



Haines Borough Administration
Mark Earnest, Borough Manager
(907)766-2231 • Fax(907)766-2716
mearnest@haines.ak.us

June 26, 2013

2012-13 Season-End Heliski Report

Haines Borough Code 5.18.080 (F)(6) Commercial ski tours, commercial ski productions and special ski competition events states the following:

"The borough manager shall compile a season-end report to be submitted to the borough assembly annually during the first meeting in July. The report shall include the number of skier days used by each permitted company as compared to previous years, and it shall include any verified permit infractions along with correspondence and other information documenting reasons for the infractions."

Attached are the following documents:

1. 2013 Heliskiing Allocations
2. 2013 Request for Transfer of User Days
3. 2013 Heliski Activity Summary
4. Permitted Heliskiing Activity Comparison Report 2007-2013
5. 2013 Heliskiing Complaints (on complaint form)
6. Memo regarding complaint findings, including maps
7. Memo regarding spot check findings, including maps
8. 2013 Heliski Map Amendment Committee Summary

Summary:

Of the 2600 available number of skier days to the three companies operating under HBC Title 5, a total of 2500 skier days were allocated, with a total of 1971 used during the 2012-13 heliski season. The Borough did receive a number of reported possible violations, all of which were investigated. The reports and follow up investigation of the reports are included in the correspondence from TWC.

It should be noted that the Administration is continuing to review the 2013 season and is considering additional spot checks. This review is independent of this report, and any conclusions or results from the review will be announced separately.



Haines Borough Administration
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 mearnest@haines.ak.us

Manager’s Report – Heliskiing Allocations Update

February 11, 2013

Haines Borough Code 5.18.080 establishes a maximum of 2,600 skier days to be allocated by the Manager among three heliski companies. Alaska Heliskiing (AH), Southeast Alaska Backcountry Adventures (SEABA), and Alaska Mountain Guides (AMG) have requested a combined 2,850 skier days for the 2013 heliski season. When this occurs, it falls to the Borough Manager to decide how to allocate skier days between permitted companies. HBC 5.18.080(C)(2) lists the following factors to be considered when making allocation decisions:

- a. The quality of the operating and safety plans submitted by the permittee.
- b. The economic impact of the allocation on the permittee.
- c. The safety and well-being of the general public.
- d. Historic use of skier days by the permittee.
- e. The interests of the borough in the promotion of tourism.
- f. Past safety record of the permittee.
- g. The applicant’s past record of compliance with borough ordinances related to commercial ski tours.
- h. The existence and terms of any voluntary agreement between the borough and the applicant pertaining to operational practices of the applicant.

I have decided to issue skier days for the 2013 season as follows:

	2011	2012			2013	
	Final Allocation	Requested Allocation	Manager’s Allocation	Final Allocation	Requested Allocation	Manager’s Allocation
Alaska Heliskiing	1450	1450	1450	1490	1400	1050
SEABA	750	1000	870	870	1000	1000
Alaska Mountain Guides	200	200	200	200	450	450
Total	2400	2650	2520	2560	2850	2500

These numbers represent the initial allocation for the 2013 season. There are 100 skier days held in reserve for the companies to apply for until the end of the season. Each company has been informed that they may apply to the Manager for additional days as the season progresses based on documented commitments from clients. There is no guarantee that any company will be awarded additional days. The initial allocation is not a precedent for future seasons

The reason for the reduction in Alaska Heliskiing's allocation is based on the findings of the Clerk's research and analysis of the company's 2012 safety record, which notes in part the following:

Alaska Heliskiing failed to obtain a permit for use of state lands over multiple years of operation, failed to follow operating and safety plan accident reporting, failed to submit a mutual aid agreement, failed to file a report of employee death with the State of Alaska, twice flew out of bounds and posted inaccurate and misleading information on its website relating to guide certification and company safety standards.

Any permittee receiving less than a requested allocation may appeal this initial allocation decision to the borough assembly by filing a notice of appeal with the borough clerk no later than 15 days from the date of this decision.



PO Box 1448 Haines, AK 99827

(907) 767-5745

REQUEST FOR TRANSFER OF USER DAYS – 2013

Alaska Heliskiing has requested the use of 100 of Alaska Mountain Guides allocated user days for the remainder of the 2013 season. Alaska Mountain Guides agrees to this request.

On this day, April 19 of 2013, a request to transfer 100 user days from Alaska Mountain Guides to Alaska Heliskiing is made to the Haines Borough Manager, Mr. Mark Earnest.

Thank you,

Vicki Gardner, Alaska Heliskiing

*Approved
Mark Earnest
04/19/2013*

Signed, *Vicki Gardner*
Vicki Gardner

Date 4/19/13

Sean Gaffney, Alaska Mountain Guides

Signed, *Sean Gaffney*
Sean Gaffney

Date 4-19-13

**2013
Heliski Activity
Summary**

	Skier Days	Deviations from Flight Guidelines?	Accidents?	Wildlife Observation?	Notes
Available	2600				
AK Heli Totals allocation	1103 1150	Yes*	No	None	Days Reported thru 4/21 FINAL
SEABA Totals allocation	868 1000	Yes*	Yes*	None	Days Reported thru 5/3 FINAL
AMG Totals allocation	0 350	No	No	None	Did not operate in the Haines Borough FINAL
Combined Totals	1971				

* See specific bi-weekly activity reports and/or GPS spot check reports for more information

Haines Borough
Permitted Heliskiing Activity
Comparison Report 2007-2013

	<u>2013</u>	<u>2012</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
skier days available	2600	2600	2600	1200	**1200	1000	1000
photo days available	Now included with skier days			140	**260	140	140
AK Heli							
skier day allocation	*1150	1490	1450	750	650	650	650
skier days used	1103	1232	1363	659	**664	445	281
photo day allocation		N/A		90	90	100	100
photo days used				53	**117	122	40
SEABA							
skier day allocation	1000	870	750	450	350	350	350
skier days used	868	722	560	615	**406	320	222
photo day allocation		N/A		10	10	20	20
photo days used				24	**11	8	20
TGR							
skier day allocation		Not Permitted		0	0	0	0
skier days used				0	0	0	0
photo day allocation				40	40	20	20
photo days used		N/A		0	22	0	0
AMG							
skier day allocation	*350	200	200	New permittee in 2011			
skier days used	0	5	8				

* On 4/19/13, the borough manager approved a transfer of 100 skier days from AMG to AK Heli.

** 2009 - Emergency Ordinance 09-04-205 added 200 skier days and 120 photo days to the code-allowed 1,000 and 140. The ordinance did not stipulate specific operator allocations. AK Heli and SEABA both used some of the additional days allowed under the emergency ordinance, so they did not inappropriately exceed their initial allocation.

HAINES BOROUGH
HELISKING COMPLAINT FORM

P.O. Box 1209 ♦ 103 Third Avenue S.
Haines, Alaska 99827
Ph: 907-766-2231 ♦ Fax: 907-766-2716
www.hainesborough.us

RECEIVED Haines Borough

APR 15 2013
Clerk's Office

Today's Date: 4/13/13

Your Contact Information

Name: (first, middle initial, last)

Carolyn H. Weishahn

Mailing Address: (address, city, state, zip code)

HC 60 Box 3977, Haines, AK 99827

Physical Address: (address, city, state, zip code)

Mile 40, Haines Highway, Haines, AK 99827

Home Phone: (include area code)

907-767-5552

Work Phone: (include area code)

Email:

weis@aptalaska.net

Complaint: Please describe the alleged or suspected violation in detail, including who, what, when, where and why. Helpful details include helicopter color and tail numbers, exact location, number of skiers, date, and time. (Attach additional pages or use the backside of this form, if necessary.) If you have photos, please email them to info@haines.ak.us or bring them to the Haines Borough Administration Building.

4/12/13 Flight path deviation; yellow helicopter flying toward 33 Mile heliport from the Jarvis Glacier area near the Canadian border, flying at high elevation in front of the range across the Klehini River in front of my home at 40 Mile; between 6:30 and 7:30 p.m.

4/12/13 Flight path deviation; yellow helicopter flying from 33 Mile heliport toward the Jarvis Glacier area near the Canadian border, flying at tree line in front of the range across the Klehini River in front of my home at 40 Mile; between 6:30 and 7:00 p.m.

4/12/13 Flight path deviation; yellow helicopter flying toward 33 Mile heliport from the Jarvis Glacier area near the Canadian border, flying at tree line in front of the range across the Klehini River in front of my home at 40 Mile; between 6:30 and 7:00 p.m.

4/12/13 Skiing out of bounds? Ski tracks in high elevation bowl, Jarvis Glacier area near the Canadian border above the Klehini River, visible from my home at 40 Mile; may have been made the day before; possibly ski tracks made by skiers picked up by the helicopter between 6:30 and 7:30 p.m. on 4/12/13 (see above)

Date Received by Borough Manager:

Forwarded for Response or Investigation to:
Date:

Copy given to:
Date:

Results of Investigation:

Actions Taken:

♦ Complainant Contacted regarding Results of Investigation:

Contacted by

Date

♦ Action: (attach additional pages, as needed)

Form Received by:

Date Stamp:

Date-stamped copy given to complainant



Haines Borough Administration
Mark Earnest, Borough Manager
(907)766-2231 • Fax (907)766-2716
mearnest@haines.ak.us

April 25, 2013

Regarding: Complaint of flight path deviation and out of bound ski tracks on 4/12/13

Findings on Flight Path Deviation: Two flight path violations were found in the Klehini Valley. One flight was excused due to safety concerns regarding low light late in the day.

Rationale: Specific flight paths are outlined in the "Agreement Regarding Flight Operations and Practices of Commercial Ski Operations", and "flights in Jarvis Creek and the Klehini are to be avoided." Deviations are allowed for safety and mechanical issues. Coastal Helicopters indicated that the return flight on April 12, 2013 was late in the day and the pilot was avoiding the dark shadows on the normal mountain route. No reason was given for the up valley flight on this day.

Penalty: Alaska Heliskiing fined \$200

Findings on Out of Bounds Ski Tracks: Three out of bounds landings were found in the little Jarvis, Saksia Glacier area.

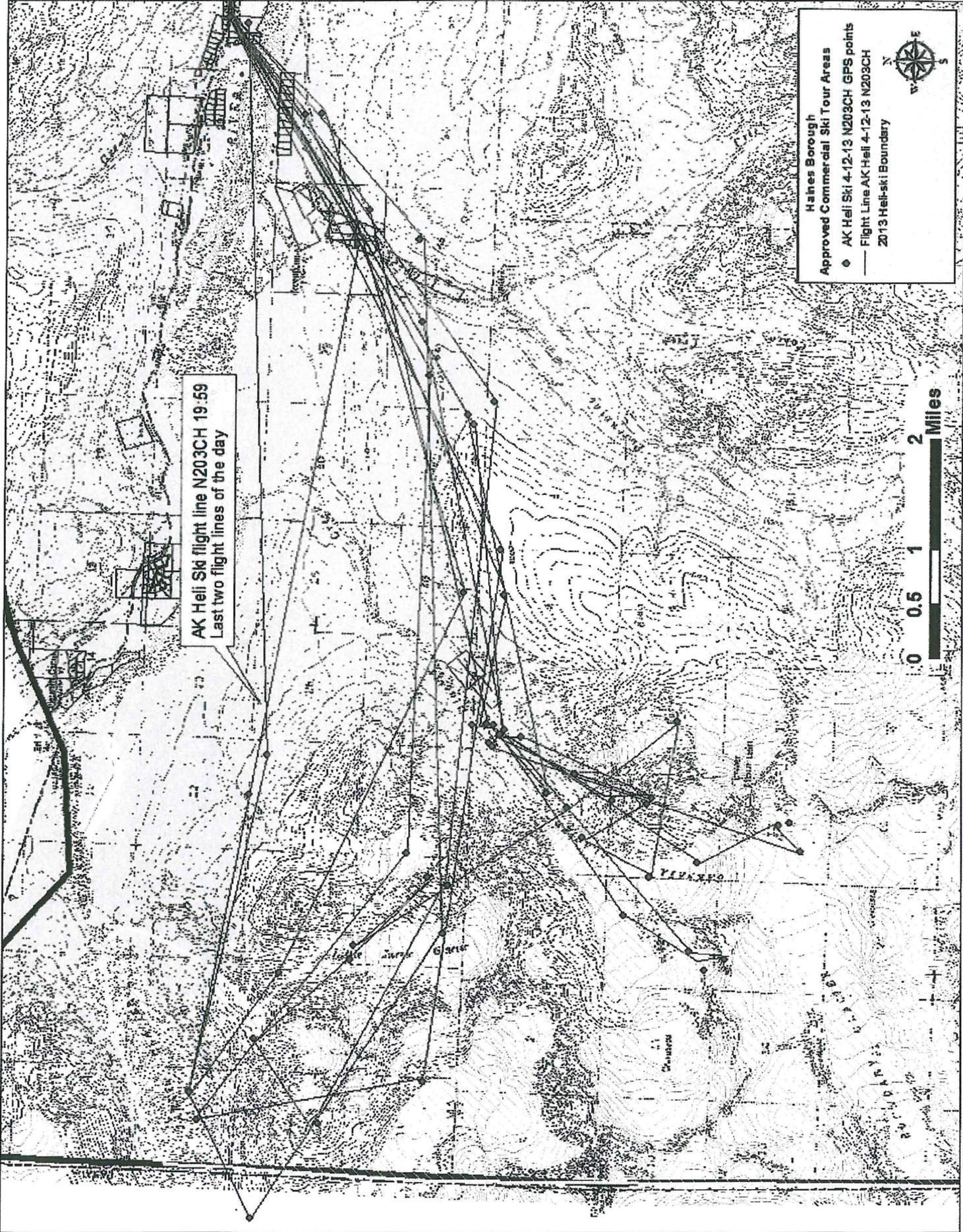
Rationale: GPS data shows three landings were found outside of the Ski Area Boundary. Alaska Heliskiing indicated that one of the landings was for a ski run. The other two were spots that the helicopter sat down to watch the skiers complete their run.

Penalty: Alaska Heliskiing fined \$600

Total Penalty: \$800

A handwritten signature in black ink, appearing to read "Mark Earnest".

Mark Earnest
Haines Borough Manager



Haines Borough
Approved Commercial Ski Tour Areas

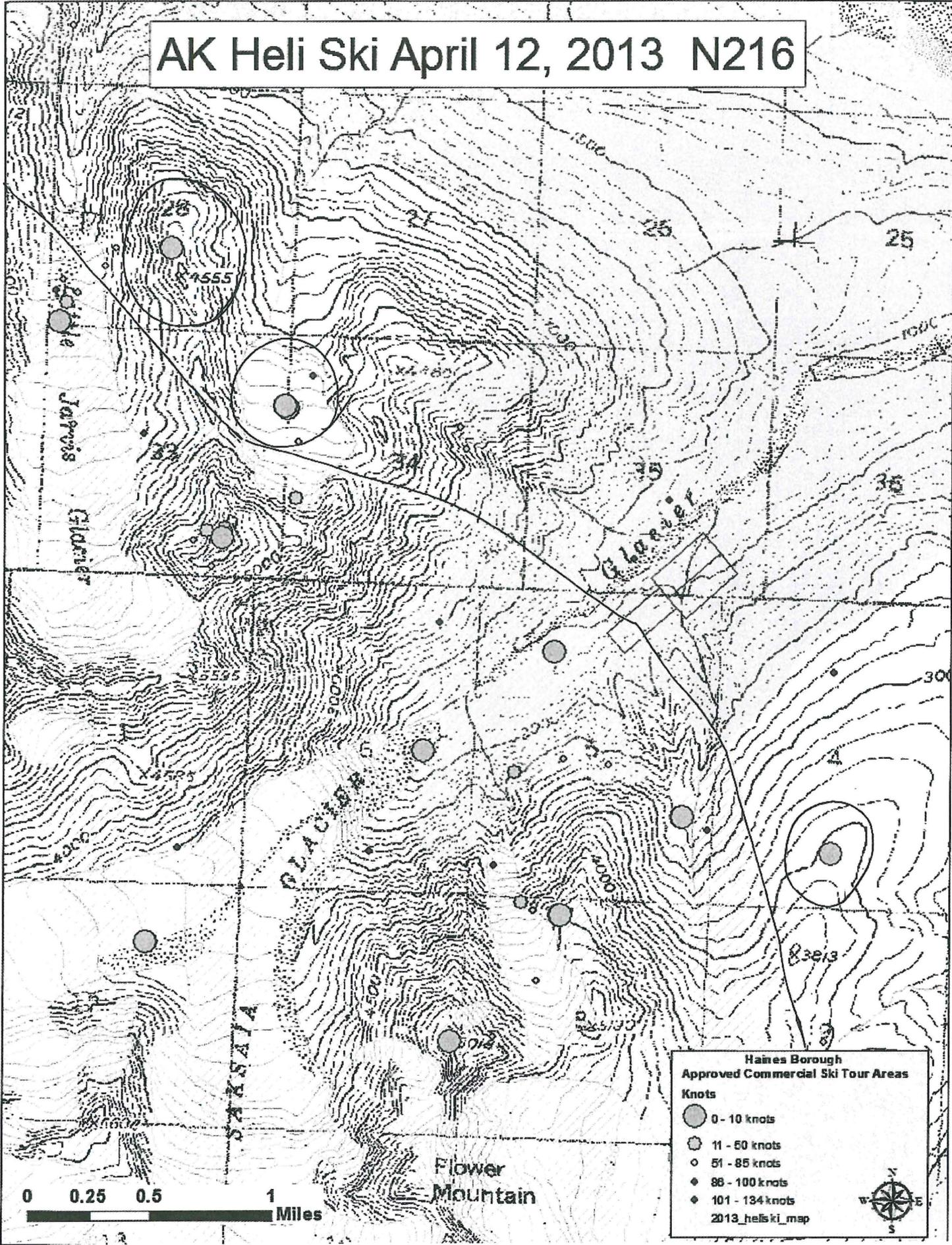
- ◆ AK Heli Ski 4-12-13 N203CH GPS points
- Flight Line AK Heli 4-12-13 N203CH
- - - 2013 Heli-ski Boundary



AK Heli Ski flight line N203CH 19:59
Last two flight lines of the day



AK Heli Ski April 12, 2013 N216



**Haines Borough
Approved Commercial Ski Tour Areas**

Knots

- 0 - 10 knots
- 11 - 50 knots
- ◊ 51 - 85 knots
- ◆ 86 - 100 knots
- ◆ 101 - 134 knots

2013_heliski_map

0 0.25 0.5 1 Miles

Flower Mountain





Haines Borough Administration
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mearnest@haines.ak.us

April 25, 2013

Random Heliski GPS Spot Check results

The Haines Borough Heliskiing GPS Data Collection, Submission, and Compliance Administrative Policy allows for GPS Spot Check.

"To insure compliance with the approved *Haines Borough Approved Commercial Ski Tour Areas* Map, The Borough Administration will perform random GPS spot check. Results will be posted on the borough's website.

Random dates were chosen and heliski operators were asked to provide data.

Alaska Heliskiing was asked to provide GPS data for March 3, 2013 and March 13, 2013.

Results: March 3, 2013, no infractions were found. March 33, 2013, no infractions were found.

Penalty: None

SEABA was asked to provide GPS data for March 19, 2013 and April 2, 2013.

Results: March 19, 2013, violations were found. April 2, 2013 no infractions were found.

Penalty: \$200 per landing area violation, total penalty \$400

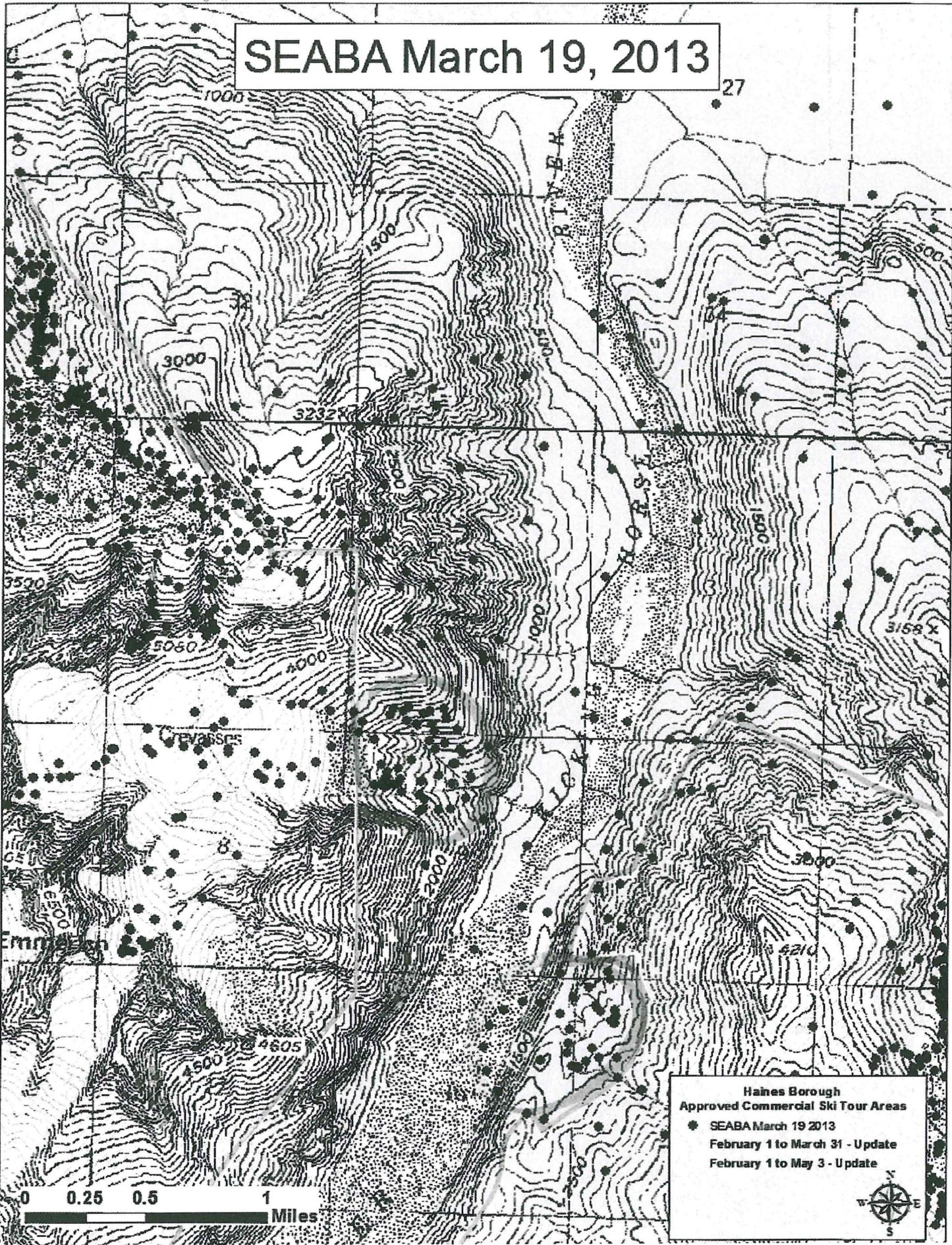
Alaska Mountain Guides had yet to operate and no data was requested.

A handwritten signature in black ink, appearing to read "Mark Earnest".

Mark Earnest
Haines Borough Manager

Violation

SEABA March 19, 2013



Haines Borough
Approved Commercial Ski Tour Areas

- SEABA March 19 2013
- February 1 to March 31 - Update
- February 1 to May 3 - Update



0 0.25 0.5 1 Miles

2013 Heli Map Amendment Committee

Per borough code HBC 5.18.080(F)(3)(c), this is a five-member. The members for 2013 are:

Barbara Mulford - Rep for the Tourism Advisory Board

Randy Bachman - Rep for ADFG who is a Haines resident

Scott Sundberg - Randomly-selected Rep for the heliski industry

Daymond Hoffman - Rep for Parks & Rec Advisory Committee

Dave Long - Randomly-selected citizen from those who submitted map proposals

HBC 5.18.080(F)

3. Commercial ski tours, commercial ski productions and special ski competition events shall be conducted only in areas identified on the map attached to the ordinance codified in this section which shall remain on file with the borough clerk and labeled “[Haines Borough Approved Commercial Ski Tour Areas](#).”

a. The [Haines Borough Approved Commercial Ski Tour Areas map](#) may be amended annually by assembly resolution.

b. Proposals for map amendments may be submitted to the borough manager from May 1st to May 31st each year. Proposals shall be in writing and include an illustration of the general subject area and rationale for the amendment in fewer than 500 words.

c. After May 31st and prior to June 10th, the manager shall convene an advisory committee to review the proposed map amendments. The committee shall be comprised of one commercial ski tour operator determined by random drawing of all permitted commercial ski tour operators; one citizen determined by random drawing of all persons who submitted map amendment proposals except commercial ski tour operators; one tourism advisory board member selected by the tourism advisory board; one parks and recreation committee member selected by the parks and recreation committee; and one Alaska Department of Fish and Game staff member who meets the residency requirements of HBC 2.60.020 and is knowledgeable of local wildlife habits. The committee shall organize itself as to procedure and shall make a recommendation to the manager on or before June 30th. The manager will not be bound to the recommendations but shall present them to the assembly for consideration.

Eighteen proposals were received between May 1 and May 31 with sixteen of them being from individual citizens. Additionally, 5 others submitted emails containing comments that did not include specific map amendment proposals.

The committee plans to meet will be publicly posted to this website and will take place in the Borough Assembly Chambers. The meetings will be open to the public but will not be public hearings*.

*[Explanatory note from the Borough Clerk: difference between a public hearing and a public meeting](#)

During a “public hearing” the public can expect to have an opportunity to be heard. During a public meeting, however, there should be no such expectation. It does not mean the committee can’t or won’t allow people in the audience to speak during their meeting but rather it is the committee’s option instead of being mandatory.

This is demonstrated during most borough assembly meetings. In the public hearings portion of the assembly meetings, the public is specifically given a chance to speak to the matter at hand. That is mandatory. Most of the other agenda items do not involve a public hearing; the people in the audience just listen and observe. However, on occasion, an assembly member may request of the mayor to hear from the public. But, that is optional.

Please be assured the public will have an opportunity to be heard when this particular matter comes to the borough assembly. The code says the assembly can amend the heli map by resolution, and it is certain this will not be on the consent agenda and, as such, the public will get a chance to be heard.

HBC 2.12.110 Resolutions.

A. Every resolution shall be introduced in writing and shall be noticed with the posted agenda.

B. A resolution may appear on a consent agenda provided assembly members and other interested persons may request removal from the consent agenda and thereby be provided an opportunity to be heard. After such hearing, the assembly may finally pass such resolution with or without amendments. First hearing of any resolution shall be final and no further passage shall be required.

Takshanuk Watershed Council

P.O. Box 1029, Haines, Alaska 99827
(907) 766-3542 | www.takshanuk.org



Mark Earnest
P.O. Box 1209
Haines, AK 99827

Dear Mr. Earnest

Below you will find a description of the work that the Takshanuk Watershed Council (TWC) did in regards to the creation of maps for spot checks and possible violations of AK Heli-Ski and SEABA helicopter-skiing companies. TWC received GPS data that the borough requested from the Helicopter skiing companies and then imported it into GIS and overlaid the data on the Haines Borough Helicopter skiing map. No written descriptions of possible violations were included this season (unlike last season) so only maps were created without comments on whether the violation was valid. It is important to remember the GPS data reports the location of the GPS not necessarily the skiers. While this sounds simple it is an important point because the data comes directly from a Helicopter so that isn't always inline with the exact location of the skiers.

April 9, 2013 (4 Hrs.)

Analyzed spot check data but needed more information from SEABA to create their maps. The data for AK Heli ski was complete and spot check maps were made. Airspeed was used to determine landing locations. Looking at airspeed seems like a good way to determine landing locations. This information was relayed to Darsie Culbeck.

April 12, 2013 (1.5 Hrs.)

New flight data was received for SEABA spot checks. Two of three maps were made from the data sets. One of the data sets was in an unusable file type. Airspeed data was not supplied so landing locations were hard to determine.

April 16, 2013 (3 Hrs.)

Data was received for the creation of four maps: one for SEABA and three for AK Heli ski.

Airspeed data was not supplied in the data set for SEABA to be used to determine landing locations.

The Borough GIS shapefile for the Heli-ski boundary seemed to have some minor errors when zoomed into specific spots. In some locations it seemed as if the boundary should be at the ridge top not a few hundred feet below. This information was relayed to Darsie Culbeck.

April 17, 2013 (2 Hrs.)

Flight line map was made for April 12, 2013 for AK Heli ski flight line violation.

June 13, 2013 (1 Hr.)

Final report and recommendations.

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JUN 17 2013

Clerk's Office

The mission of Takshanuk Watershed Council is to provide stewardship of the Chilkat, Chilkoot and Ferebee River systems. Through restoration, education, research and community involvement, we will benefit the natural ecology, economy and quality of life valued by all residents.

Recommendations .

To fine tune the collection of data and to be more accurate in determining landing locations, airspeed should be included in the data supplied by the helicopter skiing companies. This data can be separated out in GIS to determine locations of where the helicopter has stopped moving (i.e. landed).

Also, the GIS shapefile for the boundary of the helicopter skiing area could use some better detail. When zooming in on some locations the boundary was below the ridge line by a few hundred feet when it seem logically that the ridgeline should be used. Technically the slope below the ridgeline could not be skied because the helicopter would only be able to land on the ridge which is out of bounds.

Please consider this the final report and invoice for providing GIS analysis and recommendations for the 2013 Helicopter Skiing season. If you have additional questions please call or email.

Invoice Total: 11.5 hours at \$45/hr. = \$517.50

Sincerely



Brad Ryan
Executive Director