

**Planning and Policy Committee and Tourism Advisory Committee**

**Public Forum**

**Flightseeing Voluntary Compliance Measures and  
Short-term to Mid-term Flightseeing Mitigation Actions**

**DRAFT MINUTES**

**February 28, 2000  
7:00 p.m. – 10:45 p.m.  
Centennial Hall**

**ATTENDANCE**

**Planning and Policy Committee Members Present**

Tom Garrett, Chair, Frankie Pillifant, Vice Chair, Jim Powell, Kathleen Morse

**Tourism Advisory Committee Members Present**

Kim Metcalfe-Helmar, Dennis Meiners, Mary Irvine, Kirby Day, Rod Swope

**City and Borough of Juneau Staff**

Caryl McConkie, Tourism Coordinator

**Members of the Public**

Robin Phillips, Margot Knuth, Paulette Simpson, Bob Jacobsen, Kim Obermeyer, Michael Wilson, John Favro, Susan Favro, John Mazor, Cheryl Easterwood, Gary Mendivil, Tom Kimlinger, Merry Ellefson, David Hawes, Joel Weytte, Kenwyn George, Kristin Ireng, Karen Hansen, Rory Darling, Jan Moyer, Denise McPerson, Doug Whato, Ken Ward, M'Iva Rickey, Marie Darlin, Christa McMullen, Larry Hurlock, Stephen Wright, Bob Janes, Beth Cline, Jim Baumgartner, Bill Johnson, Chip Thoma, Betsy Fischer, Scott Fischer, Mike Windred, Amy Windred, Holly Bierkortte, Elva Bontrager, Jim Bentley, Becky Carls, Gil Howell, Greg O'Claray, Jim Wilson, Dot Wilson, Georgene Davidson, George Davidson, Clarke Damon, Dave Fremming, Laurie Thorpe, Delbert Carnes, Constance Carnes, Ray Preston, Robert Garrison, Mike Rawson, Iola Young, Tom Aberle, Jan Somerville, Kevin Tillotson, Pete Griffin, Patty Ware, Margo Waring, Dennis Harris, Merrill Sanford, Pamela LaBolle, David Summer, Pat Hickok, Bill Hagevig, Patricia McKelvey, Leslie Howell, Diana Donohue, Reecia Wilson, Linda Hay, Malou Wolf, Joe Sonneman, Robert Reges

**REVIEW**

***Tom Garrett, Chairman, Planning and Policy Committee***

My name is Tom Garrett, and in addition to serving on the Assembly, I have the opportunity to chair the Planning and Policy Committee (PPC). Together with the Tourism Advisory Committee (TAC), we are sponsoring a public forum to check in with the community on actions that have been taken to mitigate the impacts of flightseeing noise on the residents of Juneau.

**Meeting Purpose**

Our intent tonight is to listen to you as you give us feedback on some of the things that we've heard, some of the things that we've taken action on, and some of the things that we intend to move forward on through the course of this spring and summer. In specific, we have a document entitled *Draft Voluntary Compliance Measures for the Summer 2000 Tourism Season* and we also have a memo that was written to our committee by four City and Borough of Juneau (CBJ) staff members outlining a variety of actions that the CBJ could take to move forward. Some of these actions are intended to take effect in the short-term, and others would have a medium- to long-term effect. The PPC reviewed the memo and adopted it as a plan of action of how we want to move forward and address this issue, both immediately and in the long-term. Tonight, we are asking for your comments on both of these documents.

## **Flightseeing Noise**

The issue of flightseeing noise is not a new one, nor is the impact it has on citizens of Juneau. In fact, there was a committee that was fairly active on it about four years ago that resulted in recommendations in a report, some of which were followed and most of which were not. From time to time the issue has cropped up, and last summer in particular, it was one that I think every member of the Assembly and every member of the Tourism Advisory Committee became keenly aware was the number one issue of concern surrounding the growth of the visitor industry in Juneau. We all received comments in the grocery stores, phone calls, e-mails, and letters. The citizens of Juneau raised a legitimate concern about the impacts that noise, generated by the flightseeing industry, was causing on their lives.

The Tourism Advisory Committee conducted two public forums, one on September 21<sup>st</sup> and another on the 26<sup>th</sup> of October as a result of your concern and because we took it so seriously. Undoubtedly many of you attended one or both of those forums. Following that, Mayor Egan decided that the issue was of such importance that there needed to be an Assembly committee focused on dealing with issues related to tourism and also issues related to the Capital Campus. So the PPC tackled the issue of flightseeing-generated noise first because that was the issue that had already received the greatest amount of public attention. It was also the issue where the greatest amount of work had been done by the Tourism Advisory Committee in identifying problems and identifying a wide range of possible solutions, many of which needed significant research and evaluation to determine whether or not they could be implemented and in what timeframe they could be implemented. That was the task our committee undertook to do. We have been working pretty aggressively since the beginning of January because one of our primary goals has been to meaningfully and positively impact the quality of people's lives this coming summer in Juneau. That is part of what you have an opportunity to comment on here tonight.

## **Next Steps**

In the course of our research, we have also learned an awful lot about what we do not have. We have neither sufficient background data nor a foundation for us to undertake any serious regulatory or legal processes if they become necessary. And so we have proposed (and it's listed in the memo dated February 14) a series of data gathering steps that need to be undertaken in order to provide the foundation for us to move to a level of regulatory control should it become necessary. The information is necessary in order to provide us with a solid foundation on which to stand, both with the Federal Aviation Administration and with the industry. Tonight you have an opportunity to comment on those actions.

Now just so everybody is clear on this, one of the things that we are not doing is picking a spot on the map anywhere in Juneau and saying that starting June 1, helicopter operations will begin here. There's been an extraordinary amount of misinformation on this particular subject. What we have done, because many citizens raised the issue of satellite or remote heliport sites, is started the process of evaluating and going through a reasonable, thoughtful process of how one would go about selecting a site or two or three or ten. There is no plan anywhere deep in the vaults of the city or in the back of my mind or anybody else's mind to start flightseeing operations from anyplace in the city other than where they currently operate. There's a lot of work that has to be done to fulfill all of the FAA and NEPA requirements that would be involved in any type of decision like this. Basically the federal processes make it impossible for a decision like this to happen in a behind-the-scenes way. If you would like to comment on that, you're welcome to, because a component of our plan is conducting a thorough environmental analysis of prospective satellite heliport sites in order to make a decision on whether or not they should be developed.

## **Meeting Etiquette**

With regard to the rules tonight, we've got two microphones, and I've got a list of people who have signed up. We want to know who you are and where you live, and we ask that you keep your comments to five minutes. I'm not going to cut anybody off at five minutes. We'll let you finish. I would ask that members of the audience refrain from overt displays of support or opposition to anybody's testimony. Part of this process is hearing from all the citizens of Juneau, and that means there will be a lot of different opinions. It is disruptive to the meeting process when people cheer, clap, catcall, or boo, so please try to confine your support or opposition to nodding your heads and muttering to your friends nearby. In general, we would like you to comment on what we've proposed and done so far. If you have suggestions

on additional things we should do, we welcome those comments, as well. A lot of people don't know this, but I have a degree in English literature and I spent a lot of time studying literary criticism. Class after class after class, they banged it into our heads that writing an essay that says a story is bad is of no value unless you show the way the story could have been better. So if you can provide comments about things that we can do differently to make the process better or make the outcome better, it would be helpful to us. With that, I invite you to come forward and testify.

Kim Metcalfe-Helmar said that she wanted to state on the record that she objects to taking up the February 14 memorandum and the heliport issue in this public forum along with the discussion on voluntary compliance.

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### ***Bill Johnson***

Thank you for having this meeting. I am Bill Johnson and I live at 1818 Fritz Cove Road. When Alaska Airlines flies over, I can tell whether or not their wheels are in. You can't get much more in the flight path than my house. Very few helicopters fly over my house, and the closest they come to it is about 3/4 of a mile. Barking dogs make more noise than the helicopters. When I'm out walking my dog, the dogs on the hill drive us crazy. As far as noise pollution goes, I'd rather have your people come out and take care of the dog noise rather than the helicopter noise.

What you need to know is whether or not the people who are testifying are in the flight path of the helicopters. Like I said, I'm about 3/4 of a mile away, and the helicopters don't bother me. I think that to regulate instead of using voluntary compliance would be a bad step because number one, it would be costly. I know that because we don't do anything about the dogs that are running up and down the street, and we already have regulations on this type of thing,

but we don't enforce that law. What makes you think that they're going to be able to enforce or have the money to enforce the flightseeing?

I rode for Cycle Alaska for a couple of years, and the other thing you have to remember is that when you write these regulations, be sure you're not writing something that's not very good. We had one lady that called up (she lives next door to me) and complained to the tourism people about the bicyclists stopping in front of her house. We were stopping in front of her house because there was an eagle's nest up in the trees on the other side of the street. We would stop and show the people the eagle's nest because this is Alaska and it is a wonderful thing to see. But she complained through Voluntary Compliance, and nobody ever stops and sees the tree again. So voluntary compliance (even though it gripes me) does work until somebody breaks the voluntary compliance terribly. Let's stick to voluntary compliance, and find out where people live so we know how close the flight's are coming. Then we know if they are really, really bothered.

Dennis Meiners asked about the intent of the letter Bill Johnson had given them.

Bill Johnson: The city needs to collect information so it can be used for background so that we can have less noise. We have one plane that goes over. It's a Beaver and it shakes our windows. It makes so much noise, and it shakes the whole thing. But it only runs in the summertime so, big deal. Some things you have to put up with. I would love to have it back like it was when we moved here in 1964, with the exception that I don't want to have to watch the Super Bowl a week later after the tape was mailed up via Alaska Airlines.

Kirby Day asked if he was directly in the flight path of the jets that come over the cut.

Bill Johnson: Yes. You can't be any closer. There's a little light over here and a little light over here and a white beacon in the center. That white beacon shines in my bedroom window.

Kirby Day said that if he was sensitive to noise, he might be more sensitive to the larger planes.

Bill Johnson: That's why I qualified that I am 3/4 of a mile away from one of the helicopter routes. Now if I were right underneath, I might be talking differently. When the helicopters do come over once in a while, you hear them. But here again, when you're out in the yard, you stop talking to your wife or your neighbor for a few minutes while they go over and then you start talking again.

Kirby Day asked if the longer days in the summer bothered him more.

Bill Johnson: They really don't bother me. The little boats going by with their high tension motor out on Auke Bay actually disturb me more than the flightseeing planes.

### ***Chip Thoma***

My name is Chip Thoma, Box 21884, Juneau. I live within a couple hundred yards on the Juneau Waterfront and work within a couple hundred yards the other way. I am in the flight path of the helicopters and the planes. At work during the summer, we have to keep our windows closed because of the noise from the planes. I have reviewed the voluntary compliance measures as described in the newspaper ad and have also given a great deal of thought to a proposed satellite heliport. I do not believe the voluntary measures go to the main problem of noise and they do not discuss the obvious alternative, a decrease in flights. The voluntary measures try to lessen the noise, but they do nothing to actually decrease the volume of air traffic which is the source of noise. There has been no willingness on the part of the industry to decrease flights. In their testimony before the TAC and this committee, they have stated they can adopt these voluntary measures as long as it does not impede growth. This is unacceptable. Growth of helicopter and fixed-wing flights is a non-starter in this community. The operators are going to have face reality that they have reached saturation levels and growth in the number of flights will not occur. This community is looking for a decrease of up to 50 percent, and increases are out of the question.

Regarding the RFP for a study of the satellite heliport sites, my understanding is that a new heliport site is planned to handle 9,000 tourists a year. Now by my own reckoning, at five passengers per helicopter, that's 1800 flights, one-tenth of what is now permitted. Once again, I believe this is unacceptable. There is no reason to create a new heliport to handle one-tenth of the present flights when the operators plan to yearly increase that whole number. Save our money and save your breath and time. This proposal does nothing except create another heliport, again a non-starter. What people in this community have been asking for is a thoughtful deliberative process that reduces aircraft noise. There are no meaningful alternatives to aircraft noise before us, only promises and inferences that are, in fact, cover for more noise through growth. The people who live here, the industry, and the tourists deserve a process and alternatives that we all understand will reduce noise. When we had that unfortunate helicopter crash last summer where people died, the next day one of the helicopter operators made the statement in the *Empire* and said that unfortunately they make all their money in September. To me that was an indication of an industry that's out of control. When the weather is going down and it's September and this is the only time of the year that they can make profit, we have a problem and we've reached the saturation point. So we have a real problem with the industry. You guys are going to have to face it that we have to decrease the number of flights and not piddle around with these other measures.

### ***Betsy Fisher***

My name is Betsy Fisher and I live at 2301 Meadow Lane in the airport district. I've been a full-time resident of Juneau since 1972 and a small business owner since 1974. I appreciate this opportunity to appear before you and give testimony. As a small business owner, I know that often times when people feel the need to go out of their way to express an opinion, it is often a negative one. I don't know why this is, but it has been my experience and part of my job to listen to many complaints from my customers. Sometimes I have to remind myself I'm still doing a good job. My many customers who are happy don't always go out of their way to tell me and that's fine, but with that in mind, I took time out of my busy schedule so that I can tell you what a good job I think you're doing.

The Tourism Advisory Committee, and more recently the Planning and Policy Committee, have spent countless hours considering the issue of flight tours in our community. I think you have done a thorough and a fair job listening to the many opinions voiced by local residents. Thank you for your hard work. As a result, the local tour operators have worked together to develop voluntary operating guidelines for their flight tour businesses. I would also like to thank them for being good citizens and neighbors in their efforts to deal with the growing pains of our expanding visitor industry. I enjoy being outside. It's part of my business and it's part of my personal life, too. I'm outside as much as I can be in the summer. I enjoy hiking, sea kayaking, rollerblading and gardening, and I often ride my bicycle to and from work, as well as through the Valley and out the road. Of course I notice the air tours and the other air traffic throughout the day, but they honestly do not bother me. They are part of the sounds of summer. There are many days (I know this is a radical idea) when I do not notice any air traffic at all, even though I know it is going on every day. I think you need to know that there are those of us who live and work and play all summer long in Juneau and do not mind air traffic, whether it is from air tours, commercial flights, or private aircraft. I hope that none of use lose site of the fact that these are good growing pains we are experiencing and that our community needs a vital economic base in order to continue to be a good place to live. The folks who are running the summer air tours are our neighbors and friends and we should give them our respect and support for choosing to living here and do business in our town. Thank you.

### ***Scott Fischer***

Thank you. My name is Scott Fisher, and I'm number two on the tag team here. I've lived at 2301 Meadow Lane on the edge of the flight corridor of the airport for a number of years and I've lived in Juneau for 21 years. I'm also the owner of the Foggy Mountain Shop with Betsy. For a number of years I have guided mountaineers and backcountry skiers around the Juneau area. I volunteered as a member of the Juneau Mountain Rescue organization, and the Foggy Mountain Shop contracted to guide the first helicopter glacier tours in 1983 and 1984. I continue to enjoy visiting remote backcountry areas for my own recreation, and as a result of these activities, I've been transported by helicopter and float plane to numerous otherwise inaccessible areas of Southeast Alaska. I enjoy living near the airport for its close proximity to a number of the helicopter flight services and the float plane pond. I also enjoy living 30 feet from the Mendenhall River and the Mendenhall Wetlands adjacent to the river. I accept a level of air traffic noise as part of having easy access to so many of the activities I enjoy.

Over the years I've found most helicopter and float plane businesses to be concerned, community-minded service providers, employers and at times, invaluable lifesavers to the people of Juneau. As with any viable industry, our flight services must constantly seek ways to provide better service to their customers with minimal impact on the environment and the residents of Juneau. With voluntary compliance by flight services, useful guidelines provided by the Assembly Planning and Policy Committee, and the aid of the Tourism Advisory Committee, I feel the flight services in Juneau can continue to provide access to the wonders of Alaska with an acceptable impact to our neighborhoods. I want to thank you for the work you've done and encourage you to work with our flight operators in a fair and a positive manner. Thank you.

Kirby Day asked if Scott Fisher if he noticed aircraft noise in the airport area, did he find a marked difference between longer hours of operations in the summertime.

Scott Fisher: No. There are peaks and valleys during the days and different days, but I couldn't say I notice an appreciable difference.

### ***Holly Bierkorte***

Good evening, my name is Holly Bierkorte, and I'm the Director of Marketing and Tours for Wings of Alaska Airlines. I live at 1342 Glacier Highway. I'm here speaking on the behalf of Wings and our employees. We have 50 year-round employees and 35 seasonal, high school, college and local residents employees. I've worked in the visitor industry in Southeast Alaska for the past eight years. This is an industry that's very close to my heart. This industry has also provided stable and rewarding employment for myself and many others. I do understand that there's an impact. But, I also feel strongly that we're trying to work to improve the atmosphere for everybody involved. It's also due to this industry that we can provide year-round essential flight service to the community and nearby communities and villages, and that's also combined with cargo and mail that heads out to some of the small, local villages.

On tonight's specific issue, it's important to remember progress has been made. While cruise ship passenger's arrivals have increased by over 300 percent in the last 10 years, downtown floatplane passenger boardings have grown only seven percent. That's less than one percent a year. Our individual departures have actually decreased, and that's due to the fact that we are using larger aircraft and working cooperatively with the voluntary compliance system. This is something we believe in. We've also limited our own growth and believe in the fact that we do a product and do it well. We don't need to expand. We also work cooperatively through our attempts to fly neighborly. Our pledge back to the community is that we will continue to investigate the feasibility of quieter technology, something that we're actively pursuing. It was pointed out this morning that we live here, too. This community means everything to us. I sincerely hope that through cooperation, communication, and understanding, we can coexist here in this beautiful part of the world where we've all chosen to live. Thank you for your attention.

### ***Becky Carls***

I'm Becky Carls and I live on Fritz Cove Road which is on the Mendenhall Peninsula. The helicopters have been flying about a half mile from my home to directly overhead. Defining the flight route to over the beacon should help. I'm glad to see changes from the 1999 Voluntary Compliance guidelines proposed for the 2000 Tour Season. This shows a willingness on the part of the operators to try to work with the citizens of Juneau. However, I remain skeptical that they will have much impact on the levels of noise many of us experience in the homes and lots we purchased prior to the huge explosion of flightseeing operations we have all suffered through in the past several years.

The current proposals rely on operator compliance. When compliance doesn't work, it would be helpful to have two large numbers or a number and a letter on the bottoms of each aircraft so the individual planes causing problems could be readily identified. Often this past summer the lighting was such that unless the helicopters were way too low, it would be difficult to tell various light colored paint jobs or dark colored paint jobs apart. And colors only identify the company, not the pilot. I would like to see the operators monitor their pilots after training occurs. This should not be the job of the public. And since the tour operators are going to increase coordination efforts amongst themselves,

maybe they could also agree to overfly any one neighborhood no more than three times per hour amongst all the operators.

It would also be helpful if the public had one place or person to make complaints to who we felt would be listening to our concerns and taking action on them. I think we would ideally be able to call or e-mail in a problem and be assured an appropriate response would take place after that. Too often we are feeling ignored and that has caused great consternation on the part of the public. We must keep the lines of communication open. We all still like to think of ourselves as a friendly place, but many folks are angry about the noise. I would hope that all flightseeing operations are not consolidated at the airport unless the number of flights are greatly reduced. Not only would the neighborhood around the airport be severely impacted by this, but so would Douglas Island and much of the Mendenhall Valley.

As far as the heliports go, I am a proponent of their use, but only with the following stipulations: (1) All helicopter flightseeing operations depart and return to the heliports by 7:00 p.m., except for the initial and final flights of the day, and (2) The heliport does not increase the noise at all in any nearby residential areas beyond the initial and final flights of the day. Moving the noise to another neighborhood is not a solution. The best way to decrease the noise levels is to decrease the number of flightseeing tours which are conducted over the course of the summer.

According to the February 14 memo from Donna Pierce to the PPC, "The CBJ does have the power to regulate the number and frequency of takeoffs and landings and the hours of operations at air facilities owned by the CBJ." I don't know what the FAA restrictions would be, but I would like to challenge the Assembly to assert its authority and restrict the hours of operations for all tourism-related flights to between the hours of 8:00 a.m. and 7:00 p.m. This means no flights take off for the ice field before 8:00 a.m. and they must be back to the airport by 7:00 p.m., including the ferrying of personnel to the ice field or glaciers and excluding emergencies. There should also be a rollback to the number of flights landing on the glacier to the 1994 level of 11,647 per year. Since 1994, the number of flights has grown increasingly annoying and is now intolerable. Also, I am requesting that Saturdays be a flight-free day to give operational people and machines a rest and the rest of us a break. It would appear that CBJ may have the authority to fill all of these requests.

Jim Powell said he attended the last TAC meeting, and there was discussion about expanding the Tourism Hotline to the internet to make it more interactive.

Rod Swope asked if Becky Carls would prefer a response from an operator to a complaint or if she would like to hear from the city.

Becky Carls: I like the e-mail idea because it would mean they could just send a little note back saying we got your comment and we're going to deal with it.

Kirby Day asked Becky Carls to categorize tourism-related flights.

Becky Carls: Flightseeing tours that go up to the glacier and back.

Frankie Pillifant thanked Becky Carls for her thoughtful and helpful comments.

Jim Powell thanked Becky for her specific comments. He asked if Becky was suggesting that hours of flightseeing operations become regulation.

Becky Carls: What happens now is that flights go up before that (I assume they are taking personnel up there), and 7:00 p.m. isn't when the flights return to the airport. That's when their last flight takes off, and they can come back as late as 10:00 p.m. and 11:00 p.m. at night. It is pretty disturbing when you're trying to sleep and they're flying over your house.

Jim Powell asked if Becky Carls would prefer voluntary compliance or regulations as means of enforcement for flightseeing hours.

Becky Carls: I'd like to see them back to the airport by 7:00 p.m., and if they are willing to do it voluntarily, that would be okay.

Dennis Meiners asked if she used the Hotline and if she found it valuable.

Becky Carls: Yes I do. Last summer I stayed away from it initially because apparently there wasn't anybody manning it in the beginning, but then I used it later in the summer. The other problem is that I feel like I don't want to complain all the time, so I only put really gross violations on there. The numbers of things that I see that aren't according to their voluntary guidelines are quite a few from where I live. I like to spend time in my garden and sometimes I just have to come in because it gets to be too much.

Dennis Meiners asked when she spends time in her garden and if it is a continual problem.

Becky Carls: It's a continual problem. I like to work outside when the weather is decent, and I work outside the house until noon. I was inside the house last summer with the rotten weather with all the windows closed, and it was annoying in the house, too.

Kim Metcalfe-Helmar asked Becky Carls to describe the gross violations she has seen.

Becky Carls: A gross violation that occurred once was taken care of and was dealt with by the operator. He did a good job of dealing with it, but it occurred. The helicopter was extremely low, and my ears hurt painfully for 45 minutes after. He was very close to my house, but my hands were muddy and I couldn't stick my fingers in my ears, so I was stuck and I wasn't very happy about it.

Kim Metcalfe-Helmar asked if that had happened only once.

Becky Carls: That one was only once, but part of the problem was that Voluntary Compliance stated north of the beacon, and I think that gave them too much latitude, and so they were all over the place. When I talked to the people at the airport, they said it was supposed to be so that they were just looking through the bubble on the floor. They were supposed to be able to see a part of the beacon through one of their little holes or windows, but they were way north of that a lot. When they're over my house I figure that's a pretty bad violation because they're not suppose to be that close.

Kirby Day said that the Hotline will be much better this season. He asked if she experiences the same frustration because of the noise when the larger planes fly over.

Becky Carls: Only sometimes. I think that's weather variable and time of night. The flight at 2:30 a.m. in the morning wakes everybody up in the town. When the weather is really foggy and we have a lot of inversions, I hear a lot more noise, but there's nothing you can do about the weather.

Kirby Day said that he appreciated Becky Carl's comments on the helpfulness of the operators.

Becky Carls: He was very apologetic and so was the pilot. It was a nice situation to have that.

### ***Gil Howell***

I'm here on behalf of Temsco Helicopters, representing the 24 year-round employees and the 69 seasonal employees that depend on tourism for their livelihood. Temsco Helicopters contributes substantially to the local economy in the form of sales tax revenue, local purchasing, and the employment of local, tax-paying, purchasing citizens. Temsco Helicopters operates year-round, but the Juneau base depends heavily upon the summer seasonal tour operations to subsidize our year-round existence. With the revenue generated through tourism, we are able to sustain ourselves, all the while providing charter services for the local businesses. Local businesses that depend on helicopters to provide necessary services for all of Juneau include electricity, cellular telephone services, and emergency radio communication to name a few. Please don't forget the emergency medical and search and rescue services that we provide to Juneau and all of the other rural communities dependent on aviation in one form or another.



Juneau is a town that is becoming increasingly dependent upon tourism for its livelihood. We have discouraged timber, mining, government, and now tourism. Aviation would be the first tourism segment targeted by select groups wishing to give away a clean thriving industry to Ketchikan, Sitka, Petersburg and Wrangell. The Tongass National Forest is owned by the public, not just the residents living near the boundaries of the public lands. Temsco Helicopters provides access to the public lands for those who normally wouldn't have the time or ability to access it on foot. Helicopters and airplanes are environmentally sensitive modes of transportation that allow access into these lands without leaving any lasting impact. The noise footprint generated by tourism aircraft is temporary, but we realize that the community has become sensitized to even the sight of an aircraft. All aircraft operators continue to revise our flight routes and altitudes to try and come to neutral ground, but that becomes harder to do as the tourism-hating minorities grow up around the airport, downtown docks, and the preexisting heliports. We have to fly to maintain our economic viability. We have changed our aircraft fleet, hours of operation, flight routes, and altitudes. We will continue looking at satellite heliports and quiet technology as it becomes available. We will continue to patiently meet with local vocal minorities to discuss what they feel is acceptable for the whole of Juneau. Thank you.

Mary Irvine asked who Gil Howell felt should fund the heliports.

Gil Howell: I'm just here representing Temsco Helicopters, but those things have been discussed. I hate to even throw another boat on the table for the head tax monies, but if everyone is going out for the head tax monies, let's throw it out there.

Rod Swope asked for an example of the cost of a helicopter today and what it would cost to either retro-fit it or buy a helicopter with quiet technology.

Gil Howell: To purchase the EC 120 new (the model we demonstrated to the community last summer), with that model of tail rotor, the fenestron, is just over \$800,000. That one does not meet our needs that we have right now. To purchase an aircraft with the technology, we're looking in the ballpark of approximately \$1.5 million to \$1.8 million at least, and again, that technology just doesn't exist at this point.

Kirby Day asked about flights going to the glacier before 8:00 a.m. for setup, how many helicopters that entailed, and if there was a set time that flights left.

Gil Howell: We typically try not to depart before 8:00 a.m., even on our support flights. But on a rare occasion that we do have a tour scheduled before 8:00 a.m., we may have one helicopter that would depart going up to the glacier.

Dennis Meiners asked if pilots were monitored after training.

Gil Howell: We do. We have several versions of tours. The Mendenhall Tour is the one everyone is most familiar with where you'll see flights of two to five helicopters in a row. In that flight, you'll have the most experienced pilot in front leading the group. That would be one of our returning pilots that has been with us for many years or myself. They will be leading the flight, talking to the tower, and communicating all the while. But we also have the returning pilot at the back of the flight, and he is supervising everyone in front of him, making sure they're in line, talking to them on the radio, and telling them where to go. If they're too low, they tell them to go this way or climb up here. So yes, we do monitor and we also put a surprise someone onboard occasionally to monitor the quality of tour, where they're going, and what they're doing.

Dennis Meiners asked if the Temsco Helicopters fleet has grown significantly in the last couple years.

Gil Howell: Not substantially in Juneau. We have changed and modified things like departures and times. Since I've been with the company, we have grown two aircraft (from 10 to 12) since 1993.

Jim Powell asked for an approximate number of flights from last year, what's proposed this year, and a projection for five years.

Gil Howell: I'm not prepared to give you numbers and I don't know exactly how many flights I had. I don't have those numbers in front of me.

Jim Powell asked for a ballpark figure.

Gil Howell: I'd hate to even estimate, Jim. Being on public testimony, I don't want to guess.

Kim Metcalfe-Helmar asked about the experience of the pilots.

Gil Howell: It's public knowledge that all our pilots, to meet our insurance minimums, have a minimum of 1,000 hours and they come from all over the world. That is helicopter time specific.

Kirby Day asked how many helicopters Temsco has in Skagway.

Gil Howell: We have six.

Kirby Day asked if Temsco faced the same noise concerns in Skagway.

Gil Howell: Skagway's a different animal entirely. That community is entirely dependent upon tourism and they welcome anything that goes up in Skagway. We haven't had any problems as far as noise complaints in Skagway. They've been very minor.

Kirby Day asked if the routes in Skagway have been adjusted to stay far away from residential areas.

Gil Howell: Our departure is off the waterfront, past the cruise ships, and then directly out over the water. We have some operations out of the airport itself, but again we alter our routes and we talk to the community of Skagway to make sure we're operating where it is the most friendly for them.

### ***George Davidson***

Good evening. My name is George Davidson, and I live at 16305 Lena Loop Road. Some of you may recognize me as the new Executive Director for the Chamber, but tonight I'm here as an individual. The Chamber intends to submit written testimony to you later this week. Since we moved to Juneau in 1963, my wife and I have lived in Douglas, downtown Juneau, in the Valley, and at Lena Loop. We've experienced all sorts of noises from the different communities that we've lived in. We presently live at Lena Loop and we're not under the flight path as Bill Johnson is, but we watch the planes approach and depart from the airport when they're going to the west and coming from the west. The flights up and down the Lynn Canal, of course, pretty much go over the top of our house.

First I wish to thank each member of this committee for the time you have been spending on behalf of the Juneau community. Generally, the dedication required and time commitments made by individual committee members like you are fully appreciated by those of us in the general public. Today I tried to obtain copies of all the pertinent subject matter so I could provide a more informed viewpoint in this letter. I began with a phone call to the CBJ office and received a fax in return. The fax contained some information about the advertised subject of tonight's meeting, however none of that information appeared to cover the subject of short-term and long-term actions for addressing sightseeing noise. I next went to the web page address which was contained in the faxed information. The information on the web page was supportive, but different then the faxed information that I received. However, on four occasions I tried to access the highlighted bar "Short-term and Long-term Goals" and was rewarded with a blank screen, so unfortunately I won't be commenting on those tonight.

Statements contained within the material that I received by fax from the CBJ, combined with my own previous experience, leads me to conclude that there is very little legally that your committee or the Assembly can do to control this matter, if in fact it needs controlling. If there are changes that need to be made, the only reasonable approach to accomplish those changes is through voluntary compliance. I encourage you and the participants to continue this program. The Juneau economy is like a stool with three legs. One leg is state government, the second leg is the federal

government, and the third leg is our visitor industry. Many people in Juneau tried to place a new leg under the stool through the development of some new mining activities for our town. There were some locals who fought that proposal and succeeded in preventing the opening of these new mines, so here we are left with the same old stool with three legs. We therefore need to protect and encourage the visitor industry. Most reasonable Juneau residents strive for and desire to keep the entire economy of Juneau strong. The strong economy is an economy where people have jobs, where unions can help individuals to secure employment, where sales tax will help educate your children, pave your roads, deliver clean, pure water to your residents, and where we can afford to have a subsidized bus system. Of course the list goes on. If the good Juneau economy goes away, so will all those items which now exist, only because we were fortunate to still be able to afford them. Just in case you haven't looked lately, the future of state and federal jobs in Juneau is not a bright, growing future, so we are left with only one economic engine which can help Juneau residents look to the future with some hope. That engine is the visitor industry. I compliment the businesses that agreed with and adopted the 1999 Voluntary Compliance Program last year. We also compliment them for the changes they have voluntarily made towards minimizing the noise impacts. Changes I might add, that did not come without a price tag, and it was that price tag that only their businesses paid. They did so without government subsidies or donations from those individuals who are pushing for the changes. I compliment them for the willingness to continue to strive for change as will be reflected by their willingness to voluntarily comply with the goals for 2000. Thank you.

### ***Dot Wilson***

My name is Dot Wilson and I live at 2355 Ka-See-An Drive which is in Airport Acres, two streets behind the Travel Lodge. I want to thank the committee for the commitment of time and effort that you and the Assembly have provided so that Juneauites can have an opportunity to publicly proclaim their likes and dislikes for tourism in general and helicopters in particular. I'm sure much of what you hear and read on this matter will be redundant, and I truly considered not making any comments for that reason. However, I also know that the media's perception of the public is based largely on public comments, not understanding that to the general population, the issue is either of little importance or their views are supportive. I apologize for taking your time, but appreciate being able to provide my comments. Hopefully, this will provide all who want to make public proclamations the opportunity they have longed for to speak before a microphone and will not have to sit through this exercise again very soon.

First let me say that I understand that those who live near a heliport or a fixed-wing path might be annoyed when their conversations are interrupted. I understand because I lived on a heliport for five of the first 12 years we lived in Juneau. When we first moved here, I had a three month old baby and was concerned about the noise, but guess what? He adapted, as did he two-year-old sister. When we moved back to the heliport in 1978, we lived in the house for another two-and-a-half years. In one summer, Jim flew 15 helicopters that were working off the helicopter pad there. They weren't flying tourists, but they were landing and talking off all the time. I was a stay-at-home mom and before long, I just didn't notice whether they were there or not, neither did the eagle that built a nest at the end of our deck. The truth is a lot of things bother me, but when I complain, Jim's standard response is that it sounds like a personal problem. He's right. So much of what we complain about are personal issues, and in the grand scheme of things, are not all that important.

On the two or three times that Jim and I do get away from work during the summer, we go hiking, and usually it's the East Glacier Trail. I hear helicopters and they're most often not a yellow one. That noise doesn't bother me. In fact, I realize that a number of Juneau jobs have been created for six people to fly to the glacier. Tour flights require a pilot to fly, a scheduler or dispatcher to take their order, a bookkeeper to record it, a driver to pick them up and drop them off, a loader to brief and help them into the helicopter, a mechanic to see that the helicopter is properly maintained, and someone to fuel the helicopters when they need fuel. Seven people who contribute to Juneau's economy and are not unemployed or on Welfare.

In addition, there are six passengers who share our ownership of the Tongass National Forest. Most of them are not athletes, and many of them barely or rarely walk anywhere. The only opportunity they have to stand on the ice field they own is to be helicoptered to the site. How lucky they are, because so many Americans never get that chance. If those of you who begrudge them that flight could only see the awe in their faces and the excitement they feel when they're standing on the glacier, perhaps you would feel more compassion for them. Sound, like beauty is in the eye and

the ear of the beholder. My three-year-old granddaughter, whose father and grandfather both fly, thinks that helicopters make a wonderful sound. No matter where she is when she hears a helicopter, she gets positively excited.

I have not been involved in any of the decisions of the voluntary compliance regulations because I don't fly and don't feel qualified to tell anyone where they should fly. These decisions need to be left to people who understand the safety aspects. I can tell you though, that because we work long days and long hours in the summer, we have looked to winter as a time when we have a life away from work. This last winter, those of us in the tourist business have spent two or three evenings a week in meetings just working on compromises to make our neighbors' lives more pleasant. My fear is that once the helicopters are gone (which is what the noise complainers want), they will want the trails closed to public use, and then the whale watching stopped, and then the charter flights stopped. Then the nice new shops on South Franklin, that pay a lot of property tax, will have to close since no ships will come to Juneau because there won't be anything to do while they're here. I too have lived in Juneau a long time, nearly 32 years. I remember when South Franklin Street was bar heaven and full of run-down, decrepit, ugly buildings. Who wants to go back to that? However, if tourism goes away, that's what will happen. My suggestion is that we all realize we live in a community with other people where nothing is perfect and we all need to make compromises. The helicopter and fixed-wing operators are making an effort to meet the needs of the people most bothered by noise. Please leave the voluntary compliance issues to the volunteers who are complying. They know their business and they know it is in all our best interests to cooperate with our neighbors. Juneau is our home, and we want to be good neighbors. While the helicopter noise can be annoying, the silence of a dead or dying city could be deafening. Thank you.

Kirby Day asked about complaints on the charity Christmas light flight.

Dot Wilson: In past years we have had complaints. This year we only had one complaint. I think a lot of it is that people didn't understand that everything that we do on those Christmas light flights is volunteered. Our pilots have an option of whether they fly or not. We provide the helicopters. Coastal Fuel provides the fuel through Petro Marine who also contributes. They actually contribute the fuel. Coastal Fuel puts it in and then the people that work within the airport area do all of the pre-flying and putting people on the helicopter. So it's all volunteer work and we usually make around \$4,000 for neurofibromatosis.

### ***Joe Sonneman***

Thank you. I'm Joe Sonneman at 324 Willoughby here in Juneau. I've been there quite a while. I want to say that I'm testifying in a private capacity. I'm not representing anybody or any group that I am associated with. In the past I have worked in the tourism industry and I've driven tour bus and taxi cab. In 1995 I owned a minivan and took tourists around on rides and I do believe in a moderately or appropriately sized tourism industry. I'm here to talk, not only about noise, but about the other problems such as air pollution, traffic congestion and safety, which I think are really starting to affect an industry that has grown enormously in recent years. And I brought a little painting (not for my painting skill which is abysmal), and I hope you get the idea that there is a problem with air pollution caused by ships; too many ships for too long a period of time. But there's also a problem in noise that comes with too many passengers.

The Economic Development Council says there were 237,000 passengers in 1990, and there were 577,000 or 591,000 in '99. My guesstimate of the right level of Juneau's carrying capacity is about 500,000. And you don't have to just believe me, you can look at the vote list from October where 70 percent (a sizable majority in politics where 60 percent is a landslide and 70 percent is really noteworthy), 70 percent of Juneau voters said there's a problem here. They said that by passing a \$5 fee. But the \$5 isn't going to solve any of the problems that you know about and that I've mentioned: noise, air pollution, traffic congestion, safety. And so, like Mr. Thoma said earlier, you have to get at the root of the problem by controlling the number of tourists, cruise ship passengers principally, who come here. The way to do that, (Mr. Garrett suggested it during his campaign), is that the city has the power to close its port. I have suggested that the port be closed one day a week and echo the comment that the day should be Saturday. By closing the port one day a week, especially to vessels of 100 gross tons and above, you cut the number of passengers by about one-seventh, you know, one day a week. That's just about enough to bring it back from 580,000 to about 500,000 if operations continue at the same level. Also, I think Alaskans are basically friendly people and enjoy the visitors to a degree, but we're getting to the point where because of noise or congestion or air pollution, that's starting to change. By

giving Juneauites one day a week off, I think that will ensure the industry's long-term survival here and reduce the hostility level and allow us all to cooperate in a much better way.

In terms of where you've been and where you're been going, a lot of people have thanked you for the work you've done and I know it's a lot of time. But frankly, I think this would have been better handled by just the Assembly; one body to focus the responsibility. Instead you created an advisory committee (which, by its very name is advisory) and then created the PPC to watch them. And then you created that Voluntary Compliance. You've divided up responsibility and you've decided to work only on one issue of noise, instead of looking at the big picture and working at that by chopping the numbers. So when asked for opinions on how it could have been differently or still can be done differently, those are my comments. My own approach at this point is I keep coming to you. Most of you have heard me say these things several times because you keep having lots of different meetings with all the different groups that you've created. I'll quit there and thank you for bearing with me. But I have moved on past this group, right to travel agents and friends and others asking them to visit Juneau any day except Saturday. I encourage you to do the same.

Mary Irvine talked about a national wildlife refuge that closed one day a week. She said that while it was easy to close a refuge, she thought it would be harder to close a whole port or city to an industry of this magnitude. She asked if Joe Sonneman had any suggestions on how to go about doing that.

Joe Sonneman: Well, maybe Mr. Garrett can explain the mechanics of how the city can close the port, because I haven't looked into that. I am now sort of jumping over the industry, over all the committees and the CBJ to go to people at large through travel agencies. I've mentioned before that I've had e-mail contact with the secretary general of United Federation of Travel Agency Associations who agrees that thinking big may be good, but thinking six days a week may be better. So that's my current approach. I'm sure there is a way for the city to say, "We're just not going to allow ships of a certain size on Saturdays, and if that's not enough, Saturdays and Sundays."

Jim Powell asked what Joe Sonneman's suggestion would be if he were to reorganize the PPC and the TAC.

Joe Sonneman: Collapse everything back into the Assembly.

Kirby Day asked if Joe Sonneman had a specific flightseeing noise issue.

Joe Sonneman: Yes, thanks for reminding me. I actually like a moderate amount of busy harbor noise. The key word is moderate, and I think it's gotten past that. I went to visit a friend in West Juneau just across the bridge and up the street from the Breeze In. The noise was understandable when a plane comes in, whether it's to refuel or pickup more passengers and land in the harbor again. It wasn't so much the amount of noise as the frequency. It wasn't just one plane or two an hour. It was nearly constant. I don't have a noise problem where I live, but I can now understand the problem that other people have depending on where they may live. It's beyond the tolerable level and you can see that reflected in the 70 percent majority vote.

### ***Clarke Damon***

I live on First Street in Douglas, just down the channel from where Joe alluded to. This is where the overload of planes just start taking off and breaking water, and the ones that are loaded have to turn around and go back. I'm across from the little rock dump, too, and as I skim your draft proposal, I do not recognize any place where there is any input from the Douglas Advisory Committee. They had an extensive meeting last fall that addressed the noise problems in detail. The boat harbors are already located in Douglas and in Juneau, and the tour ships use the same channel as the boats. The fuel docks are already located, and I don't believe anybody has recognized the danger that is being created from the float planes taking off and heading down the channel there.

I work from my small motor repair business which is somewhat noisy. I note quite often that there are many close calls where planes and boats are getting awfully close together. I don't know if there has been any plan to try and regulate traffic, and I don't have suggestions because the boats would go on that side of the channel. The fuel dock is over here so boats have to cross there, and of course the tour ships have to go there, too. So I guess the only solution I could recommend is that we move the airplanes out to the airport or take them off some other direction. That refers to

number one of your Voluntary Compliance Measures in which they are going to fly at 500 feet. I have no objection when they get over 500 feet. It's lower than 500 feet that concerns me, when I am in the channel, going to the fuel dock and have to turn the windshield wipers on as the float planes go over dripping water off their floats. And the noise, sometimes I wonder where it is coming from and it gets a little scary. I think there is a potential danger hazard there and I haven't noted that it has been addressed. My last comment refers to the newspaper article where Mr. Garrett suggested we give tax incentives and low cost loans. I object to that unless outboard motors would fall into the same category.

***Dave Fremming***

Thank you Mr. Chairman and members of the panel. Since Joe mentioned some percentages in the vote, I'd like to know how many people here tonight are supportive of tourism. I don't know whether it lends anything to the voracity of my remarks through tenure here, but I first came here 60 years ago and I've had a chance to see a lot of things happen on the waterfront. It's been interesting to see our town grow. I live in Douglas and I'm the publisher of the Alaskan Southeaster Magazine, a former city and borough Assemblyman back in the '70s, and also a former planning commissioner. While I appreciate the sincerity of the mellifluous prose of those who seek to destroy what little commerce we have left in this region, I desperately strive to convince our governing body to remember that Juneau is Alaska's third largest city and we cannot reduce it to the pristine wilderness that some seem to desire and still sustain our population.

There are whiners in every population, in every society, in every enclave throughout this world, and the whiners are usually disaffected individuals, some of whom are demonstrably overeducated. Many are richly retired and for the most part, souls that are living off the fruits of someone else's labor. Just because they're unable to socialize in Alaska's third largest city, doesn't mean they should be able to direct public policy to a degree that harms our fragile economy. Some will loudly proclaim that they're bothered by aircraft noise, and I came here tonight to proclaim that I'm terribly bothered by their verbal noise pollution, as well. I ask that you put a stop to it. I propose that you form a high level committee to investigate these unsocial whiners and see to it that necessary counseling becomes available to them so that we can get on with business and try to preserve what little we have left of this fragile economy that sustains us. Solving the problem of whiners should be the most important order of business. It has already cost of millions of dollars in wasted productivity, and the cost will continue to grow, deeply affecting the City and Borough of Juneau's ability to operate without seriously raising its taxes in one form or another. As any economist you consult will tell you, when taxes go up, productivity goes down. It's an inviolate rule of the free enterprise system, and you can't change that rule. So lets put these whiners in their place and get on with the business of running this city in a productive manner so we can have some hope for survival. Giving the whiners a public forum as you're doing here tonight, represents foolishness at its best. How many other important issues have you dealt with by moving the event to Centennial Hall? Or have you just singled out this whiners group to pander to? I think helicopter noise is a wonderful sound of commerce, and if you're looking for pristine quiet, I'd suggest that you move to Tenakee Springs, without airplane service of course, because of the objectionable noise generated by their takeoffs and landings.

By the findings of your own staff, and quoting from part of their memorandum, "a combination of Federal and State law leaves the City and Borough of Juneau powerless to regulate aviation in the air or at existing private air facilities." It also states that "given the strict limitations of our powers, we must exercise them carefully." Exercise them against who? Is it the policy of this city and borough to be against commerce in this town? Your memo concludes with the fact that "a combination of effective, voluntary compliance measures and incentives will be needed to influence flight patterns and aircraft noise in the air." To steal a line from my friend George, if these measures are to be voluntary then why are we having this meeting since the only ones who can volunteer to comply are the operators? It appears to me that the Planning and Policy Committee could just be a euphoniums for one more organized group that's heavily influenced by those dissident members of this community that strive to tear down what we've tried hard to build. It appears as though some of you have been caught up in the dribble perpetuated by our local newspaper that tries so hard to play into the hands of the whiners. As elected representatives of all the people, I hope that you would be above that. And just a little note, please don't let my friend Chip Thoma pretend to speak for this community as he suggested in his earlier testimony because I don't believe he does. Thank you for hearing my remarks.

Kim Metcalfe-Helmar said that she understands that when people profit from the industry, they don't mind the noise. She said she feels that the industry is burning out this town and that would hurt the economy of Juneau just as badly.

David Fremming: What will burn out this economy is when the product no longer sells, and if it gets to be bad, it won't sell. It will burn itself out, but it's difficult to have someone else make that kind of a judgement.

### ***Del Carnes***

My name is Del Carnes, and I live at 2206 Radcliffe Road. That's approximately a block-and-a-half from the west end of the airport. I'm not sure what category I stand in. I do subscribe to the magazine, but I do have some concerns about the voluntary compliance. My only reference is a couple of experiences last year under the Voluntary Compliance Program that was in effect then: one involved helicopters and the other involved fixed-wing. It was my understanding that the helicopters taking off from the airport and flying west were suppose to stay parallel to the runway until they crossed the river and then make their turn to whatever direction they were headed. But most often, the corner was cut severely, and they would fly over the sewer plant and part of the residential area, both going out to their sites and then coming back. They tended to do it more often because they were light and in a hurry to get back to their heliport. When they deviate from that path, that impacts the residents that live in that area. I hear the jets coming in and I hear the one that comes in at 2:30 in the morning. When we're out in the yard in the summertime and the jets come over, we have to stop talking, but they land and it's over with. With the helicopters, it's just one after another continually. And this is a little off the subject, but one of the worst offenders is the National Guard.

The other incident is with fixed-wing which is Wings. When we have clear weather and the winds are out of the west, they take off over the Juneau-Douglas Bridge and they make their turn in the vicinity of Aurora Harbor. But most often they come right over Aurora Harbor at a very low altitude. They're deafening in sound, and you couldn't have a conversation if you wanted because the noise is so loud. I've complained several times about that and I talked to Mr. Jacobsen. He informed me that he would tell the pilots to stay outside the breakwater. Well, the pilot should have already known that they were suppose to stay out beyond the breakwater, and if they're violating that, then some action should be taken. It shouldn't be up to the citizens to have to complain to get his pilots to do what they're suppose to do. If one of these aircraft should loose power on takeoff (which is an opportune time to loose power), they crash into the boat harbor and then we have a major disaster in the community.

One other thing mentioned earlier is that a list of the aircraft numbers and to what flight service they belong should be published because sometimes the helicopter companies have different colored aircraft from year-to-year. You can say it was a yellow and a white helicopter, but who knows for sure who it belonged to? If we had a list of the numbers, so at least we could get a partial number, we could refer to the list so we would know the appropriate person to complain to. I did complain to the Tourism Advisory Committee several times and I would say I didn't have positive results from that. Unfortunately I've been out of town so I only saw this memo of the 14<sup>th</sup> when I came into the room tonight.

Dennis Meiners asked if Mr. Carnes felt that Voluntary Compliance is working.

Del Carnes: Well I don't think it worked last year. It seems to me that if the operators were going to really try to abate the noise problem that they would have maybe already done it and we wouldn't be here tonight.

### ***Ray Preston***

I didn't come here as a happy camper, but I didn't come here to call anybody names either and I don't think it helps the dialogue or the process to engage in the kind of name calling that has taken place a little bit earlier this evening. I hope it doesn't happen any more. I'm not going to thank the committee either for your efforts, because in my view, I'm afraid the committee has fallen quite a bit short in terms of addressing or meeting or alleviating the problem for the coming tourist season and for times thereafter. I'm very disappointed that all that is being served up to the public appears to be the notion of voluntary compliance, and the vague idea of fostering heliports into the future. I'd like to touch upon several of these issue, the first of which is the voluntary compliance issue. But first I'd like to back up maybe just a little bit and go back to last year and last summer and trace a little bit of history to look at why we're here.

I think we are here because the noise from the tourists flights has reached the point where people are just going nuts. They're tearing their hair out and they can't enjoy their own property in the summer. I first got involved last summer, and the first meeting that I attended that seemed to galvanize some people was a meeting where the ERA proposal was being presented to the Docks and Harbors Board at the Douglas Library. I wish that some of the members of this committee would have been there because some of the testimony that night (which was standing-room-only) was very, very poignant. We're talking about long-term residents of Douglas. I don't live in Douglas, but I can understand where they're coming from because I think they get a little bit more than anybody else. They get it from the fixed-wings taking off and they get it from the helicopters flying overhead. There was testimony of neighbors who had abandoned their gardens. They don't go out and tend their gardens anymore because it's just too much of a headache and it's too much of a nuisance and it's too much of an annoyance. We're talking about people who testified that they can't carry on a conversation with their next door neighbor across the fence because of the noise. But the most poignant part was when I heard testimony of people who have actually sold their homes and left Juneau. Earlier this week I spoke to a woman who lives with her family a little bit south of Fred Meyer on the Old Glacier Highway. Before this year is over, they're going to be gone because they can't take it anymore. Juneau is not the place that they thought it was. Juneau is not the place that maybe it once was when they first moved here, and I just wonder, is this the kind of place that you wanted to have for the citizens that live here? We have reached a point where we are literally driving people away, and I would hope that that's not the case. I'd hope that you'd think about taking some action that would really result in some effects and mitigate the noise and abate the nuisance.

With regard to the voluntary compliance guidelines, I was very disappointed with them, primarily because there seems to be no sacrifice being made here by the operators. They're not offering to do anything that they wouldn't be doing otherwise. Looking at the measures for 1999, which I understand would continue for the year 2000, tour flight departures will not be scheduled prior to 8:00 a.m. or after 7:00 p.m. That's no change, and that's no improvement. Why don't they offer a real sacrifice, why don't they offer not to fly before 9:00 a.m. in the morning and not have any operations after 5:00 p.m. at night so at least we can have the evening hours. Now, anytime you spend outside, the noise is so incessant. It's not so much the sheer decibel level, but it's incessant. There's not a time you can hear the birds sing, and that's not why I moved here. I moved here for some kind of better quality of life than living in the standard urban environment, so I hope you think about actually taking some action that will make a difference. Nothing here in this voluntary compliance thing is going to make a difference for me this year, nor for anybody else who has been bothered by the noise.

Number two says all companies conducting air tours will operate in a manner that minimizes impacts to backcountry users and wildlife, whatever that means. It doesn't mean anything to me. I don't know what they're doing now as opposed to not doing before. It doesn't do anything. Number three: all helicopter flightseeing operators will abide by the principals of the Helicopter Association International Fly Neighborly Program and instruct pilots in its local application, whatever that means. It doesn't do anything for me. It didn't make a difference last year and it won't make a difference this year. I think it's pandering and I don't like it. I don't like the way it has been handled or just the very idea because I don't think voluntary compliance is going to work.

I'd like to touch upon the notion that has been brought forward by staff, the idea of investigating places in the future for heliports. I'm sorry, I just don't quite understand that one because it seems to me that if the problem has to do with numbers of flights and sheer volumes of helicopters, then why is it any kind of solution to make allowances for even more helicopters, for more flights, and for more noise? Now I've been involved with this issue since last summer and I've been involved with the people who have been involved, and none of the people that I've been involved with have suggested the idea of heliports. So I don't know where that got going, but I suggest to you that you're going down the wrong path and you're going down the path that will end up simply driving more people away from Juneau. You're going down the path of exacerbating the problem, not making it better.

The only way to make it better is actually reduce the number of flights, but no one is talking about that. I think you should be talking about curfews. I think you should be talking about at least one flight free day. I think you should be talking about actually controlling the numbers of flights. In the meetings that I've attended, I haven't heard anyone talk about those ideas. With regards to the last issue, I'd like to touch upon the legal aspect. I'm afraid that there has been a notion that the city is helpless and legally powerless to do anything about the problem because of federal jurisdiction or federal preemption. As you know, I've spent some time myself researching that problem and I've put some time in on a



memorandum to the committee. We're not talking about something that's black and white and it's not open and shut. You can take certain steps and you have to do it carefully with your eyes wide open. There might be a legal challenge and you might lose, but then again you might win. I don't think that pouting or claiming legal powerlessness should be used as an excuse for inaction. So I hope that you proceed in an open way and in a good faith way and try to do something to actually reduce the problem for the year 2000. I'm afraid that it's not going to happen. I hope that something might happen in the year 2001.

Tom Garrett said that the idea of remote heliport sites was raised by citizens in this room on September 21.

Ray Preston: Not from the people that I've been involved with.

Mary Irvine said that the idea of satellite heliports was presented by the operators and not city staff.

Ray Preston: Right. I just caution you against rushing down this path with the assumption that that is any kind of solution at all, and I suggest to you it's not.

Tom Garrett said that residents of Bonnie Brae may feel differently.

Ray Preston: Well that is the NIMBY thing.

Mary Irvine asked what kinds of noise Ray Preston hears in Thane.

Ray Preston: We get both. I am bothered a bit more by the noise from the fixed-wing planes than from the helicopters. It is ERA Aviation that is the operator that flies south towards Thane, makes a left turn as they come down Douglas Island across from Sheep Creek, and then heads up the Sheep Creek Valley to several points up there in the ice field. It isn't so bothersome, except for the people closest to Sheep Creek. But when the ceiling is low (I believe below 1,500' or so), they can't do that, so they have to fly down the channel, then back up the channel, and then that affects those of us who live along the road greatly. But the fixed-wings are constant, and those Otters are the noisiest planes in the history of the world. The problem is that the volume has gotten to the point that even without considering the helicopters, it's one right after another. As the noise of one begins to die away, it's replaced by another, and when that one starts to die away, here comes one coming the other way. And we're talking loud. I bought a decibel meter and I measured the noise of a single Otter standing on my deck, about 1,000' or less than that. I don't think they ever get above 1,000' or maybe 800' in elevation, straight down the channel, and 78 decibels on my deck. Mr. Garrett, you recall a letter I wrote to the Assembly? Seventy-eight decibels may not mean a lot to many of you here, but I would challenge you to conduct a meeting where the noise would register 78 decibels throughout the whole meeting. Try to conduct the meeting in that way. I don't think it would be too pleasant.

Kirby Day asked if number 1 in the 2000 measures would have some effect in minimizing the effects on the Ray Preston's residence on Thane.

Ray Preston: It might. Especially if the Otters were 500 feet higher in altitude, it might make the difference. I think that Mr. Jacobsen has claimed that their flight path can't be really any different then it is and that they can't climb at a faster rate then they do. I don't know. I'd like to see them try. I'd like to see if maybe there is a difference, but it hasn't happened.

Kathleen Morse asked for clarification about the proposed curfew.

Ray Preston: I think you should be considering a 9:00 a.m. to 5:00 p.m. curfew for flightseeing for tourist flights. I think you should be considering a flight free Saturday. I think that that is something that is within your power, and you know there might be a challenge made with regard to the federal preemption issue that's lurking in the background there, but it seems that the federal preemption thing might be used if you did anything that would have any real effect. I think that there have been 27 years that have elapsed since the decision by the U.S. Supreme Court in Burbank versus Lockheed Terminal. Lots of things have changed since then, including the composition of the court itself. I think that if that case were to be argued today, there might be a different result.

Kathleen Morse asked if Ray Preston would want regulation imposed this season.

Ray Preston: Yes. It's not going to happen otherwise. I don't see the operators as volunteering to operate only between the hours of 9:00 a.m. and 5:00 p.m. They're not going to do that voluntarily.

Dennis Meiners asked if Ray Preston kept notes.

Ray Preston: I don't have a noise diary but maybe I should begin to do that. I am a person who lives and works at his home, so it's particularly bothersome for me when I'm trying concentrate and there's this damn noise going on. Sometimes I think there can be a jackhammer 10 feet away and I can block it out and actually get something done, but there are plenty of other times I can't. There's the work part, but there's also the part that we here in Juneau, those of use who have lived here for some length of time, put up with a lot of lousy weather just to get a few good months in the summer, a few good days outside. That's being taken away.

Dennis Meiners asked if Ray Preston used the Hotline and if he found it valuable.

Ray Preston: I have but I find it to be a kind of pandering, kind of a joke, because nothing ever happens as a result. You call in and complain, and maybe your complaint results in a statistic on a sheet somewhere, but it certainly doesn't result in any action being taken. That's why we're here.

Kirby Day asked Ray Preston how operators should deal with the very real scenario that on a street of ten houses, three people have a problem with the noise and the other seven don't.

Ray Preston: I don't know. I think that you tip the balance when it become five or six out of the ten. When it's six out of the ten, you better make some changes.

### ***Margo Waring***

I want to thank Mr. Preston for making most of my points for me. But I also wanted to say that I'm disturbed by Mr. Fremming's insistence that we get on with business. I thought we were here to get on with some problem solving and doing something to make this community a better place for all of us. I hope that that is the attitude that everyone has and not the let's get on with business attitude. I wanted to make some comments both about the voluntary compliance attempt and about other activities of the planning committee.

I don't see a lot in the suggested voluntary compliance standards that are going to make a difference. Most of what's there has been there (been there done that) and hasn't worked. One of the real reasons it hasn't worked and why whatever is new won't work either is that none of the suggestions deal with times when the weather is bad which, like last summer was all summer long. There's a lot in here about we're going to fly at 1,500' and we're going to do this and we're going to do that, except if the weather is bad. The real voluntary compliance would come in saying we're not going to fly if the weather is so bad that we can't fly higher than a certain altitude. We've gotten to the point last summer where it was just by the grace of God that no one was killed. Between the fixed-wing craft and the helicopters in Douglas (I live in Douglas) and the bad weather, they're luckily so close to each other I suppose they can wave at each other and give each other hand signals or something, because it's the only thing that maybe keeps them from crashing into each other. I don't see anything in voluntary compliance that talks about that.

I don't see anything in voluntary compliance that addresses some of the very real concerns people have about hours of operation. I see this 8:00 a.m. business, but we know that it always starts earlier whether it's because they do their non-flightseeing traffic first so that they can then devote themselves to flightseeing or whatever the way the flights are scheduled. It's not just that flightseeing shouldn't start before then, it's that the rest of the schedule shouldn't be crammed into the hours outside what's convenient for the cruise ships so you're still listening to helicopter sounds and fixed-wing aircraft sounds when you're lying in bed trying to go to sleep. Voluntary compliance doesn't address that, and if it isn't addressing the real problems people have with the noise generated by too much aircraft flying at the same time, I think that the Assembly needs to do something about that.

There are things that can be done, and we're sort of encouraged by a lot of the conversation to look for magic bullets. This is so American, right? We're all going to look for better technology. Luckily we're told that there is better technology, but it's not quite ready yet and it won't be ready for a little while, and gee it's very expensive but it's sort of out there, so it makes you feel easier about not doing anything. Well, from everything that we've heard, and I've been to meeting after meeting after meeting with all of you, that silver bullet is a long way away. The suggestion is to look at satellite heliports. Again, depending on the numbers of helicopters and whether they're being increased, are we really just distributing the noise burden around in a different configuration? Unless it's actually coordinated with the Forest Service we may get more helicopters flying longer distances to different landing places. It's not a solution that in and of itself is a clear response to the fact that we have too many planes flying in too small a space.

There are things we can do. The Assembly can write to the Forest Service and request the Forest Service to look at where landings occur and look at the numbers of permits being given. Yeah, that's a small piece of what's going on, but this is maybe something that's going to respond to several small pieces. You can make a resolution, send it to the airport board, and ask them to regulate helicopter traffic at the airport. Make sure that there be intervals between flights and so forth so that people get some relief. This is something that you can do and it's something that the Airport Board can do. It is within their power to do that. You can write to the FAA, explain our situation and ask them what we can do to initiate a process that will control the flights of aircraft outside of the airport area to achieve a higher level of safety for our citizens. That's something that you can do. Now we can all go to a lot of meetings and sit and talk for an awfully long time and have a lot of plans to collect data and a lot of plans to have plans and a lot of plans to hire people to help us develop criteria to make decisions, but what we really need here is some people to do some things and they are things that you can do. Thank you.

Jim Powell said that the PPC is drafting letters to send to the FAA, and those letters will let them know that short-term, mid-term and long-term solutions to the issue are being worked on.

Margo Waring: And I think it's appropriate to ask the Forest Service to help us achieve the goal of reduction of flight noise.

### ***Dennis Harris***

Mr. Garrett, how do you do? I almost didn't come tonight, and that has to do with my whole experience with this whole particular operation, starting with the appointment of the Tourism Advisory Committee. I think the first one was three or four years ago. Nothing has happened. The picture has not changed. The largest comment I got when I was circulating petitions for that wonderful initiative that passed (5,921 votes people voted yes, 70 percent) was "I'll sign your petition and I'll vote for your initiative, but it won't do any good because nothing will happen." That's what we have here. Let me illustrate why nothing will happen. Drivers still park or stop vehicles or disembark passengers on bridges all the time in the summer time. Drivers drive empty buses, including Kirby's occasionally, but at least he doesn't drive the big one down 12<sup>th</sup> Street any more. But they're still driving empty buses down 12<sup>th</sup> Street, and they're still driving buses during the noon hour on Calhoun Avenue when people are trying to get back and forth from one end of town to the other to go to lunch. They're still driving busses at a crawl with 10 or 12 cars behind them down Calhoun Avenue past the mansion (Hi Tony!) and they're still occasionally driving empty buses through downtown. They're still idling all over the place, leaving their engines running. These are all voluntary compliance measures that you've had in effect for four years, and they're not being complied with. The largest operator of buses, MGT, decided last year to blow the whole thing off. Quite frankly he has sometimes done a better job than some of these so called "voluntarily compliant" people.

Finally, I don't expect the cruise vessels to comply with the marine vessel emissions standards unless we have someone there to write citations. That's my point. That's exactly my point, and the same thing applies to all of these voluntary compliance measures. I agree with what all these people have said about their concerns. I work at home, downtown, and I can no longer go out on my porch and read fairly dense technical material or leave my window open when I'm working. Computer programming takes some concentration, you know. Not in the summertime. Then we have the obvious arrogance of operators or their spouses who tell us that it's a personal issue. It's not a personal issue. It's a

public health issue. Pollution is a public health issue. Noise pollution, air pollution, and water pollution are all public health issues. You know, it affects people's mental health. We can't ignore it.

I won't even try to address people that don't believe in the First Amendment or the Second Amendment in the Constitution where it talks about free speech and the redress of grievances. That's just so insulting that it's not even worth replying to. I just get really upset about this. I'm here to tell you that if you have more voluntary non-compliance which is exactly what you have when you have voluntary compliance, we need regulation. We're long past the point where we need regulation. We need regulations on the numbers of people that come and visit here. If we have to shut the port down one or two or three days a week to do it, we should do it. I like our visitors. I'm always pleasant to them individually. Living right near the Mansion, I get a lot of them wandering through my neighborhood. I talk to a lot of them, and a lot of the comments have been getting more and more that it's not a quality experience. They didn't expect to come to Alaska to be herded around. They didn't expect to be shuffled everywhere by the thousands. They expected to go places and see whales and do those kinds of things, but some of them realize they made a mistake coming on a cruise ship because it's no different then being at home. The ones that don't are the ones that don't understand that you can't just leave your stuff here at Mendenhall Lake and pick it up when the raft comes back around. That's one of the questions people have asked, that sort of thing. These are the same people who want to know where the animals go at night and who feeds the animals in the wintertime. I suppose we're here for them, too.

But the thing that bothers me the most is the fact that we've been through this exercise. I think this is the fourth or fifth year running, and nothing happens. I can assure you that if nothing happens this time, it will be more than 70 percent at the next election. The industry is going to find themselves saddled with initiatives, ordinances written by initiative, that won't have the advantage of them having some participation because the voters will make the decision for them. The voters may even decide to pass laws that the industry may go ahead and fight a lawsuit against. Matter of fact, the voters already passed one initiative, and the Assembly, in its wisdom, decided to go ahead and turn the income from that initiative over to a committee controlled by the industry. It's not flying Mr. Chairman, it's just not flying, and I am one of many people in this town that's not buying this whole shell game. Thank you.

Mary Irvine asked if Dennis Harris had any suggestions on how the city could close the port.

Dennis Harris: Yes. I don't expect to do it this year. The industry has already set their schedules for this year, but I fully expect that we should be able, given the way they book tours, to tell the industry that starting April 1<sup>st</sup>, 2001, the Port of Juneau will be closed to ships over 100 tons on Saturdays. They can go to Skagway. They can go somewhere else. They don't have to come here, or they can go ahead and shuffle their schedules around so that they can get the ships in here six days a week. We had six days a week awhile back and it was wonderful. Saturdays, you could go downtown and you could actually shop. The bed and breakfast folks love it because their clientele, who drop a lot more money in Juneau than cruise ship passengers and who spend money in restaurants, were happy to come out. Local restaurateurs, quite frankly, liked seeing local people once in awhile instead of all tourists. And the advantage of doing it one day a week is that local people would know that that was the day that downtown was open for us, not them, and I think that's important. And I would point out I live here, too. All these people have signs that say, "Ask me, I live here". I've lived here for over 50 years and I remember when this waterfront had an average of about three or four flights an hour from Alaska Coastal and that's what it was. It was three or flights an hour, maybe five or six at fairly busy times of the day when there were a number of flights scheduled, but there was never more than about five or six flights an hour. Coastal did a good job of maintaining their takeoff path with the Grummen Goose and their PBY to avoid disrupting folks. They operated out of the airport as much as they could, especially when they had to connect with flights from larger aircraft because all of their planes were amphibian and it worked very well. On the other hand, I know people didn't complain about it because it had been going on ever since the end of World War II, but also it was not for tourism and it was not for flightseeing. That was how you got to Sitka. That was how you got to Petersburg. That was how you got to Hoonah or Gustavus or Haines or Skagway. Things are different now, you know. It's a luxury, not a necessity, to fly out of downtown with float planes.

Mary Irvine asked Dennis Harris if there might be trouble the closing the port since one of the docks is a private dock..

Dennis Harris: Yes, but the port belongs to the city. They may own the dock, but they don't own the port facilities. Traffic through the port is navigable waters, but they're CBJ navigable waters as far as I understand, because the city

owns the tidelands under most of it. It's my understanding that the city has the right to regulate our own harbor, and that includes who can anchor out, how large of ships can anchor out, and how many. We can always say the port is closed. Now I would fully expect litigation. I'm not naive about that. There has been litigation in other jurisdictions over the ability to close ports, and my understanding from the cases I've read (and I've only read a couple of them), is that it's possible to close ports for public purpose as long as you don't totally close the port and as long as it's done with some sort of rational basis. I think the fact that Juneau has reached its limit, as Joe said, a sustainable limit in terms of the number of passengers we can handle in a give period is an indication that it is certainly a doable thing. I would urge the Assembly to strongly consider the idea.

Kirby Day asked Dennis Harris if the fact that bus traffic on South Franklin has been reduced would indicate that voluntary compliance can work.

Dennis Harris: Well, the level is still way too high, and it may have worked somewhat. Actually, I think the way we can actually build light rail transit in this town is to get your company and others to participate with the city and use an electric light rail system, a trolley system with a line running all the way to the glacier. That would get a lot of that bus traffic off and it would minimize the number of operators you'd need too. I think it would be a win-win situation for the industry and for the city. I really wish the industry would think about that, but at the same time there's still empty busses running down 12<sup>th</sup> Street and there's still busses going along Calhoun at 12:05 p.m. with seven or eight cars behind them.

### ***Mike Windred***

I'm Mike Windred at 1122 Timberline Court. That's in the Twin Lakes area and it's directly across the channel from the ERA Helicopter base and not too far off the glide path of the Alaska Airlines jets as they're flying in and out the channel and making their turn there. I certainly appreciate everybody's commitment to working through the process, everybody in the audience, as well as the committee themselves. I think it's a fairly important process and I think you guys are doing a good job with that. I attend quite a few meetings, and I know you guys attend a lot more meetings, so you have a dedicated commitment to this and that's important. I've been in the tourism industry since I first moved to Juneau in 1983. I get somewhat frustrated with the process overall, but I think it's a good process. One of the things I get frustrated with is continually hearing that it's never quite good enough, and that no matter what compromises the industry will come up with, it's never quite good enough for some people. Granted, it probably never will be good enough for some people, but the compromise ultimately is what we're looking for. How can we make this work for enough people to have it be good for the economy, good for the operators, and minimize the impacts as much as possible of this industry. I also get a little frustrated from spending a lot of time at meetings, and sometimes the only time I get the opportunity to see my wife is at meetings like this

I like the voluntary compliance that has been put forth with regards to helicopter issues. I can tell you from being in the industry that voluntary compliance does not come without impact to the operator. I've been doing scheduling long enough to know that operators could fly anywhere between a half hour to an hour earlier and easily an hour to an hour-and-a-half longer, and that's a lot of money to an operator. Ultimately every time you start knocking your first flight or your tour off, that's right off the bottom line. That's your profit, and it continues to whittle down until eventually you aren't profitable anymore. Of course all of those flights and all of the different tours that happen as you start to knock that off, you start to knock down revenue to the city, revenue to employees, revenue to support businesses such as fuel, and the carpenters that we hire to get our things built and ready for the summertime. It's a pretty full-scale economy that happens through that, and there is a certain point where you can knock back the industry a little too much. A pretty good instance that has happened here recently is with the visitor tax. You have some cruise lines who are leaving a little earlier. That will affect our business ultimately at the Salmon Bake. We will reduce services because of that, and they won't be in port for as much time. That's going to make a difference to our bottom line, so there will be impacts.

Voluntary compliance ultimately does have impacts, but I think the operators are all living with those impacts because they know it's good for the community, their neighbors, and for us who live here. We want to be neighborly people and do the best we can. Ultimately, we of course want to grow. If we don't grow and become stagnant and reduce our businesses, then most everybody knows a stagnant economy eventually dies. So for us, our goal is to find a way that we can grow, but to find a way that we can grow and minimize the impacts or even reduce the impacts by doing that.

So I can't tell you that a satellite airport specifically is not the answer or that it is the answer. But I do know that you guys should continue studying those areas and find out if maybe it is the answer. Anybody who tells you it isn't the answer can't really tell you that because they don't have the facts yet. You guys don't have the facts yet, so I think you're doing a good job in going out and finding the facts and seeing if maybe it can reduce the impacts.

I can tell you that I continually hear at a lot of meetings things related to safety and that taking a day off a week will help the safety of the helicopter industry. From a business standpoint, if you told me I could only work six days a week, I'd probably be more tempted to hire fewer employees and get it done in six days a week rather than just giving the same amount of employees that required day off. I can also tell you that almost all industries, especially the flightseeing industry, are regulated for how many hours their operators and flight people can work. So the day off a week theory doesn't really fly very well. They're already regulated, and I'll tell you there is nobody more worried about the safety than the owners and operators of those flightseeing aircraft. They're the ones who ultimately have to live with the bottom line if anything happens. So I take offense to it when people who know nothing about the industry start talking about safety as if they're the experts. You have some of the leaders in the nation with regards to tourism and flightseeing who work in this community. If you want to know about safety, you should be asking them about that. And finally, I'm in favor of you continuing to find methods to reduce the impacts while also helping increase the visitor enjoyment of town. One of the ways to do that may be increasing infrastructure. I think that's maybe one area, Dennis, that we kind of agree on. If we can increase some infrastructure, it may reduce the impacts for everybody.

Kim Metcalfe-Helmar asked what effect a rate raise would have on the industry if days were limited.

Mike Windred: With regard to rates, most businesses have multiple-year contracts, and rates are a tricky thing as they are defined, not just from what happens in Juneau, but what happens in Hawaii and the Grand Canyon. If you try to force rates up, you may make a certain business unviable or do more damage than you had originally intended to do with regards to regulating it. I think the free market system works pretty well with regard to where rates are.

### ***Robert Reges***

Good evening. My home is located at 226 Saint Ann's Avenue which is in Douglas, about 100 yards from the picnic shelter at Sandy Beach. I have substantive recommendations, but before I launch into those, I'd like to challenge the implication that you ought to give more credence to those who are currently impacted by the flight paths and those who are currently under the flight paths. I think that you need to consider those who are looking forward to the future with recommendations or proposals made by operators. I became concerned with this issue, not over what was in fact happening, but what was proposed to happen. When I became acquainted with the number of folks who shared concerns about noise, they joined with me to form Cruise Control. I frankly did not look at them as disaffected whiners or as tourism-hating minorities. I call them friends and neighbors and I hope that we all would adopt that position. So on behalf of both myself and my friends and neighbors who are currently affected and who may be affected in the future. I have five specific recommendations.

First, I think you're off to a good start to hire an acoustic consultant to monitor sound levels, both during demonstrations and more broadly-based. With respect to that particular proposal, I ask that you include locals in the data-gathering group. One of the things that Cruise Control proposed was to get little noise monitors, distribute them to the citizens who have the wherewithal and the desire to collect data, and have those citizens trained by your acoustic consultant to calibrate their machines so that the data they collect is of some value. They could be trained in data collection processes that would be of use to the acoustic consultant so that you have more data points and statistically more significant information. So I agree that the gathering of noise data should be a prerequisite to the drafting of a noise ordinance and I would like to see the citizenry included in that process.

My second proposal goes to your point to "consider providing incentives." I wholeheartedly agree that there needs to be economic incentives to business people to make decisions that perhaps are not business-based. A noisy plane that can carry your passengers probably works just fine. You don't have a specific business reason to get a quieter plane, so I do think that there needs to be economic incentives. As some of you know, I specifically endorse three ordinances. First would be a break in the personal property tax for those operators who either upgrade an existing noisy machine or

replace an existing noisy machine. I don't want to hand them out money or give them a tax break just to add on. I do support a personal property tax break for those operators who upgrade or replace existing machinery.

The second incentive I'd like to see the CBJ consider is to level the property tax field. I'm not an expert in tax, so this is based on hearsay and innuendo, but it's my understanding that ERA and Temsco and some of the other operators do not pay personal property taxes on their aircraft because they're aircraft are not in Juneau for at least 90 days of the year. I'd like to see us address that legally. Could we get some sort of a pro rata tax? If you're here 70 or 80 or 90 days, pay a pro-rated portion of what you would pay if you were here year-round. I'd like to see some leveling of the playing field between the operators, because right now there is a financial advantage to not being a local resident who keeps his aircraft here year-round. I believe that my friends and neighbors who are here in the winter have a vested reason to do right by me and us, and so we ought to make it desirable for them to function out of Juneau, to get vested in Juneau, and not just be here for the short-term.

The third incentive is a revolving loan fund. As far as I can tell, the commissions that the cruise ships make on the tickets they sell are not subject to the sales tax. There's been a lot of talk about who pays and who doesn't pay sales tax, but I've studied the ordinance now, and in my best professional judgment, it appears to me that Kirby's boys and the other cruise line guys who are taking 15 to 25 percent of every ticket, do not pay sales tax on those commissions. I say get rid of that exemption, and tax the cruise ships. Give the money to the operators at a low-interest, forgivable loan, specifically for and only for the purpose of buying quieter aircraft or taking your currently noisy aircraft and upgrading them. So it's not my money, it's the cruise ships' money. It's not a new tax, rather it's just getting rid of an existing exemption. That's my third tax proposal.

My other three specific suggestions all fall under the heading of planning and zoning. I want to emphasize that if you sit down and study the FAA policy, which was written back in the early '70s having to do with noise, they emphasize that the local municipalities' real power in controlling aircraft noise is in planning and zoning. So under this umbrella of planning and zoning, I have three specifics. Number one (and I already apologized ahead of time to Bob Jacobsen), we ought not be allowing the non-conforming uses to expand. We ought not be allowing the non-conforming uses to increase their investment in that non-conforming use. Specifically this is ERA's facility in North Douglas and the Merchants Wharf aerodrome downtown. Wings of Alaska has a proposal right now in front of the Army Corps of Engineers and the Division of Governmental Coordination, according to the public notice, to upgrade and expand the Merchant's Wharf facility. I would say that a short-term action item for this committee is to write to the Division of Governmental Coordination (public comment period closes March 21) and tell them we're working on a comprehensive overview of noise control. Tell them that the State of Alaska, by allowing someone to increase his investment in what is essentially a non-conforming use, the downtown Merchant's Wharf floatplane facility, thwarts our purposes because we can't get this fellow to move out to the airport or move out to a satellite fixed-wing heliport (whatever you want to call it) if he's got all his money already invested downtown. So at a minimum I would say, if you want to upgrade your rubber floating dock that's fine, but there ought to be some commitment. Bob did say he doesn't really have intentions of adding more aircraft, so put it in writing Bob. If you're going to get more berth space, commit to me as a condition of your permit that you're not going to bring in more aircraft than you've already got downtown. So my third proposal is very specific in that I'd like to see a comment to the Division of Governmental Coordination. The Army Corps' comment period closed today but DGC is still open, and that's Gastineau Channel Permit Application Number 199.

The other two specifics go to the satellite heliports or satellite aerodromes. Frankly, I favor the idea of looking at satellite heliports with four specifics in mind. First, familiarize yourself with and acknowledge the plans that this community has put together over the years. The first speaker tonight said, "I live on Fritz Cove Road and I don't mind the noise." I looked at houses on Fritz Cove Road, and I didn't buy there because it was noisy. I looked at the plans for the downtown area. I knew Bob was there, but there were no heliports in the downtown area, and that factored into my decision of where to buy my house. So you ought to acknowledge that if we're going to all spend this time planning (working on this tourism plan and this other plan), read the plans we've already got. There are lots of them out there, so when you start considering satellite areas, take into account what the public has said over the last 30 or 40 years about that site and what they want that site to be.

Second of all, I do agree with the comment that the CBJ should own the facilities. That's specifically because of the comment in the February 14<sup>th</sup> memo that says the CBJ does have the power to regulate the number and frequency of

takeoffs and landings and the hours of operations at air facilities owned by the CBJ. That is undoubtedly an unquestionably correct statement of the law. The proprietor of the airport does have control, to a large extent, over what happens at his or her airport, and therefore, as a second condition of satellite air facilities, I would say the CBJ should own them.

Third, I think they should be in lieu of existing facilities. You know, all the time that ERA says they want to move down to the old dump or the little rock dump, they never once said they were going to close North Douglas. They never once gave my friends and neighbors the satisfaction of having gotten rid of the noise. It was just, "We're going to have that one, too!" You want a satellite heliport? You're going to do me a favor by moving further out of town and then move further out of town or to the airport or wherever it is your satellite ultimately ends up. But you can't have your cake and eat it too! So it's just like the tax break means take the noisy one and replace it. If you want a satellite heliport, that's fine; but you give up the one you have.

And then the fourth point was made by Margo Waring and I want to just echo that. I think you should coordinate with the Forest Service and perhaps the FAA. As she points out, if the Forest Service is saying where the landings go, and it makes some sense (and I know the operators have endorsed this) to get the shortest possible flight path, as well as the least obnoxious one. So those are four elements of satellite heliports.

And finally, along with satellite heliports, I want you to examine the notion of what I call zoning amortization. There are a lot of cases out there which establish, definitively, that you can take a facility that currently exists now and essentially tell it it's not going to be in business at that place at some future point in time. So I disagree with the statement in the memo that says the CBJ is powerless regarding existing air facilities. I'm just going to read you one short paragraph. I have half-a-dozen cases I'd be happy to share with you or John Corso, but here is one that's talking about how Los Angeles drove a bunch of gas stations out of business because the gas stations were located in residential neighborhoods and near schools and things and they didn't want them there. The Supreme Court of California upheld that decision of actually telling these guys they must move and gave them a period of time to do it. They didn't say tomorrow. They said you've got five years. Amortize your investment. This is why we don't want them spending more money today. The operators will say, "But we had been given grandfathered rights. We're a non-conforming use, but we have been grandfathered by a previous ordinance" (which is true for ERA and Wings). The mere fact that a prior ordinance accepts a parcel of land in a residential district does not give the owner thereof a vested right to have the exception continued. He is not entitled, on the grounds that he was previously granted an exception, to attack the validity of a later ordinance repealing the former. You are not powerless to tell the noisy operators that they must move to a quiet satellite heliport. You do have that power, and I urge you to exercise it conjunction with your notion of satellite heliports. Thank you.

Jim Powell asked Robert Reges if the draft that he was working on included the three items he had mentioned.

Robert Reges: I've broken them into separate ordinances just for convenience sake. I've already distributed a draft ordinance to some of you that would give a break to the personal property tax. I'm working on the revolving loan fund ordinance, but I have not tackled the third issue which is this leveling of the playing field. There's some serious constitutional research that needs to go on there, and I simply haven't had time to do that. So two of the three I'm working on, and the third one I'm not.

Kirby Day asked Robert Reges to define non-conforming use.

Robert Reges: It's defined by the zoning code. I don't have the definition on the top of my head. Let's take North Douglas. The ERA heliport was there first, but it became a residential area and so it's basically zoned residential. But then you have a standard zoning category called non-conforming uses which is something you wouldn't allow to move in there now for the most part, but it was there so you let it stay.

### ***Patricia McKelvey***

Hi, I'm Patricia McKelvey, and I live downtown at 305 West 10<sup>th</sup>. I'm one of the seasonal workers for Temsco, and I've worked the last two seasons as a dock rep. I work down at the dock with the cruise ship passengers, putting them on



buses. We've had many a time to have a later flight, but we choose not to fly it. But there was one instance where this couple (it was their 50<sup>th</sup> wedding anniversary) came up and wanted to fly. They've never been in a helicopter or walked on a glacier, and his wife came down crying. She enjoyed it was so happy. To this day, I get letters from them saying, "Thank you. I hope you do the same for everybody else." I know for myself that when Temsco has been flying and they spot an animal, they write it down in a log. The number of animals hasn't lowered, so noise pollution hasn't stopped anything. I know for a fact that they are landing on the ground when they're suppose to. They are all-year, not just summer. They do medivacs and contracts all year-round. They're not just a summer company. Thanks to Temsco I'm looking for a job further in the tourism industry.

Alaska has been known for their flightseeing all over the world. I've been in Europe and I see Juneau on a channel saying come to Alaska. Years ago, floatplanes and helicopters were used to take supplies out to cabins who didn't have any electricity or shops. I was born and raised here and I don't hear planes or the helicopters. I have no problems with them whatsoever. My father has been here most of his life and he used helicopters to work on Snettisham. Helicopters and float planes are an industry and they're bringing money to our city and giving jobs to college students. The money is mostly staying here. It's used in Fred Meyer and Kmart, which are not local, but they've been used here which also are locally. I also know for a fact that if you take away tourism from downtown, there won't be a downtown. There will be no shops downtown. Most local people go out to the valley to shop. They don't come downtown, so just keep the helicopters here. They are trying to conform, so everybody just needs to make a happy medium.

### ***Pamela LaBolle***

My name is Pam LaBolle, and I live at 2719 John Street. I speak in support of the voluntary compliance guidelines. "Sounds of summer," someone said early in this evening's presentations. I moved to the West Juneau hillside across from the harbor in 1980 and have always enjoyed the sounds of the busy harbor and the industrious hustle and bustle of the harbor in the summer. My husband and I eat nearly all of our meals on our deck, rain or shine, and intermingled with dinner conversation are the sounds of the float planes, helicopters, Alaska Airlines, motorboats, ravens, eagles, lots and lots of eagle sounds, and those are the sounds of summer, and we like the sounds of summer. In winter the harbor is nearly silent. The only sounds we hear at this time of the year are the sounds of the traffic on Douglas Highway and traveling up and down John and Simpson Streets. That traffic is increasing considerably as more and more houses are being built on this hillside. That's okay. I miss the hillside full of berry bushes like it used to be and the opportunity to live on the hill a few of us nearly had to ourselves 20 years ago. It's okay. It's part of others finding Juneau to be a nice friendly place to live with enough industry to provide them with work to support their families.

Growth has also brought us increased shopping opportunities, fresh fruits and vegetables and other good things. As we continue to grow, there will be a lot more traffic on our streets and roads, as well as in the air since the air is also one of our major highways. Cities grow, traffic grows, and you don't reduce it. You may control it and organize it, but you don't reduce it. This will continue to grow as Juneau grows, and we can't close the roads one day a week or on the weekends. People need to go about their business and their lives. Neither will be able to reduce the amount of air and ship traffic as these modes of transportation carry goods and people into and out of and throughout the Borough of Juneau. Juneauites working together and being considerate of others' needs and concerns is and will be the best approach to dealing with growth. The voluntary compliance guidelines, developed in cooperation with the flight operators, is the kind of approach that is reasonable for addressing this issue. It means we are all trying to work together as good neighbors, citizens and friends to deal with the challenges of growth and prosperity in Juneau.

### ***Rory Darling***

My name is Rory Darling, and I live at 6732 Gray Street which is in Bonnie Brae Subdivision. You probably thought you were going to get away with not hearing from North Douglas tonight, but I'm here to make a of couple points. In general, I'd like to reiterate the points of Mr. Preston, because those points deserve restating. I'm speaking specifically to helicopter noise, and specifically about ERA Helicopters. I have some strong words about how they operate, but I would characterize it most succinctly as abusive. They've taken up the entire day everyday and just about every hour. Voluntary compliance measures state 8:00 a.m. to whatever. If you go back to the Tourism Advisory Hotline records, you will find my voice on the phone at 7:15 a.m. in the morning commenting on the fact that ERA Helicopters is in the air. You will find my voice on the phone at about 9:45 p.m. saying ERA Helicopters is in the air. So I think that if

you're talking about the span of time in which helicopters operate, you're talking about just about every waking hour of every day in the summer. I don't think that's reasonable and I think that if you rely on voluntary compliance as it existed last year, I'm here to testify that the fact of life is that it does not work.

One of the reasons it doesn't work is that the operators have no disincentive to violate the rules. I've tried to work through the process of pointing out the fact that when there is a violation, and it gets to the operator, and the operator gets back to me (maybe), it ultimately gets down to, "We can do whatever we want". All they have to do is make the claim that it's non-tourism related, and it's like "We're done with you, we don't have to talk to you anymore, and we don't have to alter our behavior." So in other words, it doesn't really alter any behavior. There is no concession.

... when 7:00 p.m. comes around, turn it back on again and count the flights and charge them, fine them, and give them a financial disincentive to adhere to these guidelines. But in general, I don't think that the process works very well and I don't think voluntary compliance is really going to do it. So that's the main point is that there is no concession. I firmly support the idea of a curfew. You can pass a law that keeps the kids off the streets, call it a curfew, and you can arrest the kid. I'm trying to give you positive suggestions. I also support the idea of a helicopter-free day. That would be a concession. At one end you have don't operate at all and at the other end you have operate whenever you want. Of course they're going to agree to operate whenever they want.

I wanted to talk specifically about ERA because you know there's been a lot of talk about the grandfathering clause and I'm really interested to hear your comments about this compatible use thing. I've received criticism, "Oh you moved there, you chose to live there." Well, when I moved there, to be honest with you, it really wasn't a problem. That was in '90 or '91 or something like that. It was only in the last three or four years, when this explosive growth happened. There was never anybody that came to my door who said, "We're going to expand, what do you think?" There was no public process and no notice that I knew of. I showed up to a public meeting and they kind of bragged about the fact that "We've doubled our number of helicopters this year." That was news to me. I tried to participate in that process, and it was presented to me as fate accompli. I didn't have anything to say about it. They cut down all the trees, which was a pretty good noise barrier for their parking lot.

My point is that the industry has taken over the town without any input from the town, and the horse is out the barn. What you're talking about here is not reducing anything. It maintains the status quo, and I think that's the wrong question. We should be talking about reduction because that is the only meaningful thing that's going to mean anything to me. This voluntary thing isn't going to change the fact that they're going to take off at 7:15 a.m. Should I call? Should I call everyday? I don't see the point. I think you have an industrial operation operating out of a residential neighborhood, and if you're going to allow that to happen, it needs to occur in a manner that acknowledges the fact that it is a residential neighborhood. That's what I'm looking for out of this process. Voluntary isn't going to do it.

Kirby Day asked if Rory Darling was opposed to non-tourism flights before 8:00 a.m.

Rory Darling: I've heard the explanations, but the decibel really doesn't have a tag on it that says, "I'm non-tourism." I'm opposed to the whole operation. I don't think it's compatible with the residential part. I will state that this idea of satellites is a worthless exercise unless it displaces the existing operations. If it's just a means of expansion, you're radicalizing the issue. I'm anti-noise but I'm really not anti-tourist and I resent implications that if I am anti-noise then I'm not pro-Juneau. I'm trying to be reasonable about it, but I think unless I see some reasonable action, I'm going to become radical and then I will oppose the industry. That's what I see happening. You're forcing people to take one side or the other, and I don't think that's what you want for the community. That's not what I want. I think the tourism industry is the cause of the problem. When I was there in the early '90s, there was an occasional helicopter. I can live with that. I can't live with six of them taking off every half-hour all day long. That's not reasonable to me.

### ***M'Iva Rickey***

I'm M'Iva Rickey and I live at 112 5<sup>th</sup> Street in Douglas. That's directly above where the new bus turnaround is and where the historical trail is on the channel right above Sandy Beach. I'm pro-development and I'm pro-tourism, but I do have some issues. Safety is one that's already been covered a great deal. Noise is of a major concern, and it's not just the mornings or the evenings. It's a certain level of it throughout the whole time. It echoes depending on the weather.

If we've got an overcast, the sound travels up, bounces down, and it amplifies it. It's so much in the summertime where you can't have a phone conversation. I'm not deaf. I had my ears tested, and they said I'm fine even though I'm old. Lots of people have mentioned how long they've lived in Juneau. I've been here over half of my life. I'm no spring chicken and I'm not giving my age.

Other things that I'm kind of concerned about are voluntary compliance. I'm looking at how the city handles the little bus turnaround. The bus turnaround was suppose to be just a turnaround, but they'll sit there and they'll idle half an hour for their lunches, 45 minutes. They don't go back to where the bus stop is. They hang in the turnaround which wasn't done. If somebody does something on a voluntary compliance thing, where is the enforcement? I've never called the Hotline, but I decided I'd testify tonight and have the patience because I had trouble finding the meetings. Those are pretty much my issues. You can't be on the phone and you can't be in the yard. There needs to be a leveling kind of experience or a little bit more management or maybe there's different equipment. I really don't want to see our wonderful community pit one neighborhood against another as I saw in a poll they did on KINY. You could see that it was the kids where the helicopters are going over now versus where they maybe going. I thought that this isn't right. There's got to be a way to solve these things in a decent, right-minded, positive fashion without pitting the North Douglas kids against the other Douglas kids against back behind Costco. There are lots of options, but to pit one neighborhood against another isn't solving anybody's problem and it polarizes a community, bringing about a negative result of anti-tourism. I don't want to be part of going there and I think there are lots of us that might have issues, but are still very pro-tourist. So I'm hoping you'll take that into consideration. I hope I haven't had my whole five minutes.

### ***Steve Wright***

My name is Steve Wright, and I live at 5670 Thane Road, almost the end of the road. I moved to Thane Road about seven years ago and I moved specifically to get out of the hustle and bustle of the downtown and valley areas. I was thinking it would be fairly quiet out there and it was. It was very nice when I first moved to Thane. I didn't really notice the impacts of flightseeing operations. In fact, I had my own tour company the first year I lived in Thane and I'm a strong supporter of the tourism industry. I think it's unfair to be labeled a whiner because people have legitimate concerns about the impacts of flightseeing operations. Where I live is probably one of the most heavily impacted areas in all of Juneau, which is interesting because you'd think that maybe the airport or the valley or Douglas or downtown would be more heavily impacted. Where I live during the summer it's one helicopter after another and it invariably occurs all day long. You've got six or seven helicopters at once that fly directly over my roof. I've called ERA Helicopters on a number of occasions and complained about the distance because it used to be literally 100' to 200' above the very top of my roof at a 90 degree angle. They responded by flying 85 degrees over the top of my roof. So, yeah, it's a difference, and I credit them with having heard my concerns, but the bottom line is that it doesn't really have any measurable difference in impact to my lifestyle.

I like to stay at home and work some days. I have my own business aside from working for the State and I like to take a morning off occasionally and sleep in until 9:30 a.m. I find that it's not possible during the summer. So I get up Saturdays and Sundays at 8:00 a.m. and plan my day in terms of escaping from my residence. I don't feel that I should have to do that. My residence is where I live, and I should be able to spend a quiet morning at home if I so choose and also be able to spend time alone at home working if I have to get my work done. I can't do that during the summers, so that's five months out of the year where I cannot be at home. It's effected my work, my work schedule, my sleeping schedule, and my activities outside my home. I don't feel that I can be outside gardening or doing the things that normal people do outside during the course of a normal summer.

Again, it's one flight after another that's become the norm and it wasn't like this seven years ago. It's been a rapid explosion of flights which have occurred in the more recent years. I definitely see a change that's occurred over the last five years. I'm skeptical that the changes proposed for the year 2000 operating season will have a significant difference in terms of the impacts to my neighborhood. So although I appreciate the work that the committee has put into this process and I believe that voluntary compliance can work if the industry is genuinely committed to pursuing such an approach, I'm not convinced that the approach will work. I think that voluntary compliance is worthwhile and I would encourage the industry to live up to the bargain that it's made with the citizenry of Juneau. I think that there is a point where the city will have to consider adopting regulations where compliance is no longer effective. I also believe that the overall numbers of flightseeing tours has exceeded the saturation point and should be either reduced or at least

maintained at the current levels. I support shorter hours of operation, not prior to 8:00 a.m. and if possible, all flights returning by 7:00 p.m. I think the idea of the 9:00 a.m. to 5:00 p.m. curfew is a good one. I know that there are legal barriers to the ideas for having a curfew, but 9:00 a.m. to 5:00 p.m. is working hours, and this is an industry which is impacting residential areas. I work from 8:30 a.m. to 5:00 p.m. at my state job and I don't think that it's unreasonable to expect that when industry is impacting a residential neighborhood that those same hours be observed.

My observation on Thane road is that altitude can make a major difference in terms of the decibel level impacts, and I support the minimum altitudes that have been outlined in the 2000 schedule. However, I think that a key issue is being overlooked and that's that upwards of 40 to even 50 percent of the total numbers of flights occur during low weather conditions. That's when Thane Road gets hit the worst is during low weather conditions, because ERA Helicopters fly back to base right up the beach which is right over the top of my roof and they're not at 1,500'. A lot of the times they're 1,000', 800', 700', and so in spite of the commitment to fly at 1,500', you're looking at 35, 40, 45 percent of the days when that's just not possible because of low weather conditions. As I said, I support and I appreciate the industry's willingness to voluntarily comply with these guidelines and I again encourage you guys to keep up the good work. I'm not going to stand here and say that it hasn't made a difference because it has in a number of cases. I do think more effort needs to be put into voluntary compliance, aside from regulations when they're absolutely necessary, because you're just not going to get the level of compliance without regulation in certain cases.

And just to finally make an observation, there appears to have developed the perception in the community, and this is especially true on the part of the employees and the representatives of the flightseeing industry, that a vocal minority of residents are being impacted by or are complaining about aircraft noise and that it's incumbent upon those people to adapt or tolerate disruptions because they're the minority. You know, I find that attitude unacceptable and believe that the industry should be the ones adapting to the citizens impacts. It's the citizenry who are being impacted. We shouldn't be the ones having to adapt. It should be the industry adapting to the citizens. If just one citizen out there is impacted by unfairly excessive levels of noise or impacts to their domicile, then they should be the ones being accommodated. And I'm a little disturbed by the notion that a certain percentage of the community has to be disturbed or even impacted to the extreme before the city takes action. You know there appears to be a strategy on the part of industry to require that five or six out of ten have to be impacted or have to become whiners before it's justified for the city to take some action. Well, if it's just two or three, does that make it okay to disrupt people's lives? I don't think so.

Finally, I'd like to comment on the concept of remote satellite helicopter and other flightseeing ports. I think the idea is a good one, but keep in mind that there are neighborhoods outside of the downtown, Douglas, and valley areas where people have moved to get away from the hustle and bustle of the population, and those are the folks who seem to be being impacted the most. At least that's true on Thane. I appreciate the work the committee has done with this process.

### ***Bob Janes***

I'm a neighbor of Robert's over there in Douglas, 309 E Street. I've been there for 37 years and I think what we've heard tonight is that this is a very complicated issue. I'm sure that everybody sitting up there, both the Tourism Advisory Committee and the Planning and Policy Committee, realizes that this is not going to be easy and it's going to take time. It's taken a lot of time for us to get to this situation and it's going to take a lot of time for us to work out the bugs. It's not going to be an overnight thing, and I want to commend everybody on the committees for the energy they've put into this. I think we're going in the right direction. Voluntary compliance can work. The operators in this town want to be good operators and good neighbors and just need direction. But it's going to take more than one, two, or three years to get us to the place that we can all live together in a good way. There are a lot of communities in the country and around the world that would give anything to be in the position we're in, struggling with these issues about how to deal with a great economy in terms of tourism. We need to stay focused on the problems, keep communicating, and we need to be positive. These committees can get drug down. I was on the Advisory Committee for four or five years and burned out. You can get drug down by some of the negativity in the community that tends to make one feel that what they're doing is not really aimed at an end, and so staying positive is my suggestion. I don't know how we do it as a community. (Frankie, quit yawning. I don't want to be boring. I'm going to finish up here.)

In conclusion, I think the flightseeing operators in this community are among the best in the world, and are working with the community. They are our neighbors and many of them have been here a long time and probably are going to

continue here as long as they can. Don't chase them out of town. Keep working to give them a good environment to do their work in and yet give the people in this community a great place to live. It's not an easy task, but I think we have to stay positive. I'm going to try to stay positive. Sometimes I want to give up and move to Santa Fe where it doesn't rain anymore, but I stay here and think we'll work through it and be a better community because of it.

Kim Metcalfe-Helmar asked Bob Janes how long he thought it would take.

Bob Janes: My vision says we're going to have this worked out in five years. We're not going to have it worked out at the next election and we're not going to have it worked out in two or three years, but we're going to plod away at it and in five or six years. I think there are some very positive things we can do. I support looking at the satellite heliports. I think there's some real options out there. I think there's some other options for cruise ship schedules. I think there are all kinds of things that we can do as a community to keep it vibrant, and yet give our citizenry a reason to like the fact that we in the industry are here doing business.

### ***Margot Knuth***

Thank you for your extraordinary patience this evening. It's a yeoman's task to sit there and be attentive to so many people, so I'm very appreciative. I have never been to one of these meetings before. I've never called the Hotline, but I know that in the legislative forum, every person who does contact the legislature with a problem is representing 12 or 20 people who don't make the effort. I've gotten to the point with helicopter noise that I have got to represent myself and my 12 or 16 other neighbors who aren't here tonight. I'm not anti-tourism. I love my community, but we don't have moderation anymore. I live on Ridge Way in Twin Lakes which is across the channel from ERA and I can tell you that the last two summers have been insufferable. The thought of having to put up with this for another five or six years is horrifying to me. I don't think I could do it. The noise has been bothersome enough that I looked at moving, but the gentleman whose house I looked at was Ray Preston's. It's a beautiful house on beautiful beachfront property, but the noise was hellacious. There is no way that property had any appeal to me, even though it has probably the most beautiful beach in Juneau and Thane is a wonderful place to be. As far as I'm concerned, his property value has fallen by half because of the noise pollution. It's a really serious personal matter.

Last summer and the summer before, I found that I wouldn't leave my office until 7:00 p.m. because I just couldn't stand going home to the helicopter noise. People in this room know that the weather is a big deal in Alaska, and when you get a nice day you want to be outside. My favorite thing was I had this cute little orange fold up chair that I would take out in my driveway, and there would be this place where the sun would be past the trees, and I would get my cat out, and we would read the paper. I stopped doing that this summer because I couldn't stand it. It's the "Apocalypse Now" feeling of four helicopters taking off one after another. It's about every 20 minutes, and I can hear the idling on the pad. So you're waiting for when they're going to take off, and then they take off. Then you wait for them to go over and then you've got about six or seven minutes that you're noise free, and then they're coming back. It goes from 8:00 a.m. until close to 9:00 p.m. because even though they're not leaving after 7:00 p.m., for the most part, it takes them awhile to get back in. Somebody said that it's no noisier than somebody having a normal conversation at three feet. I've got to tell you, there isn't anybody that I want listen to for 13 hours a day at three feet. Nobody! I need some quiet time and I want it at my home.

Before two years ago it was okay, and I was really taken by Mr. Day's question about the DC9 because I think everybody in Juneau does know that flight. I do wake maybe three or four times a week, but you know what? It only does it once in 24 hours and that's what makes it okay. I say, "Okay, now I know what time it is," and I turn over and I go back to sleep. It's my time-keeping method. If that happened three times an hour, 14 hours a day, everybody would be pulling their hair out. What we have now are little pockets that are particularly impacted by the helicopter noise. I have the fortune to work for the State at a policy level and I like to think statewide and I like to have this very comprehensive broader view. I am mortified to admit that when somebody said they might move it over to Douglas, I actually had this twinge of, "Please do it and get it out of my backyard!" That's not the type of person I want to be. I think if we need moderation, and what I think would be appropriate are time limits. I think that Monday through Friday, 8:00 a.m. to 6:00 p.m. makes business sense. I really believe they can make money and a lot of tours can see the glacier if we keep it confined. We have to respect the privacy of residences and citizens who need quiet time. There's something about it that raises or touches one's passions, and I guess it's because it's just too much. We've gone

too far and we've got to go back and we need a reduction. We can be a good, happy, balanced community, but we need to do something because we're seeing a log of strong feelings.

Alaska Airlines does their little turnaround on my neighborhood and when I'm feeling like a bad citizen, I want to pick up a rock and see if I really could hit the plane because I think I could, but it doesn't happen that often. We're only talking about maybe twice a day, and I'm willing to let that go by. It's just the every 20 minutes, four helicopters, one-after-another, and the fact that it goes seven days a week, 13 hours a day that is really tough. So thank you for your time. Thank you for caring. I do think we're going to get somewhere somehow. I hope you're willing to take some risks. I'm in the private sector. I wouldn't benefit from the litigation in any manner, but I wouldn't be afraid of it either. I just really appreciate your commitment to trying to work on this.

***Jim Baumgartner***

My name is Jim Baumgartner, and I live at 5150 Glacier Highway near Twin Lakes in Lemon Creek. I've lived there since 1992. I've been a resident of Juneau since 1964 and I've lived in downtown Juneau, Douglas, and the Mendenhall Valley. I would like to see further voluntary support to replace the noisy helicopters that are currently flying over our residents with ones that are less noisy. I do notice that there is a commitment to avoid residential neighborhoods, and yet in Twin Lakes and in the neighborhood that I live in, we are subject to noise all summer long. I am pleased to see that there are measures to increase the height over residential areas in the upcoming year. From what I read of the draft, I believe that year 2000 recommendations are in addition to the 1999 compliance measures that are in place. So in essence, one thing that I am supportive of is for the flights not to continue after 7:00 p.m. I think flights until 9:00 p.m. are pretty much all waking hours of the day, and I would like to see some changes to reduce the hours of the over flight that we currently have. These helicopters fly directly over our house, four or five at a time, every 20 minutes, all summer long. I've commented on the USDA Forest Service EIS process in 1994 and in 1999 and I understood that there are measures under the Forest Service provision that require these flightseeing activities to avoid bald eagle nests by a 1,500 foot buffer. I don't believe they are complying with that, at least not in the Twin Lakes area. Besides that, I'm in support of the measures. I think there is more that needs to be done, especially in the Twin Lakes area. I am also in the flight path for the Alaska Airlines flights. We have kind of a standing joke where the jet goes by, we should be passing out peanuts. It sounds loud, but it is two or three times a day, as opposed to all times all day. I work at the State. I don't work at my house, however my wife does. I'm annoyed, but she would put it quite a bit stronger.

***Jim Bentley***

My name is Jim Bentley, and my wife and I live at 3311 Nowell Avenue, one block up the highway from Douglas Highway. My particular problem is with the fixed-wing aircraft noise, particularly the single-engine Otters. I spoke a couple of times to Mr. Jacobsen. He's been very, very cordial and I certainly appreciate him contacting me and discussing the problem. I really don't see too much that can be done under the circumstances to reduce the existing noise level now. His pilots necessarily have to takeoff pretty much up towards the bridge on fair weather days when the wind is coming out of the northwest. Fully-loaded, certainly they're not going to do downwind takeoffs. When they come up there, they make a full-power-on, left-hand turn to head on down towards the Taku Inlet. I can assure you ladies and gentlemen, that you will tell the person on the other end of the phone that you'll call them back. There is no way that you can continue a conversation, and to say the least, if you happen to be out in the backyard having an ice tea or anything like that you just quit talking. It's kind of relative on how much you should be able to tolerate, and certainly I think that we as citizens ought to be able to do a lot of compromise for the sake of a good, healthy tourism industry. I don't know how many seconds in duration is tolerable, how many back-to-back aircraft taking off is tolerable, or how many times a day. I can tell you this, there's a whole lot more of them now in 1999 then there was in 1969 or 1979 or 1989. And I can tell you this, it is getting to be an extremely aggravating level. I don't have a decibel meter. I don't intend buying one. I don't intend counting flights or keeping track of anybody else. I've got better things to do with my time, but it's nerve racking. We are both retired. If I worked at a job like I did a few years ago, I'd be in the office and perhaps it wouldn't be so bad. But on 3311 Nowell Avenue, it's getting to be a very aggravating level. I hope that I don't have anybody say I'm a whiner again because I think I've done a lot of compromise over the years for the tourist industry and I don't appreciate those kind of little slurs.

I don't believe that regulation, as a practical matter, is going to work. We have quite a few notable regulations on the books right now, and we don't enforce those, can't afford to, whatever. I don't think we need another one. I think this would be very difficult to regulate. I appreciate the voluntary compliance. If anything is working and it is some, that might work to a certain extent. I do believe that we're at the point where I would like to see us more or less put a freeze on the level of the problem, the number of flights, the number of tourists. I don't see how we can possibly say that we're going to handle a problem while we turn around and say it's going to be five more years. We're going to watch this continued growth coming up. To me that's burning the candle at both ends, and I don't see that we need to add to the problem merely so that we don't interrupt somebody's profit line. I think that a current more or less arresting of the growth rate until we have a handle on this would be very desirable. Heaven forbid, I'm not even asking for a decrease, but I'm not too sure that I want to see any further increase in the problem. With that, I think you for your time.

### ***Phil Greeney***

My name is Phil Greeney, and I live at 1801 Old Glacier Highway. I promise not to whine, but speak in a loud and clear voice. I would have been happy to do that to the gentleman if he had stayed with us. I don't want to see the end of the tourism industry or democracy or civilization as we know it, but I think we need to make some changes here. I may have a little different perspective than a lot of people who spoke this evening because my wife and I are very much involved in the tourism industry. We depend on the tourist industry for our bread and butter. We have a bed and breakfast right there on the channel, and this would be a problem anyway, just like some of the other people who spoke in here and lived there. But as I say, that's our business, and that's our bread and butter, and we're being severely impacted by noise. I'd say between 80 and 90 percent of it is fixed-wing. Helicopters at certain times are a problem, but we've got some terrible problems with fixed-wing noise in there.

We put a lot of money into brand new windows in our building a couple of years ago, and I can tell you there's nothing you can do when those big nine cylinder radials come over and they're coming over low. There is nothing you can do. You can't have a conversation. You can't have a conversation on the telephone. On several occasions I've been on the phone attempting to take a reservation from somebody and they say, "What is that?" It's hit me in the pocketbook. Obviously, not a reservation I'm going to make. I've had people come out into the hall morning, afternoon, night and want to know what in the hell is going on when those planes are going over. You get older people, and they go out on their various tours in the daytime. They come back and want to take a little nap in the afternoon and can't do it. Nobody can sleep through it. You can't talk. You can't sleep. There is nothing you can do, and I don't think that any of us should be subjected to that. I have no problem in the world with anybody making their buck the best way they can. I want to make my buck. I don't want to infringe on anybody else's, but there has to be a limit. These guys are infringing on mine, and I don't think that anybody (unless you really believe that Ayn Rand does belong in the philosophy section of the bookstore) making a buck is the greatest possible good. I think we have to think about quality of life here and when it comes to noise and noise pollution, I guess we have to think about perspective. You're not allowed to pull the muffler out of your Harley and run up and down the street. None of us would tolerate that in front of our houses, every 20 seconds, and how many times a day. When Wings starts coming down that channel, they frequently come over our place at four second intervals, one behind the other.

You want to talk about the Hotline? It took me four calls to the Hotline to get a response. Mr. Jacobsen came out and was cordial and amiable. We talked about the problem, and from that day forward, instead of coming down the channel, they swung in over our building. I asked maybe if they could start making their turns down there when we got the prevailing north wind. There's a quarter-mile empty space between our place, and the AWARE Shelter is the next building south of us. It's been obvious that they're using our big red roof there for a marker and often swinging in right over us toward the mountain and out around the channel. We didn't notice this a lot until a couple years ago, and I remember (I think it was on Problem Corner) somebody from Douglas said, "Boy, they used to come right over our house all the time, but finally we bitched about it enough and they quit doing it." Well that was about the time they showed up on our side of the channel. If we lived in the best of all possible worlds (and I'm sure that Juneau would be the capital of that, too) and stay that way, I think voluntary compliance is fine. But we don't. We live in the real world, and voluntary compliance simply goes against people's personal and business hierarchy of needs. It's not in their best interest to comply overall. I think you have to put some teeth into it. You have to put regulations in. That's why we have legislatures. That's why we have assemblies, and unfortunately, that's why we have police and jails. That's why we have the court system. In the best of all possible worlds, that's all we'd need would be voluntary compliance.

Everybody would do the right thing, but we all have different needs and aspirations, and so I think what we've got to have is some legislation here.

I missed the last meeting that we had. At the first meeting that we had (what really brought the problem home to me) there were two things. One was the fact that we were all divided up, as you may remember, into sections, and it covered all of Juneau. There's no place you can go to get away from this. That should speak volumes right there. There is nowhere you can go to get away from this. Everybody from everywhere in Juneau has a problem with it, and that should not be the case. I don't have a lot of sympathy for somebody who buys a house at the end of the runway and then complains about noise, but somebody in a house miles from the airport shouldn't be biding with that problem. There's got to be some relief for them.

The other thing that really impressed me there was the all-pervasiveness of it. It was daytime and it was nighttime and it was affecting every aspect of people's lives. People couldn't feed their children or put them to bed at certain times. People found that they couldn't relax at certain times. They couldn't watch their television. Any number of people said they could not go out in their yards anymore. In our case, you can be in the building with all the windows closed and you can't escape this. It's impossible. You can't have a conversation, and I think when you can't have a conversation in your own home, then there needs to be something done. It's incumbent upon the people who are elected officials to do something about that and to bring relief to people. I expect it and I think most of the people who are here tonight expect it. As the lady said, for every one of us that's here tonight, there are a lot more that aren't here tonight, and they all expect it. I'd really like to see something substantial done and I thank you for letting me ramble.

## **ADJOURNMENT**

The meeting was adjourned at 10:45 p.m.