

From: george figdor <figdor@aptalaska.net>
Date: September 23, 2014 3:08:02 PM AKDT
To: stephanie scott <sscott@aptalaska.net>
Subject: heli ordinance

dear mayor scott,

conservationists and other stakeholder groups have been willing to compromise in the past and have quietly accepted changes to the heli ordinance year after year. i am concerned that yet another change is the works that will further erode any remaining spirit of goodwill surrounding past compromises. i support heli skiing as long as other interests and values are protected at the same time and past compromises have stability over time.

i see four inherent problems with the proposed heli ordinance changes:

1) as i recall, the "out-of-bounds" provision was something stuck into the ordinance after the fact by the industry---to get its foot in the door for skiing off the map. it probably shouldn't be there at all, since it undermines the very purpose of having a map in the first place. it doesn't make sense to open that off-the-map door any more. at some point it will render the whole map process---that so many have worked on for so long---totally useless. i would not encourage any more special events outside the map.

2) it seems that special events really do not need any ordinance tweaking to occur. they can easily be done within the existing ordinance and skier-day allotment by any permit holder. actually, such activities must be done by a permittee under the conditions of the ordinance. one of the intents of the last ordinance change was not to compartmentalize the purpose of the skier--no distinction was made between skiers and photographers. so this would just be another type of skiers under the increased allotment of 2600 skier days. simple.

3) you raise the issues about the comp plan and increased winter tourism. i would suggest that increased winter tourism can take many other forms--- cross country skiing, telemarking, snowshoeing, downhill skiing, etc. and some of these might not be compatible with increased heli-skiing. the borough needs to study all the alternatives for winter tourism before assuming that any one option is the only one.

4) it seems that the proposed ordinance change opens the back door to more skier days and more heli traffic and consequently the concerns of several stakeholder groups are once again ignored. so much for inclusivity.

george figdor

September 23, 2014

To: Assembly Members, Mayor, and Manager

From: Carolyn Weishahn

Re: Ordinance 14-08-390

Please consider my concerns and suggestions for this draft ordinance.

The heli-ski map and skier day allotments are the heart of heli-ski management. Because this ordinance proposes a 5-fold increase in the number of ‘special ski events or competitions’ which can then request additional map areas, it begs the question, why have **any** temporary map changes when the permanent map has been fully vetted by many people over many years? Here’s a little history on “temporary additions to approved commercial ski tour areas.” This was not an option in the state Special Use Designation (SUD) for heli-skiing nor in BLM heli-ski permits. The option to request temporary ski areas was put in borough code at the request of heli-tour operators who were seeking additional ski territory. Whether one or five requests, this provision puts a burden (and spends taxpayer dollars) unnecessarily on staff and assembly time and is a ‘loophole’ to eke out ski areas out-of-bounds. Areas appropriate for heli-skiing are on the permanent map and this loophole should be removed from code. However, if this remains in code, language should be added to HBC 5.18.080(G)(2) that requires the manager to consult with ADF&G and BLM regarding impacts to mountain goats and other concerns when considering temporary map changes (as is required for permanent map changes).

The proposal to add “special ski event” in addition to “special ski competition event” also begs the question, why? Ski competitions are well established in the heli-ski world but a “special ski event” could be any event one could imagine. “Special ski event” should be removed from this ordinance.

The borough can issue up to three commercial ski tour permits and the permittees operate under the requirements of HBC 5.18.080. Only these permittees can apply for the one allowable ‘special ski competition event’ permit and potentially ask for additional ski territory. Potential heli-ski competitions can partner with any of the three commercial heli-ski permittees for their competition. Random ‘applicants’ are ineligible to apply for a ‘special ski competition event’ as this opportunity is reserved for commercial heli-ski permittees. These three permittees would have the necessary skier day allotment, safety plan, borough insurance etc. for the event and are managed under HBC 5.18.080. The term “applicant” should be removed from the draft in 5.18.080(G)(1).

An example of the relationship between commercial ski tour operators and competitions and/or professional filming is in HBC 5.18.080:

F. General Permit Conditions and Regulations.

14. Commercial ski tour operators 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:

- a. Haines Airport;
- b. The Stewart landing strip at 18 Mile Haines Highway;
- c. The heliport adjacent to the 33 Mile Roadhouse;
- d. Any heliport authorized by the Haines Borough planning commission as a conditional use.

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In this same section “special commercial ski production” has never been eligible for temporary map changes, does not require a permit, and should be removed. Also in this section, it should be clarified that a timeframe such as 14 days is a ‘weather window’ but actual competition would be only several days.

As it was explained to me, there was a need to allow applications for a “special ski competition event” well in advance of the heli-ski season. This draft ordinance goes way beyond that clarification and attempts to make substantial changes to heli-ski management. This draft ordinance needs a lot of work and should not be scheduled for a second public hearing in this form.

Thank you for considering my comments,

Carolyn Weishahn

767-5552

**From:** Eric [<mailto:banjorebop@yahoo.com>]

**Sent:** Thursday, September 18, 2014 3:29 PM

**To:** Stephanie Scott; David Sosa; dave berry; Debra Schnabel; joanne waterman; Diana Lapham; eric holle

**Subject:** Heli-skiing ordinance

Hello Diana,

I tried to reach you by phone several times and was not successful. I would like to share a few thoughts regarding this ordinance 14-08-390 that George Campbell introduced. I am writing on behalf of Lynn Canal Conservation, of which I am the former and current president.

We have been very involved in the heli-skiing issue for at least eighteen years. We do not oppose heli-skiing. In fact, it is clear that it could be a boost to the winter economy in Haines. However, we feel that all areas that are appropriate for heli-skiing have been identified and now comprise the existing map. The map represents input from state and federal agencies, the heli-skiing industry itself, conservation groups, Klukwan and the CIA, hunting guides, residents impacted by noise, backcountry non-motorized recreation skiers and snowshoers, the Upper Lynn Canal Fish and Game Advisory Board, assembly members past and present, mayors, managers, and the general public. As a conservation group, we are primarily concerned with impacts to wildlife, which are widely recognized and well documented. In other words, eighteen years of compromise by the entire community has gone into the existing map.

The ordinance, by allowing a total of 70 days of poorly defined "special events" that could occur almost anywhere in the borough, throws out these eighteen years of compromise. It also removes the public farther away from voicing concerns, and places a huge burden on the manager. It is unreasonable to expect a manager who is new to Haines to understand the history of this issue, and the depth of community concern. I thought that the assembly had voted to not reopen the map for a while and give us all a much needed rest, but this ordinance does the opposite. Last spring we saw almost unprecedented attendance at both Commerce Committee meetings and the assembly, including people who rarely if ever come to such meetings (Steve and Anne Marie Fossman, for example). The issue will not go away as long as SEABA keeps pushing for more days, and more territory.

Finally, on a more selfish personal note, I am a 64 year old who skis both up and down our local mountains, and I look forward to this as my primary winter recreation. It is really disappointing to me to make this physical effort of several hours, anticipating a beautiful ski run down from 5,000 or 6,000 feet, only to have a SEABA helicopter land next to me, a mile from their permitted area, with their clientele of wealthy twenty-somethings. (This has happened to me – they paid a fine of \$100.00 and then continued their history of violations). There should be more than enough room for all of us to co-exist peacefully as long as people respect the existing regs and map boundaries. Roadside peaks and those along the Chilkat Inlet are accessible to people like me. Heli skiers can be much further in from road accessible areas in only 5 to 10 minutes.

Thanks for your time. I do believe that a responsibly managed industry will do the community much more good in the long run, than continual attempts to squeeze out a little more territory. I hope you will agree to support the history of community effort that has gotten us where we are, and to not advance this ordinance that is really bad public policy.

Eric Holle

**From:** Katya Kirsch [<mailto:katyakirsch@hotmail.com>]  
**Sent:** Thursday, September 18, 2014 2:02 PM  
**To:** Leslie Ross  
**Subject:** heli-ski ordinance #14-08-390

Hello Leslie,

I hope the Borough government/Assembly drops proposed ordinance #14-08-390. This ordinance could open **all** of the Haines Borough for commercial heli-skiing for 70 days per season and allow for out-of-bounds heli-skiing after a mere two-week review by the Manager and one vote by the Assembly.

Special ski competition events can already occur within current heli-ski boundaries with one per year having a possible temporary map change. The ordinance's proposed "special ski events" could be anything.

Up to 5 such events over 70 days per year with "temporary" map changes would make current map boundaries meaningless.

Temporary map changes allowed in the proposed ordinance would degrade 18 years of work—by state and federal agencies; the heli-ski industry; Chilkat Indian Village; Chilkoot Indian Association; hunting guides; conservation groups; map committees; Borough mayors; managers and assembly members; residents affected by noise; backcountry winter recreationists; and the general public—to create current heli-ski map boundaries.

The proposed ordinance would cause uncertainty and anxiety in the community about heli-ski boundaries **every year**. Temporary map changes would cost valuable Borough Staff and Assembly time, wasting taxpayer money.

If this ill-conceived ordinance moves forward, it should require the Manager to consult with the Alaska Department of Fish and Game and Bureau of Land Management—as now required for permanent map changes.

The Borough should instead concentrate on monitoring heli-ski companies so they are safe and compliant with the current map.

Thank you for your serious and thoughtful consideration.

Katya Kirsch  
PO Box 521, Haines, AK 99827

Mayor Scott and Haines Borough Assembly, 18 Sep 2014

Regarding proposed ordinance 14-08-39, I ask you to stop this proposal. It would negate 18 years of hard, time-consuming work to figure out a reasonable compromise for the heli-ski businesses and those adversely effected by it.

This proposal would create uncertainty and lots of Borough staff + Assembly time, energy, + money\* with interpretation and implementation. As a taxpayer I feel we have more important issues to spend time + money on, especially when we have a plan that works. These businesses have been around long enough to show they are successful; the town gets a winter income.

There is no need to proceed with this proposal. Our current system works fine.

Thank you -

Laurie Dadouean

RECEIVED Haines Borough.

SEP 18 2014

Clerk's Office

**From:** Peter Goll [<mailto:peter@grantway.us>]

**Sent:** Wednesday, September 17, 2014 12:23 PM

**To:** Stephanie Scott; Debra Schnabel; Dave Berry; Joanne Waterman; Diana Lapham; Jerry Lapp; George Campbell; Leslie Ross

**Subject:** Please do not permit this

Dear Mayor and Assembly Members:

As a citizen of Haines whose property will be directly affected, I am writing you to beg you to not pass the proposed measure to expand commercial helicopter activity.

It is an affront to law-abiding citizens to see continued alterations in the law, especially after so many years of work to set some standards.

It is an affront to law-abiding citizens to see violators of existing law be rewarded with legal changes for their benefit.

No other citizens or special interest groups receive such treatment.

The impacts on residents are substantial.

I respectfully urge you to vote no.

Thank you for your consideration.

Peter Goll  
434 River Road  
Haines, Alaska

**From:** rebecca brewer [fishing4deer@gmail.com]  
**Sent:** Thursday, September 18, 2014 9:22 PM  
**To:** Stephanie Scott  
**Subject:** Heli-skiing ordinance

Dear Stephanie Scott,

I am writing to encourage you to oppose ordinance # 14-08-390 that could allow the entire Haines borough to be used for commercial heli-skiing for 70 days per season.

We simply do not need this to happen or want it to influence the quality of life here.

Appropriate areas have already been identified over 18 years of input from state and federal agencies, Native groups, and the Haines Community. Please proceed with caution, and stick with the current maps, and regulations.

Sincerely,  
Rebecca Brewer  
Haines Resident



**From:** Sherrie [mailto:riversidealaska@yahoo.com]

**Sent:** Wednesday, September 17, 2014 11:21 AM

**To:** Julie Cozzi

**Cc:** Stephanie Scott; Debra Schnabel; Dave Berry; Joanne Waterman; Diana Lapham; Jerry Lapp; George Campbell; Leslie Ross

**Subject:** Re: 14-08-390 Public Testimony for 9/23 BA Meeting

Dear Mayor Scott, Assembly Members, Manager Sosa and Ms Ross,

I am writing to strongly oppose proposed ordinance 14-08-39 which clearly attempts to ignore the established map revision process.

Ordinance 14-08-390 flies in the face of eighteen years of debate and compromise regarding the heli ski industry.

Quite enough permitted area exists for any ski competition, production or event.

The ordinance is wildly open-ended and as currently drafted would allow heli-skiing in closed terrain for up to 70 days, more or less the whole season.

The special Ski Competition Event clause, open to permit holders or any other applicant, is especially troubling. Originally intended to allow a non-permitted entity to bring a well known, named, ski competition to Haines, a one time event, the current draft ordinance opens this door much wider. Please delete or seriously and thoughtfully revise this clause.

As currently drafted, decisions to open areas, currently closed because of known concerns for goat, bear and wolverine habitat, *must* be made by the Manager and brought to the Assembly in 14 days. Will 14 days be enough time for Mr. Sousa to become expert in wildlife habitat and seek meaningful input from other back country users?

If this ordinance is to advance please assure that it is revised so that SEABA is *not* allowed to land helicopters in Haska Bowl which has been closed to heli-ski since the first regulations were adopted.

SEABA has a proven history of operating in closed areas, has caused the deaths of skiers and guides and brought negative press to the community. This company should be closely watched, not granted favors.

The Assembly recently voted to not keep revisiting the heli-ski map outside of the map revision process. I urge the Assembly to be true to its word and discard this draft ordinance.

Thank you for your consideration.

*Sherrie Goll*

Sherrie Goll  
PO Box 261  
Haines, AK 99827  
907-314-0961