

HAINES BOROUGH

HELICOPTER MAP COMMITTEE

CONSENSUS RECOMMENDATIONS TO ASSEMBLY

The Committee's Procedure and Resources

The Helicopter Map Committee was appointed by Mayor Mike Case in early June, 2005. The committee met a number of times throughout the summer to determine permissible areas for both summer and winter helicopter tour activity.

We used the final version (10/23/03) of the Special Use Designation (SUD) map developed by the State Department of Natural Resources as our starting point.¹ We agreed that a tremendous amount of work had gone into coming to the compromises represented by that map, and it made sense to respect that work and discuss whether changes should be made to that map. Accordingly, our consensus adopts the SUD map (including areas on both State and BLM lands), including flight paths, elevations, dates and areas unless specifically excepted to below.

The committee made frequent use of a map prepared by the Bureau of Land Management entitled "Mountain Goat Observations, Survey Transects, Winter Ranges." That map shows goats that have been observed in surveys taken in 22 different years between 1973 and 2004. The 2005 survey took place while the committee was meeting, and some of the members were able to speak with Jeff Denton, the BLM biologist. The map also shows presumed winter habitat, which habitat is drawn based on knowledge of terrain, exposure, escape terrain, elevation and the like. Winter surveys have not been taken.

John Katzeek supplied considerable information about local populations of both bears and goats.

The committee reviewed a position statement issued by the Northern Wild Sheep and Goat Council (NWSGC). That statement and its recommendations are attached to this report. Specifically, the Council recommends that no helicopter activity occur within 1.5 km (approximately 1 mile) of occupied or suspected nursery group or crucial winter

¹ The SUD map, by its terms, only applied to State land. It was developed by the State Department of Natural Resources to govern commercial recreational helicopter use on lands managed by that department. However, the SUD map was developed by the State in consultation with the BLM, and set out the areas of BLM managed land in which heliski permits could be issued. The 10/23/03 version of the SUD map also set out an area in which summer helicopter tours would have been permitted. This area was almost entirely on BLM land; two very small parts of the area extended into State land. No BLM permit existed for summer helicopter activity at that time. Thus, although the SUD delineated an area for summer tours, the State did not have the power to grant permits for that area.

range habitats during critical periods. With respect to winter range, the critical period is November 15 to April 30; with respect to nursery groups, the critical period is May 1 to June 15.

Committee members were in touch with heliski operator Sean Brownell by e-mail. We sought his thoughts and recommendations about various proposals, and send him an electronic copy of the SUD map. E-mail correspondence is attached.

The members of the committee agreed to the following:

Fundamental Premises

1. We agreed that helicopter tour activity (both winter and summer) can have negative impacts on both people and wildlife. We agreed that our objective was to minimize those impacts.
2. We agreed that wildlife populations should be protected and preserved not only for their own sake, but also because they provide significant economic benefit to the Borough and its residents through commercial hunting, sport hunting, and attraction of visitors for wildlife viewing.

Recommendations with Respect to Heliskiing

In discussing the areas in which skiing would be permitted, the committee came to consensus only after agreeing on certain terms and conditions. These conditions are:

- a. The use of the permitted areas should occur ONLY if the designated appropriate flight path and altitude is maintained. .
- b. A heliski permit must be made contingent upon compliance with the terms of the permit; that is, areas, flight paths, altitudes and closing dates must be complied with. The permit should be revoked upon a substantial failure by the industry to comply with these terms.
- c. The Borough should set up an e-mail address on the Borough web site, where citizens can leave messages documenting alleged breaches of the terms of the permit. These messages should periodically be printed out, and made available to the public. A person would be required to leave his or her name and e-mail address, the date, and the observed behavior. Report of a substantial breach should be brought to the attention of the industry immediately, and they should be given an opportunity to respond.

Additionally, the e-mail address should be used to report permitted activity that is bothersome to residents. In discussing some of the areas below, the committee intended to permit activities that would not bother residents, and made assumptions about what could be heard and observed in particular locations. Comments relating to permitted but bothersome activity should be reviewed when the map is reviewed.

- d. The contracting helicopter company pilots should be briefed at the beginning of a season on the permissible flight paths and altitudes. The

committee recognizes that these terms may be compromised if safety requires. However, the pilots must understand that if the weather prohibits safe flying at the designated route and altitude, the flight must not be undertaken. The safety exception should only be employed to get out of a situation that was safely begun, or in the case of medical emergency.

Additionally, the committee recommends that the map be reviewed at the end of the next heliski season (2006), to determine whether the assumptions made by the committee are correct, and to give the operator a chance to comment on the map. Thereafter, the map should be regularly reviewed every four years, unless new information relating to wildlife or habitat is available; there is a change in circumstances or habitat; or there is a substantial number of resident complaints about permitted activity.

Finally, the committee agreed that because weather and snowfall vary from year to year, the optimum date for closing an area may be also vary. The committee agreed that the dates set out on the map for area closures should be viewed as the last date that an area will be open. If local conditions require, and if local community members recommend that an area be closed sooner due to those conditions, the industry should close that area. (This recommendation is difficult to articulate, and even more difficult to put into law. However, in 2005, the industry apparently stopped skiing in the Takhin area due to local concerns. Everyone agrees that this is an ideal way of working; but how to make it happen is more difficult.)

The Heliski Map

The committee agreed that the areas, flight paths and altitudes set out in the SUD map should be adopted as the Borough's map, with the following changes:

1. The Takhin Ridge.

The SUD map set out five "islands" of permissible activity in the area between Chilkat Lake and the lower Tsirku River on the northeast; the north/south flowing portion of the Tsirku River on the west; and the Takhin River on the south. The Takhin Ridge has historically had an extremely important goat population. Heliskiing in much of that area can not take place consistent with the recommendations of the NWSGC; that is, a distance of one mile cannot be maintained from presumed winter goat range. Conversation with Jeff Denton indicates that the goat population in the area fell off by 20 head after the first heliski season in the late 1990's. This spring, the population was observed to be even further reduced. According to Denton, there were historically about 160 goats on the ridge, observed for about three years before heliskiing began.² The herd was observed this spring to have about 107 animals.

² The BLM, through Jeff Denton, has just finished gathering the data for a ten year study of goat populations in the Haines/Skagway area. While information through 2004 appears on the map that the committee used, data gathered this spring was available only through conversations. Mr. Denton hopes that

Much of the activity in this area impacts the people in Klukwan, on Chilkat Lake, and along the highway. The Klukwan Tribal Council adopted a motion at their June 24 meeting that heliskiing should not be permitted on the Takhin Ridge.

CONSENSUS RECOMMENDATION, TAKHIN RIDGE:

The committee members agree that heliskiing should be permitted only in the largest, northwesternmost ‘island’ set out on the SUD map. The area should close March 31. This is the least sensitive area in the Takhin Ridge, with respect to goats, and is also somewhat insulated from local residents. If local residents are bothered by activity in this area, they should report to the ‘hot line’ described above. Heliskiing should not be permitted in the other four ‘islands’ shown on the SUD map.

2. The Pleasant Camp Border Area.

The committee discussed alleviating the disturbance to local residents living near the border by closing some of the area set out in the SUD. Sean Brownell apparently believes that there are some ‘runs’ in the Jarvis area that could be skied without impact to residents. We attempted to obtain feedback from Sean Brownell about these areas. Not hearing back from Sean, the committee made its best effort to permit runs that would not be bothersome while excluding those that would.

CONSENSUS RECOMMENDATION, BORDER AREA:

The committee members agree that heliskiing should not be permitted in those areas set out in the SUD in the Mt. McDonell area on the U.S./Canadian border.

3. The Area Behind Rainbow Glacier.

The committee discussed several “runs” that have been used by the industry, including some that go down into the valley that ends at Pyramid Harbor, and some that are behind the ridge at the top of Rainbow Glacier. These latter runs begin just behind Rainbow (that is, over the top of the ridge that forms the top of Rainbow), and go downhill in a westerly direction. The committee agrees that the runs terminating in the Pyramid valley should not be permitted. The committee agrees that the runs originating west of the top of Rainbow Glacier, and running downhill to the west, should be permitted. This area must be accessed from the flight route set out on the SUD map just southeast of the Kicking Horse Valley. The committee believes that if this flight path is used, this activity should not be bothersome to residents of the Peninsula. However, should such activity be bothersome, residents should call the phone line described above,

his ten year report will be written up and available some time in the next year. The committee recommends that the written report, when available, be relied on when annual helicopter related permits are renewed.

and the Assembly should review and consider those comments when it re-evaluates the map.

CONSENSUS RECOMMENDATION, AREA BEHIND RAINBOW GLACIER:

The committee members agree that heliskiing should be allowed in this area only for runs beginning to the west of the ridge forming the top of Rainbow Glacier, and going downhill to the west. Access must be by the flight route set out in the SUD for accessing the Cathedral Peaks area.

4. The Ferebee Area.

The committee considered an area just below the BLM Monitoring Area, on the ridge between the Chilkoot and Ferebee drainages. The area is known to have many goats. The distance between the winter goat range in the Chilkoot drainage and the winter goat range in the Ferebee valley is scarcely more than a mile, with the ridge splitting that distance; it is clear that the recommendations of the NWSGC cannot be followed should helicopter activity be permitted in the area. Further, there is no access to the area except over significant goat range. The goat population on the ridge above the highway near 18 mile is important not only to local hunters, but to local residents for wildlife viewing. Finally, there is no known way to monitor the industry in that area and ensure accountability; it is close to closed areas, and very close to significant goat populations.³

CONSENSUS RECOMMENDATION, FEREBEE AREA:

The committee members agree that no heliskiing should be permitted in this area.

5. The Big Boulder Creek - Little Boulder Creek Area.

The last heliski area that the committee considered is an extension of the SUD-defined area around the Four Winds Mountain. The area requested is on the northeast

³ When we were considering allowing use in this area, we discussed access to the runs. All members of the committee agreed that if heliskiing were permitted in this area, it should be accessed only when the helicopter can attain 4500' of altitude before it begins to cross the ridge behind 18 mile. This altitude should be maintained until the approved ski area is reached. When skiers are picked up at the bottom of a run, every attempt should be made to reach altitude in a direction away from the winter range in the valley below.

facing side of the ridge between Big Boulder and Little Boulder creeks, just south of Mt. Cheetdeekahyu. The goat population in that area is apparently diminished, whether from heliski activities or from hunting. A local hunter who has hunted that area in the past says that he has stopped hunting there with the hope that the goat population there will recover. It is understood that goats winter relatively high in that area. As is the case with the area in the Ferebee, the distance between winter range areas is very small, and would not permit skiing consistent with the recommendations of the NWSGC. However, the area requested is only a small extension to the area set out in the SUD.

The committee discussed the flight path set out on the SUD map that is supposed to be used to access the Four Winds Mountain area. It was pointed out that this route goes right up Little Boulder Creek, where this population of goats winters. The committee agrees that this flight path should be changed to require that helicopters first reach altitude over the highway area, then traverse the above-described ridge about half way between the two creeks.

Not as much is known about the goat population in this area as in other areas of the Borough because, since it is State land, the BLM does not fly survey transects over this area. Local knowledge was helpful.

CONSENSUS RECOMMENDATION, BIG/LITTLE BOULDER CREEK AREA:

The committee agrees that the area set out in the SUD map should be extended to include these northeast directional runs. These runs, as well as the rest of the SUD defined area above to the north-west of it, must be accessed by the above-described flight path.

Recommendations with Respect to Summer Tours

With respect to summer helicopter tours, the committee agreed that the inclusion of summer tours is inconsistent with the advisory vote of the people of Haines taken in 1996. The committee was particularly concerned that the SUD set out no limitation as to the number of flights permitted, or the number of tourists served.

As far as the committee could ascertain, historic helicopter use in the area defined on the SUD has been extremely limited. The BLM indicates that it has never issued a permit for helicopter landings in the SUD area. Conversations with representatives of helicopter companies did not produce information substantiating significant prior use. A review of some of the past actions taken by the Assembly in this area gave a sense of 'grand-fathering' a long-standing activity. However, when this committee asked the proposed permittee to produce records of prior activity, he declined to do so. Significant prior use could not be independently confirmed through conversations with local helicopter charter companies.

The committee agreed that, should our recommendation be rejected by the Haines Borough Assembly, significant prior use should be documented before summer tours are considered.

CONSENSUS RECOMMENDATION, SUMMER HELICOPTER TOURS

The committee agrees that summer tours should not be permitted in the Haines Borough unless and until a vote of the people of Haines directs that they be permitted.

Signed:

Dated:

Bruce Bauer

John Katzeek

Deborah Vogt

Attached:

e-mail correspondence with Sean Brownell
Northern Wild Sheep and Goat Council letter dated July 9, 2004