

January 27, 2022

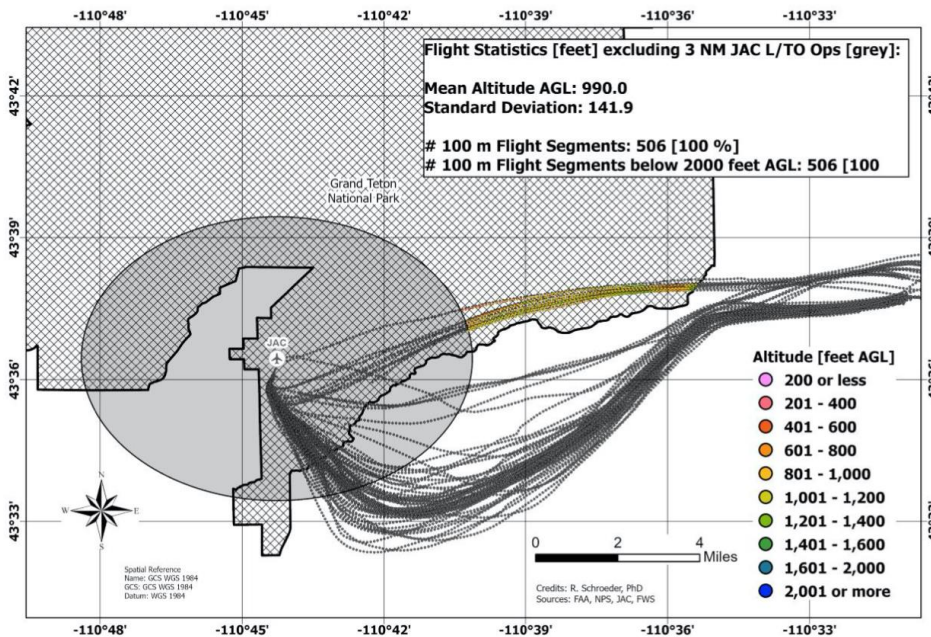
Dale Ogden
Federal Aviation Administration
Denver Flight Standards District Office, NM03
26805 E. 68th Avenue, Suite 200
Denver, CO 80249

Re.: Overflight Height Violations in Grand Teton National Park and Adjacent Public Land by Scenic Helicopter Tour Operators

Dear Mr. Ogden,

We are writing to express our collective concerns about regular and repeated violations of the 2,000-foot requested height restriction over Grand Teton National Park by Wind River Air, LLC. We support and reiterate the points raised by Mr. Joe Albright in his letter to the Federal Aviation Administration (FAA) on December 8th, 2021 and urge the agency to investigate these low-elevation scenic tour flights. It is our understanding that these flights are in violation of the operator's permit with the Jackson Hole Airport and in disregard to FAA recommendations for national park and public land overflights.

Wind River Air, LLC has been recorded flying below 2,000 feet within Grand Teton National Park and more than 3 miles from Jackson Hole Airport, where take offs and landings necessitate flying at such elevations. Jackson Hole resident Joe Albright and consultant Dr. Ronny Schroeder identified 8 instances of Wind River Air, LLC flying below 2,000 feet on the eastern edge of the national park in September and October. At two points, the flights dipped below 700 feet – a distance smaller than two football fields end to end - over sensitive ecosystems and wildlife. Regardless of whether passengers were aboard, it is clear that such violations of the 2,000-foot airspace recommendations are a routine part of Wind River Air's business model.



Flight above ground level (AGL) over National Park land by Wind River Air, LLC in September and October 2021. Credit to Schroeder and Albright.

These violations to park airspace are consistently being justified as “ferrying,” “repositioning,” and “cargo transport” by both Wind River Air, LLC and several Montana operators. In public comment at a Jackson Hole Airport Special Board Meeting held on December 17, 2021, Chambers stated that winds increase “typically every day in the afternoons,” forcing him to fly at lower elevations. His concerns about wind patterns have been provided to the FAA to justify flying below the recommended height threshold. However, if it is true that winds elevate to a point that WRA’s helicopter tours are flying below 2,000-feet on a daily basis, then it is worth questioning whether such tours are appropriate originating from the Jackson Hole Airport, both from a regulatory and safety standpoint. In an interview with Jackson Hole Magazine, Chambers also asserts that wake turbulence from jet takeoff and landing “could flip [the helicopter] very easily.” If true, these claims indicate that these tours are not safe or appropriate for regional weather patterns and the level of commercial air traffic at the Jackson Hole Airport.

Scenic aerial tour operators based out of Montana have also been reported taking advantage of the lack of FAA oversight and enforcement on flights over Grand Teton National Park. There have also been reports of Montana-based operators flying over Grand Teton National Park at low elevation and in areas considered to be “noise sensitive” where air tours are not permitted. These reported infractions include flying along the base of the Teton Range and over the glacial lakes at their base. These companies have stated that they are doing so under the guise of “cargo transport” yet they are bringing paying customers along for a defacto air tour. This increase in irresponsible helicopter activity over Grand Teton National Park both from within Wyoming and beyond state lines demonstrates a greater need for oversight and enforcement by the Federal Aviation Administration. If these abuses continue to go unchecked and unchallenged, the airspace above Grand Teton will become lawless, both at the expense of the wildlife and the scenic landscapes that park designation is designed to protect, and calls into question the safety of these air tours, both for the operators and their paying guests.

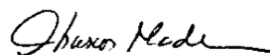
This is not the first time that Wind River Air has been reported for airspace or route deviations and will likely not be the last. Whether such actions are in response to weather or to enhance the tour experience for the helicopter tour customers – the repetitive nature of these flight deviations and low elevation flights may demonstrate disregard for Grand Teton National Park and the permit restrictions imposed by the Jackson Hole Airport. Over the past two years of increasing helicopter tour activity over the park, it has become apparent that these aerial tours are incompatible with Jackson Hole. Based on the information gathered by Mr. Albright and a history of reported flight deviations and low-level flights over the park, we respectfully request that the Federal Aviation Administration consider increasing its regulatory presence and enforcement regarding scenic helicopter tours over Grand Teton National Park.

Thank you for your consideration.

Sincerely,



Chelsea Carson
Conservation Program Manager
Jackson Hole Conservation Alliance



Sharon Mader
Grand Teton Program Manager
National Parks Conservation Association

Caroline Daley

Caroline Daley
Public Land Community Organizer
Jackson Hole Conservation Alliance

