



New Law Affecting Airport Protection

By: *Jim Greil, Airports / Airways Bureau Chief*

During this last past legislative session, new law was written into Montana Code that dealt with the ongoing problem of airport protection from tall towers and incompatible uses near runways. Prior to the passage, the laws regarding airport zoning and other forms of protection were somewhat hard to decipher and even harder to explain. The old laws were contained within three sections of Montana Code that were written in 1939, 1947 and 1977. One of the problems was that these three sections of law were not very compatible and contained many out of date references regarding aviation and current problems facing airports such as the proliferation of cell towers, developmental encroachment upon airports and federal and state funding requirements.

The new law that was presented as Senate Bill 255 did much to correct the ongoing problems and frustrations of local governments trying to adopt local airport protection. Although those local governments that will be affected by the new law will want to study the actual text very thoroughly, I will try and highlight some of the main points here. Those local governments that control a NPIAS airport will be required to comply with the new law. A NPIAS airport is basically an airport that has been deemed by the FAA as being eligible and/or has received monies from the FAA. Montana has approximately 120 public use airports, and of those, approximately 70 of those are considered NPIAS airports. NPIAS airports are usually the larger and more developed general aviation and/or commercial service airports. Smaller, less developed airports and unpaved runways, are usually not considered NPIAS airports.

Current law now requires all NPIAS airports to develop a protective area around their airport within one year from the passage of this act. This protective area, which is referred to as an "Airport Affected Area" (AAA), must be 10,000' from the thresholds of each runway and 1 mile wide on each side, unless other special circumstances that are noted in the new law apply. The AAA will be created with much public input and following a very specific procedure. Once an AAA is established, a person may not recover damages from the airport sponsor caused by noise, fumes, vibrations, light or any other effects from normal and anticipated normal airport operations. Many other provisions

of the law are included that ensure many factors are taken into account when creating the AAA, such as terrain, future development, FAA recommendations and persons and property in the vicinity of the airport. The law also allows joint owners of the airport and affected lands to work together in a structured way to create the AAA. In addition for provisions for prior non-conforming uses, permits, appeals and variances, the law also allows non-NPIAS airports to develop a AAA using the same procedures but without many of the stricter compliance issues that a NPIAS airport must consider. The new law also allows those airports which have already developed airport protection regulations under the old regulations, (such as an Airport Influence Area, AIA), or a currently in the process of developing them to keep them until they are amended for some reason.

Although many of these "new" regulations have been on the books for some time, they have been blended in a way that should make it easier for all airports to comply with and understand. A great many thanks are in order for the many individuals and organizations which contributed during the creation and kneading of the bill language to its final form. If you would like more information regarding the current law, you may find it on the internet with regards to Senate bill 255, or under Montana Code Annotated (MCA) Title 67. The Aeronautics Division has already received numerous inquires regarding the new law and how airports can be in compliance, however, we would recommend that if you are interested in whether your airport is in compliance or what affects the new law may have on your airport to contact your local government or airport representative and pass the word along. Of course, we would be happy to try and answer any questions you may have as well.



Administrator's Column

Condolences to White family and friends: Dr. Martin White and his wife Penelope "Penny" White of Whitefish died in an aircraft accident on May 3. The Whites were flying a Cessna T210N and lost radio and radar contact with Salt Lake City Air Traffic Control Center approximately 19 miles east of Kalispell. The White's were on an IFR flight plan that originated at Glacier Park International Airport with Casper, Wyoming as the destination. Dr. White was a retired dentist and Penny owned and operated Penelope's Aircraft Interiors on the Glacier Park International Airport. On behalf of the Montana Aeronautics Division, genuine sympathy is extended to the families of Martin and Penny.

Thank you: Many thanks to Kalispell District 2 search coordinators Ray Sanders and Bill Werner for their commitment and dedication to the important and difficult task associated with the search coordinator responsibilities. And to those that contributed and assisted in many ways, namely: Darlene Sanders, Hank Galpin, Ed Ethridge, Jerry Mamuzich, Sheriff Jim Dupont and everyone else that participated please accept our sincere thank you for a job well done and for all that you do to assist the Aeronautics Division.

General aviation safety: According to the National Transportation Safety Board (NTSB) statistics published in 2004 general aviation accidents are continuing to decline. As Montana has experienced its first fatal aircraft accident in 2005, please remember to fly SAFELY.

User fee debate: Once again, the House aviation subcommittee heard debate on general aviation user fees at a hearing this week. FAA Administrator Blakey told the committee that the FAA needs a consistent, stable revenue stream that is fair to all users of the system. Blakey said she was not endorsing new taxes or user fees but the existing gap between expenses and revenues must be addressed. Members of the aviation subcommittee weren't ready to accept that, challenging Blakey for both the FAA's cost of doing business and the hint of user fees. There was considerable discussion about how much general aviation uses the system and what its fair share should be. Airline representatives testified that commercial airlines pay 90% of the costs but only account for 65% of the system use. The DOT inspector general said the IRS has difficulty identifying who is general aviation and exactly how much they pay. The aviation subcommittee will be writing legislation to fund the FAA as the current FAA authorization will expire in 2007.

FAA Policy Change: Effective immediately, the FAA General Aviation and Commercial Division AFS-800 will accept for approval new Flight Instructor Refresher Clinic (FIRC) training course outlines that meet the standards set forth in Advisory Circular (AC) 61-83E. FAA has worked with industry to develop and implement system safety principles within the flight training community. The FAA has been unable to grant any FIRC approvals since early 2004. For information contact Mike Brown at (202)267-7653 or michael.w.brown@faa.gov or the website: www.faa.gov/avr/afs/FITS/training.cfm

Record high fuel prices: In the first quarter of 2005, Delta Airlines posted a \$1.1 billion net loss for the first quarter of 2005 – nearly triple the \$383 million net loss Delta reported in 2004; Northwest Airlines reported a net loss of \$450 million for the first quarter – double the net loss of \$223 million the company reported for the first quarter of 2004; and Alaska Airlines posted a first quarter net loss of \$80.5 million – nearly double the \$42.7 million loss the company posted for the first quarter of 2004. Record-breaking fuel prices are contributing greatly to the disappointing results together with competitive cost pressures, increasing noncompetitive labor costs and a seasonally soft first quarter.



Montana and the Sky

Department of Transportation

Brian Schweitzer, Governor

Jim Lynch, Director

Official monthly publication of the
Aeronautics Division

Telephone - (406) 444-2506

Fax - (406) 444-2519

P.O. Box 200507

Helena, MT 59620-0507

<http://www.mdt.state.mt.us/aeronautics/>

Debbie K. Alke, Administrator

Aeronautics Board

Tricia McKenna, Chairman

Craig Denney, Member

William (Bill) Hunt, Jr., Member

Fred Leistiko, Member

Lonnie Leslie, Member

Roger Lincoln, Member

Chuck Manning, Member

John Rabenberg, Member

Ted Schye, Member

Montana and the Sky

Is published monthly

In the interest of aviation in the
State of Montana.

Third Class postage paid at
Helena, Montana 59604

Subscription: \$5 per year

Editor: Patty Kautz



May 21, 2005 – EAA Chapter 517 Breakfast at the Airport (BATA). Rain, snow or shine. Times will be from 9:00 a.m. to 12:00 p.m. at the EAA Chapter 157 hangar at the Stevensville Airport (32S). For further information contact Steve Rossiter (406) 542-5177 or email eaachapter517@aol.com.

May 21-22, 2005 – First Annual Fly2Fun Fly-In, Linn County Fair & Expo, Albany, Oregon, adjacent to Albany Airport. For further information email Fly2FunEvent@aol.com or call Gwen Graham at (503) 381-0997. Additional details of this event are on the organizations website at www.Fly2Fun.org.

May 27-29, 2005 - Benchmark Annual Work Session.

May 27-29, 2005 - Spotted Bear Annual Work Session.

June 1, 2005 – Aeronautics Board Meeting, teleconference out of Helena. For further information phone (406) 444-2506.

June 4, 2005 – EAA Chapter 57 will hold a breakfast and Young Eagles Day at the Billings Airport. Breakfast served at 7:30 a.m., Young Eagle rides beginning at 8:00 a.m. For further information contact Larry Mayer (406) 672-6707.

June 5, 2005 – Airshow Malmstrom Air Force Base featuring the Thunderbirds.

June 10-12, 2005 – Legends of Exploration Summer Celebration, Fort Benton. Held in conjunction with the National Lewis & Clark Bicentennial Signature Event. For a schedule of events see www.fortbenton.com/sumcel05.

June 11, 2005 – Great Falls MPA & EAA Chapter 1141 Annual Poker Run. \$5.00 per person. Route will run from Great Falls, Stanford, Lewistown, Geraldine, Fort Benton and return to Great Falls. For further information contact Tom Wrobel at usnret@sofast.net.

June 11 & 12, 2005 – First Annual Lewistown Fly-In & 20th Annual Pioneer Power Days – Pancake breakfast on Saturday (free to antique airplane pilots) and Pioneer Power Day events free to fly-in pilots. For further information contact Tim Robertson at (406) 538-6004 or email trobertson@centurypaving.com.

June 14, 2005 – Airport Appreciation Days, Yellowstone Airport, West Yellowstone. 12:00 p.m. – 2:00 p.m. – Barbeque \$5.00 per person; Door Prizes; Young Eagle Rides. For further information and to RSVP phone (406) 444-2506.

June 15-18, 2005 - Montana Antique Aircraft Association 2005 Air Tour. For further information phone Cindy Kleimer at (406) 586-2307.

June 17-19, 2005 - Meadow Creek Annual Work Session.

June 17-19, 2005 - Fort Peck Airport (37S). Frank Bass Fathers Day Pancake Breakfast. Friday: Cow Creek Fly-in Saturday: Boating, kayaking on Missouri River with Lewis and Clark History, Summer Theater BBQ evening. Sunday: Frank Bass Annual Fathers Day Pancake Breakfast. Contact Russ Dahl, Sec. MPA Valley Hangar, 406-228-4686, email: nemt1150r@yahoo.com or visit their website at www.montanapilots.org.

June 18, 2005 – Fly-in breakfast/aviation day, Big Sandy Airport (3U8). Breakfast will be from 7:00 a.m. – 10:30 a.m.; \$5 per person (all you can eat). Flour bombing, spot landing, EAA young eagle rides. For further information contact Tom Hlavnicka or Bill Sheets at (406) 378-2629.

June 18-19, 2005 – Second Annual Twin Bridges Fly-In. For further information phone Heather Puckett at (406) 684-5335, check the following website for details, www.rubyvalleyaviation.com.

June 25, 2005 – Open House & pancake breakfast fly-in Ravalli County Airport, Hamilton. For further information contact David Hedditch at (406) 360-3283 or email drh29@bitterroot.com or Red Caldwell, Airport Manager (406) 369-0183.

July 3, 2005 – Fiesta Brunch & Flight Festival, Townsend Airport, 8U8. Every kind of flying machine is welcomed. Camping at the airport, motels, transportation to town, great shopping, fireworks, music, Young Eagle flights, RC models. For more information contact Neil or Karen Salmi (406) 266-5400 or n777sx@earthlink.net.

July 15-17, 2005 - Schafer Meadows Annual Work Session.

July 16, 2005 – 2005 RiverFest annual festival held along the scenic Missouri River in Great Falls. Seaplane demonstrations in cooperation with Holman Aviation and Montana Seaplane Pilots Association. For further information phone (406) 771-1265, or email pgumenberg@ci.great-falls.mt.us visit the website www.ci.great-falls.mt.us.

July 30-31, 2005 – Mountain Madness 05 Airshow. Glacier International, Kalispell. Featured acts include The Blue Angels, Pietsch Brothers, Jim Franklin, Schocklee Jet Truck, Gordon Bowman Jones Announcing and some war birds.

August 4-7, 2005 – Montana Antique Airplane Association Three Forks Fly-In. For further information contact Steve or Cindy Kleimer (406) 586-2307 or sckliemer@aol.com.

August 5-7, 2005 – Staggerwing Fly-In, pancake breakfast sponsored by Seeley Lake Flying Club held on the 7th. For further information contact Wade Cebulski (406) 677-3219 or email slk3219@blackfoot.net.

August 19-21, 2005 – Montana Fun Weekend. Cut Bank International Airport. For further information contact Dennis Lenoir (406) 873-2221 or (406) 450-1443. On the web search Montana Fun Weekend.

August 19, 2005 – National Aviation Day.

August 20, 2005 – Seventh annual Polson fly-in at Polson (8S1). For further information contact Larry Ashcraft larjet@centurytel.net.

August 20, 2005 – Wing's & Wheel's Fly-In. Powell, Wyoming. For further information contact Orville Moore at (307) 754-5234.

The Gift of Flight

By: Mike Quinn, Aviation Support Officer

You've heard the phrase, "The grass is always greener on the other side of the fence." The aviation version would probably go something like, "The sky is always bluer..." In no other industry does the restlessness and desire for **more** manifest itself than in aviation. Admit it – we all want what we don't have yet, and once we get there, we see the next horizon and strive for *that*. The dynamic yearning for more is inherent in aviators - the "state of becoming", as a wise friend of mine once wrote. This unquenchable desire permeates all of us: the desire for a bigger payload, a faster cruise speed, a sexier avionics stack. On the flip side, those who fly all-glass, kerosene-burning metal yearn for the day when they can once again enjoy the simple bliss of a fabric aircraft, a turf strip, and map-of-the-earth flying. Even the act of touch-and-goes is manifestation thereof: "My next landing will be better – a grease job." But through all of this, we sometimes forget to appreciate where we are *now*, what it took to get here, what we have accomplished – The Gift of Flight.

Two months ago, I was fortunate enough to spend a few minutes with Lt. Sarah Rhoads, a Naval Aviator hailing from Butte, currently flying as an F-18 instructor in California. Considering that the F-18 is positively my favorite aircraft in the universe (after the X-wing, of course), I was barely able to contain my jealousy. But after witnessing her graceful fielding of questions and down-playing the significance of her flight time in those amazing machines, she generated a statement that has stayed with me ever since. "Many would love to have the flight experience that I have," she said in a think-outside-the-box sort of way. "But they do not realize that they want it *in addition* to the experiences they have already. I have spent every minute of my flying career in the military, and would love to experience the general aviation world for a change."

WHAT? You can go Mach 2 at will, pull multiple g's until you pass out or puke, fly inverted for entertainment, yet all you want to do is land a Cub in the backcountry? You must be kidding – you have The Gift, girl! Don't you realize what you have? Don't you appreciate it?

Yes, she did. It was we mortals who did not.

Flying for work is not all it is cracked up to be. Pilots who flew for a living had told me repeatedly that making aviation my livelihood would be a sure-fire way to slowly remove the appreciation of The Gift of Flight. Having spent some compensatory time in cockpits lately, I found that warning to be sadly true. During my time on the ground, I couldn't wait to get up in the air, but after several hours of being battered around by turbulence, all I could think was, "Get me out of this bloody noise-maker." And the thought gave me pause – had my lifelong dream gone sour? Had I ruined my goals? Would I find joy in The Gift again? I became morose.

My answer came in the form of a friend named Roger. Roger is fresh from New York City and seems almost rabid to experience here in Montana all that he could not under the confines of "civilization" back home. I have a standing offer to all of my friends for airplane rides, but Roger was the first person to follow through and actually take me up on it; he walks the walk.

We boarded a Cessna 172 on a quiet Saturday morning, with his girlfriend in the back to go along as well. Just the act of starting the engine made Roger almost quake with anticipation and excitement. I thought, "If he gets much more excited, he's going to pop – and I hope it's not in the form of regurgitation." During the take-off roll I had him follow me on the controls. Thirty knots, keep the centerline. Forty knots, that's just the nose wheel shimmying – no big deal. Fifty knots, let's slowly apply back pressure to the yoke...

...and the wheels came free of the earth. Over the noise of the engine and propeller I could hear the deafening silence of my awe-struck "co-pilot". Just as countless others before him and countless others will after, he stood beyond the threshold after his first step, blinded by the world that was opening up before him. The look in his eyes (and in his girlfriend's in the back) told me everything I needed to know: his life had just changed forever. We climbed for a few minutes, and I let him make a few shallow turns. He was giddy with joy – an excitement that was contagious. Soon I found myself growing more aware of how enjoyable just a simple stall could be. I began to remember that yes, this flying thing really *is* a blast. During one stall, I realized just how blue the sky is when you look through the windshield of a 172.

Roger looked at the mountains ahead and remarked how beautiful it would be to fly over them. "Then let us," I replied simply. Having originally come from very near his own home, I understood his awe concerning the mountains: when you come from the concrete jungle, the Rocky Mountains have a grandeur and beauty for which our language carries no name. To link that with a First Flight could only be translated as a reincarnation: Roger became something more that day. His first lesson, I am happy to report, is this weekend. And me? I had shared the Gift of Flight, and in doing so unexpectedly discovered it for myself all over again.

Yesterday I heard a jet blasting low over the mountains here in Helena. The military engines were unmistakable, and I scanned the sky to find the war machine. To my delight, it was an F-18 – the sight of which made me think of my friend Sarah, and of her comment. And the thought made me smile. I hoped that the pilot in that plane was reeling in the joy of the Gift of Flight, and suddenly had a yearning in my chest for a little Cessna parked a few miles away. That little plane and I are going flying tomorrow, and I must say that we're not the most impressive combination. We'll cruise at ninety knots, fly at 6,500 feet, and my landings are always circumspect at best. But I can't wait to go, and I'm going to love every minute that I get of this Gift of Flight.



UM Helena Receives Valuable Donation

Silver State Helicopters (SSH) has been expanding their operation since forming in Henderson, Nevada in 1999. Recently they opened a flight-training academy in Butte, and have had a need for aviation maintenance technicians. The University of Montana - Helena College of Technology, having the only Aviation Maintenance School in Montana, North Dakota & Wyoming will partner with SSH to provide training on the type of equipment SSH operates.

Richard Krott, General Manager for SSH, Butte Operations brought a Robinson R22 Helicopter fuselage and miscellaneous parts to UM Helena on May 2nd. The donation is estimated to be over \$50,000 worth of equipment.

The equipment will allow UM Helena to offer students training on current technology helicopters, equipment used within the state of Montana, and the expanding helicopter market nationwide. Silver State Helicopters & UM Helena are contributing to the economic development within Montana and meeting the state's workforce training needs.



Rocky Holds Awards Banquet

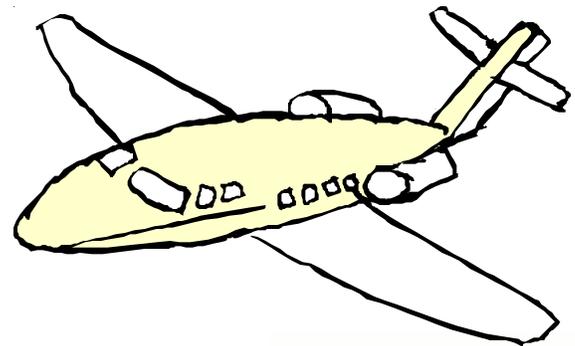
The Alpha Eta Rho, International Aviation Fraternity of Rocky Mountain College hosted its Annual Aviation Awards Banquet on April 21. The banquet was held at Rocky's hanger on the Laurel Airport. Dan Hargrove, Director of Aviation for Rocky's Aviation Program told interesting stories of his time spent flying the Vice President, First Lady, Presidential cabinet appointees and members of Congress. The Aeronautics Division was honored to present two very deserving Rocky Mountain College students with its 2005 scholarships. This years recipients were: Sam Rettig of Bridger, MT — Sam is Captain of Rocky's intercollegiate flight team and in the school's honor program. Mike Reid of Polson, MT — Mike is a cheerleader for Rocky, a great student and very strong in all of his classes. Dan Hargrove referred to both students as a "genius!" Congratulations Sam and Mike on a job well done. Keep up the good work.



Pictured (l-r) are scholarship recipient Sam Rettig; Justin Saxe, Sam's flight instructor; and Dan Hargrove, Directory of Rocky Mountain College.



Debbie Alke presents Mike Reid of Polson with a \$400 scholarship from the Montana Aeronautics Division's Scholarship fund.



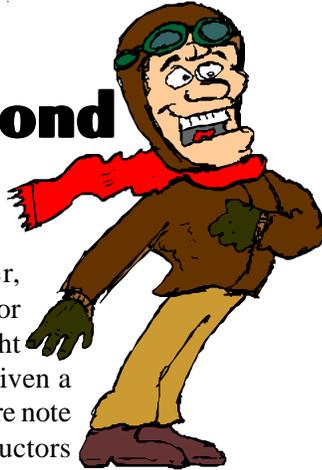
Young Eagles



Mike Rogan & Jeanne MacPherson flew to Terry to fly Young Eagles for a High School Aviation Program. Close to thirty students participated in the flights. Pictured (far right) are Mike Rogan and three of the students he flew in the Aeronautics Division's Cessna T-41.

Montana Flight Instructors Respond to Survey

Harry Laforge of Hoffman Pilot Center, Missoula, presented the 2005 Flight Instructor Refresher Clinic (FIRC) for Montana flight instructors. This year the instructors were given a survey to complete; the results of the survey are noteworthy. Thirty-eight of the forty-five instructors attending FIRC responded to the survey.



- Total flight time: 259,890 flight hours flown, the average flight instructor had 6,840 hours of flight time.
- Total flight instruction given: 47,549 hours of dual given, the average flight instructor had given 1,360 hours of dual.
- The total age of the group was 2,079 for an average age of a Montana flight instructor at 54 years.

I wonder how these numbers compute on a national level?

Q: How do you know when you are half way through a date with a pilot?

A: Because he says: "That's enough about flying, let's talk about me!"

Survival Kit Basics

Montana Aeronautics Division looks to *ERI, Emergency Response International*, for their expertise in survival for both the Montana Search Pilot Clinic and for Winter Survival. Ralph E. Wilfong, Director of Operations, ERI; has put together an **aircraft survival kit** for aircraft operators.

Shelter

- (2) Bag, Land Shark
- (1) Tarp, 8' X 10', lightweight, nylon
- (50') Line, 550 (Paracord)

Fire

- (1) Metal match
- (1 bx) Matches, Stormproof (REI)
- (1) Zip Loc bag, cotton balls
- (1) Tube, Vaseline
- (2) Candle, lantern

Signaling and Lighting

- (1) Signal mirror, glass
- (1) Whistle, plastic
- (1) Flashlight, small, LED (4 AA)
- (6) Battery, AA, lithium
- (4) Flare, signal, Skyblazer
- (1) Strobe, ACR Firefly 3

Water

- (1) Water purifier, Pre-Mac, Model SWP
- (1) Water bag, folding, 2-liter
- (1) Cup, metal

Tools and Miscellaneous

- (1) Knife, Swedish Mora
- (1) Saw, folding, Gerber or Buck
- (1) Multi-tool
- (1) Compass, baseplate style
- (2) Duct tape, small roll
- (1) Soap, antibacterial, liquid, in Nalgene bottle
- (12) Wet-wipes, individual pack
- (3) Sewing needle, assorted sizes, with heavy-duty thread
- (1) Zip Loc bags, assorted
- (1) Survival Handbook (ERI publication)
- (1) Case, Pelican, 1450
- (1) Case, Pelican, 1050
- (2) Case, Pelican, 1040

For more information, please contact: Ralph E. Wilfong at ERI – PO Box 30426, Spokane, WA 99223; phone: (509) 443-1377; cell: (509) 993-0092; email: emtspec@comcast.net or check out their website at www.emergencyresponseinternational.com

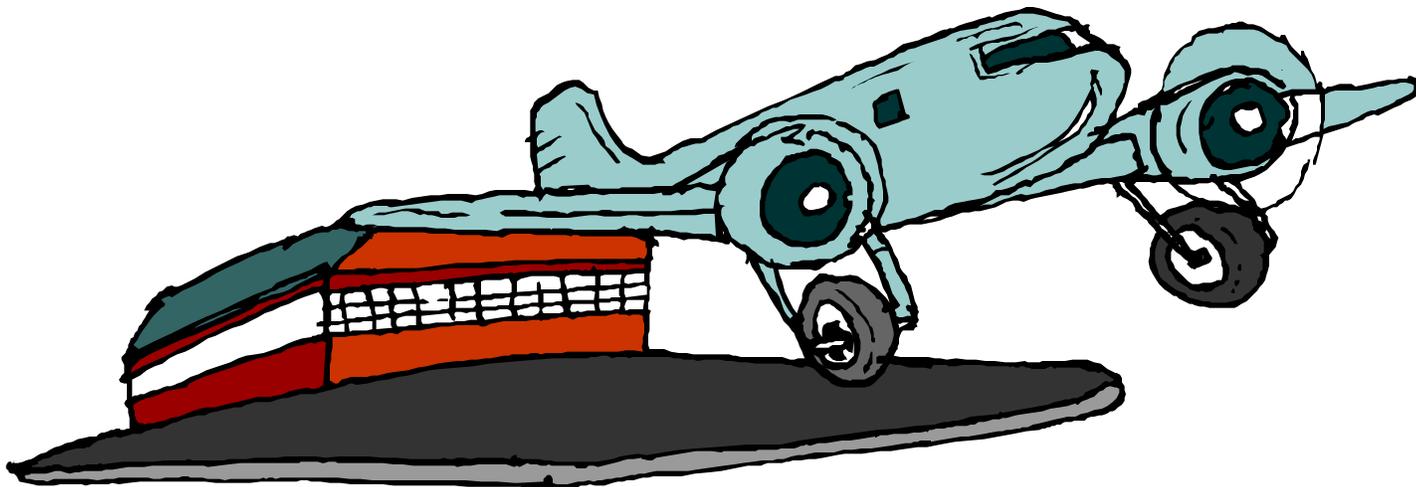
Airport Appreciation Day

Yellowstone Airport

West Yellowstone, MT

June 14, 2005

12:00 p.m. – 2:00 p.m.



Meet and greet staff and tenants

Tour the facility

**Check out the newly
constructed runway!**

Barbeque - \$5.00

Fuel Discounts

Door Prizes

Young Eagle Rides (Ages 8-18)

For further information & to RSVP:

phone (406) 444-2506 or email:

pkautz@mt.gov

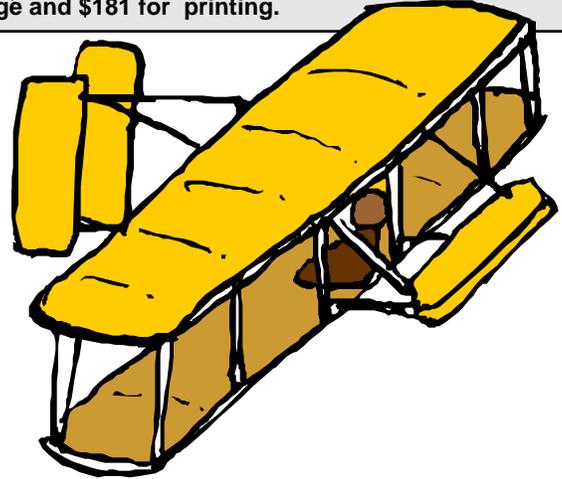
Master Pilot



Congratulations to Mike Mulrone (r) of Helena who was recently presented with the prestigious Wright Brothers Master Pilot Award from Steve Jones, Safety Program Manager for the Helena Flight Standards District Office.

MDT attempts to provide accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats of this information will be provided upon request. For further information call (406) 444-6331 or TTY (406) 444-7696.

Twenty-nine hundred copies of this public document were produced at an estimated cost of 39 cents each, for a total cost of \$1,131. This includes \$200 for production, \$750 for postage and \$181 for printing.



May, 2005

Pre-Sort Standard
US Postage Paid
Helena, MT 59620
Permit No. 141

PO Box 200507
Helena, MT 59620-0507