

Permit Number: 15-004
Permittee Name: FWT
Expiration Date: 3/22/2015
Authority: HBC Title 5



SPECIAL SKI COMPETITION EVENT PERMIT

FWT Management SA (FWT) of 1095 Lutry - Switzerland (hereinafter "permittee"), is hereby authorized to conduct a **2015** special ski competition event between the dates of March 9 and March 22, 2015, subject to the terms and conditions of this permit.

A *Special Ski Competition Event* as defined in HBC 5.04.020(B) is a scheduled, marketed athletic ski event sponsored by an entity that creates a venue for skiers and/or snowboarders to compete for awards of recognized value.

On December 16, 2014, the Haines Borough Assembly adopted Resolution No. 14-12-605 approving the FWT request to conduct the 2015 event in a designated out-of-bounds area in the territory of Telemark Ridge, as noted on maps appended to this permit. The out-of-bounds approval is subject to the following special conditions:

1. There will be a valid safety plan for the permitted area;
2. FWT agrees to a flight plan that will be the least disruptive to known locations of tagged mountain goats and which considers impact to area residents;
3. The permittee for this event is FWT and, as such, FWT is solely responsible for maintaining all ski operations within the designated and permitted area. Under no circumstances is the contracted heliskiing company (SEABA) or FWT permitted to operate skiing/snowboarding activities in the proposed area or any out of bounds area other than for the FWT competition on the agreed upon dates;
4. FWT (and the contracted heliskiing company, SEABA) agree to adhere to wildlife regulations for all landings including safe distances of 1500 meters from visible or reported wintering coordinates for mountain goats;
5. With the understanding this event is completely weather dependent, the window of competition is March 9-22 focusing on March 14 as the day of the competition with 2 days on either side for logistic and safety operations (the actual event will only be 1-2 days of heavy use); per HBC 5.18.080(G)(1), under no circumstances will this event exceed seven days of competition;
6. A safety team from FWT will have one flight day to land and check the area for safety and conditions the week prior to the competition, and this will count as one flight day for the competition;
7. One week after the safety check, FWT will conduct the competition and will have up to six consecutive days to conduct and conclude the competition;
8. FWT agrees to keep the traffic in the area to a minimum within the one safety day and six consecutive competition days; and
9. FWT will notify the Haines Borough of any plans to land in the area for safety/snow conditions pre-competition, as well as updates on changes due to weather/safety conditions;
10. FWT acknowledges this permit is valid for this event and this event only; and
11. Permission to use the designated out-of-bounds area in March 2015 does not constitute or imply a permit will be granted in subsequent seasons.

Additionally, this permit is subject to HBC Title 5, including but not limited to the following permit conditions and regulations (reference HBC 5.18.010(F) and 5.04.080):

1. **HOURS OF OPERATION.** The event shall take place only between the hours of 8:00 a.m. and 6:00 p.m., unless the borough has authorized additional hours.
2. **LOCATIONS OF OPERATION:**
 - A. **MAP.** The special ski competition event shall be conducted only in areas identified on the "Haines Borough Approved Commercial Ski Tour Areas" map, 7/25/13 revision with the exception of the approved out-of-bounds Telemark Ridge area. The map is available on the borough's website: www.hainesalaska.gov/administration/2015-heliskiing-information. You may also request a courtesy hard copy by contacting the Haines Borough.

B. HELIPORTS. Permittees transporting participants in a commercial ski tour or a special ski competition event or commercial ski production by helicopter shall use one of the following heliports;

1. Haines Airport;
2. The Stewart landing strip at 18 Mile Haines Highway;
3. The heliport adjacent to the 33 Mile Roadhouse;
4. Any heliport authorized by the Haines Borough planning commission as a conditional use.

C. SHARED USE POLICY.


1. HBC 5.18.080(H) outlines a Shared Use Policy applicable to commercial ski tour operators. Per HBC 5.18.080(G)(4), this shared use policy is not effective for the duration and in the location of a special ski competition event.
3. GPS DATA REPORTING. Permittees shall use global positioning system ("GPS") equipment capable of tracking and preserving information establishing the route taken by the helicopter to and from the skiing and snowboarding areas and all landings. This information shall be cataloged in a manner requested by the borough and provided when requested by the borough. Borough requests for this information are limited to enforcement of borough-permitted activity. The permittee is responsible for notifying the helicopter operator of these requirements. (Note: the contracted heliskiing operator has been informed of the requirements.)
4. ACTIVITY REPORTING. Permittees shall submit to the borough clerk a report detailing the number of skiers and flights, flight times and locations, deviations from the flight guidelines and any accidents.
5. EXPLOSIVES. Explosives shall not be used for avalanche control.
6. HELICOPTER REGISTRATION. Permittees shall register contracted helicopters, their N number, color scheme, and pilot's name with the borough.
7. WILDLIFE SIGHTING REPORTS. Permittees shall provide mountain goat, and other wildlife sightings to the borough. This information should be noted daily and may be included in the activity reporting (see #4).
8. OTHER AUTHORIZATIONS. Permittees are responsible for obtaining authorizations required by other local, state, and federal agencies for the permitted activities and shall provide copies to the borough clerk.
9. MUTUAL AID AGREEMENT. The contracted heliskiing operator, SEABA, has a mutual aid agreement on file. It requires all heliskiing operators to come to each other's aid in the event of an accident or a mechanical problem.
10. COMPLIANCE. A permittee is responsible for complying with all municipal, state, and federal ordinances, statutes, and regulations applicable to the permittee's activities.
11. INSURANCE. A permittee is required to maintain a minimum of \$500,000 of current commercial general liability insurance naming the borough as additional insured. The policy shall not contain any self-insured retention or deductible in excess of \$1,000 and shall include a provision requiring written notification to be given to the borough by the insurance company not less than 30 days before the policy is canceled, modified, or terminated for any reason. Worker's compensation insurance is also required, where applicable by law.
12. LIABILITY. A permittee shall reimburse the borough for any damage to municipal property caused by the permittee or any of the permittee's employees, agents, representatives, contractors, or customers during the course of the permittee's activities under the permit.
13. INDEMNIFICATION. Acceptance of a permit by the permittee shall constitute an agreement and acknowledgment by such permittee that the permittee shall indemnify and hold the borough and its elected and appointed officers and employees harmless from and against any and all loss, damage, or expense for any injury to or death of any person or persons or for damage to property, resulting from or arising out of any act or omission of such permittee or of any of the permittee's employees, agents, representatives, or customers. The borough and its elected and appointed officers and employees make no representations concerning and assume no responsibility for or regarding any goods or activities sold by any permittee or by any of permittee's employees, agents, representatives, or contractors.

14. FRAUD. Unfair competitive practices are strictly prohibited. A permittee who commits any act of fraud, misrepresentation, or cheating that would constitute an unlawful act or practice under AS 45.50.471, either through the permittee's own act or through the acts of the permittee's employee, agent, or representative, in relation to an activity authorized under the permit shall, upon conviction, be punished as provided in HBC 5.04.140.
15. REVOCATION OR SUSPENSION. This permit may be revoked or suspended for the reasons identified in HBC 5.04.120 and in accordance with the procedures set forth in HBC 5.04.120.

The following is attached to and related to this permit:

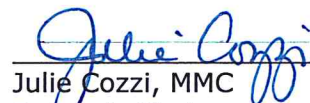
- APPENDIX A - FWT's 2015 permit application documents, including safety & rescue protocol
- APPENDIX B - Resolution 14-12-605, approving event location.
- APPENDIX C - Maps of event location

Acknowledgment of Permit Conditions:



(Permittee or Authorized Agent)

3/13/2015
Date Signed



Julie Cozzi, MMC
Borough Clerk

3/13/15
Date Permit Issued