

Planning & Zoning Commission
Bluff, Utah 84512

Subject: Proposed Air Tours

The May 22, 2023 P&Z Commission meeting is to consider whether the Town of Bluff should adopt an ordinance limiting or restricting aviation traffic within town boundaries.

Unfortunately, in my view, the Federal Aviation Administration has exclusive authority to manage and regulate navigable airspace in the United States. State and local governments are not permitted to regulate any type of aircraft operations, such as flight paths or altitudes or navigable airspace.

However, there do exist FAA regulations that the Town of Bluff may be able to apply to lessen the impacts from commercial air tours over the town. Some of Bears Ears National Monument lies within the town limits and new federal regulations are being implemented that affect national parks and monuments.

For example, National Park Service and the FAA completed an air tour management plan on October 21, 2022 to protect park resources, including outstanding geologic, ecologic, and cultural resources and the preservation of wilderness character and visitor experience.

The plan authorizes **73 air tours per year** on five defined routes conducted over the park and up to 1/2 mile outside the park's boundary.

Over two dozen other national parks have or are in the process of developing their own air tour management plans.

Perhaps the Town of Bluff should work with the NPS and the FAA to develop an air tour management plan for Bears Ears National Monument.

There was mention of flying along the San Juan River corridor. This raises a number of issues. One being that aircraft could be at times over Navajo Nation land. I believe the courts have not yet decided if the reservation, which is considered a sovereign nation, is exempted from some FAA regulations and can apply their own air tour regulations.

My biggest concern is the noise aspect of helicopters. Before the FAA (at the urging of the NPS and scientists) imposed a minimum elevation limit of aircraft tours at Grand Canyon National Park, breeding birds, bighorn sheep, and other wildlife were affected.

Besides the wonderful dark skies that we enjoy in Bluff, one special resource is the quiet (yes, our truck and car traffic does impact upon that). But do we need to add something as intrusive as helicopter noise? Just as scientific studies are showing how terrible artificial light can be for human (and wildlife) health, noise also impacts our well-being. For more on this, I suggest reading Pete McBride's book *Seeing Silence: The Beauty of the World's Most Quiet Places* and looking up www.noisefree.org.

I urge the Town of Bluff to contact the FAA and voice its concerns.

Thank you,

Stewart Aitchison