public Library, 75-138 Hualalai Road, Kailua-Kona, Hawaii
- Naalehu Public Library, 95-5669 Mamalahoa Highway, Naalehu, Hawaii
- Pahala Public and School Library, 96-3150 Pikake Street, Pahala, Hawaii
- Hawaii State Library, 478 South King Street, Honolulu, Oahu
- FAA Air Tour Management Plan Program Website, <http://www.atmp.faa.gov/>
- FAA Docket Management System Website, <http://dms.dot.gov>

Issued in Washington, DC on February 23, 2004

Ruth Leverenz
Assistant Administrator for
Region and Center Operations

Part 1 - Introduction to the Project

A. Introduction

The Federal Aviation Administration (FAA), in cooperation with the National Park Service (NPS), has initiated the development of an Air Tour Management Plan (ATMP) for Kaloko-Honokohau National Historical Park pursuant to the National Parks Air Tour Management Act of 2000 (Public Law 106-181) and its implementing regulations contained in Title 14, Code of Federal Regulations, Part 136, *National Parks Air Tour Management*. The objective of the ATMP is to develop acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon the natural resources, cultural resources, and visitor experiences of Kaloko-Honokohau National Historical Park.

A commercial air tour operation is defined as a flight conducted for compensation or hire in a powered aircraft where a purpose of the flight is sightseeing over a national park, within ½ mile outside the boundary of any national park or over tribal lands, during which the aircraft flies below a minimum altitude of 5,000 feet (except for the purposes of takeoff or landing, or as necessary for the safe operation of the aircraft), or less than 1 mile laterally from any geographic feature within the park unless more than ½ mile outside the boundary. A commercial air tour operator is any person who conducts a commercial air tour operation.

In accordance with the National Parks Air Tour Management Act, the Kaloko-Honokohau National Historical Park ATMP: may prohibit commercial air tour operations in whole or in part; may establish conditions for the conduct of commercial air tour operations; shall apply to all commercial air tour operations within ½ mile outside the boundary of the National Park; shall include incentives for the adoption of quiet aircraft technology; and shall provide for the initial allocation of opportunities to conduct commercial air tour operations if the plan limits the number of such operations. The need for implementation of any of these measures must be justified and documented in the ATMP and within the Record of Decision.

B. Air Tour Management Plan (ATMP) Development Process

The process is initiated in a particular location following the receipt of an Application for Air Tour Operating Authority from an existing or new entrant commercial air tour operator. The FAA has received applications for Commercial Air Tour Operating Authority from ten existing operators and one new entrant for Kaloko-Honokohau National Historical Park. The ATMP Planning and Environmental Assessment process is summarized in Figure 1. The scoping process has been initiated early in ATMP planning to ensure an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to commercial air tour operations over and within ½ mile of the national park. Following completion of the planning and environmental process, appropriate implementation actions will be taken for the selected ATMP alternative. This may include Federal Rulemaking (see Figure 1).

In developing the ATMP and any associated rulemaking actions, the FAA is required to comply with the National Environmental Policy Act of 1969 (National Environmental Policy Act), and its implementing regulations contained in 40 CFR Parts 1500-1508 (hereafter referred to as "the regulations"). The regulations mandate that the FAA and NPS shall, to the fullest extent possible, interpret and administer the policies, regulations and public laws of the United States in accordance the policies set forth in the National Environmental Policy Act and these regulations (1500.2(a)). The regulations also mandate that the FAA and NPS shall, to the fullest extent possible, use the National Environmental Policy Act process to identify and assess the reasonable alternatives to proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment and use all practical means, consistent with the requirements of the National Environmental Policy Act and other essential considerations of national policy, to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment (1500.2(e) and 1500.2(f)). For the purposes of complying with sections 1501.3 and 1501.5 through 1501.8 of CEQ regulations, the FAA is the lead agency and the NPS is a cooperating agency.

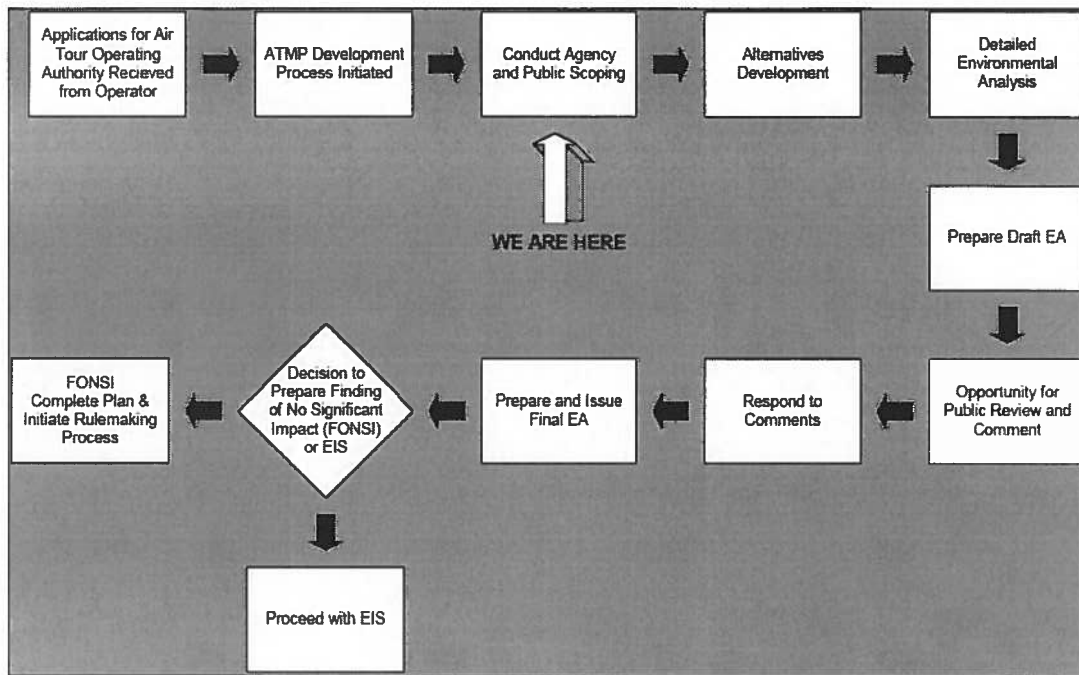


Figure 1 - ATMP Planning and Environmental Assessment Process

The FAA will, in cooperation with the National Park Service, prepare an Environmental Assessment (EA) in accordance with FAA Order 1050.1D. The FAA may decide to proceed with the development of an Environmental Impact Statement (EIS) at anytime during the development of the Environmental Assessment. This notwithstanding, following the planned development of the environmental assessment, either a Finding of No Significant Impact (FONSI) or environmental impact statement will be prepared. Prior to implementation of the ATMP and following any Federal rulemaking actions, a Record of Decision will be prepared.

Additional information on the ATMP Program is available on the FAA's ATMP Website located at www.atmp.faa.gov. Interested parties may request information regarding the development of this and other ATMPs through this website.

Part 2 – Setting

A. Introduction

The discussion below summarily describes the setting for the Kaloko-Honokohau National Historical Park ATMP project. A description of the Park's natural resources, cultural resources, visitor experiences, and commercial air tour activity are provided to assist the public and agencies in the preparation of meaningful comments. The most useful comments are those that address the scope of analysis, present significant issues, and suggest reasonable alternatives to the proposed action with the greatest specificity possible.

The planning area for the Kaloko-Honokohau National Historical Park ATMP project is depicted on Figure 2. The area encompasses the Kaloko-Honokohau National Historical Park and the area within ½ mile outside the boundary of the Park. The National Parks Air Tour Management Act limits the applicability of the Air Tour Management Plan to operations conducted within this area. Although the scope of authority is limited, the FAA recognizes its responsibility under applicable environmental laws to consider impacts on potentially affected resources located in the vicinity of the Kaloko-Honokohau National Historical Park but in excess of a ½ mile outside the boundary of the Park.

B. Kaloko-Honokohau National Historical Park - Natural Resources, Cultural Resources and Visitor Experience

Kaloko-Honokohau National Historical Park is located on the western coast of Hawaii Island near the town of Kailua-Kona. The 1160 acre Park was established as a National Historical Park in 1978 for the preservation, protection and interpretation of traditional native Hawaiian activities and culture. Kaloko-Honokohau National Historical Park was established with the purpose to preserve and to provide for the sustainable study and enjoyment of the following resources and values:

- ❖ Highly important structures, cultural and sacred sites, trails, fishpond, ancient burial grounds, temples (*heiaus*), and areas associated with the unique traditional Hawaiian culture and continuing use and reverence of these resources by native Hawaiians
- ❖ Fragile ecological processes, represented by unique and varied native vegetation and rare endemic birds and insects and the environmental conditions that sustain them, including 11 endangered, threatened, or candidate species as defined by the Endangered Species Act
- ❖ Clean, clear air and water resources
- ❖ Recreational use by visitors and non-recreational cultural activity use by native Hawaiians (i.e., ceremonies, festive events, and sporting competitions, traditional practices, food gathering- especially marine resources)
- ❖ Educational activities for native Hawaiian and non-Hawaiian visitors.

The Park is the site of an ancient Hawaiian settlement that encompasses portions of four different *ahupua'a* (traditional sea to mountain land divisions). The entire park was listed as a "District with multiple sites" on the National Register of Historic Places. The entire park makes up a National Landmark District called the Honokohau Settlement National Landmark District. All archeological sites are considered contributing elements to the District.

Kaloko-Honokohau National Historical Park contains an abundance of cultural and historical resources. These include Kaloko Fishpond, which is an example of native prehistoric engineering and technological achievements. The Fishpond is walled and was constructed by sealing off a small bay. It is one of the only remaining large Hawaiian aquacultural structures with extensive ancient foundation remains in place and in relatively good condition. Other fishponds include 'Aimakapa Fishpond and 'Ai'opio Fishtrap. Additional cultural and historic resources at Kaloko-Honokohau National Historical Park include Maka'opio Heiau, Pu'u'oina Heiau (sometimes referred to as Hale-o-Mano), Hale-o-Lono Heiau, other unnamed heiau sites, sacred sites, fishing shrines, a *holua* (stone slide) located near the 'Aimakapa Fishpond, and grave features that are scattered throughout the Park and consist of burial cists, graves bordered with stones, pit burials, burials in natural depressions in the pahoehoe, platform tombs, and cemeteries; for Hawaiians, disturbing such sites is considered sacrilege.

Several trails are found in Kaloko-Honokohau National Historical Park, mostly short footpaths comprising a local trail system, used both in the prehistoric and early historic (pre-1840) periods. Many trails are mauka-makai (mountain to the sea) and lead up Hualalai volcano to upland agricultural fields. The public Mamalahoa Trail and the ancient Coastal Trail were two major routes around the island, leading south to Kailua-Kona and north to Keahole.

Other archeological sites in Kaloko-Honokohau National Historical Park include *kahua* (house site platforms), stone cairns including twelve or more surrounding the site known as The Queen's Bath (*Kahinihiniula*), Ki'ipohaku Petroglyphs, bathing pools, animal and agricultural enclosures, and lava tube shelters.

There have not been any published inventories of mammal species completed for Kaloko-Honokohau National Historical Park. However, humpback whales (*Megaptera novaeangliae*), a protected species, winter in the Hawaiian Islands from December to April. The Park staff reports that the highly endangered Hawaiian monk seal (*Monachus schauinslandi*) is often seen sunning along the Park shoreline, and that this shoreline contains one of the largest concentrations of the threatened green sea turtle (*Chelonia mydas*) anywhere along the Kona coast of Hawaii island. Additionally, rabbits, the federally endangered Hawaiian Hoary bat (*Lasiurus cinereus semotus*), mongooses, rats, feral cats, and feral dogs have been observed by Park staff. Kaloko-Honokohau National Historical Park has marine habitat and extensive wetlands, some of which are believed to be among the most productive endangered waterbird wetlands on Hawaii. A total

of 117 bird species have been recorded in the park. Most of these are migratory species that only infrequently use the park. Twenty-five species were documented for the overall composition and habitat use, including the Hawaiian stilt (*Himantopus mexicanus knudseni*) and the Hawaiian coot (*Fulica americana alai*) (2 endangered waterbird species), 7 other indigenous species, and 16 alien species. Kaloko-Honokohau National Historical Park's vegetation is mostly dominated by alien species; however 32 native, primarily indigenous, species have been identified, some of which are state or federally listed candidate species. Kaloko-Honokohau contains a total of 11 state- and/or federally-listed endangered, threatened, or candidate species.

Visitor activities at Kaloko-Honokohau National Historical Park include hiking along the coast and through the Park, and other activities such as: picnicking, fishing, snorkeling, swimming, bird watching, and surfing. Approximately 65,500 visitors participated in these activities in Fiscal Year 2002. Visitors to Kaloko-Honokohau National Historical Park come year-round, as the Park is used for not only recreational purposes, such as viewing the Park or using the beaches, but also for non-recreational purposes by Native Hawaiians for cultural activities. The Makahiki is a designated period of time at the end of the harvesting season observed by Hawaiians with ceremonies, festive events, and sporting competitions. During the modern day celebration of Makahiki, sports and games are played by native Hawaiians, and the Park hosts these and other festivities each year during low visitor periods in the month of November. Native Hawaiians are also free to use Kaloko-Honokohau National Historical Park for unplanned ceremonies and other cultural events throughout the year.

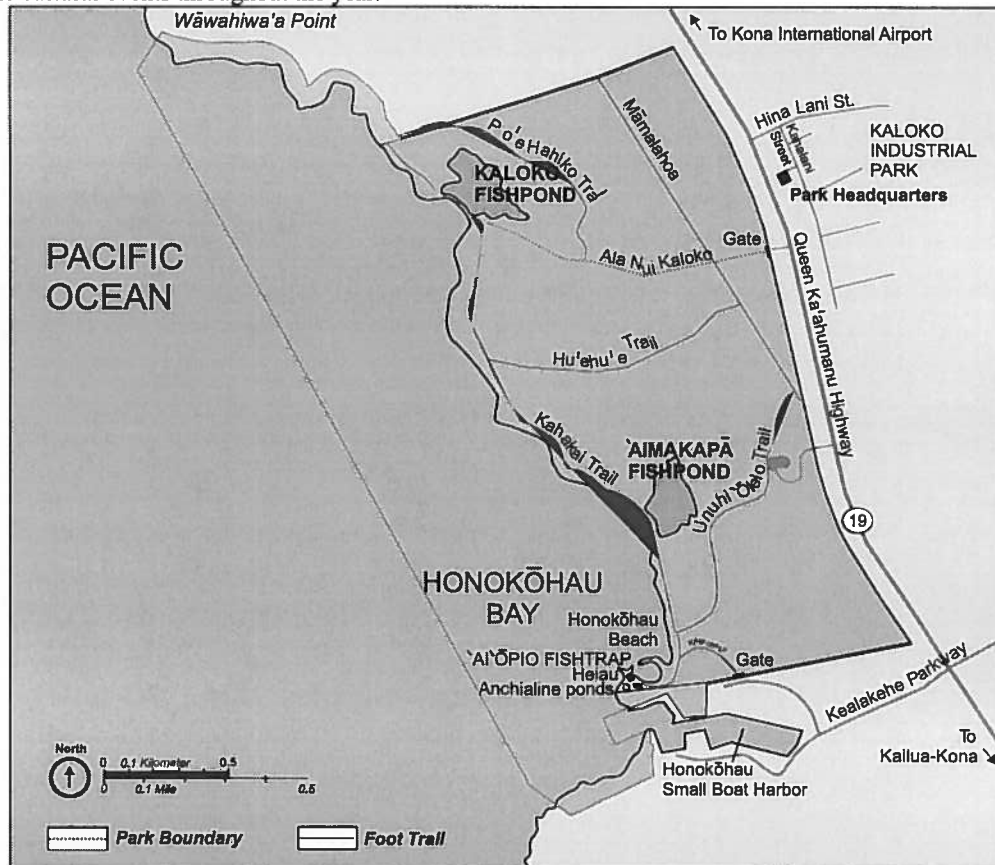


Figure 2 – Kaloko Honokohau National Historical Park Map

C. Commercial Air Tour Activity and Visitor Experience

There are currently three existing operators who provide commercial air tours over and within ½ mile outside the boundary of the Kaloko-Honokohau National Historical Park. Approximately 107 commercial air tour operations are conducted per year. This figure is based on the operator's applications for Air Tour Operating Authority submitted pursuant to 14 Code of Federal Regulations Part 136. In the applications,

each operator was required to report the greater of the number of commercial air tour operations conducted during the twelve-month period preceding April 5, 2000, or the average number of commercial air tour operations conducted by the operator during the three-year period preceding April 5, 2000. In accordance with the National Parks Air Tour Management Act and Title 14, Code of Federal Regulations, Part 136, the annual air tour operations over and within ½ mile outside the boundary of the Kaloko-Honokohau National Historical Park are currently capped at the number of operations reported in the operator's application, unless otherwise authorized by the FAA and NPS, or until the ATMP is implemented.

All existing commercial air tour operations at Kaloko-Honokohau National Historical Park are certificated by the FAA in accordance with the requirements of Title 14 Code of Federal Regulations Parts 91 and 135. Special Federal Aviation Regulation, Part 71 applies to all fixed-wing and rotor-wing air tour flights conducted under Visual Flight Rule conditions within the State of Hawaii. Special Federal Aviation Regulation, Part 71 provides procedural, operational, and equipment requirements beyond those required under Code of Federal Regulations Parts 91 and 135. The FAA has proposed national safety standards to govern commercial air tours (Docket No. FAA-1988-4521; Notice No. 03-10) (See Federal Register 60572, October 22, 2003) If this proposed rule is adopted the rule will replace the requirements of SFAR 71 in Hawaii and apply throughout the country.

Those who experience the National Park solely by means of a commercial air tour are considered legitimate visitors to the park although their experience of the park resources and values is quite different in most cases from that of the ground based visitor. The air tour visitor experience often varies depending on weather conditions and the desires of the air tour client/visitor (i.e. length of flight, geographic features of special interest, etc.). The majority of commercial air tour operations that fly over Kaloko-Honokohau National Historical Park currently originate at Kona International Airport at Keahole, just to the north of the Park. Current commercial air tour flight tracks over the Park are primarily part of an air tour en route to or from Hawaii Volcanoes National Park and skirt the western, coastal border of the park and do not fly below a minimum altitude of 1500 feet AGL.

Part 3 - Federal Action and Range of Alternatives

A. Federal Action

The Federal action associated with this project is the establishment of an Air Tour Management Plan (ATMP) for Kaloko-Honokohau National Historical Park, which accomplishes the objective set forth in the Air Tour Management Act of 2000, which is to establish acceptable and effective measures to mitigate or prevent the significant adverse impacts, if any, of commercial air tour operations upon the natural and cultural resources, and visitor experiences. The purpose and need for this project stem from the enactment of the Air Tour Management Act of 2000, wherein the U.S. Congress directed the FAA, in cooperation with the NPS, to establish an ATMP for any national park or tribal lands for which such a plan is not in effect whenever a person applies for authority to conduct a commercial air tour operation over the park. Eleven persons have applied to the FAA for operating authority to conduct commercial air tour operations over Kaloko-Honokohau National Historical Park, which triggers the need to develop an ATMP at this park. Following completion of the ATMP planning and environmental process, appropriate implementation actions will be taken for the selected ATMP alternative. This may include Federal Rulemaking. The FAA and NPS are actively preparing to make a decision on one or more alternative means of meeting the Air Tour Management Plan objective while also complying with the existing legislative, regulatory, and, to the greatest extent possible, the policy mandates of both agencies.

In Section 802 of the National Parks Air Tour Management Act of 2000, Congress found, in relevant part, that (1) the Federal Aviation Administration has sole authority to control airspace over the United States; (2) the Federal Aviation Administration has the authority to preserve, protect, and enhance the environment by minimizing, mitigating, or preventing the adverse effects of aircraft overflights on public and tribal lands; and, (3) the National Park Service has the responsibility of conserving the scenery and natural and historic objects and wildlife in national parks and of providing for the enjoyment of the national parks in ways that leave the national parks unimpaired for future generations. The relevant FAA legislative, regulatory, and policy mandates are primarily defined by the Federal Aviation Act of 1958 (49 U.S.C. 40103(b)), the Air Tour Management Act of 2000 (49 U.S.C. 40128), and the Department of Transportation Act of 1966 (49 U.S.C. 303(c)). The relevant NPS legislative, regulatory, and policy

mandates are primarily defined by the Organic Act of 1916 (16 USC 1, 2-4), the General Authorities Act of 1976 (16 USC 1a-1 through 1a-8), the Redwoods Act of 1978 (P.L. 95-250, 92 Stat. 163, 16 USC 1a-1), and the enabling legislation specific to Kaloko-Honokohau National Historical Park. The determination of significant adverse impacts, if any, for this ATMP will be made by the FAA and the NPS, based on the National Parks Air Tour Management Act of 2000 as well as the aforementioned legislative, regulatory, and policy mandates of the FAA and the NPS, other pertinent environmental laws, and the purposes and values of Kaloko-Honokohau National Historical Park.

The Air Tour Management Act of 2000 specifies that the ATMP be developed by means of a public process. This scoping process is one of the early elements of that public process. As a result, a specific "preferred alternative" for the ATMP has not yet been identified. No determination has yet been made on the justification or need for any limitations or restrictions on commercial air tour operations over and in the vicinity of Kaloko-Honokohau National Historical Park with the exception of those specified in existing Federal Regulations. The FAA and NPS preferred ATMP alternative will be identified following scoping and following the conduct of a complete environmental analysis. The FAA and NPS may identify a preferred alternative in the Draft Environmental Assessment, which will be made available for public review and comment.

B. Range of Alternatives

1. No Action Alternative

The environmental impacts of the No Action alternative must be considered for comparative purposes in accordance with the National Environmental Policy Act and the implementing regulation of the Council on Environmental Quality Regulations (40, CFR Parts 1500-1508). This consideration is required even in situations such as this Program, where the FAA and NPS are under legislative command to develop an ATMP. The "No Action" alternative assumes the continuation of the present course of action as can be expected if an ATMP is not developed for Kaloko-Honokohau National Historical Park. Existing caps on the number of commercial air tour operations and the limitations on new entrants imposed under Code of Federal Regulations Part 136 will also be assumed to continue in effect under this No Action Alternative. The No Action Alternative will be more fully described and will be carried forward for detailed analysis in the Environmental Assessment.

2. No Prohibitions, Conditions, Restrictions, or Limitations Alternative

An ATMP alternative that assumes no prohibitions, conditions, restrictions or limitations on commercial air tour operations will be analyzed. The Air Tour Management Act requires any prohibition, condition, restriction, or limitation on commercial air tour operations to be justified. Under this alternative, there would be no caps, limitations, restrictions, or federally specified routes for commercial air tour operations over the Park other than those specified in existing Federal safety regulations.

3. Other Alternatives

The FAA will determine if any mitigation measures are justified and develop other alternatives that will incorporate such mitigation measures as deemed appropriate.

If mitigation measures are justified, a range of potential mitigation measures will be screened for possible use at Kaloko-Honokohau National Historical Park. Table 1 provides a list of potential mitigation measures, which may be utilized either individually or in combination. The Air Tour Management Act specifically authorizes the use of these measures when their use is justified and the need is documented. Additional mitigation measures and alternatives might be suggested by the NPS, as a cooperating agency, and by the public or by other agencies. Such alternatives could be carried through analysis in response to specific issues about the effects of commercial air tour operations on park resources and visitor experiences. Consideration of the impacts of such alternatives may also provide a basis or justification for mitigation.

Table 1 - Potential Mitigation Measures

POTENTIAL MITIGATION MEASURES – PROHIBITIONS and CONDITIONS
❖ In-Whole Prohibition on Commercial Air Tour Operations
❖ In-Part Prohibition on Commercial Air Tour Operations
❖ Establishment of Commercial Air Tour Routes
❖ Establishment of Maximum and/or Minimum Commercial Air Tour Altitudes
❖ Time-of-Day Restrictions for Commercial Air Tour Operations (Including Curfews)
❖ Restrictions on Commercial Air Tour Operations for Particular Events
❖ Maximum Number of Commercial Air Tour Flights Per Unit of Time (Capacity Limits)
❖ Conditions Necessary for Mitigation of Intrusions on Privacy on Tribal Lands.
❖ Other Prohibitions or Conditions Necessary for Mitigation of Noise, Visual, or Other Impacts

Alternatives that are not practicable or otherwise do not satisfy the Purpose and Need for the project would not be carried forward for detailed analysis within the Environmental Assessment. A reasonable number of alternatives and the no action alternative will be carried forward for detailed analysis. A discussion of each of the initial alternatives not carried forward and the reasons for it not being carried forward will be included in the Environmental Assessment. The public will have an opportunity to view the alternatives analysis when the Draft Environmental Assessment is distributed for public review and comment.

C. Provisions Common to All Alternatives

Commercial air tour operators must continue to comply with all applicable requirements of Special Federal Aviation Regulation Part 71 when operating over and within ½ mile outside the boundary of the Kaloko-Honokohau National Historical Park unless otherwise specifically authorized in the ATMP or by the Administrator. This continuing requirement will be assumed for all ATMP alternatives.

As required by the Air Tour Management Act, any ATMP alternative that establishes commercial air tour routes, minimum or maximum altitudes, caps, or curfews shall also include incentives for the adoption of quiet aircraft technology. This requirement will be satisfied for any alternative for which it is applicable. The incentives may include:

- Preferred Routes (if any routes are proposed)
- Preferred Altitudes (if any maximum or minimum altitudes are proposed)
- Partial or Total Relief from Caps (if any caps are imposed)
- Partial or Total Relief from Curfews (if any curfews are imposed)
- Other Appropriate Incentives

Part 4 - Initial List of Environmental Issues

A. Introduction

For the purposes of preparing environmental documents under the National Environmental Policy Act, the FAA is the lead agency and the NPS is a cooperating agency. The FAA and NPS have executed a Memorandum of Understanding regarding implementation of the Air Tour Management Act and development of ATMPs. The Agencies have agreed, among other things, that the development of ATMPs and associated environmental document(s) under National Environmental Policy Act will be a fully cooperative process recognizing and complying, to the greatest extent possible consistent with the FAA's responsibility as lead agency, with the existing legislative, regulatory, and policy mandates of both agencies. The Air Tour Management Act specifically requires that "...the Administrator and the Director shall each sign the environmental decision document required by section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) which may include a finding of no significant impact, an environmental assessment, or an environmental impact statement, and the record of decision for the air tour management plan."

FAA Order 1050.1D, *Policies and Procedures for Considering Environmental Impacts*, sets forth specific environmental analysis procedures to be used in preparing Environmental Assessments and Environmental

Impact Statements. A copy of the Order is available via the FAA's Website at www.aee.faa.gov/e3/1050pt1d. In accordance with this Order, the impacts (including cumulative impacts) of existing commercial air tour operations and any ATMP alternatives carried forward for detailed study will be evaluated in each of the 18 environmental impact categories listed below.

B. Environmental Impact Categories

1. Impacts on Air Quality (including potential visibility impairment)
2. Impacts on Historical, Architectural, Archeological, & Cultural Resources and Settings
3. Impacts on Coastal Resources
4. Light Emissions and Visual Impacts
5. Compatible Land Use Impacts
6. Impacts on use of (consumable) natural resources and Energy Supply
7. Construction Impacts
8. Noise Impacts
9. Impacts on properties protected under 49 U.S.C. 303 (Dot Act 4(f))
10. Secondary (Induced) Impacts
11. Impacts on Farmland
12. Socioeconomic Impacts (including Environmental Justice)
13. Impacts on Fish, Wildlife, and Plants (including Threatened and Endangered Species)
14. Impacts on Water Quality
15. Impacts on Floodplains and Floodways
16. Impacts on Wetlands
17. Impacts of Hazardous Materials and Solid Waste
18. Impacts on Wild and Scenic Rivers
19. Visitor Impacts

C. Initial Issues

One objective of this scoping process is to assist the FAA in determining the scope and the significant issues to be analyzed in depth in the Environmental Assessment. As a result the FAA may identify and eliminate from detailed study the issues which are not relevant thereby narrowing the discussion of these issues in the Environmental Assessment. At this early stage in the planning process, the FAA and NPS are considering the following environmental issues to be particularly important:

- Potential noise impacts
- Potential impacts on visitor experience
- Potential impacts on native Hawaiian culture

The FAA is now inviting the public, agencies, and other interested parties to provide comments, suggestions, and input regarding the scope, issues, and concerns regarding commercial air tours and their potential impacts to be addressed in the environmental process and related to the development of the ATMP for Kaloko-Honokohau National Historical Park.

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