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Date: May 30, 2001

To: Jane Garvey, Administrator FAA
cc: Howard Nesbitt, Flight Standards Service, FAA
cc: Senator Mike Enzi
cc: Senator Craig Thomas
cc: Congresswoman Barbara Cubin

FAA-01-9666-9

To Whom it may concern,

I have just read through the **Safety Risks and Environmental Perils of Scenic Helicopter Tours in Teton County, Wyoming** and the petition to the FAA for **Emergency Issuance of a SFAR Regulating Helicopter Scenic Tours in Teton County, Wyoming** that I received from Joe Albright last week. I found it quite interesting, but also found many inaccuracies. Joe's experience with investigative journalism shows though with his thoroughness. Unfortunately, as is prevalent in the media these days, his flair for sensationalism also shows through.

Some facts, while presented in a professional and scientific manner, are inaccurate and misleading. I would like to point them out specifically to you in this letter.

This latest petition to the FAA refers to a similar petition that was floating around here locally put forth by the Jackson Hole Conservation Alliance last summer. Supposedly over 6000 signatures were obtained, although when I contacted the JHCA they said they could not copy the actual petition names for me, (many of which, by the way, were obtained using dubious methods, such as sitting at the entrance stations to Grand Teton National Park and asking visitors to sign on a busy summer day). On page 6 in the petition to the FAA it states that the JH Alliance's petition from last summer asked to "ban helicopter scenic tours of Teton County due to economic and safety concerns.....". That wording is not on the JH Alliances petition.

That Petition read, word for word: "We the undersigned appreciate the PEACE, TRANQUILITY AND QUIET afforded us in Jackson Hole, Grand Teton National Park and the surrounding National Forests and Wilderness areas. As such, we respectfully request that commercial helicopter scenic flights not be conducted in this area. Specifically, we request that no commercial scenic flights originate or terminate from the Jackson Hole Airport or any other location within Teton County, Wyoming."

On page 25 of the petition it says not one business, except a taxi cab company owner has gone on record in support of scenic heli tours. Also not true. My business,

MountainWeather, as well as High Mountain Heli-Skiing, Hawkins and Powers Aviation, the Jackson Hole Chamber of Commerce, and Ken Johnson (pilot), to name a few have all spoken against this proposed prohibition of helicopter scenic tours in Teton County. And, all of the above have done extensive work with the Alliance on this issue, trying to reword the proposed prohibition currently in an amendment before the Teton County Commissioners, which seeks to also ban commercial air tours over all of Teton County.

Also, a number of local pilots and other business owners stood up and spoke against this ban the first time this issue came up before the Teton County Planning Commission last summer. Their comments are on record with Teton County.

I found some parts of their petition to the FAA about local climate and weather (page 9 and 10) hard to digest (being a local meteorologist). High winds are a concern at times, but no more than most places, and certainly less than others. Southern Wyoming has strong wind, Northwest Wyoming is calm in comparison. Microbursts occur almost everywhere thunderstorms do, they are not unique to this place. Strong downdrafts would be a bigger concern to a 737 on takeoff and landing at the airport, but even these are minimal compared to what they experience at say Casper or Denver, out in the open plains. For example, the highest recorded wind gust at the Jackson Hole Airport was 65 mph. The highest gusts I have seen recorded in Rock Springs and Rawlins, for instance, are around 90 mph. I doubt a scenic tour pilot would knowingly fly into or under an active Thunderstorm anyway, nor would they be able to keep their customers lunch intact if the winds were that variable. This is just common sense, and who said flying any aircraft, in any weather, is 100 percent safe, anyway?

To say that our mountains are always covered in layers in fog is also inaccurate. The Cascades of Washington and Oregon and most of the mountain ranges in Alaska get fog or status clouds hanging in the mountains more often than we do, due to their proximity to the ocean and overall higher average relative humidities. The Tetons and surrounding ranges see less frequent fog (mid to upper mountain fog layers) except perhaps immediately following a heavy rain event, due to our inland location and overall drier air.

The number of days of 90 degrees or better in a summer in Jackson Hole averages less than three. In GTNP it is closer to one. Density Altitude may be a concern for a few hours a day, in the heat of the day, on a handful of days each year in Jackson Hole. Density altitudes are low even on those days in the early mornings and late evenings. And I might note that temperatures above 10,000ft. MSL at this latitude rarely get above 60 to 65 degrees all summer.

The bottom line here is, if our weather in Jackson Hole is so dangerous, and our terrain so treacherous, why does the FAA allow an airport here in the first place? This report makes you believe flying is impossible to do here, due to weather and terrain. That's ridiculous.

The report also cites hypoxia (page 12) as a potential safety risk. I could see that if the pilot came from sea level and had immediately go to 12,000-ft. right away, but living at

over 6,000 feet for a few days would help acclimatize anyone to going higher. There is no known "cumulative effect" of hypoxia from ascending to 12,500 feet (from 6500 ft.) for 10 minutes at a time, over a protracted period of time. Quite the contrary, one of the best ways to acclimatize to a higher altitude is to take short trips to a higher altitude and return to a lower altitude to rest. (read Dr. Charles Huston's Going High or Going Higher).

And I hate to take the wind out of their helicopter "expert's" sails, but 8,000 hours of helicopter time in 40 years is not that much. (A higher hour pilot, with lots of mountain time would be considered an expert, such as local Jackson pilot Ken Johnson, who has over 22,000 hours in 28 years of flying helicopters).

On the subject of harassment of wildlife contained in their report, the greatest harassment of wildlife with helicopters I have witnessed is by Park Service and Game and Fish biologists when they herd elk to count them from the air, and when they net-gun mountain sheep to tag them. I have witnessed both in Grand Teton National Park. But in 15 years of flying in a helicopter as a ski guide in Jackson Hole, at times over elk herds and mountain goats and moose, I have never seen an animal so much as look up at us.

A responsible scenic tour operator would never hover over an animal. And as far as giving a rap while flying and pointing out natural features, I would feel safer doing that in the air than I would as a tour bus driver on these busy roads in the summer.

This petition is riddled with sensationalized information. The fact remains that helicopters have done scenic tours here, in a more or less low-key manner, for 30 years, without a single complaint, or a single accident. The current operator in the valley, Hawkins and Powers Aviation, a Wyoming based company, is not offering scenic flights right now because of the political climate surrounding this issue as of late. But Kjerstad Helicopters offered scenic flights right out of the pad at the south end of town from the 1970's to the mid-1990's. So please don't be bluffed into thinking we have never had scenic helicopter tours over Teton County, again without a single complaint or accident.

Also, don't be swayed by the "400 percent increase in scenic tour accidents" that this report touts. The numbers of people killed in helicopter scenic tours per year is low, some years it is none. The report like to point out that in the last three years the accident rate jumped up dramatically. The fact is it went from 2 accidents in 1996, with no fatalities, to 10 accidents with 8 fatalities in 2000. That is still not that many people, and I believe 7 of those 8 in 2000 were from one crash in Alaska.

Compared to how many people die in avalanches (33 in the U.S. this year. 5 of those were in Teton County, WY alone!!), or riding bicycles (average of 800 per year in the U.S., we've had 2 fatalities in Grand Teton Park in the 2 years!!), I'd say a scenic helicopter tour is a safer way to get a look at the surrounding terrain than a bike or on skis.

You should also consider the motives of the petitioning party I find it odd that as soon as Vortex Aviation said they were going to fly here, with a proposed route near the airspace

above Flat Creek Ranch (owned by Joe Albright, author of the petition, and his wife Marcia Kunstel who is on the board at the JH Conservation Alliance), that all of a sudden an incredible effort has gone into trying to stop scenic air tours in Teton County.

I think fulfilling their own personal agenda is the priority of their petition, to protect their own backyard (which happens to be National Forest land), rather than the interests of Teton County's citizens, or the visitors who may want to view the area from the air. This is one of the worst of the increasing number of cases around Teton County of the super wealthy NIMBY (not in my back yard) crowd trying to make all of Jackson Hole their own private wilderness.

The proposed changes to the Air Tours Management Act can help control flights over the Parks, but should not be applied to the surrounding forests and county lands.

Thank you for allowing me to point out some of the inaccurate and misleading information in the petition and report submitted by the Jackson Hole Conservation Alliance and other wilderness organizations. I hope you will carefully consider all the facts when it comes time to deal with this issue.

Sincerely,


Jim Woodmencey