

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4198

To provide standards for determining whether the substantial restoration of the natural quiet and experience of the Grand Canyon National Park has been achieved and to clarify regulatory authority with respect to commercial air tours operating over the Park.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2012

Mr. GOSAR (for himself, Ms. BERKLEY, Mr. FRANKS of Arizona, Mr. SCHWEIKERT, Mr. QUAYLE, Mr. HECK, Mr. AMODEI, and Mr. FLAKE) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To provide standards for determining whether the substantial restoration of the natural quiet and experience of the Grand Canyon National Park has been achieved and to clarify regulatory authority with respect to commercial air tours operating over the Park.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Grand Canyon Tour-  
5 ism Jobs Protection Act of 2012”.

1 **SEC. 2. OVERFLIGHTS IN GRAND CANYON NATIONAL PARK.**

2 (a) DETERMINATIONS WITH RESPECT TO SUBSTAN-  
3 TIAL RESTORATION OF NATURAL QUIET AND EXPERI-  
4 ENCE.—

5 (1) IN GENERAL.—Notwithstanding any other  
6 provision of law, for purposes of section 3(b)(1) of  
7 Public Law 100–91 (16 U.S.C. 1a–1 note), the sub-  
8 stantial restoration of the natural quiet and experi-  
9 ence of the Grand Canyon National Park (in this  
10 subsection referred to as the “Park”) shall be con-  
11 sidered to be achieved in the Park if, for at least 75  
12 percent of each day, 50 percent of the Park is free  
13 of sound produced by commercial air tour operations  
14 that have an allocation to conduct commercial air  
15 tours in the Park as of the date of the enactment  
16 of this Act.

17 (2) CONSIDERATIONS.—

18 (A) IN GENERAL.—For purposes of deter-  
19 mining whether substantial restoration of the  
20 natural quiet and experience of the Park has  
21 been achieved in accordance with paragraph  
22 (1), the Secretary of the Interior (in this sec-  
23 tion referred to as the “Secretary”) shall use—

24 (i) the 2-zone system for the Park in  
25 effect on the date of the enactment of this  
26 Act to assess impacts relating to subsec-

1 tional restoration of natural quiet at the  
2 Park, including—

3 (I) the thresholds for  
4 noticeability and audibility; and

5 (II) the distribution of land be-  
6 tween the 2 zones; and

7 (ii) noise modeling science that is—

8 (I) developed for use at the Park,  
9 specifically Integrated Noise Model  
10 Version 6.2;

11 (II) validated by reasonable  
12 standards for conducting field obser-  
13 vations of model results; and

14 (III) accepted and validated by  
15 the Federal Interagency Committee  
16 on Aviation Noise.

17 (B) SOUND FROM OTHER SOURCES.—The  
18 Secretary shall not consider sound produced by  
19 sources other than commercial air tour oper-  
20 ations, including sound emitted by other types  
21 of aircraft operations or other noise sources, for  
22 purposes of—

23 (i) making recommendations, devel-  
24 oping a final plan, or issuing regulations

1 relating to commercial air tour operations  
2 in the Park; or

3 (ii) determining under paragraph (1)  
4 whether substantial restoration of the nat-  
5 ural quiet and experience of the Park has  
6 been achieved.

7 (3) CONTINUED MONITORING.—The Secretary  
8 shall continue monitoring noise from aircraft oper-  
9 ating over the Park below 17,999 feet MSL to en-  
10 sure continued compliance with the substantial res-  
11 toration of natural quiet and experience in the Park.

12 (4) DAY DEFINED.—For purposes of this sub-  
13 section, the term “day” means the hours between  
14 7:00 a.m. and 7:00 p.m.

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