

but recommends 35 dB as the threshold of substantial natural quiet for the GCNP. The following incentives for quiet technology should be implemented for Category C aircraft only: (1) Eliminate the GCNP overflight fee; (2) create a route across the North Rim (through the Bright Angel Flight-Free Zone); (3) permit Category C aircraft to use alternate routes that may enter flight-free zones to show specific landmarks; (4) establish new curfews of one hour after sunrise and one hour before sunset; and (5) restore the two-way helicopter loop in the Zuni Corridor.

An individual commenter (68) states that more incentives need to be utilized to help air tour operators convert to quiet technology. This commenter suggests the following incentives: (1) Waiving overflight fees and park admission fees for passengers; (2) offering and approving low-cost government loans and tax credits; and (3) establishing new quality view corridors through which only Category C aircraft could fly at lower altitudes.

Scenic Airlines (Scenic) (74) states that while 75 percent of the passengers it flew in 1996 were flown in Category C aircraft about one half of its air tour fleet are Category A aircraft. While Scenic would like to convert these Category A to Category C, it must be provided with incentives, in the form of privileges that operators and passengers can value, before it would voluntarily do so. Operators have only invested in Category C aircraft in the past based on the promise by the NPS that they will be rewarded in the future. If no such rewards materialize there will be a disincentive to convert to Category C's in the future.

Scenic states that the following Category C incentives should be provided: (1) A route through the northern portion of the expanded Bright Angel Flight-Free Zone using the existing Black 1A and Green 1A (SFAR 50-2); (2) a route along the current Brown 3 (SFAR 50-2) departure which goes through the northwest corner of the Toroweap Flight-Free Zone; (3) waiver of curfews in Dragon and Zuni corridors to extend the hours of operation to Daylight hours; (4) waiver of overflight fees; (5) investment tax credits; and (6) low cost government loans.

AirStar Helicopters, Inc. (AirStar) (84) states that the following incentives for transition to noise efficient aircraft should be considered: low cost loans, overflight fee rebates or investment tax credits. AirStar also states that it has already begun the transition to quiet technology.

The Grand Canyon Trust (72) proposes the use of Dragon and Zuni Corridors as quiet aircraft incentives routes for Category C aircraft only.

FAA Response

This SNPRM only proposes to define quiet aircraft technology. Under the provisions of section 804 of the Air Tour Act, all incentives to replace current aircraft with those satisfying the definition must be developed through the consultative process with the NPOAG. Thus, proposals to encourage the transition to quiet technology will be addressed in subsequent FAA rulemaking. The NPOAG will provide advice and recommendations on, among other things, the establishments of routes and corridors for the operation of quiet technology aircraft for tours originating in Clark County, Nevada and for "local loop" tours originating at the GCNP Airport in Tusayan, Arizona. The FAA notes that section 804(b) of the Air Tour Act allows such incentive routes "provided that such routes or corridors can be located in areas that will not negatively impact the substantial restoration of natural quiet, tribal lands, or safety."

8. Draft Environmental Assessment (DEA)

In 1996, the DEA analyzed a different Federal action than is now proposed by the FAA. Therefore, the FAA is not pursuing completion of that NEPA document for this SNPRM and the comments received on the DEA are no longer relevant.

Rather, in accordance with FAA Order 1050.1D, the FAA has determined that this proposed rulemaking is categorically excluded from environmental review under section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA). The proposed rule is categorically excluded under FAA Order 1050.1D, Appendix 4, Paragraph 4.j, which covers regulations "excluding those that if implemented may cause a significant impact on the human environment." Unlike the DEA completed with the Noise Limitations NPRM, this proposed rulemaking simply establishes quiet technology designations for air tour aircraft operating in GCNP. It does not impose a phaseout or any alteration of any air tour operator's fleet of aircraft. In addition, the proposed rulemaking does not lift the operations limitation, alter any flight corridors through the Park, or make any change to the SFRA. Finally, the FAA notes that this proposed rulemaking alone has no impact on substantial restoration of natural quiet at GCNP and environmental and economic

impacts will depend upon other future incentives yet to be defined. Accordingly, this proposed rulemaking will not individually or cumulatively have a significant effect on the human environment.

Potential Further Action

As proposed, the FAA would designate a standard for quiet technology that would apply to certain aircraft in commercial air tour operations over GCNP. Under the provisions of Section 804 of the Air Tour Act, the implementation of quiet technology will be addressed in subsequent FAA rulemaking in consultation with the NPS and the NPOAG. The NPOAG will provide advice and recommendations on, among other things, the establishments of routes and corridors for the operation of quiet technology aircraft for tours originating in Clark County, Nevada and for "local loop" tours originating at the GCNP Airport in Tusayan, Arizona. The FAA notes that section 804(b) of the Air Tour Act allows such incentive routes "provided that such routes or corridors can be located in areas that will not negatively impact the substantial restoration of natural quiet, tribal lands, or safety." Since the ultimate objective is to determine the role of quiet technology in achieving substantial restoration of natural quiet, the FAA is requesting specific comments to address quiet technology within the context of the implementation issue:

1. How reasonable is the noise efficiency approach (larger aircraft with more passenger seats are allowed to generate proportionally more noise) to define quiet technology and how appropriate is the use of certificated noise level as the basis?

2. What provisions should be made for changes in technology that result in source noise reduction and/or increased noise efficient aircraft designs?

3. What economic and operational incentives should be considered in order to achieve the transition to quieter aircraft and how should the quiet technology designation be used in the establishment of the incentives?

4. Should incentives include a "flexible" cap that would permit increasing operations of aircraft based upon the acquisition of leading edge noise efficient technology by operators?

5. Should growth be tied to an incentive system for existing operators to convert their fleet to quiet technology?

6. What operational limitations (phase-out, expanded curfews, noise budgets, quota system, etc.) should be considered and how should the quiet