

WPR21FA143

**OPERATIONAL FACTORS/HUMAN PERFORMANCE**

Group Chair's Factual Report - Attachment 2

Interview Transcripts

October 25, 2022



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AIRBUS AS350B3 HELICOPTER \*

CRASH NEAR KNIK GLACIER, PALMER, \*

Accident No.: WPR21FA143

ALASKA, ON MARCH 27, 2021 \*

\*

\* \* \* \* \*

Interview of: CHAD EMSWILER, Director of Operations  
Alpha Aviation

Via telephone

Thursday,  
April 8, 2021



APPEARANCES:

JOSHUA CAWTHRA, Investigator in Charge  
National Transportation Safety Board

KATHERINE WILSON, PhD, Investigator  
National Transportation Safety Board

D. SHAUN WILLIAMS, Investigator  
National Transportation Safety Board

FABIAN SALAZAR, Investigator  
National Transportation Safety Board



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I N T E R V I E W

1  
2 DR. WILSON: This will eventually become -- our conversation  
3 will eventually become a part of our public docket. And so, what  
4 we are doing with those that we are talking to is we're recording  
5 the interview or the conversation, and then this will be  
6 transcribed by a court reporter.

7 MR. EMSWILER: Okay.

8 DR. WILSON: And that's just to ensure that everything that  
9 we have is completely accurate.

10 MR. EMSWILER: Sure.

11 DR. WILSON: That's summarizing the conversation that we had.  
12 So, is that okay with you?

13 MR. EMSWILER: Yeah, that's fine.

14 DR. WILSON: Okay, great. So you know me, Katherine Wilson;  
15 I'm a human performance investigator with the NTSB. And I'll have  
16 my colleagues introduce themselves as well.

17 MR. WILLIAMS: Hey, Chad. My name is Shaun Williams. I'm  
18 the operations group chairman for the NTSB.

19 MR. EMSWILER: Hi, Shaun.

20 MR. CAWTHRA: Yeah, hey, Chad. My name is Josh Cawthra. I'm  
21 the investigator in charge for the accident.

22 MR. EMSWILER: All right. Hi, Josh.

23 MR. SALAZAR: Good morning, Chad. This is Fabian Salazar.  
24 I'm assisting operations with helicopter experience.

25 MR. EMSWILER: Good morning, Fabian.



1 MR. SALAZAR: Good morning.

2 DR. WILSON: Okay. We're a little bit spaced out here, so if  
3 there's any issues with you hearing one of us, let us know.

4 MR. EMSWILER: Okay.

5 INTERVIEW OF CHAD EMSWILER

6 BY DR. WILSON:

7 Q. Okay. So, we all have a copy of your statement, which was  
8 really helpful. And if you could just start again, you know,  
9 walking us through when you found out that there was possibly an  
10 accident and what you did.

11 A. Sure. The notification -- so I had heli-skiied with the  
12 aircraft earlier, then departed that area to -- I dropped off our  
13 clients over on Lazy Mountain, which is just northeast of Palmer.  
14 Went to Denali National Park for another client. And then, on my  
15 way back -- the client that I had on Denali required two  
16 helicopters, and so there were two Alpha helicopters up there, and  
17 one of my pilots was in the other helicopter, and he took off  
18 before me and was heading direct to Anchorage.

19 I received a text message from -- when I got out to cellphone  
20 reception that popped up from Third Edge's crew over on Meier  
21 Lake. And at that point, they just said, hey (indiscernible) -- I  
22 don't know how much detail you guys are looking for on this item,  
23 so feel free to say --

24 Q. The more detail the better.

25 A. Okay. So the -- so I got a phone call at 8:32-ish on



1 Saturday, March 27th, and at that point, I didn't, I didn't pick  
2 up the phone call. I was still in the helicopter with clients.  
3 And then a text message bumped through and said, yes, we need a  
4 ship to respond to Metal Creek and check on Soloy ship. I need  
5 one more to come to Meier Lake to pick up guys to respond. Too  
6 long with no comms from those guys. That was 8:34 I received the  
7 text message.

8 I then responded immediately by communicating with them what  
9 the situation was. The one helicopter in front of me, we both  
10 were closer to Anchorage, and he had clients on board. And so, at  
11 that point, he had already got communications with the other two  
12 aircraft that were assigned to Third Edge that were in Anchorage  
13 doing client drops over at Signature or Ross Aviation.

14 And so I started to divert towards Metal Creek at that point.  
15 I flew for about 15 minutes towards Metal Creek and then saw from  
16 the Spidertracks tracker that the other aircraft were going there  
17 as well, and they were closer than I was. And so communicated  
18 with them and -- or communicated with Third Edge that I would be  
19 heading to Anchorage to meet up with the other aircraft since I  
20 knew that two aircraft were already on -- en route and they were  
21 closer. And even if I were to divert, I did not have a lot of  
22 useable fuel to conduct any kind of search operation once I got  
23 there.

24 Q. Okay.

25 A. Once I got back to Anchorage, I got ahold of our crew, our



1 helicopters in the area, and that's when, you know, basically they  
2 told me that they had located the -- or Josiah had located the  
3 craft, relayed through Zack, and I was -- I'm sorry, when I was on  
4 the ground, I ended up calling Soloy, and I asked them for refined  
5 coordinates, because I noticed based on Spidertracks that the --  
6 Josiah had been on station for approximately -- for a little while  
7 and was doing -- kind of just spidering around the area and hadn't  
8 located anything yet. So I asked Soloy for a refined location.  
9 He passed it. I passed it over our flight following thread into  
10 the helicopter, but about the same time I passed, it was about the  
11 same time that Josiah located the crash.

12       Then it got relayed back to me that they located the crash  
13 site and that Search and Rescue was close by, and I -- this is  
14 secondhand, so I'm going to say this one, but basically that, you  
15 know, Josiah had went in there, tried to get in there, but the  
16 other helicopter, who had Jeff Hoke on board, was -- basically  
17 they were unable -- it was too steep, and it was blowing snow, and  
18 they decided that, we'll just let that to Search and Rescue to do.

19 Q.    Okay.

20 A.    Once they informed me that it was a crash site, I then called  
21 up Soloy to let them know that we had located a crash site and  
22 offered any support that we could.

23 Q.    Who did you talk to at Soloy?

24 A.    One moment. I called their normal ops line. John Baechler.

25 Q.    Okay.





1 A. And got transferred through to him and had been communicating  
2 with him.

3 Q. And the call that you received and the text message, that was  
4 from Third Edge?

5 A. Correct.

6 Q. Okay. Do you know specifically who called and texted you?

7 A. Brad at Third Edge.

8 Q. Okay. I believe in your statement, you also mentioned -- did  
9 you see the accident helicopter prior to the accident?

10 A. I did. I was heli-skiing with another client out in --  
11 earlier in that day, and we were landed northwest of Metal Creek  
12 by about 10 miles, right to the north of the BLM land. And I saw  
13 the helicopter fly above me. I saw the -- I noticed the yellow on  
14 it and assumed it was actually Silverton Mountain Guides. We were  
15 shut down, no communications. They flew over us and then turned  
16 in an opposite direction. Didn't think much of it.

17 From -- picking up from there, we proceeded southeast to  
18 Metal Creek, and once I was in Metal Creek, I noticed that that  
19 helicopter was in Metal Creek as well with us. I established  
20 communications with it, and they asked how long we would be  
21 working in the area. I told them we'd probably be in there 30 to  
22 45 minutes. I asked if it was Silverton, and he didn't respond,  
23 so I didn't -- the communications were pretty poor. I can't tell  
24 why, whether it was, you know, our aircraft or what was going on  
25 with the radios. But it was just pretty scratchy, and it was hard

1 to figure out. So we ended up both working the east side of Metal  
2 Creek. And at one point, we were on the same ridge line, dropping  
3 different locations right in the same vicinity.

4 The weather that day was scattered, and it was fast -- I  
5 wouldn't say fast. I don't think I ought to say that. It was  
6 quick, quick moving clouds. And so we were looking for pockets of  
7 sunshine to do the drops to get the skiers off into good light,  
8 but the clouds were moving quickly, and so it was quite common for  
9 me to drop them, and then within a couple minutes, they were in  
10 flat light from the clouds moving across. So normally, in the  
11 heli-skiing world, you drop them and then move to another ridge  
12 line or another area so you can just watch to where they are going  
13 to end up down below, and then they call for a pickup. So I would  
14 drop them, go call for a pickup. I noticed he had dropped several  
15 skiers on the same ridge line as I did. I went a little bit  
16 farther back into the range, to the east, just to stay de-  
17 conflicted.

18 And then I noticed that, when I was coming back around,  
19 circle the peaks, that the clouds -- there was a drop of two  
20 passengers on one of the ridge lines, and they were standing up  
21 there for approximately 20 minutes. It was a little bit longer  
22 than I had thought. And then they went into a cloud, and then I  
23 was coming back through, and then I noticed that they were -- I  
24 was just -- it just -- it was one of those things that I just  
25 noticed because I was like, that was a little different to see,

1 you know, to have a client -- not that it's unsafe or bad or  
2 anything like that. It was just different, because normally, you  
3 always want to try and maintain visual. But the clouds were  
4 moving through pretty quickly.

5 Most of the zones that day, Third Edge was -- or, I'm sorry,  
6 that wasn't Third Edge; that was (Indiscernible). Most of the  
7 zones that day, the clients were marking with dye or just making  
8 sure that they were stomped out pretty clearly so that I could  
9 reference because of the flat light.

10 Q. Okay. About what time was this when you saw the Soloy  
11 helicopter flying around?

12 A. Probably -- go back to my (indiscernible) but roughly  
13 speaking, I would say in the 2:00 -- well, I went back -- let me  
14 backtrack this. I was up on Denali by 6:00, so it would have been  
15 probably around the 4:30 timeframe or slightly earlier. Probably  
16 from 3:30 to 4:30, in that timeframe.

17 Q. Okay. And you mentioned a couple of times, did I hear right,  
18 Silverton?

19 A. Yes. Silverton Helicopters operates in that area as well,  
20 and there's a -- they have a yellow -- their traditional colors  
21 are yellow, and so that's why I assumed that it was a Silverton  
22 helicopter when I saw the yellow on it. I didn't realize that  
23 Soloy -- I think -- I don't know this to be true, but I think they  
24 -- (Indiscernible) Powder Guides wraps the helicopter in blue and  
25 gold, and so -- or has some sort of scheme associated with that,

1 and that's why I misidentified which helicopter company was out  
2 there.

3 But there is a -- I have not seen it, but I have been told,  
4 and one of our operators uses it; there is a WhatsApp chat line to  
5 tell the other operators who's in the area and who's working the  
6 area. And so, after the fact, I asked our other operator if that  
7 was Silverton, but they said that nobody was reporting -- actually  
8 I don't want to misquote that. They just said that Silverton  
9 didn't report that they were in the area. So we were trying to  
10 figure out who it was, and then when I got the call later on about  
11 Soloy, that's when I put it together that, that was the Soloy  
12 helicopter.

13 Q. Okay. And when you were -- you said that you tried to do  
14 comms with the Soloy helicopter, but it was poor. How are you  
15 communicating? Is it -- is there like a common frequency?

16 A. Yeah, VHF radio. There's 1.22.7 that we operate on back  
17 there, and I kept communications with them briefly, and then we  
18 were -- the communications were still happening, it was just  
19 mainly garbled and hard to make out. And so that's why we needed  
20 to -- were de-conflicting farther away just because, obviously,  
21 don't want to operate in the same area without having great  
22 communications.

23 Q. And is the frequency typically just for location or --

24 A. That frequency is just used for that location back out there  
25 in Kenai.



1 Q. Okay.

2 A. And then it changes. They have certain CTAF frequencies in  
3 different areas in Alaska due to higher traffic in that area.

4 Q. Okay. So the communication that you're having on this  
5 frequency with other helicopters, is it just to determine the  
6 location of the different helicopters, or are you sharing  
7 additional information about maybe weather encountered or anything  
8 about the conditions?

9 A. Most of the time, I mean, that frequency is a -- pilots do  
10 talk on those things, but for my communications that day, it was  
11 just, hey, I'm working on the east side of Metal Creek; we're  
12 going to be in the area after 30 to 40 minutes. I mean we're --  
13 we are -- yeah, there wasn't anything communicated about weather  
14 or anything else along those lines.

15 That day, the weather was -- like I said, it had -- it was  
16 scattered, but it had, it had -- I'm trying to think of the best  
17 way to describe it. It had patches that were more scattered, you  
18 know, as far as like they were thicker in certain areas. And so  
19 Metal Creek because of the geography out there, a lot of times,  
20 the wind and the weather gets lifted by Prince William Sound, and  
21 then you have a bit of a precipitation shadow in the  
22 (Indiscernible) Valley.

23 And so, as we were out working in Metal Creek, we pushed  
24 farther east because the weather was getting lower and harder to  
25 work in Lazy Mountain area, and as we pushed into Metal Creek, it



1 was looking better, and we were getting sun spots and things like  
2 that.

3 Q. Okay. So help me understand the heli-ski operation a little  
4 bit more. How do you determine where you're going to -- what  
5 location you're going to? Do you determine that? Do the guides  
6 determine that? Did the clients?

7 A. Is it -- are you asking specific landing site or just general  
8 area?

9 Q. Specific landing site.

10 A. Okay. So usually we get to the area based off of me  
11 providing my take, and then the guide makes the final decision  
12 about everything on the general area. Once we get to the specific  
13 area, the guiding operation will say, hey, can you get me on to  
14 that ridge line? That's where we want to ski, that route. And  
15 so, at that point, the pilot does his reconnaissance of the area.  
16 Usually does an over flight, you know, putting the terrain out the  
17 pilot side of the window so he can assess the mountain, assess the  
18 landing area and snow (indiscernible).

19 And either person has the ability to say, hey, this is a no  
20 go. But the pilot has the final call on whether or not -- there's  
21 no -- at no point would any guiding service be like, you have to  
22 land me there. They just said, this is where we want you to land  
23 you -- this is where we want you to land us, in this area, and  
24 then the pilot has the discretion within that small area to say,  
25 hey, I can either do it or I can't do it, or if I can do it, we



1 need to shift a little more towards this direction so that I can  
2 get the, get the helicopter more stable.

3 Q. Okay. And that area, I believe you said it was Metal Creek.

4 A. Uh-huh.

5 Q. Is that more of a challenging area to land or is it pretty  
6 typical --

7 A. I would say it's pretty typical. It's a pretty common heli-  
8 ski area. Most operators that are in that area know about it.  
9 I'd say the terrain is intermediate at best. Nothing about that  
10 terrain is very difficult at all. There's much more difficult  
11 areas out in the Tordrillos and even in that same range in a  
12 different area. But I would say that's at best intermediate to  
13 beginner terrain.

14 UNIDENTIFIED SPEAKER: For the pilot or skier?

15 DR. WILSON: Okay.

16 BY DR. WILSON:

17 Q. There was a follow-up question, are you referring to as  
18 intermediate to beginner, is that from the skiing perspective or  
19 the piloting --

20 A. That's the skiing perspective. You can -- the hard part  
21 about the aviation is a lot of it just has to do with some micro  
22 terrain of that specific drop spot. You can have 100-yard span  
23 and range from an extremely easy drop to a toe in, hovering with  
24 one skid into the area. It really just depends on what the pilot  
25 picks in that area. That's why the heli-skiing world tends to

1 have a big -- it -- the pilot's ability tends to make a pretty big  
2 difference. But no, from a terrain aspect, generally speaking, I  
3 would say that's intermediate to beginner heli-skiing area for the  
4 clients to experience. Low aspects, it's not a big avalanche  
5 danger, good run outs, nothing very -- nothing super dangerous in  
6 that area.

7 Q. Um-hum.

8 A. But a lot of -- the landing, you can have a ridge line that  
9 has a beginner landing spot from a pilot perspective, and then 100  
10 yards away, advanced landing spot, depending upon what they're  
11 looking for.

12 Q. Okay. And, you know, there's a lot of different heli-ski  
13 operations around. Does --

14 A. Uh-huh.

15 Q. How does Soloy -- does it have a reputation as taking bigger  
16 risks than other companies or --

17 A. Oh, I don't know if I'd want to be on the record on that  
18 question, so --

19 Q. Okay. Maybe we can talk off the record.

20 A. Yeah.

21 Q. Okay.

22 A. Soloy is the -- I want to say on the record, Soloy is the --  
23 I want to say it's the biggest operator in Alaska. And so there's  
24 aspects of that that -- I mean, we're a relatively smaller company  
25 in comparison, so I know just from a statics' standpoint, when you



1 operate that many aircraft, you're going to have more opportunity  
2 for issues. But yeah, I would not say that Soloy is known for  
3 taking any risks that are outside the realm of anything.

4 Most of their -- most of the information that I have is just  
5 from an aspect of insurance claims because all of the -- we all  
6 get affected by each other's actions when it comes to our  
7 insurance premiums and our insurance coverages, and so when  
8 there's insurance losses, that's when I become interested. But  
9 from an operation standpoint, there is no, like Soloy's risky or  
10 Soloy's not risky. All's I see is the data on how many insurance  
11 claims are made each year by what companies, and that would be the  
12 data that I use to, you know, try and understand companies on risk  
13 and that stuff.

14 Q. In terms of, if you're landing at a site and you get into  
15 flat light conditions, what would you do?

16 A. Yeah, so the biggest things with flat light is initiating a  
17 wave off as early as possible and climbing -- flat light, the  
18 biggest issue is you're unable to determine your height above the  
19 ground, and depending upon how big the flat light area is, it is  
20 your lateral movement as well. So you have drift as well as  
21 altitude issues. And as a rule of thumb, like within our company,  
22 we're not allowed to land in anything where we don't have a point  
23 of reference under the rotor blade arc, meaning if we have to have  
24 a rock, a person, something stable that we can use as reference,  
25 if the lighting is not great, as a point of reference in order to

1 not drift, in order to see our altitude.

2       And then, depending on your knowledge of the area, we also  
3 come in with a steeper approach flight profile, because if you  
4 come in on a shallow approach, then you can't guarantee that  
5 you're going to be clear of the terrain even if you're using the  
6 radar altimeter. It's just not a good practice on our side. So  
7 we train all our pilots to come in with a slightly steeper  
8 approach, always something under the rotor blade arc. If you're  
9 ever going to lose that via snow, meaning like you get into it and  
10 then the snow blows, then you would wave off at that point and go  
11 around and reestablish the approach or pick an alternate landing  
12 site.

13 Q.   And how about for whiteout?   Would the --

14 A.   Whiteout is very similar on that front.  What we do normally  
15 in some of those zones where we are getting whited out is make  
16 sure that you have a high hover well above the whiteout area with  
17 reference, and then you can blow out the zone, so to speak.  But  
18 you're always flying in that one.  You're not -- you don't have  
19 any intent to land.  So you come in, you slow down in the area,  
20 and you blow out the snow and keep flying.  And then you come  
21 around for your approach in that situation.

22       If you actually get into a legitimate whiteout situation, you  
23 would execute -- we don't train to this; this is a more of an  
24 emergency procedure.  But you would execute more of an instrument  
25 take off where you full max power out of the area, make sure that



1 you climb and stay forward. But whiteout's biggest danger is  
2 drifting left and right usually. And so that's why we have the  
3 references for, I mean, both far and near. One under the rotor  
4 blade arc because what happens is, if you come into a zone and you  
5 were to lose that near reference, you transition immediately to  
6 your far reference and then execute your wave off at that point,  
7 so --

8 Q. Going back to what you said originally -- thank you for that  
9 explanation on the flat light and whiteout.

10 A. Sure.

11 Q. You mentioned, after you heard that they had found the  
12 wreckage, you mentioned something about Search and Rescue. Can  
13 you just clarify what information you heard about the Search and  
14 Rescue?

15 A. Yeah. The -- my understanding was that, while we were en  
16 route, they had also launched the 60s coming from Air Rescue  
17 Command there. And so we knew that we were there beforehand, but  
18 it was passed to me that they had -- that someone had already  
19 initiated that response and that they were en route. So the --  
20 that portion of it was -- I was not there, but my understanding  
21 was they had found the crash site, and then some communication  
22 happened -- and this is completely secondhand, but some  
23 communication happened to where basically we departed the area and  
24 Search and Rescue was on it, so to speak.

25 Q. Okay.



1 A. Yeah. I'm assuming that was happening over VHF, but that's  
2 just my assumption.

3 DR. WILSON: All right. Chad, I'm going to see if anyone has  
4 any additional questions. I'm sure they do. I see them looking  
5 ready. Is that okay if we ask a few more questions? Are you  
6 doing all right?

7 MR. EMSWILER: Yeah.

8 DR. WILSON: All right. Thanks.

9 MR. EMSWILER: I just want to clarify one thing.

10 DR. WILSON: Uh-huh.

11 MR. EMSWILER: I don't want to insinuate that Soloy is a  
12 high-risk operator or has any issues with that. They've got a  
13 good reputation from what I understand from a safety standpoint.  
14 All's I'm just referring to is I get bummed out when I see  
15 insurance claims come through, whether it's for, you know, a  
16 mechanical issue or a pilot issue, and that's my only metric for  
17 making the comment about, you know, the off the record for that  
18 question.

19 DR. WILSON: Okay.

20 MR. EMSWILER: Yeah.

21 DR. WILSON: All right, Shaun.

22 BY MR. WILLIAMS:

23 Q. Thanks, Chad. Just a couple, a couple questions here. Do  
24 you know about what time it was that Josiah located the crash?

25 (Beeping noise.)

1 DR. WILSON: Whoop, somebody lost cell service.

2 (Background conversation.)

3 MR. EMSWILER: Sorry about that. I'm not sure what happened.

4 DR. WILSON: That's okay.

5 MR. EMSWILER: Yeah. You know what I can do is the -- we  
6 have a flight tracking. It might take me a bit to scroll, but I  
7 can come back and let you know as we are talking here --

8 (Simultaneous speaking.)

9 MR. WILLIAMS: Yeah, no, I'd appreciate that.

10 MR. EMSWILER: Yeah.

11 MR. WILLIAMS: We can keep asking you a couple of other  
12 questions here. When you find it, that would be great just to,  
13 you know, put the timeline together.

14 MR. EMSWILER: Okay. Yeah.

15 BY MR. WILLIAMS:

16 Q. You mentioned earlier in the day, you know, north of Metal  
17 Creek by about 10 miles, you know, where the comms were kind of  
18 poor, was this -- did you ever see them operating or did you  
19 operate on the same ridgeline as the accident?

20 A. Not the accident. We were offset from the accident area to  
21 the northeast. Based off of what I saw on Spidertracks as the  
22 accident location, they had moved farther to the southeast and  
23 were down in that area.

24 Q. Okay. Did you watch them drop any skiers that day?

25 A. I didn't physically observe him landing and dropping them. I



1 saw him flying, and then I saw the location of his skiers. I  
2 never watched him actually physically do the drops or do anything.

3 Q. Okay. Have you put in on that same ridge previously?

4 A. Where I was skiing that day or where --

5 Q. No. Just in the past, where the accident happened, have you  
6 dropped anyone on that same ridgeline?

7 A. Not me personally. We heli-ski that area a fair amount, but  
8 I haven't personally.


9 Q. All right.

10 A. So, as far as timeline, I've got it now. We were notified at  
11 9:12 that sounds like a Blackhawk is on its way. And then we were  
12 heading towards Metal Creek area, they were in comms, full moon,  
13 good visibility. I sent the coordinates, and then at 9:39, they  
14 see wreckage, waiting on more information. And then at 9:50, the  
15 two aircraft are heading back to my area, leaving it to SAR. And  
16 those are just the notifications for us; that's not necessarily,  
17 you know, when it happened at the moment, so --

18 Q. Right. So these notifications of things where you're seeing  
19 this, is this on the tracking?

20 A. No. We have a group -- we have a flight following group  
21 messaging that keeps everyone up to date that feeds into the  
22 cockpit via the iPads that we have that gives notifications for  
23 all these things.

24 Q. Is there a way you could provide that to us, either like  
25 through screenshots or whatever method?



1 A. Yeah. We can -- I can give you some of that for sure. And I  
2 can put some -- yes, I can get that to you.

3 Q. That would be great. Thank you.

4 A. Yep.

5 MR. WILLIAMS: I think that's what I have. Thanks,  
6 Katherine.

7 DR. WILSON: All right.

8 Josh, do you have anything?

9 (No audible response.)

10 DR. WILSON: Fabian?

11 MR. SALAZAR: Just a quick question.

12 BY MR. SALAZAR:

13 Q. Chad, you mentioned the scattered clouds. What about the  
14 wind? What were the winds that day?

15 A. The winds that day, based off the speed of the clouds I had  
16 general -- were coming from the east. They were stronger -- for  
17 my clientele, it was kind of right on the edge of when you say --  
18 heli-skiing, generally speaking, you don't do in really bad  
19 weather or even when it's just not fun. No one really likes to  
20 ski in flat light. And so the scattered layer was getting to the  
21 point to where it wasn't -- that's ultimately why we chose to call  
22 it off for the day. It was just getting to the point where like,  
23 hey, this isn't -- it's not -- it's not that it's unsafe; it's  
24 just not fun for the clients.

25 And so, to answer your question, I guess the wind was

1 probably at -- I would say anywhere from 8 to 15 out of the east  
2 because it was definitely affecting the way I was landing and my  
3 orientations into the area and then, obviously, blowing snow and  
4 things like that. I was having to -- I was in a B2 as well, which  
5 is more power limited, Astar. And so I have to be a little bit  
6 more cautious on how I approach zones just because of, you know,  
7 all of that stuff is a little bit more paramount.

8 Q. What about mechanical turbulence up on the ridgelines, how  
9 was that?

10 A. Yeah. It was experiencing, I would say, light to -- and I  
11 say light to moderate based off of the airframe itself, but I  
12 would say we were definitely getting some of it. I was using  
13 ridge lifts to my advantage. I was making sure I was landing  
14 forward just because I didn't want to be on the back side of any  
15 of it. But it was a -- I would say light probably would be  
16 accurate, but it was definitely a -- it was a factor in my  
17 decisions that day.

18 MR. SALAZAR: That's all I have. Thank you.

19 MR. EMSWILER: Yep.

20 BY DR. WILSON:

21 Q. What time, Chad, did you call it off for the day?

22 A. Those aircraft or me personally?

23 Q. Well, you mentioned that the flat light was kind of starting,  
24 and it just wasn't fun for the clients --

25 A. Oh, yeah.





1 Q. -- so you said you decided to call it off the day.

2 A. Sure, let me look back here. I would have put in my  
3 notification for landing. (Indiscernible). So I called  
4 notification departing -- I would have called it off at  
5 approximately 5:30. Well, see, the hard part is like I report  
6 landing when we land at our location, and so I'm trying to back up  
7 the timeline; that's approximately a 25-minute flight, so I  
8 probably would have been called it off around 5 o'clock, somewhere  
9 in there, 4:30 to 5 o'clock would have been when I departed that  
10 area. And then I'm just seeing the text threads now to make sure  
11 that I'm accurate on that side of the -- yeah.

12 Q. And one more question about the flight following that you  
13 have.

14 A. Okay.

15 Q. Is that done in-house for you? Is somebody at Alpha Aviation  
16 doing that?

17 A. Yeah. We do -- we have an SOP. We have -- per the FAA, we  
18 have flight following in-house. So our flight follower has to be  
19 drug tested, and we have someone that is assigned to every flight  
20 that goes out, and then they would watch it. And we share the  
21 Spidertracks information with our clients usually, especially  
22 heli-ski operators. But our flight following is all in house.

23 And then, on all of our landings, they land, and we have a  
24 mark button on our Spidertracks that, if the helicopter is  
25 shutting down, they push the mark button, that way we know it was

1 a safe landing. And any time that we have an aircraft that shuts  
2 down that doesn't send out that mark, they have a half an hour  
3 basically before we start to initiate a response to figure out  
4 what's going on.

5 DR. WILSON: Fabian, you had a follow-up?

6 BY MR. SALAZAR:

7 Q. Chad, I had a follow-up question. You guys use Spidertracks,  
8 but do you not use their Spidertracks texting feature?

9 A. We do. That's what we -- when the heli-ski is out in the  
10 field, when they're outside of cell phone reception, that's what  
11 we have the pilot do. They use the Spidertracks. The difficult  
12 that we found with Spider texting is we have a half an hour check  
13 in all the time on the ops normal when we don't -- when the --  
14 when we don't have any cell phone coverage with the helicopter.  
15 We found that there's a bit of -- there can be a mildly  
16 significant delay on going through the satellite.

17 And so that's why we like -- the mark feature tends to go  
18 through right away, but the texting through Spidertracks tends to  
19 -- is kind of hit or miss. Sometimes it's two minutes; sometimes  
20 it's 15 minutes. And so that's why we like to use the marking  
21 feature, that way we know that it's definitively safe landing and,  
22 you know, the Spider text thread doesn't just -- basically, so if  
23 we see that aircraft being tracked and then just stops being  
24 tracked, and we don't have like a landing mark, then we know that  
25 either the pilot forgot or there's a possible issue, and we need

1 to start working through them to try and get a response, so --

2 Q. And you guys in your company have a 30-minute check in  
3 requirement?

4 A. Yes.

5 MR. SALAZAR: Okay. Thank you. That's all I have.

6 DR. WILSON: Okay.

7 BY DR. WILSON:

8 Q. Thank you, Chad. This was really helpful information. I did  
9 realize at the beginning though I didn't, you know, ask you how  
10 long you have been doing heli-skiing in this area.

11 A. Okay. Yeah, in that area specifically, I would say we have  
12 been heli-skiing since 2017.

13 Q. When you say we, are you talking about Alpha Aviation or you  
14 specifically?

15 A. Correct.

16 Q. Okay.

17 A. Alpha Aviation, yeah.

18 Q. How long have you been doing it?

19 A. In that specific area?

20 Q. Yeah.

21 A. Oh, I first started over in Valdez and then came this way.

22 Me specifically, I'm trying to think if I would have been in that  
23 area (indiscernible) probably would have been 2018. We have a

24 tourism base out of the Knik River Valley about 7 miles away from

25 that location to the southwest, and so that's our kind of stomping



1 grounds, so we're very familiar with that area and operate out of  
2 that area for glacier tourism as well as other tour activities.

3 Q. And your position at Alpha Aviation? You're obviously a  
4 pilot --

5 A. Director of --

6 Q. I'm sorry?

7 A. Director of operations.

8 Q. Okay.

9 DR. WILSON: Going around the room one more time, anyone have  
10 any additional questions?

11 (No audible response.)

12 DR. WILSON: All right. Thank you, Chad. Really appreciate  
13 the information that you shared with us. Is there anything else  
14 that we didn't ask you about that you were hoping we would ask you  
15 about?

16 MR. EMSWILER: Nope. Just want to do whatever we can to help  
17 with this situation and go from there.

18 DR. WILSON: Okay. Well, if you think of anything, please  
19 don't hesitate to reach out to Shaun or myself, and we'll also  
20 just wait to get those screenshots from you. If there's any  
21 issues with that, let us know.

22 MR. EMSWILER: Yeah. It's all good.

23 DR. WILSON: Otherwise, thank you. Thank you again.

24 MR. EMSWILER: Yeah. And have you been able to get a hold of  
25 Josiah to set up an appointment?



1 DR. WILSON: Yes. We'll be talking to him tomorrow morning.

2 MR. EMSWILER: Awesome. All right. Sounds good. Thank you  
3 very much for your time.

4 DR. WILSON: Okay. Bye-bye.

5 MR. EMSWILER: Bye.

6 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL AIRBUS AS350B3 HELICOPTER  
CRASH NEAR KNIK GLACIER, PALMER,  
ALASKA, ON MARCH 27, 2021  
Interview of Chad Emswiler

ACCIDENT NO.: WPR21FA143

PLACE: Via telephone

DATE: April 8, 2021

was held according to the record, and that this is the original,  
complete, true, and accurate transcript which has been transcribed  
to the best of my skill and ability.



Letha J. Wheeler  
Transcriber



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

AIRBUS AS350B3 HELICOPTER CRASH \*

NEAR KNIK GLACIER, PALMER, ALASKA \* Accident No.: WPR21FA143

ON MARCH 27, 2021 \*

\*

\* \* \* \* \*

Interview of: GREG KING, Assistant Chief Pilot/Check Airman  
Soloy Helicopters

Embassy Suites Conference Room  
Anchorage, Alaska

Thursday,  
April 8, 2021



APPEARANCES:

JOSHUA CAWTHRA, Investigator in Charge  
National Transportation Safety Board

KATHERINE WILSON, PhD, Investigator  
National Transportation Safety Board

D. SHAUN WILLIAMS, Investigator  
National Transportation Safety Board

FABIAN SALAZAR, Investigator  
National Transportation Safety Board

MATT RIGSBY, Inspector  
Federal Aviation Administration

SABRINA WOODS, Inspector  
Federal Aviation Administration

ALAN WILSON, Flight Test Pilot  
Federal Aviation Administration

MIKE NEWELL, Director of Aviation Safety  
Airbus

CARYN JORGENSON, Attorney  
Stokes Lawrence  
(On behalf of Soloy Helicopters and Mr. King)



I N D E X

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I N T E R V I E W

(9:59 a.m.)

1  
2  
3 MR. WILLIAMS: All right. So the recordings are started.  
4 We're on the record at 9:59 Alaska Time.

5 So Greg, thank you for coming to talk to us today. We really  
6 appreciate it. Like I said before, my name is Shaun Williams, the  
7 operations group chairman with the NTSB for this investigation.  
8 NTSB is a federal agency charged to determine probable cause of  
9 transportation accidents, promoting transportation safety. Not a  
10 part of the DOT or FAA. We have no regulatory or enforcement  
11 powers. Our goal here is to figure out what happened, why it  
12 happened, and what we can do to prevent it from happening again.

13 So there's a lot of people in the room. We're going to go  
14 around here in just a second and let everybody introduce  
15 themselves. Are you okay talking with all of us here?

16 MR. KING: Yeah, I think so.

17 MR. WILLIAMS: Okay. Great.

18 So like we said, we'll be using a tape recorder to record the  
19 interviews, which will then be sent for transcription. The  
20 transcript, not the audio recording, will become a part of the  
21 public docket when that's opened up towards the end of the  
22 investigation.

23 Like I said, the purpose is for safety, determine the  
24 probable cause. We're not here to assign fault, blame, or  
25 liability. It's just part of the fact-finding phase of the

1 investigation. You've got the information; we want it. So please  
2 help us out. We cannot, however, offer any guarantee of  
3 confidentiality or immunity. Like I said, the transcript will be  
4 a part of the public docket.

5 Each of the group members will have a chance to ask a  
6 question. We'll ask one at a time, go around the room. Everybody  
7 knows not to interrupt or cut you off. There'll be an  
8 opportunity -- usually about two rounds, take care of it. So why  
9 don't we go ahead and start.

10 Kat?

11 DR. WILSON: Katherine Wilson. I'm a human performance  
12 investigator with the NTSB.

13 MR. SALAZAR: Fabian Salazar. I'm assisting operations with  
14 the NTSB.

15 MR. WILSON: I'm Alan Wilson. I am an FAA flight test pilot  
16 based here in Anchorage and working out of Wasilla.

17 MR. NEWELL: Mike Newell, director of aviation safety,  
18 Airbus.

19 MR. RIGSBY: I'm Matt Rigsby out of the FAA's Office of  
20 Accident Investigation. And just to kind of reiterate what Shaun  
21 said, I'm an investigator. We don't -- I have no enforcement  
22 authority, so no issues with that. So just feel free to speak.

23 MR. CAWTHRA: Josh Cawthra. I'm the senior aviation accident  
24 investigator and I'm the investigator in charge for the accident.

25 DR. WILSON: Do you want to ask Sabrina introduce herself?

1 MR. CAWTHRA: And Sabrina, do you want to introduce yourself?

2 MS. WOODS: Sure. Hello. Sabrina Woods. I'm also out of  
3 the FAA's Office of Accident Investigation, and I'm a human  
4 performance investigator.

5 MR. WILSON: I'd like to clarify one thing for John's [sic]  
6 edification. I want to make clear I have no enforcement authority  
7 as well. I'm not flight standards. I'm aircraft certification,  
8 responsible for design approval and so forth. I'm not your flight  
9 standards.

10 MR. WILLIAMS: So Greg, please answer all questions to the  
11 best of your recollection. If you don't understand a question,  
12 you can ask to have it repeated or explained. On the same note,  
13 if later on you realize you misspoke or you want to correct  
14 something, please do so. We want the most accurate record as  
15 possible.

16 Keep in mind, since there are tape recorders, the nodding  
17 doesn't get picked up. You'll catch me doing it. So I'll try to  
18 limit it.

19 MR. KING: Okay. All right.

20 MR. WILLIAMS: You are entitled to have one representative of  
21 your choosing. Is there someone you would like to have with you?

22 MR. KING: Katherine Jorgeson.

23 MS. JORGESON: Caryn. It's okay.

24 MR. KING: Sorry, Caryn.

25 MS. JORGESON: We have Katherine and Caryn. Caryn Jorgeson,

1 counsel for Soloy and for Mr. King.

2 MR. WILLIAMS: Okay. So you may direct Greg not to answer a  
3 question or request a short break to talk with him, however, you  
4 can't answer a question for him.

5 MS. JORGESON: Understood.

6 MR. WILLIAMS: Okay. So are there any questions before we  
7 get going?

8 MR. KING: No, I don't think so.

9 INTERVIEW OF GREG KING

10 BY MR. WILLIAMS:

11 Q. Okay. So if you could just start off for me, if you could  
12 spell your first and last name.

13 A. My full name is Gregory King, G-r-e-g-o-r-y, K-i-n-g. I go  
14 as Greg.

15 Q. And what is your position with Soloy?

16 A. Assistant chief pilot and check airman.

17 Q. Tell me a little bit about you. Tell me your aviation  
18 background, how you got to where you are.

19 A. Aviation background started back in 1994 with flight training  
20 in fixed wing back in New Zealand, and over a number years gaining  
21 a commercial fixed wing license in 4 years time, and then '98,  
22 late 1998, started flying tourist aircraft around the mountains in  
23 the Southern Alps of New Zealand. So that was Cessna 207s, 206s,  
24 and I did that for a couple of years and then moved on to flying  
25 ski planes at Mount Cook, Cessna 185s and Pilatus Porter for a

1 number of years there.

2 In that time I went on and did my helicopter license in '03  
3 in between all this, and '05 started flying for a local company  
4 now called The Helicopter Line, who I previously worked for prior  
5 to the flight training where I was working on the ground as a  
6 loader. And I've done a lot of things in between, like between  
7 finishing high school and starting that aviation career,  
8 obviously. Ski patrolling for 13 years in the mountains doing  
9 that. So that's sort of been my background.

10 Q. How did you wind up at Soloy?

11 A. At Soloy? I was working in Juneau for a number of years  
12 flying out of there, and I knew some Kiwi pilots that I worked  
13 with in New Zealand that were up here flying, so just being in  
14 touch with those guys. And once I gained enough experience to  
15 work for Soloy, then, you know, made contact and come up with  
16 everybody.

17 Q. Okay. So what are your duties and responsibilities at Soloy?  
18 Like what's a day in the life of Greg there?

19 A. Well, first and foremost, line pilot. And so I go on various  
20 contracts or whatever to perform normal piloting duties, and for a  
21 number of years have been working on the fire contract in Palmer  
22 flying the BK 117. Numerous drill jobs, survey work flying AStars  
23 and 500s, and recently transitioned to the 205 for purpose of  
24 fires. So general flying and then check airman for on the AStar  
25 and the BK 117. And then the assistant chief pilot portion is

1 just, as I say, to assistant the chief pilot in duties if he's  
2 unavailable or away or off work. But that's a role I can sort of  
3 step in and just help him out or cover as need be, which at this  
4 point I haven't had to do it.

5 Q. You mentioned being a line pilot doing the fires and that  
6 sort of thing. Do you also do any of the heli-skiing?

7 A. Yes. Oh, yeah, I should have added that in, sorry. But,  
8 yeah, heli-skiing is a part of my yearly routine.

9 Q. So with the check airman side of it, what check rides are  
10 you -- do you normally perform?

11 A. I've been doing 135 check rides.

12 Q. So the 293, 299s?

13 A. Yeah.

14 Q. Do you know about how many of those you do?

15 A. Oh, I haven't done too many. Yeah, I couldn't tell you the  
16 exact number. I'd be taking a wild guess, I think, without going  
17 through the training records.

18 Q. Do you do a lot of them in a month?

19 A. No, not a lot. It seems to just be a period of a year  
20 between, so now is the time coming up for a lot of -- the summer  
21 season usually is when a lot of them go through with contract  
22 pilots coming on board. So I'll help out. There's other pilots.  
23 There's two pilots per aircraft. So there's myself and one other  
24 on the AStar, myself and another one on the BK, and then there's,  
25 you know, one each for Huey and the 500. So there's -- yeah,

1 we've got two people covering each aircraft.

2 Q. Okay. And I think I forgot to ask you, when did you start at  
3 Soloy?

4 A. 2012, May.

5 Q. May of 2012?

6 A. Yeah.

7 Q. And when did you become a check airman?

8 A. I think it must have been 2019. 2019, I think.

9 Q. What about the assistant chief pilot? Do you know when  
10 you --

11 A. I think that was back in 2018.

12 Q. Since you did some of the -- or you do some of the heli-  
13 skiing, I want to ask you some questions on that --

14 A. Yeah.

15 Q. -- kind of run through here. Can you kind of talk me through  
16 the training that takes place for a pilot for being able to do  
17 heli-ski operations?

18 A. I guess it depends on their level of experience when they  
19 come in with the company and what their exposure's been, but they  
20 can range from, anywhere from a pure, you know, a novice, hadn't  
21 any exposure at all, so there'd be with a training pilot going out  
22 in the mountains doing deep snow landings, ridge top landings,  
23 typical discussions on how, you know, to climb on the scene for  
24 skiing. And moving on to being introduced to the operation on the  
25 dual controls with the training pilot and flying typical routes,



1 you know, for the operator, I guess. And assisting the pilot and  
2 showing him, you know, where their terrain is and what the  
3 routine's all about.

4 And then they'll be -- they get a good briefing from the  
5 senior guides with how they operate around the aircraft and what  
6 to expect on the guiding side as well. So they sort of get, I  
7 think, those (indiscernible) that are used, between our company  
8 training and, you know -- and then, you know, that, there's --  
9 with peer pilots around, so -- and I guess in Zach's case you  
10 could say that where he was -- done most of his ski flying at CPG,  
11 that was his introduction to it for him. So he was supervised and  
12 then the follow up -- regular follow-ups to make sure he's on  
13 track and there's, you know, nothing untoward or the need to come  
14 back and retrain for. That's a typical --

15 And then if you bring in someone that's more advanced, you  
16 know, like I came to Alaska with heli-ski experience already, my  
17 first heli-skiing experience up here was with North Star down in  
18 Juneau and with various operators around Valdez, Cordova. It was  
19 a little different. We still went out dual controls and did some  
20 flying (indiscernible), and then I'd get the briefing from the  
21 operator on how they work around the aircraft and just make sure  
22 everybody's on the same page.

23 Q. How often would these follow-ups happen? Is it an annual  
24 thing like with recurrent training? Is it more often than that?

25 A. Oh, I mean, yeah, I can't speak personally because I haven't

1 been in that position of doing a follow-up that I could -- yeah,  
2 you'd have to ask -- I mean, I haven't done one, so I mean you can  
3 have one of the other training pilots that has done that, could  
4 offer up --

5 Q. Okay. Yeah, I didn't know if that was --

6 A. We don't have regular --

7 Q. -- the same thing or --

8 A. No, I don't think it's the same thing.

9 Q. How often would you guys do training? Is there like a  
10 recurrent training that you work on for heli-ski as well, in  
11 conjunction with the rest of the recurrent training?

12 A. Yes. It's prior to the start of the season. When guys come  
13 through to start their contracts, we'll go out on the dual  
14 controls and then go ahead and fly a route.

15 Q. So --

16 A. And that's just to get you back in the groove. Because some  
17 of them might've had a few months off from the end of the normal  
18 working year for us, which is, you know, up until about  
19 September/October for the bulk of the company's flying, and then  
20 it's just a little bit of off-ramp flying in between, so, you  
21 know, there can be a gap in time. So before the heli-skiing  
22 starts, usually January-ish, depending on which operators you're  
23 flying for. Some start mid-February.

24 Q. So in this case, we have where Zach had done some training  
25 with heli-ski operations in January of '19, I think it was January

1 of '20. So would we expect then that he would've gone back  
2 through, done some more training prior to the start of this season  
3 as well?

4 A. I haven't flown with him this year at all, so I couldn't  
5 answer that as far -- (indiscernible), I'm just trying to  
6 figure --

7 Q. I'm not trying to go into like his experience and his -- like  
8 how good of a pilot he may have been. Each year would someone go  
9 through training again prior to starting up?

10 A. You like to, yeah, highlight them to the ins and outs of  
11 skiing --

12 Q. Okay.

13 A. -- sure, as far as that. Yeah. Where a check ride is done  
14 it may be that there would be a person to talk to that flew with  
15 him for this year. So I --

16 Q. No, that's fine. The training for the heli-ski is that from  
17 the training program or is there -- do you guys have like a  
18 separate policy procedure manual for heli-ski ops?

19 A. Yeah. We -- I've got a heli-ski procedure manual out of the  
20 op specs. Operations manual, there's a section for heli-skiing/

21 Q. Okay.

22 MS. JORGENSON: So, Greg, just remember to make sure Shaun  
23 finishes his question before you start to answer. Just for the  
24 person who's going to transcribe, if we talk over each other, it  
25 gets a little tricky.

1 BY MR. WILLIAMS:

2 Q. So at Soloy do you guys do risk assessments?

3 A. Yes, there is a risk assessment form.

4 Q. Is that prior to each flight? How often is that done?

5 A. Usually prior to a pilot going out on contract.

6 Q. For heli-ski operations when they're coming back to base  
7 every day or every 2 days, would it be then each time before they  
8 left Wasilla there would be a risk assessment or do they kind of  
9 do one for the season?

10 A. My understanding of it and my experience of it is that it's  
11 one prior to going out on a contract, whether it's a heli-ski  
12 contract or a drill job, whatever it would be. This is --  
13 describe the job you're on. I mean, there's a risk assessment  
14 form for that. So it doesn't, you know, cover anything outside of  
15 the contract you're going on. Then it becomes a personal control  
16 issue, I think, you know. So you're just issued the risk  
17 assessment for the contract that you're going on. And when you  
18 talk about heli-skiing and the routine is usually, you know,  
19 there's daily meetings with the guides and weather briefings and  
20 launch assessment. So you could say there is a risk assessment on  
21 a daily operational level for heli-skiing with, you know, weather,  
22 terrain, and launch.

23 Q. So what happens to the risk assessment when it gets filled  
24 out? Is it computer based? Do you guys scribble it by hand?  
25 Where does it go?

1 A. If it's a -- the ones I've been handed and used is just a  
2 paper form, and it's filled out, check the boxes, sign it. Where  
3 it's kept, I couldn't answer that. I haven't done any filing of  
4 them, so I'm not sure what that is.

5 Q. When I reviewed -- kind of looked at the GOM, it mentions  
6 that there's a couple different options for flight plans. You can  
7 either follow an FAA flight plan or you can do a company flight  
8 plan. When you elect to do the company flight plan, are you  
9 actually filling anything out or is it more verbal?

10 A. We have a company flight plan form that we fill out.

11 Q. And where does that go? Like who do you turn that in to?

12 A. It's kept on base in a folder that you can skip back through  
13 and check on what other flights have been going in and out. But  
14 it's kept there and then it gets emailed to the company email.

15 Q. And does Soloy do flight following?

16 A. We have trackers on the aircraft so any of the senior  
17 management of the company can have a screen up and know where all  
18 the aircraft are, as long as the trackers are showing correctly.

19 Q. Is there like a flight follower, like an employee that just  
20 does that function or is it kind of just up to management?

21 A. It's usually either one of the senior pilots, like either the  
22 DO or the chief pilot or the safety manager at work. Typically  
23 someone will designate whoever, usually, and they keep an eye on  
24 the aircraft around.

25 Q. Do you, as the assistant chief pilot, do you have operational

1 control at all?

2 A. No.

3 Q. No. How well did you know Zach?

4 A. I've known him since his time at Soloy. I haven't -- the  
5 only contract I've really been with him on was over at Chugach  
6 valley runs for heli-skiing for a few days. I mean, I've seen --  
7 been in and out of the hangar, said hi. So I know who he is, but  
8 but 10 or a couple times, that's about the extent of my friendship  
9 with him, you could say. Not particularly well.

10 Q. Were you involved in his hiring at the company?

11 A. I was asked if I could check on a reference for him. As far  
12 as the hiring decisions, I don't play a part in that usually. But  
13 because of the association that I've worked at North Star -- he  
14 was an employee there -- I had some contacts there so I made a  
15 call.

16 Q. You mentioned being on a contract with him over at Chugach  
17 Powder Guides. When was that roughly?

18 A. This was just this year, in March.

19 Q. Did you guys fly together in the same machine?

20 A. No. It was -- we all had our own machine, going different  
21 directions off the base. Yeah, so I wasn't -- we weren't in  
22 tandem mode or anything. It was typically you'd have your tour  
23 groups and the guides have the area that they want to ski for the  
24 day, and we generally operate where they think they're going to  
25 find the best snow and terrain for the level of the guests'

1 abilities.

2 Q. How did you find out about the accident?

3 A. How did I find out about the accident? The accident -- the  
4 information that I received was from the director of operations.

5 Q. Sorry to be jumping around here. I want to go back to the  
6 training for just a second. When you give a 293, 299 ride, about  
7 how long does that take?

8 A. Usually 40 to 50 minutes, I guess, if there's no extra  
9 training involved.

10 Q. And what does that ride look like as far as what do you do on  
11 the check ride?

12 A. (Indiscernible) -- just checking the boxes on the A-14s, just  
13 meeting all those requirements of emergencies and aircraft  
14 handling.

15 Q. Do you have a specific route that you normally go on or plan  
16 of action that --

17 A. Yeah, typically I'll start off up in the mountains and we'll  
18 get away from the airport. If somebody's been flying for a little  
19 bit, just give them a bit of time on the stick and see how they're  
20 feeling in it, and then go through -- go to the typical pinnacles  
21 and snow landings if, you know, if it's the time of year when the  
22 snow is deeper or can find areas, usually on the way back.

23 Unusual attitudes, we sort of just go out high and do a few of  
24 those exercises and then drop down and picked defined areas and  
25 emergencies in between, and asking questions on the aircraft and,

1 you know, when we get lights or whatever. And then we usually  
2 make our way back to the airport and around the pattern for the  
3 other exercises, simulating failures and other emergencies that  
4 you'd want to do around the airfield.

5 Q. Is there any inadvertent IMC training on -- or checking on  
6 the check ride?

7 A. We do the unusual attitudes with the IMC, yeah.

8 Q. Are they under the hood when they do that?

9 A. Typically, yeah.

10 Q. What about CFIT training? Do you guys do that at Soloy?

11 A. Yes, we do CFIT training.

12 Q. Talk to me a little bit about that. How does -- is it all  
13 just in ground school? Are there -- do you utilize any simulators  
14 or anything like that?

15 A. No, it's a ground-based discussion. Typically a part that's  
16 done in the annual 135 when that's due for the year. But, yeah,  
17 it's a general discussion. You know, there's scenarios you can  
18 run them through, pitfalls.

19 MR. WILLIAMS: All right. So I think I'm going to stop  
20 talking now for a little bit and let Kat see if she has any  
21 questions.

22 DR. WILSON: I do. Thank you.

23 BY DR. WILSON:

24 Q. I can't -- if I missed it, I apologize -- your total time?  
25 Estimate is fine.



1 A. On fixed wing and helicopter or just helicopter?

2 Q. Total time in just helicopter.

3 A. I can't remember. About 8,000 and something total, and  
4 helicopters minus 1864. That's my fixed wing time. Yeah, so  
5 6,000, right, would be for helicopter.

6 Q. Any idea how much of that is doing heli-ski operations?

7 A. Typically, well, my seasons that I've flown, maybe anywhere  
8 from 50 to 80 hours a season, but it varies. Some guys may get up  
9 to 100 hours, depending on different contracts.

10 Q. Okay.

11 A. Yeah, back in New Zealand was maybe 10 hours sometimes,  
12 because there was a bunch of people that wouldn't share around,  
13 so -- it's a very short season down there.

14 Q. What percentage of your flying over a season is like heli-ski  
15 versus other operations? Are you doing other things now or just  
16 strictly heli-ski at this time?

17 A. The majority of the helicopters are on heli-skiing. There  
18 are one or two others that are out doing other jobs. Up on the  
19 North Slope there's an aircraft doing polar bear capture for USGS.  
20 So we have a small amount of off-ramp work through the winter, but  
21 that's not a regular day of flying.

22 Q. You mentioned -- Shaun had asked you about new hires, and you  
23 said that they would do dual controls flying with a training pilot  
24 and learning the typical routes. So what are the typical routes?  
25 Were you referring to heli-ski routes or --

1 A. Heli-ski runs, yes.

2 Q. Okay.

3 A. I mean each company has hundreds of runs, so you can't cover  
4 all of them but you can -- that's up to the guides directing the  
5 pilot around to where they'd like to go. But, you know, but  
6 introducing someone to them is, you know, this is a typical col  
7 landing that you might find. But it's -- you know, the mountain  
8 is so variable that it changes a lot so you really just kind of,  
9 you know, use your thought process and eyes to determine if you're  
10 landing somewhere that you might be the first person landing for a  
11 while, whether it's safe to or not, just using, you know, the  
12 guide beside you with his run selection and snow skills, and how  
13 the terrain looks, whether there's cornices built up or not or  
14 it's a sharp, rocky ridge line. So it's just so variable that you  
15 can't cover everything, but you can give them an introduction to  
16 like the backyard skiing in CPG, which is -- you can go there a  
17 little bit more often. The ridge lines and cols are -- they're a  
18 little broader and offer a bit more regular flying on them and  
19 close to town, so we start out there, get them on the curve, if  
20 you're on that operation.

21 Tordrillo Mountain Lodge, it's so far out of town that it  
22 doesn't make economic sense to send someone new way out there  
23 fresh, and try and run around and do a bunch of training out  
24 there. It's just -- it's a long way out, so --

25 Q. So how is a pilot assigned to a contract? How is it

1 determined who they're going to be flying with, where they're  
2 flying?

3 A. I think that's probably better asked of either the chief  
4 pilot or director of ops.

5 Q. Okay.

6 A. I don't know. They typically make those sort of decisions.  
7 I mean, if I was asked, I could give my thought on it, but --

8 Q. Well, how are you, I mean, as a -- you know, you fly the  
9 line. How are you assigned? How do you know what you're going to  
10 be flying? Do you get to pick something, you just get assigned  
11 something?

12 A. In my time there and my experiences with the company, what  
13 I've done, I can pick and choose occasionally, but typically I'm  
14 usually assigned something. And it's -- you know, they're not  
15 going to put me on a job that I can't do. As an example, like I  
16 can't do the polar bear contract up on the slope because I haven't  
17 been always current for animal capture. So that's a qualification  
18 I don't have and there's only a handful of people doing it. But  
19 so that would be an example. Even, you know, with my position in  
20 the company, there's still jobs that I'm not qualified do.

21 Q. And when you get assigned a contract that comes with guides,  
22 is it -- I guess explain to me the process of, you know, how do  
23 you get paired up with guides and clients and then get out to the  
24 area?

25 A. They -- I mean in the world of, say, Tordrillo Mountain

1 Lodge, they have their guides, and their guides are designated  
2 usually with the clients I think that they know or they're brought  
3 out there with them at that different area of their  
4 accommodations. So there's a couple of lodges here. So usually  
5 typically one helicopter, one lodge, one or the other. And the  
6 guides move backwards and forwards, you know, so you don't  
7 typically fly with the same guide every week. You will fly with  
8 different guides. And it's just how their operation is set up.  
9 And the same with working in CPG, that we -- through the week, you  
10 might stick with the same guide for the week, but then the next  
11 week you might be working with some different ones.

12 So it's really -- it's not the pilot's decision unless it's  
13 someone that he doesn't get along with and wants to move, which  
14 I've never heard it happen. But, yeah, it's usually the -- as far  
15 as the heli-skiing. I mean if you're talking about other  
16 different jobs, then, yeah, (indiscernible) --

17 Q. You've got a contract, you've got your guide, now it's time  
18 to go fly for the day. What happens? Walk me through the process  
19 of, you know, meeting with guide, the clients, and --

20 A. So a typical -- if it's, you know, week skiers or day skiers  
21 or 2 or 3 day skiers, so on the first day they come in and they're  
22 introduced to the guides. They're giving -- the guides are giving  
23 safety briefings at the -- usually a computer-based safety  
24 briefing system. And that covers all the guiding side of it, what  
25 the guide's expectations are for the skiers and the safety

1 equipment and how it's used. And then they move onto the  
2 helicopter portion, and the pilot's usually involved with that.

3 So we cover the FAA points on the safety briefing, and then  
4 the guide's also covering their activities and actions around the  
5 helicopter as far as this is where you must sit, this is how the  
6 gear's laid out, we'll open the doors, we'll load in this process,  
7 you know, help each other out with seatbelts, and then through the  
8 start of their day. You know, no pulling on the pilot seat sort  
9 of of deal, for a distraction. And then the same with unloading  
10 and how the -- so they go through all that. So they get all this  
11 big briefing at the beginning of their experience, whether it's a  
12 day, 4 days, 1 week, or whatever.

13 Then each day there's a morning meeting with the guides and  
14 they cover weather, what the snow stability's like, snow  
15 condition, where they -- usually the previous day's activities and  
16 what they found and how the day went, and then what today will  
17 hold and where they might want to operate. And then the pilot's  
18 checking the weather. This year is a little different with COVID.  
19 They haven't been -- they've been trying to keep people sort of,  
20 you know, separated a little more than other years, without the  
21 big groups. But typically there'd be a pilot in on that meeting  
22 and listening to everything. They're having general weather  
23 discussions and then like -- and the rest of the pilot duties, you  
24 know, checking TFOs and all that sort of stuff and anything that  
25 you might run into for the day. So, I mean, you just use your own

1 knowledge and resources to find out other information that the  
2 guides aren't particularly current on. So the pilot still has to  
3 do their preflight plan for the fuel load or whatever.

4 Q. You mentioned that the guides do a safety briefing. Is  
5 there -- the guides are going from possibly different operators,  
6 helicopter operators, right? So they might fly with Soloy and  
7 then they might fly with someone else? Or a guide typically --

8 A. Yeah, potentially. I mean I don't know the movement of a lot  
9 of the guides. But I know there is sometimes, you know, worked  
10 at, say, CPG and there's been some guides there I know, and then I  
11 go into Tordrillo, oh, you know, the same guides come out there  
12 for the week or whatever. So how their interaction and  
13 instruction is done, I couldn't tell you there.

14 But typically from my experience with different operators,  
15 that they're all covering the same sort of points as far as  
16 briefing passengers and working around the aircraft. But, you  
17 know, when the aircraft stuff's involved, there usually was a  
18 pilot out as part of their briefing and making any, you know,  
19 additions or other information that they feel like they need to  
20 pass along at the time.

21 Q. So is there a Soloy-specific briefing or it's just the guides  
22 do the briefing and then you, as the pilot, can fill in?

23 A. Well, our -- I mean our specific Soloy briefing or helicopter  
24 briefing is to cover all the FAA points, and then beyond that the  
25 guides are -- because they're directly handling the clients and

1 then have a machine, that they are giving very direct information  
2 about, you must do this and that, just don't be going here and  
3 here. There has been previous accidents with heli-skiing around  
4 the world with different outfits from either clients losing a hat  
5 and running off and chasing it, you know, running into a rotor  
6 blade. That's happened, you know, even though the guides are --  
7 they're very direct on what they want with the clients.

8 Q. And the daily meetings with the guides, is that pilot and a  
9 guide? Is it all the guides that are going to be flying that day?  
10 What is the daily --

11 A. It's usually a group there, in the normal world, with all the  
12 guides and ground-based people that are going to be working for  
13 the day.

14 Q. And who leads that?

15 A. Whoever the lead guide is for the day.

16 Q. Is it usually at a certain time of day or are there multiple  
17 meetings?

18 A. Typically we have that 7:30 in the morning. That's usually,  
19 from what I remember. I know typically a lot of the guides will  
20 have a debrief meeting later in the afternoon once the day's done,  
21 about how things went. But yeah, that's my take on that, you  
22 know, what I've seen.

23 Q. What about weighing of passengers and gear? How does that  
24 work?

25 A. They're typically weighed with their ski gear on more often

1 than not. It just depends on which company, how they do it. But  
2 they're either holding their boots or they're wearing them. And  
3 then they -- all their backpacks have got a standard weight,  
4 they're all the same. If they're hiring out backpacks at the  
5 airbase, they're all typically around the 15-pound mark. And then  
6 skis, you know, they have all the weights for those, and then  
7 we're given a manifest with the passengers' names, flights, small  
8 equipment weight, and -- because there's extra equipment that's  
9 loaded on as far as rescue gear for skiing like traction splints  
10 and extra medical gear, lunches. So, you know, we're given a  
11 manifest for our tour groups, and quite often you can pick up the  
12 manifest for the other groups, just in case if something goes on  
13 we've got to race off and help out, you can say, okay, we're going  
14 to -- you know, I can carry that weight and hop aboard if the  
15 manifest changes.

16 Q. So where are those weights done at? Where do they get  
17 weighed?

18 A. They're weighed at the heli-ski operation. You know, Soloy  
19 is in Wasilla, CPG's in Girdwood, Tordrillo Mountain Lodge is at  
20 Judd Lake, which is 60 miles out in the bush. So --

21 Q. So they would get weighed at the lodge, for example?

22 A. Yes.

23 Q. Okay. So let's walk through a little bit more of, you've got  
24 your clients, the safety briefing's done, you've now taken off,  
25 and how many runs do you typically do?



1 A. Yeah, that's a big variable. You know, they can ski up to 15  
2 or 16 if they've got the legs for -- they could be 15 or 16 very  
3 short runs or they could be 15 or 16 very long ones. But it just  
4 depends on, you know, how people are going and the snow conditions  
5 they run into and if there's any weather changes that dictates  
6 whether the day's cut short or -- so, yeah, it's a -- it's not a  
7 definite number, but, you know, it varies day to day.

8 Q. And are you going out for 4 hours? Are you going out for 6  
9 hours? I mean, if it's a beautiful day and weather doesn't cut it  
10 short, what would be the estimated time that you would be out  
11 there flying?

12 A. Probably launch around 9:30, 9, somewhere in that range,  
13 depending on the time of year, you know, how short the days are in  
14 January, how long they are now, you know, getting towards the end  
15 of the season in April, so -- but typically snow conditions can  
16 dictate a launch time as well. But generally in the middle of the  
17 season it would be like a 9:30 launch, and you could be, however,  
18 done by 3 -- 2, 3, 4. It just -- we usually try and give them the  
19 full day, especially the week-long skiers, until they burn up  
20 their allocated amount of flight time, and then the guides are  
21 telling them, you know, what you paid for is about to run out, so  
22 if you want to keep going, then you need a bit more money to keep  
23 the helicopter flying or let's just come home and call it a day.  
24 Typically, for a week skier, they -- I think they budget on about  
25 3 days of flying per week, allowing for weather. Sometimes you

1 get a full week, sometimes you get nothing.

2 Q. All right. You're up in the air. You've discussed then,  
3 before takeoff, with the guides the general areas that you want to  
4 go to -- that they want to go to, or are you doing that in flight?

5 A. They typically have an idea of the zone or the area they want  
6 to fly to, whether it's to the south, the north, or whatever, in  
7 relation to where their base is. So on the way out we'll be  
8 heading towards that zone, and then they'll pick a run. There's  
9 multiple runs in a typical area. And they're assisting us now  
10 looking at the snow. It might have got windy in the night and  
11 changed the texture. So it's not so good where they're thinking  
12 they were going to go, so they might fly around the corner and  
13 pick something a little different. But it's -- and if we -- once  
14 I set up in the -- typically it's a, you know, radio call when you  
15 get back in range to the base and say, these are guys are in this  
16 area or this run. The guides usually know the runs. There's so  
17 many, I couldn't tell them all. But, you know, just give their  
18 location, and you're down for the next group. And if you need  
19 fuel at all, so you'll land. If you got three loads, typically  
20 you pick up fuel on the last one, and then you can be out there  
21 for an X amount of time. Or if you've got two groups, just pick  
22 up fuel on that second one.

23 And then, once you're established out there with, you know,  
24 both groups operating, you would be calling both groups here,  
25 we're talking, you know, on the mountain.

1 Q. How do you communicate?

2 A. Well, usually there's -- well, there's always a sat phone  
3 onboard the aircraft. Some are hard wired and some are just the  
4 portable one. But so you take the opportunity to make a sat phone  
5 call. The guides will carry a sat phone. So it's not necessarily  
6 a pilot that's doing the check-in, it could be the guides. You  
7 know, I might have my hands full, the guides will cover the check-  
8 ins. Or there's radio communications, and whether a company's got  
9 a repeater set up or not is up to the individual operators. But  
10 there's typically a handheld check-in if you get high enough and  
11 get line of sight close to the base. So, yeah, that is a typical  
12 way. Or relaying, if you've got another pilot that's closer to  
13 base than you, you can say, can you pass on we're here and we'll  
14 check in again in an hour?

15 Q. Is there a certain amount of time or a frequency that you  
16 have to check in?

17 A. Typically most ski operators will set up an hourly check-in  
18 for an ops normal call. There is -- if you decide you're going to  
19 make a big move or the guides decide they're going to make a big  
20 move, then typically -- you know, you could only be there for 20  
21 minutes and then if you're going to pick up from a southern  
22 location and go a western location and move 7 or 8 miles, then you  
23 really should be communicating you're going to -- or someone  
24 should be, whether it's a guide or a pilot, who's got access to  
25 the comms at the time, whichever makes best sense. But typically

1 on a big move like that, you try on the helicopter.

2 But, yeah, so, you know, that's part of that whole sort of  
3 flight following and tracking. And typically in the normal world  
4 when you've got plenty of satellite coverage, the trackers would  
5 be picking you up and they can see you moving off in the direction  
6 that you say you're going.

7 Q. And when the guides are doing check-ins, they're checking  
8 back in with Soloy or who are they checking with?

9 A. No. They're checking back with the heli-ski operator's base.

10 Q. And when you're checking in, who are you checking in with?

11 A. With the heli-ski operator's base. So when we go out onto a  
12 contract, the ski contracts, they all are given tracker  
13 information and they have all their logs, and we do all the flight  
14 following from there. Soloy is a redundancy to it. We'll have  
15 the screens up and be -- we're not taking and receiving typical  
16 calls unless we're dispatching an aircraft that's, you know,  
17 flying to the North Slope for a job. So I'll check in along the  
18 way and sometimes, if I know there's not going to be many people  
19 around, I file an FAA flight plan and use that as my flight  
20 following for a different job. But to use an FAA flight plan for  
21 heli-skiing would be pretty tricky.

22 So the guiding operations will have a dispatcher. They're on  
23 a radio, they have a computer, they have the tracking information  
24 for the aircraft on their contract. They're not given everything  
25 else. You know, Tordrillo don't know what CPG is doing and vice

1 versa. So it's just -- they're all separate. You need to  
2 concentrate on the aircraft that you've contracted for your  
3 operation.

4 Q. Do you ever feel pressure to fly either from the guides or  
5 clients? Anybody pressuring you to land in a spot or do something  
6 you don't feel comfortable doing?

7 A. No, not typically. No. It's pretty easy to make, you know,  
8 your passengers nervous if you're trying something that -- you  
9 know, you might take a look at it. It can be clear until you fly  
10 an approach, and it's like you know pretty quick that it's not  
11 going to work, so you just peel out and go look somewhere a little  
12 more user friendly. Because guides, you know, they -- nobody  
13 wants to get hurt, honestly, in an ideal world.

14 Q. So the guides say we want to do this run and then as the  
15 pilot you determine the landing spot, or how does that work, where  
16 you're actually going to set down?

17 A. Yeah, pretty much. You do determine the landing spot. I  
18 mean, it's -- you might not be able to land on the peak, at the  
19 very top of the run. It could be a little shoulder, just down off  
20 the top and that you could exit onto the face from there, that  
21 shoulder could be, you know, big enough to -- just big enough to  
22 get the helicopter on, sit it down, and sit there nice and flat  
23 and the people can climb out and just go, you know, perfectly  
24 happy. Then maybe there's other times you can actually land out  
25 on the peak if it's a big broad sort of deal. So, yeah, at the

1 end of the day, I want to ski here, and then you look at it and  
2 go, oh, I can land there, is that going to work? It'll work. So  
3 you going to do it? I think I -- no, we can't get on. Go look  
4 for something else. You know, there just might not be sufficient  
5 room to land or there could be like a hanging cornice or it could  
6 be the wind flow, the wind direction. If there's any, it might  
7 not be right to get on there. It might be just all tailwind and  
8 it's too much to deal with. So you just say, well, unless  
9 something changes, we'll have to avoid this run, take and look at  
10 it another day.

11 Q. How do you deal with flat light conditions?

12 A. Flat light, yeah, that's -- that can be tricky. Having a  
13 point of reference on the ground, you know, the mountain's got  
14 lots of rocks and things. But if you're launching in the morning  
15 and the light's too flat, you can't see to land and you can't  
16 land. You know, there's no point in trying. But if you're --  
17 been on a run that's been skied a few times and the light changes  
18 and goes a little flat and you've got a stake and the guides are  
19 carrying chalk, you can line up the landing areas, the LZ and the  
20 BZ, and you've got an area that you can operate on and typically  
21 you can see the tracks.

22 Now there's days that it can get extremely flat if the cloud  
23 cover gets very, very thick, and then you just, you know, I  
24 can't -- I'm starting to have trouble to see as far as, you know,  
25 what they're skiing and they can't see to ski either. So it

1 doesn't make sense to push it and stay out there. But you can  
2 take a certain amount of flat light, but I call it filtered, where  
3 you get a thinner light or there's still some sun penetration, and  
4 you can get some, you know, ground reference or whatever.

5 But on the other point, you've got bright light. So you can  
6 have a crystal clear, sunny day and still not -- and still  
7 struggle to see the snow surface just as much, as far as flying in  
8 a big, wide open glacial area. There's about as much texture as  
9 what this table's got. And it doesn't offer any shadow,  
10 reflection or anything, so -- especially very high overhead sunny,  
11 you know, it becomes equally as hard on the eyes on a bright day  
12 as what it does on overcast days. So there's different scenarios  
13 of it.

14 Yeah, but there's no pressure to go out and like we've got to  
15 (indiscernible) this out because these guys have paid this money  
16 and this is their last day and they don't want to go home  
17 disappointed. If you can't fly, you can't fly.

18 Q. Do you find wearing sunglasses or goggles or -- is there  
19 something that helps with the flat light?

20 A. Well, definitely a colored lens, whether it's glasses or a  
21 helmet. I mean I typically fly with a helmet. I have a yellow  
22 lens and a dark, a smoke-colored one. I used to fly sunglasses on  
23 a helmet, it gives me a headache, so I just -- and then I've flown  
24 with -- you fly with sunglasses and a helmet, pull a visor down  
25 with -- you've got different lens and, you know, sort of funky

1 reflection or refraction going on. But a yellow lens and a dark  
2 lens works.

3 If you're on the last pickup of the day to get a group out,  
4 light's flatter than what you'd like, they've got it lit up  
5 (indiscernible), you know, you sort of try to give yourself the  
6 best visibility. And the guides are trained to pick good landing  
7 areas, LZs, and they know to look for terrain features and not put  
8 me down in a hole where you're likely to have a tail strike or  
9 something like that. Because, you know, definitely lots of chalk  
10 and make it very visible.

11 Q. How do they do the chalk? How's that done?

12 A. With one of those little water bottles over there. And  
13 they'll carry it in their backpacks and they'll scatter it around.  
14 Because it's usually bright orange or one of those colors, red,  
15 orange. Sometimes Kool Aid works, if you get the grape flavor.

16 Q. And how about, how do you deal with whiteout conditions?

17 A. Well, typically you don't -- you try to do your best to avoid  
18 them. Flat light and whiteout are two different things. You  
19 know, whiteout's flying in a storm, you know, where you can -- the  
20 rules say that we can operate a helicopter down to half a mile and  
21 fly accordingly. But if you're -- that's okay if you're over  
22 trees coming back. But if you're stuck in the mountains and don't  
23 have a chance to that, then you either sit and wait or you've made  
24 a bad decision and you shouldn't be out there a long time ago.

25 So, you know, and that's a communication between the pilots



1 and the guides. You know, we're always up on the tops and looking  
2 around at different things and the guide's focused on the skiing.  
3 They're pretty good at keeping an eye on the weather, but  
4 typically the pilot wants to be looking over his shoulder all the  
5 time and make the call, we better get out of here now because if  
6 we don't we're going to -- life's going to become difficult. So  
7 you have to just make a decision and stick with it and communicate  
8 that with the guide. And they do the same thing for you if  
9 there's something they don't like. Well, I think it's okay where  
10 you are, but they're like, no, we don't want to be here. So  
11 there's plenty of two-way comms.

12 Q. Is there a frequency that pilots use to give PIREPs or  
13 anything like that, different conditions about the flying  
14 conditions when you're out there?

15 A. There is local C-tac frequencies around the mountains. So  
16 one area might be 122.7 and another area is 22.8 and somewhere  
17 else is 22.9, just for position report, collision avoidance. But  
18 as far as PIREPs and things go like that, you'd be lucky to strike  
19 anybody unless you called a center frequency. The way up by  
20 Tordrillo's, that probably, I'm thinking, would make a big  
21 (indiscernible). We might discuss that over the C-tac with other  
22 smaller aircraft, but --

23 Q. Okay. What about flying with the nav lights? Do you all  
24 turn those on?

25 A. Yes, when it's dark, yes. Typically you'll have enough light

1 you don't turn all the lights on. But there are very small lodges  
2 still hard to see in the daylight, but it's -- I think it's  
3 personal preference during the day.

4 DR. WILSON: That's all I have for my questions now, but I  
5 may have a few follow-ups. Are you doing okay? Do you need to  
6 take a break or anything?

7 MR. KING: I'll just take a swig of water.

8 DR. WILSON: Yeah, please do.

9 MR. WILLIAMS: Josh, do you have any questions?  
10 Fabian?

11 MR. SALAZAR: Yes, just a few.

12 BY MR. SALAZAR:

13 Q. Greg, getting back into the check rides --

14 A. Yeah.

15 Q. -- the 293. When you take the guys out into the mountains,  
16 get them away from the airport for a while, can you get a little  
17 more specific on the tasks that you're looking for them to perform  
18 when they're operating around mountainous terrain?

19 A. Yeah, it's like the aircraft handling and good decision  
20 making and not exposing yourself to -- you know, in the event of  
21 an engine failure, giving yourself an out as best you can, you  
22 know, your point of commitment to landing and feeling out the wind  
23 and just knowing which direction the wind's coming from and then  
24 flying that accordingly.

25 Q. Okay. For their approaches, do you train them and evaluate

1 them on looking for a line of demarcation?

2 A. Yeah.

3 Q. Can you talk to us a little bit about that, what you're  
4 looking for in a good approach when dealing with winds?

5 A. Like each topography dictates a lot of your approach, but, as  
6 you know, you get on the back side of the demarcation line, then  
7 you're going to get a round of turbulence or strong down forces.  
8 So, you know, flying -- keeping on the upwind side of the ridge  
9 and flying -- staying on the demarcation and a position that the  
10 pilot can see and keep good view of where he's landing. And I  
11 think flying in and, you know, trying to judge that on the blind  
12 side flying into the wind is a little more difficult. I'm not  
13 saying it can't be done, but -- yeah, just -- and keeping that out  
14 and, you know, not putting yourself in a position of sinking off  
15 the back.

16 Q. Okay.

17 A. Unless you particularly want a quick descent off the top for  
18 some reason, and then you can -- you know, like flying mountain  
19 (indiscernible) and things like that, you can use the up-flying  
20 air to your advantage, up and down. But typically on a mountain  
21 landing, you're not going to want to put yourself -- especially  
22 with a lot of skiers on board, you're operating anywhere from  
23 gross weight down to your lower fuel, so --

24 Q. Okay. So let's take that now into landing in snow  
25 conditions. What are you looking for when you're evaluating your

1 guys during their snow landings?

2 A. Having an idea of what sort of snow they're landing on and  
3 what to expect the landing like, because, you know, is it -- if  
4 it's one day with snow, it can be very, very hard or it can have  
5 quite a thick layer, to soft powder snow that's going to blow up  
6 in your face. So if there's a stake there, that's going to be a  
7 reference to land in, if it's a run that's used regularly.  
8 Sometimes you go to runs that aren't used as often so you're  
9 making your own determination. But flying approach that comes in  
10 with minimal hovering and carrying speed to the slope for  
11 particular powder landing, so you don't get enveloped and turn  
12 yourself into a complete whiteout and lose any reference.

13 Q. So with reference to landing up in the mountains, is it  
14 practical to use the technique of going to an OG hover and then  
15 letting down and actually attempt to blow the snow away?

16 A. That is a technique that can be done. But, yeah, it's  
17 definitely an out of ground -- high out of ground effect hover.  
18 That's a power the helicopter allows. There's nothing wrong with  
19 that. You can definitely dust off a surface, and then that might  
20 create enough shadow that surface texture develops, you clearly  
21 see it and make your way down. It's sort of a funny approach to  
22 do but it's something that you can do. That's a useful one  
23 landing in the middle of glacier, I find, is something that I've  
24 done --

25 Q. More typical for something a little bit lower altitude?

1 A. Yeah, well, just a bigger, broader landing area where you can  
2 set up something and make the donut hole, sort of like a dust  
3 abatement landing as well, same sort of technique. But then hover  
4 and just let it blow out, and you'll see it stir up and then it  
5 just forms this nice big hole, and then you've got the surface.  
6 Then you can come down inside. All the snow's blowing away from  
7 you and you're not flying into it and coming back in your face.  
8 You could do that up on top, for sure, if that was what was  
9 needed, but --

10 Q. Okay. So let's talk about the touchdown. Once you get the  
11 aircraft down and you're -- it's like the snow is actually  
12 unknown.

13 A. Yeah.

14 Q. You haven't landed there before. What are you looking for  
15 from your pilots as far as setting the aircraft down?

16 A. So, as you know, snow pack's made up of a lot of different  
17 layers of snow densities and different crust layers, you could  
18 say, which some can be supportive and some can be very  
19 unsupportive. So setting the aircraft in and on your spot, as  
20 long as you, you know, you're on where you got -- where you want  
21 it to be. And then popping with the cyclic neutral and then just  
22 giving it some pumps on the collective to sort of put some  
23 downward force on it and break any sort of weak layer that's in  
24 there that you may have got a (indiscernible) land -- do the most  
25 beautiful landing in the world and just sit there, lower the

1 collective, and then everybody starts moving around and the  
2 aircraft will sink and settle. Whether it goes down symmetrically  
3 or asymmetrically is another story.

4 So, yeah, you'd want -- what I'm looking for is a pilot to  
5 put in the snow and then --

6 Q. Pump it down.

7 A. -- pump it down and stiffen up the snow under the skids and  
8 make it form a supportive layer that's not going to give you any  
9 surprises.

10 Q. Um-hum.

11 A. On that point, you can come and land at a pickup and you can  
12 be piling everybody in, and the guide hops in the front and the  
13 front can come down a bit. So if you suspect anything like that,  
14 you know, that's not say you can't hold with a little power just  
15 to support it. It's quicker to gain control from 20 or 25 percent  
16 torque up than it is from flat pitch --

17 Q. Flat pitch.

18 A. -- to 40 percent or 30 percent, whatever it's going to take  
19 just to support the machine. You're not picking it up to fly  
20 away, but you're picking up to, you know, just support any guide  
21 that's climbing in. The guide could be anywhere from -- some of  
22 the ladies that guide are 160 in their gear, and you can put a  
23 bigger guide in the front that could be 230, 240.

24 Q. Okay. If your pilot is landing and he's doing the proper  
25 techniques and he's pumping the collective and he's not happy with

1 the site, do you advocate a go-around or just reposition the  
2 aircraft in that exact spot?

3 A. I think that if it's a decent area, then picking it up and --  
4 just a small shift can make a world of difference on how the  
5 aircraft sits. But, yeah, at the end of the day, if you're not  
6 happy, there's no question on boarding and going away somewhere  
7 else. Using their good judgment to -- if it just takes a pickup  
8 and turn at 30 degrees --

9 Q. Right.

10 A. -- and sit it back in, then that's perfectly fine if you can  
11 hold a reference and --

12 Q. Right.

13 A. -- and not blow yourself out. But if you think you're going  
14 to be in a position of hovering and giving yourself a whiteout and  
15 loss of reference, then you just pick up and leave.

16 Q. Okay. Let's roll back to the beginning of the day on any  
17 given flight. Does Soloy have a requirement for the pilots to do  
18 a performance planning card?

19 A. Yeah, performance is part of the parts.

20 Q. Do they actually have a card that they'll figure out max  
21 power of the day, IG number or --

22 A. Well, the flight manual's got all the charts in it.

23 Q. But they're not required to produce that card for the  
24 forecasted conditions of the day prior to the launch? So what I'm  
25 asking is, do they actually build a card prior to leaving out

1 during the day with predicted flight power --

2 A. Like -- you mean like a load calc, like a OAS load calc, you  
3 mean?

4 Q. Um-hum.

5 A. No, I -- in my personal experience, I haven't filled out  
6 anything that I carry with me during the day. I do carry a  
7 performance chart on my kneeboard that's a copy out of the flight  
8 manual so I'm not digging around in the flight manual during the  
9 day. I can pick it out and -- if there's a temperature change  
10 that I've been alerted to --

11 Q. You can do a quick calculation?

12 A. -- I can sit there and go, okay, you know, I'm going to stop  
13 after another few thousand feet.

14 Q. Okay.

15 A. So, yeah, we're not carrying any of those, like a typical OAS  
16 type of load calc in your back pocket. But any good pilot should  
17 be checking the performance of their aircraft as part of their --  
18 if they -- you know, the B3 is typically what we fly, so they  
19 do -- they have a pretty big margin, usually above a lot of the  
20 mountains that we're flying at here. So you know in your mind  
21 that you're in a pretty good position, but definitely should be  
22 checking.

23 Q. Okay. Do you have your pilots do a high reconnaissance and a  
24 landing reconnaissance?

25 A. Yes. You know, as I say, it depends on terrain topography



1 and if it's an unknown landing. If it's a known one that you've  
2 already got reference to and you've been there hundreds of times  
3 before, I mean, you make wind adjustments or whatever. But  
4 typically I think we would do a -- definitely do a high recon of  
5 anything that's unknown to make sure we're not sitting on a  
6 cornice or too close. You know, that can -- depending on what  
7 side of the mountain you're approaching from, it can look really  
8 good, and then you have a quick look on the back and you find it's  
9 overhanging 20 feet and there's just no chance of getting anywhere  
10 close to the fracture line, putting it far enough back. And the  
11 guides, you know, they're pretty quick to alert you if they see  
12 it. But it's definitely the pilots looking at any of those  
13 unusual landings that are untypical, you could say. A broad col  
14 landing or something like that you know is not going to have any  
15 sort of threat.

16 Q. Okay. What about is there one landing that you advocate or  
17 the other? You know, we've talked a little bit about toe-in  
18 landings, one skid landings, a normal landing with two skids. Are  
19 any of those an option for the pilot at any time?

20 A. You can -- that can be done with the appropriate training and  
21 guide and clients. Typically on a -- it's more of a filming sort  
22 of scenario where you've got one person where you're maybe on a  
23 peak for a film line or whatever. Then it's all discussed and  
24 talked about and briefed about. But general day-to-day stuff  
25 ideally you're aiming for getting in, getting the skids on and

1 making a decent platform for people climbing down.

2 Q. Yeah. Okay. Just one real quick pass down my notes here.

3 So the guides are trained and they support different  
4 companies. Where do they get their training from?

5 A. Very good question. I don't know the qualifications of a lot  
6 of the guides up here. There is the International Mountain  
7 Guides Association. And I know there are guides around that are  
8 in that group and what they call a full guide qualification, and I  
9 guess it's just down to the individual operator on how they  
10 structure their staffing. I don't know all the individual  
11 qualifications of all the guides. It's not something I pull up  
12 and ask them for. I would think that the guiding company would  
13 probably take care of who they've employed on their level skill  
14 and qualification.

15 Q. And just so I understand it, the practice is the guides will  
16 point out the area that they want to ski and leave it to the pilot  
17 to select the best way to get to that area so that they can ski it  
18 safely?

19 A. Yeah. Right. Yes.

20 Q. Do the guides, are they -- do they ever get involved with  
21 clearing the aircraft as it's coming down? Does the pilot on any  
22 occasions lean on the guides to help clear the aircraft?

23 A. I mean, if you feel that you're in the need of someone  
24 looking out, if the col is quite -- you know, typically it'll be a  
25 col or something that's quite narrow, and I mean you could ask.

1 There's no harm in asking someone for another set of eyes. But  
2 it's probably better to go and select a bigger landing, I think.

3 MR. SALAZAR: That's all I have. Thank you.

4 MR. WILLIAMS: Matt?

5 MR. RIGSBY: Just a few.

6 BY MR. RIGSBY:

7 Q. And Mr. King, I apologize. It's too many helicopters and too  
8 much noise, I don't hear so well sometimes.

9 A. What's that?

10 Q. If I have to repeat. So you're the check airman for Soloy,  
11 correct? You're a check airman?

12 A. A check airman, yes, one of a few.

13 Q. How much interaction have you had with Soloy's POI?

14 A. Where is the person you're talking about?

15 Q. Sorry?

16 A. What's the -- do you know the person you're talking about?

17 Q. The principal operations inspector of the FAA?

18 A. The last time I saw anybody from the FAA was when I took my  
19 check ride for my check airman.

20 Q. Do you recall when that was? I know COVID's adjusted some of  
21 their schedules, so --

22 A. Oh, yeah, it was definitely pre-COVID. It was, I think, in  
23 2019.

24 Q. And you became a check airman what year?

25 A. I think it was 2019, was --

1 Q. 2019.

2 A. Yeah.

3 Q. Do you recall which POI gave you that check ride?

4 A. It was Paula Huckleberry.

5 Q. Paula?

6 A. In the BK 117.

7 Q. And the interaction with her, was it professional?

8 A. It was good, yeah. It was definitely --

9 Q. How long did the check ride last?

10 A. I can't recall. I would have to have a look at the form.

11 I'd just be guessing if I tried to give you an answer right now.

12 Q. Okay. As check airman, do you do any scheduling of pilots?

13 A. No.

14 Q. And I believe I have down you're not on the operational  
15 control?

16 A. No.

17 Q. Okay. The safety briefing that the pilots give, do they give  
18 that to the guides and then the guides give it to the passengers,  
19 or do they give it to everybody at the same time when they --

20 A. In my experience, it's the pilots -- or they're talking to  
21 the customers and pointing out door operations, locations of  
22 equipment, you know, seatbelt operation, emergency exits. It's  
23 the pilot that's carrying out, you know, FAA-mandated portions of  
24 the -- or the FAR portion of the briefing and the guide is adding  
25 an extension of that to the operation because heli-skiing is a

1 little abnormal, you could say. So there's a lot of other things  
2 that need to be talked about around the helicopter as far as loose  
3 clothing, you know, holding onto gear, keeping your face up  
4 regarding so you're always keeping eyes on the helicopter when it  
5 comes in, never turn your back, all that sort of stuff is part of  
6 the guides' deal because they're on the outside of the aircraft  
7 and maintain some sort of order of the passengers and the  
8 equipment that you're coming in and landing beside. Like it's --  
9 you're very close, so --

10 Q. So is the pilot responsible for telling people where the  
11 safety equipment is, survival equipment, that type of thing?

12 A. Yeah.

13 Q. Okay. When they're loading passengers, does the pilot have  
14 anybody to help him load passengers or is that his responsibility?

15 A. When we're flying you're talking -- you mean when we're  
16 flying?

17 Q. Well, like when you're picking them up --

18 A. Yeah.

19 Q. -- does he go over seatbelts, how they operate, how to get  
20 out?

21 A. There is -- prior to the days they're flying, for either the  
22 day or the week or whenever, when the briefing's given, yes,  
23 there's discussion on the use of the seatbelt and how it's  
24 operated, and buckling the belt for the last person out the door  
25 so it doesn't fall out and damage the aircraft. As the operation

1 is going through the day, the guide is the one that's loading --  
2 operating the doors. The passengers aren't all jumping up and  
3 grabbing a door. The guide will open the doors and then start  
4 directing them to climb in. He's watching -- they have been  
5 placing gear and skis in the basket, loading up the packs.  
6 They're all filtering in and then, you know, I can look over and  
7 make sure nobody's having a struggle bunny in the back seat with a  
8 seatbelt. But, yeah, and then the guide will double check  
9 everybody and close the doors and give me a thumbs up with  
10 everything's clear and ready to go.

11 Q. Do the pilots for Soloy, do they wear helmets? Or is it an  
12 individual --

13 A. We don't make it a requirement to wear helmet. I know one or  
14 two that don't wear a helmet skiing, but I spent a lot of money on  
15 one so I like to wear it.

16 Q. On your check rides that you give the pilots, I believe you  
17 said you do give them IMC or any latitude recovery training.

18 A. Yeah.

19 Q. Is that a requirement for Soloy?

20 A. It's a requirement on the -- for the FAA. I think if you've  
21 got a -- if the aircraft's equipped with horizons, then you must  
22 talk about it. Yeah.

23 Q. Is there a syllabus that you follow when you're training  
24 stuff like that or --

25 A. Just following the 8410 as far as the exercises that need to

1 be demonstrated for the check ride.

2 Q. Is that the same for like whiteout, flat light training?

3 A. Yeah, those are all done ground-based discussions in the  
4 office. You know, when you're actually flying -- you can talk  
5 about it when you fly, but we're not purposely going out on a flat  
6 light day, I don't I think, to train.

7 Q. How many pilots does Soloy have?

8 A. We have a mixture of full-time pilots and contract pilots.  
9 So it can be up to, I think, in the realms of like 20 -- in the 20  
10 range. The final number, I couldn't tell you. I think it just  
11 depends on the contract requirements and rotations, if there's  
12 been any rotations for particular contracts where we can only have  
13 a pilot here for 3 weeks and then they've got to go on a break.  
14 So we have a bunch of rotation going on. If it's another job in  
15 the drill camp and you go out there for, you know, a calendar  
16 quarter, you've got to take 13 days and, you know, it's not so  
17 many people involved, depending on different contracts. But it's  
18 somewhere around the 20 mark or just over.

19 Q. Was Mr. Russell, was he a contract pilot or a direct  
20 employee?

21 A. I'm not sure of his employment status as far as full-time or  
22 contract. I -- yeah, I mean I can speculate on it, but I couldn't  
23 be certain.

24 Q. Are you the only check airman for Soloy? How many check  
25 airmen are there?

- 1 A. There can be three of us, four -- four.
- 2 Q. Four?
- 3 A. And we all cover two aircraft each.
- 4 Q. Okay.
- 5 A. So our fleet's made up of the 205, BK 117, AStars, and a  
6 500 -- or some A500s. We have two 500s.
- 7 Q. Okay. And have you given Mr. Russell a check ride?
- 8 A. No.
- 9 Q. Can the pilots communicate to the guides on the ground?
- 10 A. While they're skiing?
- 11 Q. While they're skiing.
- 12 A. Yes.
- 13 Q. While skiing, okay. Is that by radio or walkie-talkie type?
- 14 A. Typically the guides are carrying like a Motorola GP300 or  
15 something, a small handheld that's been programmed with different  
16 frequencies. Yeah, so one group's on one frequency, another  
17 group's on another, and you can -- they all -- so one helicopter  
18 with two loads, I might be on channel 8; another helicopter with a  
19 couple of loads is away on channel 7. But then the guides have  
20 small radios that they're talking to the clients on. So I don't  
21 hear all the chitchat between guide and client, but I can talk to  
22 the guide if there's an issue or planning or whatever needs --  
23 but, yes, there's communications with the ground.
- 24 Q. Are the pilots allowed to accept tips from the customers?
- 25 A. Are the pilots allowed to --



1 Q. I'm sorry?

2 A. Sorry. Are the pilots allowed to --

3 Q. Are the pilots allowed to accept tips?

4 A. We haven't been told that we can't, so yeah.

5 Q. And how are the pilots compensated? Are they salary based or  
6 flight-hour based?

7 A. We're -- contract pilots are on a day rate and full-time  
8 pilots are on a salary.

9 MR. RIGSBY: I believe that's it.

10 MR. WILLIAMS: Al?

11 MR. WILSON: I appreciate your patience.

12 MR. KING: It's no problem.

13 MR. WILSON: Do you want to go get a bottle of water?

14 MR. KING: Oh, I --

15 MR. WILSON: You doing okay? You want to take a swallow?

16 MR. KING: I've got one. Have you got a lot -- have I got a  
17 lot of talking for you?

18 MR. WILSON: Yeah.

19 MR. KING: Hold on.

20 MR. WILSON: We've been at it for --

21 MR. KING: This is going to make me want to get up and go to  
22 the bathroom.

23 MR. WILSON: You've had to talk a lot, so if you need a  
24 break, please feel free.

25 MR. KING: No, I'm fine right now.

1 BY MR. WILSON:

2 Q. My question, to the best of your knowledge, when we say  
3 client in this circumstance, who is the client? Is it Third Ridge  
4 Heli-Ski or is it the lodge?

5 A. If I'm referring to the client, then that would be the skier  
6 that's paying for the guiding service and the ski experience. The  
7 operator would be like sort of -- you could say the operator's  
8 Soloy, but to me, as a Soloy pilot, the operator's CPG for the  
9 business that we're contracted to.

10 Q. Forgive me, CPG?

11 A. Chugach Powder Guides. That's just one of the -- I'm just  
12 using them as a reference to a ski operation. So, you know,  
13 Alaska has -- there's a lot. So Tordrillo Mountain Lodge, Chugach  
14 Powder Guides is -- Valdez Heli-Ski Guides, you got Heli-Camps,  
15 Valdez and -- Black Ops and Points North. It just goes on. And  
16 then you go down to the southeast and there's more ski operations  
17 there. So to me it's just -- the client would be the customer  
18 that's actually of the guiding company skiing.

19 Q. So the lodge, in your opinion, the lodge is really nothing  
20 more than a place to accommodate the --

21 A. Yeah, they --

22 Q. -- the customers and the clients that went out and --

23 A. Yes.

24 Q. Okay. The lodge doesn't have any operational control?

25 A. No.

1 Q. Okay. To the best of your knowledge -- I'm referring back to  
2 a statement you had made earlier about you were notified by the  
3 DOO.

4 A. Um-hum.

5 Q. To the best of your knowledge, do you know how he was  
6 notified?

7 A. I don't know how the DO received his notification of the --

8 Q. That's fine. Are you familiar with the Meadow Creek area?

9 A. I've landed there, yes.

10 Q. Is that -- would you guys consider that part of the forest,  
11 the national forest?

12 A. I am not certain on the boundaries of the land usage or  
13 whether it's state owned or federal owned. The guiding company  
14 that's operating the skiing has a detailed map of boundaries of  
15 different land ownership and what they need to do to operate in  
16 those different areas.

17 Q. But the expectation is in that area that you would be able to  
18 land a bird? Is Soloy or the client, if you will, permitted to  
19 actually touch down in the forest?

20 A. Yeah, I'm not sure of the land status there, but I would  
21 imagine if they were operating in there, that the guiding company  
22 has authority to be doing their business there under the approval  
23 of use, you know, by heli-skiing.

24 Q. To the best of your knowledge, do you know if there was  
25 anything would have prohibited him from actually touching down on

1 that peak just to the east of Meadow Creek?

2 A. No. I haven't seen the peak they were trying to get on. I  
3 don't know the exact location, so I couldn't answer that. I'm  
4 sorry.

5 Q. It's kind of -- it's a segue into my next question.

6 A. Yeah.

7 Q. Were any -- are hover offloads, are they ever part of your  
8 operation or --

9 A. I think holding a little power for safety, you could say is  
10 an expectation just for if the helicopter settles or moves a  
11 little bit, you've got some control. It's just not going to sit  
12 there and fall off the hillside on its own. So the degree of  
13 power you're holding in that case is --

14 Q. But at a complete -- let's say a 1-foot hover above the  
15 cornice --

16 A. No.

17 Q. -- is that ever a --

18 A. No. You wouldn't be doing a 1-foot hover to unload  
19 passengers. No.

20 Q. If you kick them out, you know --

21 A. No.

22 Q. And with Mr. Salazar I think you touched on one ski on a  
23 slope, and you had mentioned that it's possible. Would that be  
24 something typically encountered with these guides?

25 A. I only -- my experience with landings like that are typically

1 in a situation of filming or, you know, a particular person is  
2 making a production of some sort of ski video or boarding video.  
3 You know, you'll see it time and time again on one of those. It's  
4 just usually one or two people on board. It's very controlled and  
5 come and sit there, they scurry up, wave you off, and it's --  
6 you're not sitting there for a long time in a prone position, you  
7 could say. In day-to-day ski world, no, it's not typical.

8 Q. It's my understanding on 351-Sierra-Hotel the basket was just  
9 installed. There was only one basket and it was installed on the  
10 left side.

11 A. That's right.

12 Q. Is that what your recollection of the configuration of the  
13 aircraft?

14 A. Yes. There was a basket on the left side.

15 Q. One -- a single basket?

16 A. Just a single basket.

17 Q. So would ingress/egress from the aircraft be done on the  
18 basket side as well as the non-basket, or is there a typical SOP  
19 of who -- what the order is getting in and out of what door?

20 A. The left door.

21 Q. So you would actually -- the client would actually exit --

22 A. Exit past -- yeah. The basket, there's enough room between  
23 the end of the basket the door. The doorway is not obstructed by  
24 the basket. So they're going out past the basket, and the guide's  
25 there to direct them and I'm monitoring the gear. So everything

1 is on the one side of the aircraft. You go to Canadian style and  
2 they have the basket on the right-hand side. The guide's got to  
3 get out, walk around, unload it, come back around and unload the  
4 passengers, and then they will get out. Then you're taking off  
5 with loose gear on one side, people on the other. So in our  
6 situation, it's all on the one side and managed very well by the  
7 guide on the left side of the aircraft.

8 Q. So the basket would actually be aft of the passenger door?

9 A. It's in a position that the passengers like put their hand on  
10 top of the lid and try and pinch the guide's fingers. It's  
11 about --

12 Q. The left hand?

13 A. If I -- yeah. If I was getting out, the basket -- if this  
14 was the back firewall here, the edge of the basket would be --

15 Q. Right. So it's aft of the -- you have a -- you would exit  
16 forward of the leading edge of the basket.

17 A. Typically, yeah. Yeah, you're not having to climb on it or  
18 do anything silly like that. It's a clear access to or from that  
19 rear door, rear seat.

20 Q. There would be no reason on an offload that one of the  
21 clients would get out from the right door, right passenger door?

22 A. No.

23 Q. Typically.

24 A. No. No, it's --

25 Q. If you -- in your experience?

1 A. No, you wouldn't do that. There's too much distraction for  
2 the pilot, just -- you know, and then you got a loss of crowd  
3 control if you allow them both on the right-hand side of the  
4 aircraft and everybody's on the left, it's -- you know, you got no  
5 control over of them. So you wouldn't do that.

6 Q. What's -- again, just based on your experience, what's been  
7 your experience with the baskets themselves as far as any issues  
8 with them? Any problems with the covers, mounting, operation?

9 A. Not a thing. We're running the DART system, and that's been  
10 very good. You know, I haven't come into any issues with anything  
11 really. I mean, you get struts going weak over time, but that's  
12 not affecting the operation of the basket at all.

13 Q. Any problems with the guides securing the covers for it?  
14 Because there is, I believe, on that DART there is a cover that  
15 protects what it contains, the contents inside the basket.

16 A. Yeah, the basket's a mesh, diamond mesh sort of style,  
17 with -- just with a hinged lid, same sort of style. It's just a  
18 skeletal structure with mesh on it and just one big, long lever  
19 that's, what, 2½ feet long, handle -- spring-loaded handle that  
20 comes down and latches under, and then it's done. But I haven't  
21 seen any issues of people struggling to --

22 Q. No problem --

23 A. You're talking about sort of trying to force gear, more stuff  
24 in there than what it should take? Yeah.

25 Q. But no problems with the lid coming --

1 A. No. No.

2 Q. -- open or anything like that? How about the tundra pads,  
3 are they -- have they been fairly reliable? Have you ever  
4 experienced one break?

5 A. No. No, they -- I haven't seen any issues with them cracking  
6 or breaking at all.

7 Q. Do you have them on both the toe or the forward part of the  
8 skid and aft part of the skid?

9 A. Just the aft.

10 Q. Just the aft skid.

11 A. Yeah.

12 Q. I'm going to scan through my questions. It think you've  
13 answered most of --

14 A. I mean there are full-length skis available to put on an  
15 aircraft if you want. And, you know, adding dimension to the skid  
16 at the front that's sort of contour of the shape. But they're  
17 quite heavy. I've flown with them in New Zealand and I  
18 particularly didn't like them that much. They -- especially just  
19 a slight slope landing on a harder surface, I found it was very  
20 easy for it to slide sideways, but -- they didn't get a lot of  
21 purchase.

22 If you're just operating on big, flat, wide-open glaciers  
23 with lots deep snow, then maybe they're okay. But for working,  
24 you know, ridge lines and just slope landings, you know, up to the  
25 aircraft limit, you're better off -- I think, personally I would



1 say you're better off with just the aft. Keeping the tail out  
2 makes it more stable and gives you good purchase on the snow and  
3 good stability of the aircraft.

4 Q. Let me just scan my notes here for a second. Take a breath.  
5 I think you touched on it with Mr. Salazar. I know the B3's got a  
6 lot of available horsepower. Any -- have you ever run into a  
7 situation with a normal load skiing operation where performance  
8 was questionable?

9 A. Not for heli-skiing. It's just too cold, you know, to run  
10 into major issues. We, you know, typically, unless you're going  
11 to go ski off one of the big volcanoes -- you can push yourself  
12 over -- up to 10,000 feet there, but that's not in the, usually in  
13 the ski country because it's just so glaciated and difficult to  
14 negotiate.

15 Q. Let me rewind a little bit. Normally, in normal  
16 circumstance, I know -- I think there's some suspicion that COVID  
17 may have played with the flight originating in Wasilla. Would  
18 they have normally been out at Tordrillo?

19 A. Yes. They were scheduled to be -- I mean, you have to  
20 confirm with Tordrillo Mountain Lodge, but my understanding is  
21 that they were here because of the lodge wanted -- they've got  
22 three that they operate, which is Winter Lake and then these two  
23 at Judd Lake, one they -- they lease two. But I mean that's  
24 probably a question more for them. But my understanding was they  
25 were for the Winter Lake crew, and then because of that, then they

1 came to town. But you'd have to -- more detail would be available  
2 from Tordrillo.

3 MR. WILSON: That's all I've got. Thank you.

4 MR. WILLIAMS: Sabrina, do you have any questions?

5 MR. WOODS: I don't. Thank you. I apologize. Due to the  
6 limits in my connectivity, I'm actually not able to hear quite  
7 everything that's going on, so I'm going to defer everything I  
8 have. I'm sure that whatever I have has already been asked and  
9 answered. Thank you.

10 MR. WILLIAMS: All right. Thanks.

11 Newell?

12 MR. NEWELL: Thank you.

13 BY MR. NEWELL:

14 Q. Just a few questions, Greg. You had mentioned earlier with  
15 Kat that there was no pressure, perceived pressure to fly by the  
16 guides or the company, you make decisions based on safety and  
17 weather conditions. I'm kind of curious, as you talk about the  
18 dynamic that COVID presented, moving things around, just generally  
19 speaking, in this ski season has there been variation in the op  
20 tempo, like a decrease, an increase, or is it pretty much the same  
21 this year as all years?

22 A. It's, from what I have seen, it looks like -- you know,  
23 they've had to adjust for COVID, for sure, with, you know,  
24 maintain the usual expectations of social distancing or face  
25 coverings and all that usual sort of stuff, so -- but I think, no,

1 the helicopters have been flying regularly, so in that sense --  
2 you know, I think the -- down scale a little bit on numbers around  
3 some of the operators, but everybody seems to have what would be  
4 their normal amount of machinery operating from any other year.

5 Q. Yeah, I think Fabian kind of asked the question. There may  
6 not be no pressure put on by the company or guides that do the  
7 flights --

8 A. Yeah.

9 Q. -- beyond what is safe, but individual pilots, there may be  
10 that consideration that things are slow or -- you know, in making  
11 the decisions based on weather, there may be some pressure there,  
12 just self-perceived as -- on individual pilots. I guess what I'm  
13 leading to is, since things have changed, operations have changed  
14 a little bit, when you're looking at weather decisions and you're  
15 looking at a risk assessment on how to make that final decision,  
16 I'm curious what the limitations are that the pilot's considering  
17 as they make a go/no-go decision to fly. You know, weather in  
18 Wasilla is this, up in the mountains it's going to be different.  
19 Is there a -- are there wind limitations, that the op spec is  
20 strictly enforced, or do you make that call when you get to the LZ  
21 when you're doing these kind of operations?

22 A. I haven't seen any wind limitations other than aircraft --  
23 aircraft operating limitations as far as start-up and shut-down,  
24 which is, for an AStar, 50 on the nose and 40 from all other  
25 directions, and that's a heck of a lot of wind. And there's been

1 aircraft damaged with lesser wind speeds and gusts on start-up and  
2 shut-down than that, so as far as flying in the mountains with  
3 those sort of wind speeds would be very uncomfortable and not  
4 advisable.

5 But there's no -- in the op specs, nothing laid out to say  
6 that we will not fly beyond 30 knots or 40 knots or 50 knots,  
7 whatever the case may be. But we do operate under VFR conditions,  
8 but it doesn't specify a wind limit. So I think wind limitations  
9 are more dictated by the area you're operating in, the terrain,  
10 terrain and the topography, and whether it's a smooth ride or not.  
11 You know, lots of vertical or comprised of downdrafts and updrafts  
12 or whatever.

13 Q. Can you venture a guess what percentage of flights are  
14 cancelled based on weather decisions?

15 A. It would be just a wild stab in the dark. But as I said  
16 earlier, there's just the expectation in the ski world that if you  
17 went for a week, expect about 3 days of flying. But some people  
18 do better and some people do worse. So that's just an expectation  
19 of what to expect in the heli-ski world, but it's -- you know, you  
20 can't -- I mean, that's all I can really offer up on that.

21 MR. NEWELL: That's all I have. Thank you.

22 MR. WILLIAMS: I only have a couple more and then we'll cut  
23 you loose for this role and then you can move to the other side of  
24 the table.

25 BY MR. WILLIAMS:

1 Q. I want to go back to the guides.

2 A. Yeah.

3 Q. You mentioned as far as not knowing exactly how they were  
4 trained in the guide association and that sort of thing. Does  
5 Soloy ever do training with the guides at all? Like how do you  
6 know -- if they come in and they can, quote/unquote, you know,  
7 talk the talk, do you ever go up with them prior to taking other  
8 folks to make sure that they know what they're doing out there?

9 A. I've only worked with experienced guides so I haven't seen  
10 the introduction of a junior so much.

11 Q. Does Soloy have a list of flight crew guides that you guys  
12 allow to go up with you?

13 A. I think that's more of a question for the ski operation, I  
14 think, than -- we don't have a -- there's not a list of approved  
15 guides for operating on a helicopter as far as -- there'll be a  
16 preseason training as far as like you go out to Tordrillo and I'd  
17 sit down with (indiscernible) guides for a briefing. I mean it  
18 would be that sort of thing.

19 I guess, yeah, I think it probably -- the guides of that  
20 operation that are there at the time are, I guess you could say  
21 they've been approved go on and ski once the pilot's had a  
22 discussion with them out on the project, given them, you know,  
23 their own brief, I guess you could say. But as far as an  
24 international standard, I couldn't say.

25 Q. In your chief pilot -- or, sorry, in your assistant chief

1 pilot role, do you see any of the safety concerns or anything that  
2 may be raised by the pilots or anyone else at the company?

3 A. I have not.

4 MR. WILLIAMS: Okay. All right, I think that's all I have.  
5 Kat, do you have anything else?

6 DR. WILSON: No.

7 MR. WILLIAMS: Fabian's gone. Matt?

8 MR. RIGSBY: I just have one that I missed the first time.

9 BY MR. RIGSBY:

10 Q. Back when you said you were training some initial pilots, how  
11 many hours of heli-ski training -- is there a minimum number of  
12 hours or flights that an average pilot takes before you get  
13 comfortable with turning him loose to do operations solo?

14 A. I don't know of any minimum flight time to say someone's  
15 approved or not approved. I think it goes on how well the pilot's  
16 doing with the task at hand and their own abilities. Because, as  
17 you know, people's skill levels are different and they pick up  
18 things faster or slower than others, so I guess it's more of that.

19 Q. As assistant chief pilot/check airman, can you hire and fire  
20 people?

21 A. No.

22 MR. RIGSBY: That's it.

23 MR. WILLIAMS: All right. Fabian doesn't have any more  
24 questions --

25 MR. SALAZAR: I don't have any more questions.

1 MR. WILLIAMS: You don't have any more. Newell?

2 Okay. So is there anything else you think we should have  
3 asked that we didn't ask? Is there anything that you can think of  
4 that would kind of help us with the investigation that you'd like  
5 to add?

6 MR. KING: Nothing that I can really think of right at the  
7 moment.

8 MR. WILLIAMS: Okay. All right. Well, thank you very much.  
9 We can go off the record at 11:48, stop the recording.

10 (Whereupon, at 11:48 a.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL AIRBUS AS350B3 HELICOPTER  
CRASH NEAR KNIK GLACIER, PALMER,  
ALASKA, ON MARCH 27, 2021  
Interview of Greg King

ACCIDENT NO.: WPR21FA143

PLACE: Anchorage, Alaska

DATE: April 8, 2021

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

*10/10*  
[Redacted Signature]

Kay Maurer  
Transcriber



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

FATAL AIRBUS AS350B3 HELICOPTER \*

CRASH NEAR KNIK GLACIER, PALMER, \* Accident No.: WPR21FA143

ALASKA, ON MARCH 27, 2021 \*

\* \* \* \* \*

Interview of: CHRIS LANPHIER, Director of Maintenance  
Soloy Helicopters

Embassy Suites Conference Room  
Anchorage, Alaska

Thursday,  
April 8, 2021



APPEARANCES:

KATHERINE WILSON, PhD, Investigator  
National Transportation Safety Board

D. SHAUN WILLIAMS, Investigator  
National Transportation Safety Board

FABIAN SALAZAR, Investigator  
National Transportation Safety Board

MATT RIGSBY, Inspector  
Federal Aviation Administration

ALAN WILSON  
Federal Aviation Administration

MIKE NEWELL  
Airbus

GREG KING  
Soloy Helicopters

CARYN JORGENSON, Attorney  
Stokes Lawrence  
(On behalf of Soloy Helicopters)

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I N T E R V I E W

1  
2 DR. WILSON: I think you have been working with some of the  
3 NTSB folks already on this, but we are strictly here from the  
4 safety side. We don't have any enforcement action or authority.  
5 So, we're strictly here to understand what happened and try to  
6 prevent something like this from happening again.

7 So, we do work with the party system, which is why we've got  
8 the various folks here in the room. We'll have everyone go around  
9 and introduce themselves just in case you don't know them, but  
10 definitely for the record.

11 I don't know whether Caryn was able to tell you, but we are  
12 going to record this interview and have it transcribed and it will  
13 eventually become a part of our public docket. Just the  
14 transcription, not the audio recording. Is that something that  
15 you're okay with?

16 MR. LANPHIER: Yes.

17 DR. WILSON: Okay. And you are entitled to have somebody  
18 here representing you. Is there somebody that you would like to  
19 have you during this interview?

20 MR. LANPHIER: Yes, Caryn Jorgenson.

21 DR. WILSON: Great. Okay. So, for the record, I'm Katherine  
22 Wilson. I'm a human performance investigator with the NTSB.

23 MR. WILLIAMS: Shaun Williams, operations, NTSB.

24 MR. SALAZAR: Hi, Chris, we haven't met yet. I'm Fabian  
25 Salazar assisting the operations with the NTSB.

1 MR. RIGSBY: Hi, Chris. We met the other day. Matt Rigsby,  
2 the FAA's office of factual investigation. Just to put you at  
3 ease, I'm not -- I have no enforcement authority. I'm not a  
4 (indiscernible) inspector or anything like that. So, it's not --  
5 everything they say here stays here. It's all (indiscernible)

6 MR. NEWELL: Mike Newell, Airbus director of aviation and  
7 safety.

8 MR. WILSON: As well as myself, Chris, we've met. But for  
9 the record, I'm Alan Wilson, FAA flight test pilot assigned as an  
10 advisor to the (indiscernible) and like Matt, I have no  
11 enforcement authority. I'm not the flight standards.

12 DR. WILSON: Greg?

13 MR. KING: Greg King, (indiscernible) representative for  
14 Soloy.

15 DR. WILSON: Great.

16 INTERVIEW OF CHRIS LANPHIER

17 BY DR. WILSON:

18 Q. And Chris, if you could state your full name for us, please.

19 A. Christopher Alan (ph.) Lanphier, and I'm the director of  
20 maintenance and accountable manager for Soloy Helicopters.

21 Q. And if you could spell your last name, please?

22 A. It's L-a-n-p-h-i-e-r.

23 Q. Great. Move that a little closer just to make we can hear  
24 you okay. Start off with the hard questions. What certificates  
25 do you hold?

1 A. Myself or Soloy?

2 Q. Uh-huh.

3 A. I hold an airframe and power plant flight license.

4 Q. Okay. And how long have you in your current position?

5 A. I believe -- I'd have to look at when the actual start date  
6 was, but as director of maintenance, I believe it was September  
7 2017.

8 Q. Okay. And how long have you been with Soloy?

9 A. I started with Soloy as a field mechanic in 2014.

10 Q. Okay. As a field mechanic, what were your duties and  
11 responsibilities?

12 A. My duties and responsibilities were to maintain aircraft  
13 either at the shop or in a field environment.

14 Q. And as the director of maintenance, what is your duties and  
15 responsibilities now?

16 A. To oversee all aspects of maintenance and the personnel with  
17 the company.

18 Q. Have you held any other positions besides the field mechanic  
19 and then the director of maintenance?

20 A. Yep. I was -- before being the director of maintenance, I  
21 was the quality control manager and -- slash assistant director of  
22 maintenance.

23 Q. Okay. How many personnel do you oversee as the director?

24 A. It can vary from time to time because we do have seasonal  
25 employees. So, they come and go. But I think from any given time

1 there would be, and just estimating, I would say 14 to 19 or 20.

2 Q. Okay. And who do you report to at the company?

3 A. Sam Soloy.

4 Q. Are you a pilot?

5 A. No.

6 Q. As a mechanic -- let's start out, as a mechanic, do you ever  
7 go out and fly with the pilots to kind of better understand the  
8 operation and the type of flying that's done? Does that help at  
9 all?

10 A. Do you mean like on jobs or during like maintenance flights  
11 or something like that?

12 Q. Like in observation, familiarization type flight. Just to  
13 understand the operations that Soloy does.

14 A. No. I usually -- I think what you're saying is -- I don't  
15 usually or don't recall going out to a job and flying to see what  
16 they are doing. If I'm involved, it's usually maintenance  
17 related.

18 Q. So, when you say that you're involved, is that for like a  
19 maintenance test flight or something like that?

20 A. It could be. Or I could be involved helping the mechanic on  
21 site troubleshoot issues or anything like that.

22 Q. Okay. And so, you might take a -- you would ride in a  
23 helicopter to get to a helicopter that required maintenance or  
24 explain that better for me.

25 A. Just on how I would get to that aircraft to maintain it, I

1 could, yes, fly on one of our helicopters to get there. Yes.

2 Q. Okay. How do pilots make maintenance write-ups? In a  
3 maintenance logbook, or do they ever just come to you and say, or  
4 come to a mechanic and say, hey, I have this problem?

5 A. It can be both. They can make a logbook entry in a logbook  
6 or we can have a discussion about it as well.

7 Q. Uh-huh. What would be the difference between something that  
8 would be written up in a maintenance logbook versus just having a  
9 discussion about it?

10 A. I mean that's a tough question to answer. I mean I don't  
11 think I can really put a specific on that. Like I can't say that  
12 they would -- we would have a discussion about this particular  
13 thing versus this particular thing. I think that's difficult to  
14 answer.

15 Q. I guess I'm asking -- I mean I would assume that if something  
16 is being done on the aircraft that it should be written in a  
17 maintenance logbook.

18 A. A hundred percent.

19 Q. But perhaps, and this is what I was wondering is, you know,  
20 maybe somebody is like, well, I'm not really sure. Is this a  
21 problem would they come to you and say, is this something I should  
22 write up, you know, just that they are unclear, or from your  
23 perspective, should anything that's of concern be written up?

24 A. Not everything of concern, I think, should be written up. We  
25 can have a discussion if there's a discrepancy and come to the



1 decision as a group or co-workers and to decide if this is  
2 something that would require maintenance and being written up.

3 Q. So, if a pilot was about to go on a flight, and there was  
4 some kind of -- there was a concern of discrepancy, do you all  
5 come out to the flight line and look at that? Does the helicopter  
6 have to be immediately taken out of service and go put in a  
7 hangar? How does that work for doing the maintenance?

8 A. Well, yeah, if there was any discrepancy written up, it  
9 wouldn't -- it doesn't have to come to a hangar. We could look at  
10 it on the flight line depending on the severity of what it is.

11 Q. Are you involved in the discussion of which pilots will fly a  
12 maintenance flight after some kind of maintenance work is done and  
13 a maintenance flight needs to be flown?

14 A. No.

15 Q. Do you know if there's -- can all pilots do that, or just a  
16 certain few pilots?

17 A. That I don't know.

18 Q. How often is the ELT (ph.) checked?

19 A. For Airbus, I believe, and I would have to consult the manual  
20 and I would have to consult the regulations, but I believe Airbus'  
21 requirement is every 30 days for that, for a particular ELT based  
22 by part number. And I believe FAA regulation requires every 12  
23 months.

24 Q. And is there some -- there's documentation that it has been  
25 checked? Is there a log or something that you fill out?

1 A. Just the -- there is the Airbus checklist, or a discrepancy  
2 letter corrected action.

3 Q. And that checklist, is that kept somewhere?

4 A. Yeah. It's kept on file. We retain it for our records when  
5 we do the inspections.

6 Q. Do you know how long you have to retain that for?

7 A. Again, I'd have to refer to regulations, but I believe it's a  
8 minimum of two years.

9 Q. Okay. After the accident did you go back and review the  
10 maintenance logs for this aircraft?

11 A. I did.

12 Q. Anything of note?

13 A. No.

14 Q. Do you recall seeing if the ELT had been checked as it should  
15 have been?

16 A. Yes.

17 Q. Is there any data recording on board that like maintenance  
18 would regularly download?

19 A. Not that I can recall, no.

20 Q. It's not a trick question. I just didn't know.

21 A. Yeah. Yeah.

22 Q. We were looking at Zach Russell's flight duty time and there  
23 was a write-up for 5290H that said the flight was canceled because  
24 of bad maintenance on March 10th. Are you aware of that write-up  
25 at all and what that might be referring to?

1 A. No. Not at all. I have no recollection.

2 Q. Okay. How were you informed of the accident?

3 A. I received a call from the chief pilot.

4 Q. Do you have any responsibilities in the event of an accident?

5 A. Yes. We have an emergency response plan. I would have to  
6 refer specifically to that, but I can tell you that my number one  
7 duty is to secure aircraft records.

8 Q. Okay. And you did that?

9 A. Yes.

10 Q. And then who did you give those records to?

11 A. We kept them in our records locker that were locked.

12 Q. Okay. In reviewing the maintenance records for this aircraft  
13 after the accident, do you recall the last time that it was in for  
14 maintenance?

15 A. I mean, are you looking for a specific date or --

16 Q. Yeah. I mean, I don't know, its last annual check or, I  
17 don't know, the last time -- what's the last record that you might  
18 recall with this aircraft?

19 A. For maintenance?

20 Q. Uh-huh.

21 A. I would have to look at the records because, I mean, between  
22 our maintenance, annual maintenance at the shop, I don't know  
23 exactly what happened in between there. So, I would, I would have  
24 to look at the records.

25 Q. That's fine. Considering heli-ski operations, is there some

1 -- a typical type of maintenance write-up that occurs due to heli-  
2 ski operations somehow getting, I don't know, banged up in any  
3 sort of way or anything that's happening to the helicopter that's  
4 requiring it because of heli-ski operations to come in for  
5 maintenance?

6 A. Specifically, because of doing heli-ski?

7 Q. Uh-huh.

8 A. No, I can't recall anything that would recall a specific  
9 write up that for heli-skiing.

10 Q. I didn't know whether like doors get banged or, you know,  
11 something with the basket not latching.

12 A. (No audible response.)

13 Q. Okay. Did you know Mr. Russell?

14 A. Yes.

15 Q. What was your -- how did you know him? What was your  
16 relationship like with him?

17 A. We just knew each other professionally.

18 Q. Okay.

19 A. Yeah. The relationship was great. Good guy. Really nice  
20 guy. Great to work with.

21 Q. Uh-huh. Okay. Is there any pressure on pilots to take a  
22 flight that they don't feel is airworthy?

23 A. In my opinion, no.

24 Q. What happens if there is -- you know, a flight is supposed to  
25 go out, a helicopter is now down for maintenance, what happens?

1 Is there usually another aircraft available? Do they just cancel  
2 for the day?

3 A. If there was an issue with an aircraft for maintenance, we  
4 would fix it, and if we could fix it correctly and safely, then it  
5 could go on for that job.

6 Q. Okay. So, it might be a delay?

7 A. Yes. We would -- the flight would be delayed to take care of  
8 the maintenance.

9 Q. Uh-huh. If a flight is canceled because of maintenance, is  
10 there any paperwork that needs to be written up, does the director  
11 of operations need to hear about it? I mean is there any, any --  
12 what's the word I'm looking for. I'm drawing a blank. But is  
13 there any like line of communication if a flight is canceled  
14 because of maintenance beyond, you know, you just do the  
15 maintenance?

16 A. Yeah. We would communicate with each department or I would  
17 communicate with the departments.

18 Q. Okay.

19 A. And inform them.

20 Q. Uh-huh. Do you ever feel pressure from any of the other  
21 departments to do maintenance more quickly to get an aircraft back  
22 on the line?

23 A. In my opinion, no.

24 Q. What would be an occasion where -- you said might sometimes  
25 fly on a maintenance flight. Is that -- do you mean like after

1 it's been serviced for maintenance and now it's up on a test  
2 flight? What would be a case that you would, a mechanic would go  
3 along?

4 A. A mechanic or myself?

5 Q. I guess both.

6 A. For myself, if I needed to be there to help or support my  
7 guys or anything like that just to assist in getting the job done  
8 right and make it just correct. Mechanics, I mean there's -- I  
9 mean there's no set thing that a mechanic has to go -- or not has  
10 to go, but obviously, if there is maintenance that a mechanic has  
11 to do during that flight, he's obviously there.

12 Q. Okay. So, if an aircraft was worked on and it was going on  
13 like a check flight after, a test flight, would a mechanic be  
14 onboard for that to make sure everything is running operationally  
15 the way it should or would a pilot just take it up and then report  
16 back, you know, everything was fine?

17 A. It could be either/or.

18 Q. Okay. Is it determined based on the type of maintenance that  
19 was done or what would be the determining factor whether someone  
20 would be onboard or not?

21 A. If the mechanic needed to be there for a specific numbers or  
22 information or power check or for anything to that effect, to  
23 record data --

24 Q. Okay.

25 A. -- that he would need to collect.

1 DR. WILSON: Okay. All right. Thanks, Chris.

2 Shaun?

3 BY MR. WILLIAMS:

4 Q. I know you're not going to know line by line type of thing,  
5 but when you do check the ELT, what are you looking for?

6 A. Yes. I would have to, you know, read the inspection and  
7 their requirements. But based off memory, you would be looking  
8 for security condition, battery life expiration, checking just,  
9 you know, the basic condition of the ELT and then, of course,  
10 ensuring it's in the armed position.

11 Q. Do you recall checking the G-switch?

12 A. Myself?

13 Q. Yes.

14 A. No. I didn't check the G-switch.

15 Q. Is that typically something that -- do you recall typically  
16 something check on when you're going through like the security and  
17 all the other stuff like you just mentioned? Is that usually one  
18 of the other items as well?

19 A. I believe so, yes.

20 Q. Okay. What system runs the ADS-B?

21 A. The ADS-B is ran by -- if I recall correctly from the STC,  
22 it's ran by the position light power source.

23 Q. So, if the position lights are off, then it won't transmit  
24 any ADS-B out; is that correct?

25 A. Yes.

1 Q. Okay. Is there -- are you familiar with a way to test  
2 whether or not the ADS-B out is working?

3 A. Yes. With that particular ADS-B system there is an app,  
4 uAvionix App that you can use to test, and then I believe you can  
5 also go on the -- there's a website to look and see if the  
6 aircraft is on that listing.

7 Q. Okay. Do you recall how often that's ever checked?

8 A. I don't know.

9 Q. Would that information then be contained within the STC as  
10 far as the testing requirements if there are any or anything like  
11 that?

12 A. I believe so, yes.

13 Q. Do you know if there's a way the pilots would know whether or  
14 not the ADS-B is working correctly?

15 A. I don't believe so.

16 Q. You don't believe there is a way, or you don't believe you  
17 know if there is?

18 A. Can you repeat the question? I'm sorry.

19 Q. Yeah. Do you know if there's any indications in the cockpit  
20 at all if the ADS-B is not working?

21 A. No, I don't believe there is any indication.

22 Q. Okay. So, this the accident helicopter was a B3, correct?

23 A. Yes.

24 Q. Are all the ELTs in the same location on the B3?

25 A. I believe they are, yes, but I would have to check. Based on



1 memory, yes.

2 Q. Same with -- now, does that kind of carry over to the B2 as  
3 well, they are all in the -- usually in the same general area?

4 A. Yes.

5 Q. Where is that; do you know?

6 A. Yeah. Usually, it's in the right-hand baggage compartment or  
7 the side locker, right-hand side locker.

8 Q. Is there a way to get to that from the inside?

9 A. From the cabin?

10 Q. From the cabin.

11 A. No.

12 Q. You were with the rep in the examination, do you recall, was  
13 it still in the cradle on this?

14 A. Yes. It was.

15 Q. Okay. And the antennas and all that kind of stuff, do you  
16 recall is all still attached?

17 A. No. The ELT and tab (ph.) was snapped off the fuselage.

18 Q. Do you ever do any like flight locating or flight following  
19 or anything like that for Soloy?

20 A. No. I don't do flight following for them.

21 MR. WILLIAMS: Okay. All right. I think that's what I have.

22 Thank you, Katherine.

23 DR. WILSON: Uh-huh.

24 Fabian?

25 MR. SALAZAR: Just a couple, thank you.

1 BY MR. SALAZAR:

2 Q. Chris, earlier -- way early into the interview, you mentioned  
3 who you report to. Would you mind repeating that?

4 A. Yeah, it's Sam Soloy.

5 Q. Sam Soloy, you do not report to the DO?

6 A. Well, I report to both, but Sam is my direct supervisor.

7 MR. SALAZAR: Okay. That's it.

8 DR. WILSON: Matt?

9 BY MR. RIGSBY:

10 Q. Hey, Chris.

11 A. Uh-huh.

12 Q. You became DOM in 2017, correct?

13 A. Yes.

14 Q. Are you the DOM for the 145 as well?

15 A. I'm the accountable manager.

16 Q. Accountable manager?

17 A. Yeah, for the 145.

18 Q. Are you also listed on the -- in the ops specs as having  
19 operational control?

20 A. I'd have to look, but I don't believe so.

21 Q. Your inspector from the FAA, your PMI, how often do you  
22 interact with him?

23 A. It varies on what's going on but on a pretty regular basis.

24 Q. Is your POI based in Wasilla?

25 A. No.

1 Q. No. Is he here in Anchorage?

2 A. Yes.

3 Q. Granted you have been DOM for pre-COVID and post-COVID.

4 Before COVID, how often does he interact with you?

5 A. And I don't recall when he became our POI or PMI, but I've

6 seen him twice face-to-face.

7 Q. Twice what?

8 A. Face-to-face.

9 Q. The whole 2017 --

10 A. No. He wasn't our PMI in 2017.

11 Q. Okay.

12 A. I can't recall when he was appointed to us. I don't recall

13 when that was, but obviously, we could find out. But --

14 Q. Anytime you have needed to contact him, has he been available

15 for you?

16 A. Yes.

17 Q. Good. How about interaction with the POI?

18 A. Varying -- little, yeah.

19 Q. Base inspection, has he, your PMI, done any base inspecting?

20 A. Uh-huh. I believe we did one late last year.

21 Q. Okay. And it was in person or did they do a virtual one?

22 A. It was in person.

23 Q. Do you recall the write-ups, anything specific on it?

24 A. I'd have to look back, but no, I don't recall what they were

25 off the top of my head.

1 Q. Has the interaction been good, professional, have you had any  
2 issue with that -- with the PMI?

3 A. No, it's been good. The only issue I would say that we had  
4 is we had a meeting with myself and Sam Soloy with the PMI and his  
5 supervisors, we were trying to find a way to be more productive to  
6 meet our timelines with the things we were trying to accomplish  
7 with the PMI.

8 Q. Do you have like manual updates or something with him? Is  
9 that kind of what the hold up's been or the approval process?

10 A. Field approvals, adding aircraft and then, yeah, some  
11 revisions to manuals. Yeah.

12 Q. Is there -- in the aircraft, other than where the ELT is  
13 located at, is there a switch or anything in the cockpit that the  
14 pilot could activate the ELT?

15 A. Yes. There's a remote ELT switch in the cockpit in the  
16 vicinity of the pilot.

17 Q. If I heard correctly, you have 14s and 19s, 20 AMPs that work  
18 for you?

19 A. Well, that's not considering just AMPs.

20 Q. Okay.

21 A. I've got records, clerks, parts and mechanics, and it does  
22 vary.

23 Q. Do you all have repairmen that work under the 14 certificate  
24 that are not AMPs?

25 A. No. There's no repairmen.

1 MR. RIGSBY: Thank you, Chris.

2 DR. WILSON: Mike?

3 MR. NEWELL: Thank you.

4 BY MR. NEWELL:

5 Q. Hey, Chris.

6 A. Hey.

7 Q. Just a few questions. All aircraft have unique  
8 characteristics and personalities. I guess from your position,  
9 did this particular aircraft -- any issues or problems that were  
10 reported, kind of problems that you are aware of or that stand out?

11 A. No. It was a -- that was a solid aircraft. It was just  
12 standard maintenance.

13 Q. Is there anything on that particular aircraft, the fleet that  
14 you have, that are common problems or issues that you have seen,  
15 anything that stands out?

16 A. No. There's nothing that stands out to me, no.

17 Q. And when you -- if you have issues that go beyond any of your  
18 aircraft, I guess I'm just kind of looking for your support from  
19 Airbus. Do you get good support from a maintenance technical rep  
20 if you have any questions? Do they give you the support?

21 A. Yes. Yeah.

22 MR. NEWELL: That's all I have. Thank you.

23 DR. WILSON: Al?

24 BY MR. WILSON:

25 Q. Not much, Chris. Any serviceability issues with the baskets

1 (indiscernible) that you are aware of?

2 A. I'm sorry?

3 Q. Any service issues, reliability issues with the heli-basket  
4 system or the (indiscernible)?

5 A. No. They are all very solid accessories.

6 Q. Kind of another question that was led into by Mike. Is there  
7 anything that -- on the 350 series aircraft that pilots would want  
8 -- that have been brought to Soloy that pilots would like to --  
9 any equipment or -- just as an example, having the second  
10 hydraulic system or a visor or autopilot or SAS system? Anything  
11 that has been brought up in your pilot discussions, in your safety  
12 meetings and anything that the pilots kind of as -- pilot union as  
13 a whole would like to see in the 350s, specifically the 350?

14 A. I would have to say the biggest request is the USB chargers.

15 Q. That's the day and age.

16 A. Yeah. And they are coming up, they are equipped with them  
17 now.

18 Q. So, that's probably a customer -- that could be a customer  
19 request too. How about the customers, anything that your clients  
20 are asking for in the aircraft?

21 A. That would be a good question for the director of ops and  
22 chief pilot. They kind of get tasked with those requests, then  
23 they trickle down to me as we go. But nothing off the top of my  
24 head that I can think of that people are planning.

25 Q. Are you getting a response, good response from the FSDO, for

1 fuel approvals?

2 A. Yep. Just takes time, but I understand they have to do their  
3 due diligence.

4 MR. WILSON: All right. That's all I have, thank you.

5 DR. WILSON: Greg?

6 MR. KING: (No audible response.)

7 DR. WILSON: No questions?

8 MR. KING: No, ma'am.

9 BY DR. WILSON:

10 Q. I have a couple. Is all of the maintenance done in house?

11 A. You mean in house by Soloy or in the hangar?

12 Q. Oh, in house by Soloy?

13 A. Yes.

14 Q. Does the maintenance department, are you included in the SMS  
15 that Soloy has?

16 A. How so? I mean --

17 Q. Do you fall under that? Do you follow SMS principles?

18 A. Yes.

19 Q. Okay. What does that mean in terms of the maintenance? What  
20 do you do now that Soloy has an SMS? What does that mean in terms  
21 of maintenance?

22 A. Just sets us to a higher standard, and then we have  
23 guidelines within the SMS that we'd have to abide by.

24 Q. Okay. How long has the SMS program been in place, do you  
25 know?

1 A. I can't recall specifically, but I would say it's at the same  
2 time that the 145 repair station was acquired or slightly before.

3 Q. And is there training regarding SMS for the maintenance  
4 personnel?

5 A. Yes.

6 Q. Is it like a one-time training or is it annually?

7 A. It's -- I believe -- I'd have to check records, it's --  
8 there's initial and we do have recurrent training.

9 DR. WILSON: Okay. That's all that I have.

10 Shaun?

11 MR. WILLIAMS: No.

12 DR. WILSON: Fabian?

13 MR. SALAZAR: Just one last question.

14 BY MR. SALAZAR:

15 Q. Airbus and their maintenance manuals, how easy are they to  
16 follow?

17 A. I think they are easy, but I've also been working with them  
18 for 17 years.

19 Q. The guys that -- your new mechanics, do they find them easy  
20 to follow?

21 A. It takes time, but I mean every manual, every manufacturer  
22 manual has their attributes that make them a little bit easier or  
23 difficult. But yeah, for the most part, they are pretty easy to  
24 get used to.

25 MR. SALAZAR: That's it. Thank you.



1 DR. WILSON: Matt?

2 BY MR. RIGSBY:

3 Q. I would follow along (indiscernible) have you been factory  
4 trained at Airbus?

5 A. Yes.

6 Q. On all the models that you service?

7 A. Yes.

8 Q. Okay. How many different models of aircraft do you maintain?

9 A. Models?

10 Q. Models, yeah, different -- like 350, I heard you say 117?

11 A. Yeah. So, we have the AS350s, the BK117, BEL205, and MD500.

12 MR. RIGSBY: Okay. That's it.

13 DR. WILSON: Mike?

14 MR. NEWELL: Yes.

15 BY MR. NEWELL:

16 Q. Just for clarification, when you used the phrase accountable  
17 manager, that was for the part 145 repair station as part of your  
18 SMS or did I misunderstand? Somebody asked the question about --  
19 because I'm thinking EC145, I don't know if it was a specific  
20 aircraft -- or when I hear accountable manager, I think of the  
21 SMS.

22 A. I would be the accountable manager for the repair station,  
23 the 145 repair station.

24 Q. Okay.

25 A. The part 145 repair station.

1 MR. NEWELL: Thank you. That's all I have.

2 DR. WILSON: Al?

3 MR. WILSON: No questions.

4 DR. WILSON: Greg?

5 MR. KING: No.

6 DR. WILSON: Okay. We've asked you a lot of questions. Is  
7 there anything though that we didn't ask you that you were hoping  
8 or thought we should have asked you?

9 MR. LANPHIER: No. Honestly, I had no idea what questions  
10 were really going to be asked. I had an idea, but no, I don't  
11 have any questions.

12 DR. WILSON: Okay. Well, if you think of anything, please  
13 don't hesitate to reach out to us and we can, you know, supplement  
14 your transcription with anything you think of that might be  
15 beneficial.

16 MR. LANPHIER: Okay.

17 DR. WILSON: We really appreciate your time, Chris. Thanks  
18 so much.

19 MR. LANPHIER: Okay. Thank you.

20 (Whereupon, the interview was concluded.)

21

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL AIRBUS AS350B3 HELICOPTER  
CRASH NEAR KNIK GLACIER, PALMER,  
ALASKA, ON MARCH 27, 2021  
Interview of Chris Lanphier

ACCIDENT NO.: WPR21FA143

PLACE: Anchorage, Alaska

DATE: April 8, 2021

was held according to the record, and that this is the original,  
complete, true, and accurate transcript which has been transcribed  
to the best of my skill and ability.



Letha J. Wheeler  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

FATAL AIRBUS AS350B3 HELICOPTER \*

CRASH NEAR KNIK GLACIER, PALMER, \*

ALASKA, ON MARCH 27, 2021 \*

Accident No.: WPR21FA143

\* \* \* \* \*

Interview of: DANE CROWLEY, Safety Manager  
Soloy Helicopters

Embassy Suites Conference Room  
Anchorage, Alaska

Thursday,  
April 8, 2021



APPEARANCES:

KATHERINE WILSON, PhD, Investigator  
National Transportation Safety Board

D. SHAUN WILLIAMS, Investigator  
National Transportation Safety Board

FABIAN SALAZAR, Investigator  
National Transportation Safety Board

MATT RIGSBY, Inspector  
Federal Aviation Administration

SABRINA WOODS, Inspector  
Federal Aviation Administration

ALAN WILSON, Flight Test Pilot  
Federal Aviation Administration

MIKE NEWELL, Director of Aviation Safety  
Airbus

GREG KING, Assistant Chief Pilot/Check Airman  
Soloy Helicopters

CARYN JORGENSON, Attorney  
Stokes Lawrence  
(On behalf of Soloy Helicopters and Mr. Crowley)

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I N T E R V I E W

1  
2 DR. WILSON: Katherine Wilson. I am a human performance  
3 investigator with the NTSB. We'll go around the room and have  
4 everyone introduce themselves.

5 MR. WILLIAMS: My name is Shaun Williams. I'm the operations  
6 group chairman.

7 MR. CROWLEY: First name again?

8 MR. WILLIAMS: Shaun, S-h-a-u-n.

9 MR. SALAZAR: Fabian Salazar, NTSB, assisting operations.

10 MR. RIGSBY: Matt Rigsby out of the FAA's Office of Accident  
11 Investigation. Just to let you know, I -- no enforcement -- I  
12 have no enforcement powers. I have no power in the FAA. Purely  
13 for the safety side of the investigation.

14 MR. NEWELL: Mike Newell, aviation safety, Airbus.

15 MR. WILSON: Hi. Alan Wilson, FAA flight test pilot. Like  
16 Matt, even though we're both FAA, we come from offices that don't  
17 have any enforcement authority. So I come from aircraft  
18 certification.

19 DR. WILSON: And Greg?

20 MR. KING: Greg King, representative for Soloy.

21 DR. WILSON: And Sabrina, would you like to introduce  
22 yourself?

23 MS. WOODS: Sure, just real quick. I'm Sabrina Woods and I'm  
24 also with Matt Rigsby in the Office of Accident Investigation with  
25 the FAA, and I'm a human performance investigator.

1 DR. WILSON: All right. Dane.

2 MR. CROWLEY: I'm Dane Crowley, director of safety, Soloy  
3 Helicopters.

4 DR. WILSON: Okay. And Dane, you are entitled to have  
5 someone represent you during this interview. Is there someone  
6 that you would like to have with you?

7 MR. CROWLEY: Yes. I have Ms. Caryn Jorgenson here.

8 DR. WILSON: Great. What we'd like to do as a part of this  
9 discussion that we're going to have is record our conversation and  
10 then we plan to have it transcribed by a court reporter. Is that  
11 okay with you?

12 MR. CROWLEY: Sounds great.

13 DR. WILSON: The transcription will eventually become a part  
14 of our public docket when it gets opened down the line in our  
15 investigation. And just the transcript, not the recording,  
16 becomes a part of the public docket.

17 As I mentioned, we work under the party system, which is why  
18 we have this group of individuals here in the room with us. We'll  
19 each take turns asking questions. We might go through a second  
20 round of questions if people have follow-ups as we go along. If  
21 you don't understand a question or need us to clarify, please ask  
22 us to do so. If you don't know the answer to a question "I don't  
23 know" is okay also. You're the expert on the operation and you  
24 know the safety program in place there, so we just want to learn  
25 from you to help further our investigation.



1 And if you need to take a break, also let us know that.

2 MR. CROWLEY: Okay.

3 DR. WILSON: Do you have any questions before we get started?

4 MR. CROWLEY: I don't have any questions. If anything comes  
5 up, I'll indicate and see if I can ask a question at that point.

6 DR. WILSON: Perfect.

7 INTERVIEW OF DANE CROWLEY

8 BY DR. WILSON:

9 Q. If you could spell your last name for us, please.

10 A. My last name is spelled, Crowley, C-r-o-w-l-e-y.

11 Q. And how long have you been in your current position?

12 A. October 2014, I started with Soloy Helicopters.

13 Q. And you started in the position that you're currently in?

14 A. Correct. I started as the safety manager.

15 Q. And if you could give me a CliffsNotes version of your  
16 background that led you to Soloy?

17 A. I was a full-time wildland firefighter from 1990 through  
18 2004, and in the course of my years there with -- mostly with the  
19 Division of Forestry, I ran fire crews, I was a helitack foreman,  
20 I spent a number of years doing fixed wing air attack, detection,  
21 so any number of different functions within the aviation side of  
22 wildland fire. I operated a timber company for a number of years,  
23 and in the course of doing that was responsible for our in woods  
24 logging safety as well as the port safety planning when we were  
25 engaged in export activities. So I had a kind of diverse

1 background in safety -- operational safety, both in wildland fire,  
2 fire aviation, timber management, industrial port operations --  
3 before coming to Soloy. I had enough of a diverse background that  
4 that was a good fit there at Soloy Helicopters.

5 Q. Are you a pilot?

6 A. No.

7 Q. As the director of safety, what are your duties and  
8 responsibilities?

9 A. My primary duties and responsibilities are surrounding the  
10 safety program there. So that occupies probably 60 to 80 percent  
11 of my time on a regular basis. And then I manage some of our  
12 other -- some of our contracts for fire, all of our non-flying  
13 assets. So I kind of manage our fleet and anything else that's  
14 non-fixing, non-flying sort of sometimes falls under my umbrella.  
15 So I do a little bit of the HR. Some of the non-flying, non-  
16 maintenance training, I'll also do some of that as well.

17 Q. Do you have anybody that reports to you?

18 A. I do not have anybody that directly reports to me.

19 Q. Who do you report to?

20 A. Generally I work for the director of operations, although in  
21 any good safety organization, I also directly report to the owner.  
22 So if I need to bypass to make safety issues known to management  
23 above management to the owners, I can do that as well. So --

24 Q. So you mentioned the safety program. What safety programs  
25 existed when you came to Soloy? And then my follow-up question

1 will be how did you -- you know, how has the safety program  
2 developed since you've been at Soloy?

3 Q. So first question, what existed when I got there, I would say  
4 Soloy Helicopters had a program similar to what a lot of smaller  
5 135 operators have, in that it was sort of an amalgamation of many  
6 different safety programs; some boilerplate stuff, they had a  
7 consultant come in and do some gap analysis. So when I arrived  
8 there, I had a lot to choose from and not a lot of clear direction  
9 as far as something solid. So I endeavored to read all the  
10 information that was available to me there, develop an action plan  
11 moving forward. And then I decided what we could archive and what  
12 we could -- what we needed to fill in to round out the program to  
13 have it reflect what we were actually doing.

14 So what I did is I basically archived the things that were  
15 not pertinent to the operation and rewrote the entire SMS manual  
16 to reflect what we actually do, removing some 400 pages of sort of  
17 fluff out of there; it's in archive. So the program that we have  
18 in place is written by us, for us. It's evaluated on a yearly  
19 basis. We've had this program in its current format I think for 5  
20 years now, but it's reflected in the SMS manual, you can see when  
21 that change was made. So what we have now reflects what we do and  
22 it's very, I would say, very concise to our operation.

23 Q. And the SMS is for the entire -- all departments within the  
24 organization?

25 A. It is. The SMS I think sort of works hand in hand with your

1 HSE planning. You know, OSHA covers some of the stuff we do. So  
2 it speaks to all of it, but it works hand in hand with the  
3 occupational side, which I also address as well. Between the HSE  
4 document, the OSHA requirements, and the SMS manual, it covers the  
5 entirety of the operation.

6 Q. Is this SMS program a part of the FAA's voluntary SMS  
7 program?

8 A. It's not part of it at this time. I know there's been --  
9 that that has come up as an option. Recently there's been  
10 requests to evaluate that, so we are evaluating that.

11 Q. Requests since the accident or prior to the accident?

12 A. Prior to the accident, yeah.

13 Q. Okay. And who did those requests come from?

14 A. Someone from the FAA. I know that we've been contacted by  
15 email asking if we'd like to participate. So --

16 Q. And in the development of the SMS, what resources did you  
17 rely on? How did you know what to do to make sure that this was  
18 good SMS?

19 A. So looking through the gap analysis what was done by Arvo  
20 (ph.) I think in 2014, I was able to see what parts of the SMS  
21 program, as it existed prior to me getting there, where the gaps  
22 were. And most of the gaps were implemented, not documented, as  
23 is often the case. There is a procedure, however, there's no  
24 policy. So I went through using that gap analysis to close those,  
25 develop policies to reflect the procedures that were in place

1 initially, is what I did. For the HSE side, of course, I went and  
2 got some training. I enrolled in the University of Washington's  
3 OSHA program. I got the 100-hour and 30-hour instructor  
4 certification. I go back through and renew that as it expires to  
5 keep the occupational side current. And that feeds into the HSE  
6 side of things.

7 I would say, on average, we receive about five to seven  
8 annual audits from third-party auditors from customers, FAA  
9 inspectors, OSHA, that come in, evaluate our safety program. I  
10 take that as a learning opportunity -- they look at SMS manuals  
11 all over the country, all over the world -- to get advice on how  
12 SMS can be more effectively administered. And so I've  
13 incorporated changes into the SMS program and the manual as a  
14 result of third-party audits, to include the BARS audits, oil and  
15 gas production audits as well. So high-standard audits to look to  
16 improve the program, and that's how we've continued to stay  
17 current with what's occurring in the industry.

18 Q. And is there training associated with the SMS?

19 A. Training in?

20 Q. For pilots, for Soloy personnel.

21 A. Training that I conduct to the pilots, to the staff,  
22 absolutely, there is part of that, yes.

23 Q. Okay. And what does that training entail?

24 A. Every year we do an annual training. So in -- we do it on a  
25 calendar year. So in 2015, I instituted an annual orientation

1 training for new employees coming in, seasonal employees  
2 returning, and for all full-time staff that are at the office. In  
3 the course of that orientation training, it's -- for the folks  
4 that are there year after year, that might be 3 hours. We'll go  
5 through changes to the company, organizational changes. We'll go  
6 through anything new, any new programs for the company, and then  
7 we'll also go through the specific SMS portion, the safety  
8 portion, where we'll go through how they coordinate with the SMS  
9 program, how they report, what that looks like. We'll go through  
10 an example of how to log on, how to do those reports, why we do  
11 the reports, how they'll receive feedback, that I turn in a report  
12 and within 3 months I should see that report in a quarterly  
13 review, and then I'll also see that report and whatever needs to  
14 be done to rectify that problem or provide additional information  
15 in the annual safety report as well. And every person in the  
16 company goes through that every single year.

17 Q. And are you the one that performs the training?

18 A. I administer that personally to everybody in the company. We  
19 will do group human factors training. We do use some resources  
20 from the FAA on human factors, some of the stuff that's published  
21 on that. We'll go through some examples to try to get a better  
22 understanding amongst the staff on how human factors can affect  
23 maintenance, flight operations, those type of things. We'll use  
24 that as an opportunity for any other training that we think is  
25 pertinent for the year based on our trend analysis from the

1 previous year if we think there's items that we need to spend more  
2 time focusing on. I make a big part of my focus and training  
3 always to be -- it becomes routine, it becomes mundane, and it  
4 becomes I think repetitive, but in all the years of evaluating our  
5 safety and what's really the biggest risks, I hammer on that every  
6 year, falls from ladders, falling off the aircraft. So we go  
7 through this stuff every year, mostly because I want people to  
8 know how their -- what their interaction is, what their role is in  
9 our safety program, and we do that every year.

10 Q. Is the training that you offer tailored to maintenance or ops  
11 or one training that addresses both of the issues?

12 A. The training includes information that would be very specific  
13 to pilots and very specific to mechanics, and if I'm talking to a  
14 group of pilots -- if I have one-off conversations, you know, if a  
15 new pilot comes in this week, whether they're returning or new to  
16 the company, I'm going to sit down with that person and I'll focus  
17 a little more heavily on the pilot side information but I still  
18 want the pilots to be aware of what I'm telling the mechanics and  
19 vice versa. I think it's important that everybody know what the  
20 other side is hearing, other side of the house is hearing.

21 The orientation I think also is good to get everybody on the  
22 same page, this is our ethos of safety, this is what we're talking  
23 about, this is our expectation for professionalism, and giving  
24 them an opportunity to be successful right out of the gate with  
25 expectations. I think that makes it easier for everyone.

1 Q. In the training -- let's talk about recurrent training. When  
2 you're offering the class, is it just to pilots, is it just to  
3 mechanics, or is it sometimes a blended class?

4 A. It can sometimes be a blended class. If we do a --  
5 oftentimes we'll have a group of pilots come in that will be  
6 starting contracts within that week or 10-day period. So they  
7 may -- I may have three pilots to sit down and go over this with.  
8 Oftentimes it's a one-on-one. We'll have usually a larger group  
9 with our full-time folks in January, and then it'll be one or two  
10 people at a time throughout the remainder of the season as they  
11 come through.

12 Q. You mentioned a trend analysis. Tell me more about that.  
13 What do you do? What are you looking for?

14 A. Well, in the absence of trend analysis you're really shooting  
15 in the dark on where you're going with safety. So if you can't  
16 use some sort of data point to see where you're going, I think you  
17 would struggle with the direction of your safety or where you  
18 should put your focus. So we use our SMS reports to see if we  
19 have categories of reports that are coming in that would say we  
20 should focus more on this. If we've got four reports in a month  
21 of this, maybe we should -- we need to focus on improved training  
22 for this task. Oftentimes no trends are there, you have a lot of  
23 one-off stuff, which is still important trend analysis, maybe not  
24 for the month, for the week, but maybe from year to year.

25 So we capture and retain all that data, all those data points



1 for review. And, you know, maybe the trend is very long term and  
2 not as easily detected, but the data points are still there. If  
3 we have any -- anything we think maybe we could find a trend on,  
4 for example, this year we included in our SMS reports unscheduled  
5 maintenance and over-torque, over-temp events as we know about  
6 them. Maintenance of course always knows about any over-torques.  
7 But I want to capture that information in our SMS reporting system  
8 to see if a trend is there for unscheduled maintenance or anything  
9 else. If it's a seasonal thing, if it's a customer thing,  
10 whatever that might be, I can't do that analysis unless I have  
11 data. So I rely on those to get those trends.

12 Q. Tell me more about the SMS reports. What data is going into  
13 those SMS reports?

14 A. And I'd be glad to provide any of this stuff for you guys to  
15 review.

16 So our SMS report is a -- I built it on Google Docs because  
17 it is available for everyone, everywhere they are. So the  
18 reporting system, when we first launched this particular online  
19 reporting, we retained our paper reporting system that next year  
20 as a backup in case we had any issues. But we tested that on all  
21 devices, all platforms. If you have internet, you can report and  
22 we have no -- there is no location we operate realistically that  
23 doesn't have some internet. So pilots, mechanics, from any  
24 location they're at, can log on through our website in the  
25 employee login section. It populates the Google Docs SMS-3

1 report. It's SMS -- it's our number SMS-3. It requires them to  
2 fill out all of the data points in order to submit the SMS report,  
3 with the exception of "Submitted by." All of these can be  
4 submitted anonymously if necessary. And that auto populates an  
5 Excel spreadsheet that's tied to that document. So I can simply  
6 log on to Google Drive -- I can do that from anywhere -- and I can  
7 see SMS reports as they come in.

8 And then of course our monthly safety committee meets. We  
9 review all SMS reports that have happened over the past 30 days,  
10 and start to capture that information and digest it. So I, you  
11 know, once a month, if not more, I'm looking for those trends  
12 short term, quarterly I'm looking for trends, and then annually  
13 I'm looking for trends.

14 Q. If somebody submits a report and puts their name, would you  
15 follow up with that person? What is --

16 A. We follow up with all of them as, you know, as the safety  
17 committee meets. More often than not -- I mean, we're not Alaska  
18 Airlines. So, I mean, we're a small enough company that I know  
19 what's going on usually prior to receiving a report or I know  
20 shortly afterwards. People are very willing to report. We have  
21 very good reporting. And when we talk about reports being sent  
22 anonymously, you know, as a requirement of an SMS, strangely, in  
23 the past 5 years, I cannot recall that I've ever received an  
24 anonymous report. Even if the report -- there's things that  
25 happen which could be embarrassing to a pilot or mechanic, just

1 kind of stupid in public kind of stuff. People are still willing  
2 to put their name on those reports. And I think that speaks to  
3 the nature of our safety program, that I think the people that  
4 work there feel like we're doing the right thing with that  
5 information; we're using it to make the company better and  
6 therefore are willing to put their name on it.

7 Q. You mentioned a safety committee. Who is on that safety  
8 committee?

9 A. Safety committee is chaired by myself, assistant chief pilot,  
10 chief pilot, director of operations, director of maintenance,  
11 assistant director of maintenance -- Sam is now the vice  
12 president, so the vice president, and if Chris Soloy, the  
13 president of the company, he will participate in those as well.  
14 And then our office manager is taking notes, the minutes, on that  
15 as well.

16 Q. This committee reviews all of the SMS reports that come in?

17 A. All that come in.

18 Q. And then when a resolution comes about because of a report,  
19 then what happens?

20 A. So if we -- and this is that feedback loop that we're looking  
21 for through safety, that if a person is putting in a safety  
22 report, you know, I noticed there was something in the hangar that  
23 was dangerous, we're going to look at that and go, okay, do we  
24 need to change something? We may discuss it in the committee and  
25 say, well, only -- you know, we need to put a ladder rack up to

1 prevent ladders from falling over and damaging aircraft. Let's  
2 just use that as an example. So the fix will be, well, we're  
3 going to install some ladder racks in the storeroom so that  
4 ladders can be stacked and they're not going to fall over. We  
5 will make that change immediately. Whoever had submitted that  
6 report's going to see the change directly in front of them that  
7 something changed to fix the problem that they've reported. And  
8 then on the quarterly report that goes out to all the employees,  
9 that's going to be listed as, you know, an observation was made in  
10 the hangar that ladders were prone to falling over and a ladder  
11 rack was installed in the back room, problem solved. And they're  
12 going to see that, and it will also show up a second time in the  
13 annual report as well. Annual reports are saved and uploaded to  
14 the employee section of the website so any employee can look back,  
15 certainly over the entirety of the time I've been at Soloy  
16 Helicopters, and review all SMS reports that have occurred since  
17 2015.

18 Q. The SMS quarterly reports that go out to all employees, is  
19 that via email or how do they get them?

20 A. Email. And I send a return receipt on that or a read  
21 receipt, so I know who's reading them. I may remind people to  
22 read them if I haven't seen something. So I know who's opening  
23 them and who's not. Some of the people that I send them to are  
24 seasonal employees that are not currently there because I know  
25 they're coming back. I know we're the only people they fly for,

1 so I do share that information with them as well.

2 Q. Is there any other method that safety-related information is  
3 shared outside of -- you said in recurrent training you'll talk  
4 about trends and those type of things, you've got these quarterly  
5 reports. Is there other ways that safety information might be  
6 shared with employees?

7 A. So we have a standup safety meeting every morning at 8  
8 o'clock in the hangar. It covers operational, maintenance, and  
9 it's an opportunity every day for -- I obviously have an  
10 opportunity there to pass on, you know, the mundane safety, if  
11 it's icy outside, you know, or any -- we use the opportunity  
12 sometimes in the morning -- like tomorrow morning, for example,  
13 we'll be training proper fueling and the small spill kit in the  
14 hangar. So we use the opportunity to have additional hands-on  
15 training.

16 We do a hands-on live fire extinguisher training for everyone  
17 that's around, where we actually discharge the compressed air foam  
18 systems and people can get a chance to see what those actually do,  
19 how they look, how they operate. It's more effective training  
20 than a classroom training on that. And then for folks that come  
21 in throughout the year, we do -- we will talk about things like  
22 the fire extinguisher as well. So there's formal and informal  
23 ways that safety are passed through the company.

24 But also one of the things that's very difficult and very --  
25 you know, it's hard to quantify how it happens, but we have a

1 small company, and it's still a small enough company that we all  
2 know each other and have the opportunity to visit with each other  
3 on a regular basis. So as folks are coming in and out of the  
4 hangar in between jobs, I'll visit with them. I'll visit with  
5 them on what they're seeing in their locations, what kind of  
6 hazards they're experiencing, get a general feel for how things  
7 are going for them. In fact, the Friday before the accident, I  
8 had such a conversation with Zach as he was coming through.

9 Taking those opportunities when they present themselves is  
10 important to me to gauge lots of things, including fatigue and,  
11 you know, if somebody -- especially toward the end of the flying  
12 season. Because I have an opportunity to talk to every single  
13 person in the company on a regular basis, I'm able to develop a  
14 baseline for them individually and personally, which is something  
15 that as long as we're able to do that, is a very powerful and  
16 important part of safety. And so as folks come through, I'll  
17 visit with them, as I did Zach on the Friday before the accident:  
18 How's it going? What are you seeing? How you feeling? And I get  
19 a gauge for how that's going for him and everybody else that's  
20 coming through. And that's a difficult thing to quantify in  
21 safety but that personal connection that we make with our co-  
22 workers over the course of the season or over the course of the  
23 year is very important. And so that also happens.

24 Q. Was there anything remarkable about the conversation that you  
25 had with Zach?

1 A. There wasn't anything particularly remarkable about it, and I  
2 think the conversation reflects the type of information I get. So  
3 the conversation went something like this: How's it going? It's  
4 going pretty well. How's the flying going? It's going pretty  
5 well. You know, last year there seemed to be a little more push  
6 to fly when the light was flat and that was tough. We're getting  
7 no pressure this year. It's very relaxed, much better. I'm  
8 pretty happy about that. Where you been flying? You know, he's  
9 been -- he had been flying out of Girdwood. It's going great. I  
10 think he was having a good time and -- it was just a short  
11 conversation. He was on his way to do something, but I want to  
12 catch those guys when they come through and have those brief  
13 conversations.

14 I'll find out if a mechanic is really doing a great job or  
15 maybe needs a little more attention to the aircraft if the pilot  
16 feels that they're really on it or not. So I can help make sure  
17 that's being followed up on as well, so -- and I'll ask mechanics  
18 the same way, how's the pilot treating the aircraft? How are  
19 things are going with your pilot? They're going well. So I can  
20 get a lot of information in a very short conversation about the  
21 nature of the operation.

22 Q. Did he give you any sense about who was putting the pressure  
23 on last season to fly in the flat light?

24 A. No. And I think it's a -- I don't think they're from any of  
25 our customers that have real push to do things outside of

1 anybody's comfort. Obviously customers make their money if things  
2 are happening, and if things aren't happening maybe they're not  
3 making money. So I think there's a, even if it's an unspoken --  
4 and I don't think that is unique any one industry. I think  
5 there -- you know, helicopters cost a lot of money, and flight  
6 operations, they want to see things happen. So, you know, they  
7 might grumble about it, but if a pilot says we're not flying  
8 today, we really don't get too much pushback from customers on  
9 pushing the envelope on that at all.

10 Q. And when you say customers, who are you referring to?

11 A. Whoever we're contracted to fly with, whether it's a ski  
12 company or a drill company or an exploration company or oil  
13 company, whoever the case may be.

14 Q. Is there ever pressure from the skiers? So going back to  
15 like to a heli-ski operation, so you've got the customer, in this  
16 case would be the ski outfit, right, or the tour guides, the  
17 company that the tour guides are working for? Or are you going --

18 A. The customer would be Chugach Powder Guides or Tordrillo  
19 Mountain Lodge. The skiers themselves are not the customer and  
20 the guide himself is not the customer from a contractual  
21 standpoint.

22 Q. Okay. So a pilot may not feel -- I shouldn't put words in  
23 your mouth. Do you think a pilot would feel pressure from a guide  
24 or a skier to push the limits?

25 A. I don't think so. I think the pilots and the guides,



1 certainly these are people that we've worked with for a number of  
2 years. I think there's good communication, coordination, and  
3 safety is really the name of the game, I think, for everybody  
4 here. I mean, I don't -- guides are tasked with putting skiers of  
5 varied skill levels out into unknown conditions and taking them  
6 downhill, and so they're not -- I have not heard of, that I can  
7 recall, any guide that has pushed a pilot to do something. If a  
8 pilot says this isn't good, we'll call it. And I think oftentimes  
9 if a number of pilots are experiencing the same conditions where  
10 it's challenging, they'll basically call for the day for everybody  
11 else, too. It's just not worth it.

12 Q. Are pilots interacting with the customer, as your definition  
13 of customer? Are they interacting with --

14 A. The pilots are interacting with customers or their  
15 representatives every day. You know, when the pilots go to CPG or  
16 when the pilots go to TML, the representative of the customer is  
17 the guide that they're working with. So they're working in a  
18 coordinated fashion with those guides in a ski scenario. They're  
19 working with the helicopter coordinators in a oil and gas scenario  
20 to take people out. They're working with the drill foreman or  
21 whoever's the appointed customer rep in a exploration camp. There  
22 is going to be interaction on a daily basis with that customer or  
23 customer rep.

24 Q. I'm trying to create the link of the conversation that you  
25 had with Zach and that there was pressure to fly in flat light

1 conditions. And so where would that pressure be coming from if  
2 it's not the guide, but then the guides are the customer rep? I  
3 don't -- I just am trying to like understand is it the customer  
4 talking to Soloy and Soloy putting pressure on pilots? Or  
5 where --

6 A. I think the -- so the pressure that he was referring to was  
7 from 2020.

8 Q. Um-hum.

9 Q. 2020 was a challenging year for our customers we were flying  
10 for. They were experiencing a lot of cancellations and I think  
11 they were trying to fly as much as they could. And they were  
12 not -- our pilots were not flying on days when it wasn't safe to  
13 do so, and -- but I think they were -- the customer was very keen  
14 to fly as often as they could. And it wasn't -- it's a very -- I  
15 think just knowing that they're wanting to fly is it. Not that  
16 there's anything said, not that there's anything directly said to  
17 them, just that you're around a group of people for weeks and  
18 months, you know when they're anxious to go do something.

19 But all of the customers that we fly for, almost without  
20 exception, are very sensitive to the PIC role, that if the pilot  
21 says we're not flying, we're not flying. And we don't get any --  
22 I don't know of any -- there maybe have been calls, none I'm aware  
23 of, where somebody has called and said we want your guys to fly  
24 when we say they need to fly. We don't get that, so --

25 Q. You mentioned fatigue. Is there -- does Soloy have a fatigue

1 policy?

2 A. We have a policy. We do have information we drafted on the  
3 recognition of fatigue. We're aware that fatigue exists  
4 obviously. Fatigue was a tremendous factor in, and why my  
5 awareness of fatigue is probably more so -- fatigue awareness and  
6 fatigue management in wildland fire was a contributing factor to  
7 many fatalities. And certainly the fatigue management in fire is  
8 to increase the physical fitness requirements for certain job  
9 positions as a mitigation for fatigue. So I'm aware that fatigue  
10 affects human performance and decision making.

11 The trend in aviation right now to having scheduled breaks.  
12 Fire obviously only allows pilots to go 12 and 2 on their  
13 rotation; they can't fly more than 42 hours in 6 days. There's a  
14 whole list of requirements in fire for pilots to help avoid  
15 fatigue, and many of our other customers are voluntarily adopting  
16 rotations that give pilots days off, which of course we support.  
17 And we're -- we schedule breaks in for our pilots to avoid that.  
18 We're not mandated to do that, and we voluntarily will relieve  
19 pilots just to give them a break, because we recognize that's  
20 important in managing risk. It's not always the case that you can  
21 do it on the schedule that you like, but we work towards that, to  
22 be able to give guys those days off and give them a break. Days  
23 off in camp aren't always as good of a break as we'd like, so --

24 Q. Does the fatigue policy fall under the SMS?

25 A. It is mainly through the SMS program. And we review those

1 every year to see if they're meeting our requirements, if we need  
2 to -- all the SMS program, all the documents, all the manuals, are  
3 reviewed annually to see if they're meeting what we need, if we  
4 need to change something, improve something or get rid of  
5 something. Sometimes things no longer have a value, something  
6 else has come along that's a better program. So we review that  
7 every year.

8 Q. You mentioned that there were five to seven annual audits  
9 from either customers, the FAA, OSHA. Has Soloy -- since the SMS  
10 program for the last 5 years, since that's been reworked, has  
11 Soloy hired an external audit company to come in and do another  
12 one of those gap analysis to see if there's anything that's  
13 needed?

14 A. Well, we don't have -- we haven't done a gap analysis. So,  
15 for example, over the past 3 years, under our own direction, not  
16 required by a customer, we voluntarily enrolled in the basic  
17 aviation risk, the BARS program, through Flight Safety Foundation.  
18 It's considered a very high standard audit and it is strictly  
19 voluntary. We didn't do it at the request of a customer or to  
20 meet the requirements of a customer. So that we did pay for and  
21 have them come in, including this year -- so this was our third.  
22 We had a comprehensive audit 3 years ago, last year we had the  
23 CORE audit, which is just sort of a checkup, and we also had one  
24 in February of this year as well from the same. And that's about  
25 as comprehensive of a companywide audit as you're going to get, to

1 include the SMS, safety, occupational, HSE, the parts department,  
2 the maintenance department, maintenance records, flight records,  
3 training records, both pilot and mechanic. Very comprehensive.  
4 So the BARS standard, you guys can, you know, see -- you know,  
5 look up that BARS standard to see what it entails. And so that's  
6 an example of us hiring somebody that's come in as a third party  
7 to do that. And our first two were done by Litson & Associates  
8 out of South Africa, and this last one was done by Argus out of  
9 Denver.

10 Q. And as a result of this audit were there things that needed  
11 to be corrected?

12 A. There are always a few things that need to be corrected, and  
13 a lot of them are what they're considered P2 findings. It was 10  
14 P2 findings in the last one. Most of them were documentation  
15 related. Some of those had not yet been conducted for the year at  
16 the time of the audit, so -- root cause, we couldn't show them the  
17 documentation because we hadn't done it yet for the year because  
18 it was done so early in February and those are 90 days to close  
19 those out. No P1 findings, which are your high priority safety  
20 issues. They have no findings for that.

21 Generally speaking, I think I -- I can provide any of the  
22 information for those audits. They're usually very complimentary  
23 of our organization, and so I have no -- we own the audit, so I  
24 can freely share them at the discretion of the company.

25 Q. Okay. I actually just put that on my list of things to

1 request, so --

2           Going back quickly to the safety standup meetings that you  
3 said occur each morning. Who attends that?

4 A. Everybody.

5 Q. Is it required?

6 A. Generally speaking, it is required. I mean that is how we  
7 start our day every day, and it's not -- everybody assembles in  
8 the hangar. You know, it sort of sets the tone for the day, what  
9 we're doing today. It makes general maintenance and operational  
10 things known to everybody. We're going to have stuff coming in  
11 and out today, we've got an audit today, we're -- whatever the  
12 case may be. It gets everybody on the same page every day.  
13 Sometimes they're pretty short and sweet, there isn't a whole lot  
14 of information to give, and sometimes there is. But it's an  
15 opportunity every day, anybody in the room can speak up if they've  
16 got something to say and make it known. Minutes are taken from  
17 those meetings every day and attendance is taken for those  
18 meetings every day, but it feels fairly informal. But it is an  
19 everyday thing.

20 Q. Are there any -- I'm thinking pilots, but I guess anybody who  
21 comes on shift later than the meeting?

22 A. Um-hum.

23 Q. So what would they -- is there a review that they can do if  
24 they miss the meeting?

25 A. If there's something pertinent to their day, if we have

1 somebody -- let's say we have a pilot that's coming in, that they  
2 have a scheduled flight to leave at noon. Let's say it's a day  
3 charter to go look at the FAA weather camps or something. They  
4 may come in at noon so they can start their duty day later for  
5 whatever reason. They're going to come in, they're going to talk  
6 to the chief pilot, they're going to talk to the director of  
7 operations. They're going to get up to speed on anything they  
8 need to know. They're usually there a minimum of an hour prior to  
9 whenever they're supposed to go, so they're going to have an  
10 opportunity to catch up with everybody. They make the rounds.  
11 They're going to talk everybody, so I don't feel like there's any  
12 information that if it were pertinent to them it's going to get  
13 missed if they were to come in late.

14 Q. I'll ask one more question and then I'll let someone else  
15 have an opportunity. The FAA's voluntary SMS program, what do you  
16 think are the pros and cons of participating in that?

17 A. We haven't taken a good look. It's on our agenda to talk  
18 about at our next meeting. Generally I think the pros may be  
19 extending the information that's possible to gain from other  
20 operators. The con is, is I don't think that the FAA has anything  
21 to offer that is up to the level of the SMS program we currently  
22 have, so I don't think it has an added benefit in that I'm going  
23 to see something different or new. I feel like the FAA program is  
24 really geared towards 135s that don't have a very high functioning  
25 SMS program to get them started, and I think it provides a very

1 valuable role for those folks. Our experience back to some of  
2 those operators could be a benefit to them. So we're still in  
3 that really process of evaluating generally how we want to do  
4 that. So it's on our agenda.

5 DR. WILSON: Okay. Thanks, Dane.

6 Shaun?

7 MR. WILLIAMS: I just have a couple.

8 BY MR. WILLIAMS:

9 Q. Back to the safety reports.

10 A. Um-hum.

11 Q. About how many do you guys do?

12 A. I'd have to go back and review, but I'm getting somewhere in  
13 the neighborhood of 40 a year.

14 Q. Okay.

15 A. I changed that -- one of my safety goals last year was to  
16 increase the number by 30 percent, I think. Not because I think  
17 that number alone means anything, but just based on how many  
18 things should have been reported that maybe were low issues that  
19 maybe people just weren't aware that this is something I would  
20 like to see. And so we did some training on what the expectation  
21 was on these are the type of things I would expect to see a safety  
22 report on. And I think just that awareness brought the level up  
23 to about what I thought it should have been. It's been fairly  
24 consistent over the years as far as the number of reports that  
25 I've received, with an uptick last year just I think through



1 better training on what constitutes an SMS report.

2 Q. And that roughly 40, that's across all departments and  
3 everything?

4 A. Yes.

5 Q. Total --

6 A. Total volume, yeah.

7 Q. Okay. Do you know about how many you get from like pilots,  
8 flight ops type of things?

9 A. We could easily determine that by going to our annual  
10 reports. I have them broken down into flight ops or flight  
11 operations, maintenance, safety observations. Sometimes they  
12 cross over into a couple of them and I try to indicate that when I  
13 put those reports out. But they are broken down by flight ops,  
14 maintenance, so on and so forth, so it's easy to tell about what  
15 percentage would come from each side, if that's helpful.

16 Q. Does Soloy have an ASAP program?

17 A. Please tell me that acronym.

18 Q. I blanked. It's always ASAP. Aviation Safety --

19 DR. WILSON: Safety Action --

20 BY MR. WILLIAMS:

21 Q. -- Action Program. So basically where -- it's kind of like  
22 the anonymous reporting. So pilots can report a problem, there's  
23 some -- you can do maintenance ASAPs or dispatch ASAPs, whatever.  
24 And it's kind of this agreement with the FAA, the operator, and  
25 then a lot of times there's a third party that will kind of run

1 it. In a bigger airline you've got like the pilot's union will be  
2 on there or, you know, Air Charter Safety Foundation will be a  
3 part of it, where there's -- essentially it reduces the  
4 repercussions or eliminates the repercussions to pilots to report,  
5 hey, I screwed up on X, Y or Z, I busted a -- okay, well, it meets  
6 the requirements, it's accepted into the program. Now the FAA,  
7 because they're a part of the group that reviews it, says, yes,  
8 it's accepted, there will be no punishment to the pilot; thank you  
9 for your report, it helps improve safety. So it helps --

10 Q. So we don't have a formalized ASAP program; however,  
11 everything you've described can occur with our SMS program.  
12 Because our SMS reporting system, the way it is online -- and I  
13 show this to every single person every single year. When you go  
14 down and fill out the SMS report, and it may have -- it's got a  
15 little different -- bird strike, you know, unscheduled  
16 maintenance, flight safety, you know, whatever the general  
17 category is, they can click those. It captures atmospheric data,  
18 time, location, if necessary. And then there's a brief area for a  
19 description of what happened and then, of course, reported by.

20 Now if that "reported by" is left blank -- that populates an  
21 Excel spreadsheet -- I don't know who turned that in. All I know  
22 is a timestamp of when it was turned in and other information. So  
23 if there were a safety issue of somebody doing something where  
24 they could get in trouble -- however, I'd like to address that as  
25 well -- they can turn that in anonymously and say I think there's

1 a big problem in the way we're doing maintenance or a big problem  
2 in the way we're training, they can submit that and I don't know  
3 who turns those in. I have no way of finding out that.

4 Now to go back to somebody getting in trouble, I'm very clear  
5 both in writing and what I tell everybody through our safety  
6 training, that we have a nonpunitive reporting system. Now it's  
7 voluntary reporting and it's nonpunitive. It's spelled out in  
8 letters, everybody sees it in writing, and I tell them the same  
9 thing. Our goal through the SMS reporting system is to make  
10 things better, to not make the same mistake twice, and in doing  
11 so, you reporting something, and if you need to do it anonymously,  
12 please do it, because the information is what we're after first  
13 and foremost.

14 Having said all that, in all the years that I've taken SMS  
15 reports, where somebody has done something that is embarrassing,  
16 they still put their name on it. So I think they trust that we  
17 take the information that they're giving us to try to do the right  
18 thing with it. They're still wanting to put their name on it just  
19 the same. And so I think that speaks to the participation. I  
20 think it speaks to the confidence that our employees have that  
21 we're doing the right thing with that information and it is  
22 nonpunitive.

23 Q. I think one of the things with the ASAP is it also prevents  
24 FAA action against the pilot as well because it's accepted, so  
25 they're accepting it as reportable.

1 A. Right.

2 Q. So now the FAA will not go and take action. That's what I  
3 meant by get in trouble. Not so much by Soloy.

4 A. Right.

5 Q. The FAA is essentially agreeing not to take punitive action  
6 against the pilot or the mechanic or the dispatcher or something  
7 like that.

8 A. I guess we're very lucky in that we -- I don't see any SMS  
9 reports that rise to the level where the FAA would be taking  
10 action. Most of them are not to that level. So I will take  
11 that -- you know, much like an audit, I take this opportunity to  
12 learn about things as well. So I'll look into that ASAP and see  
13 if that is something that we can incorporate into our program in  
14 the future if it's -- looks like it would be useful.

15 Q. And then I just have one more. Have -- because I'm guessing  
16 you kind of reviewed everything since this accident as far as the  
17 operations the best you can. From what you've seen, has there  
18 been any immediate changes?

19 A. There hasn't been any immediate changes in anything I've  
20 done. You know, we just went through a very comprehensive audit  
21 in -- 3rd or 4th of February. So it seems to me, my yearly  
22 schedule is I've had a significant audit, maybe I have some  
23 findings to close, maybe I don't. I review the items. I review  
24 our documentation for the year. I have another audit coming. I  
25 have another group of people coming in. I'm talking about our

1 safety program. They're coming at it from a totally different  
2 angle. I'm explaining our safety program to them, to the next  
3 person. So I find myself in a position where I'm reviewing our  
4 program for an auditor often. So I don't feel like I'm ever not  
5 in the mode of reviewing what we're doing. And because my primary  
6 function is safety, I don't have the distraction. I'm not the  
7 director of operations and the director of safety. So my eye is  
8 on the ball all the time for what we're doing. I don't have  
9 something to distract me from my primary function, so I think that  
10 helps as well. So I feel like I know where we're at all the time  
11 and where our program stands all the time.

12 MR. WILLIAMS: Okay. That's all I have.

13 DR. WILSON: Fabian?

14 MR. SALAZAR: Yes, ma'am.

15 BY MR. SALAZAR:

16 Q. Just a few questions for you, Dane. Your boss, Mr. Soloy,  
17 does he have an open door policy or does he call it by any other  
18 name?

19 A. I don't understand the question.

20 Q. Do you feel like you're free to go into his office at any  
21 time and --

22 A. Absolutely.

23 Q. -- tell him any type of safety concern?

24 A. Yes, I do. Absolutely. Chris -- we have very good  
25 communication in our office most of the time. I think, you know,

1 it's -- when things get busy in the summer and people are  
2 scattered to the far reaches of Alaska on contracts, there's some  
3 challenges there, but we all spend a lot of time talking with each  
4 other. We spend a lot of time visiting. And Chris, Sam, John,  
5 Greg; Rob Gideon, our chief pilot; maintenance, all of us are  
6 talking to each other in person throughout the day most every day  
7 when people are around. So we'll pop into each other's offices to  
8 check up on something. I mean, it's -- people aren't just in  
9 there with their doors closed all the time. There's a lot of  
10 chitchat.

11 Q. Okay. You mentioned the gas and oil audits.

12 A. Um-hum.

13 Q. Based off of those audits, does Soloy have contracts with any  
14 of the companies that gave you those audits?

15 A. Yes. We've flown for ConocoPhillips for the past 4 years.

16 Q. Okay. I have a question that says, if a pilot brings an  
17 aviation-related hazard to safety, to you, what steps do you take  
18 to address it? But let's go back to the oil and gas audits  
19 because they come up with findings as well. So regardless of  
20 where the findings come to -- or come from and then go to you,  
21 tell us the steps that you take -- and I apologize for the  
22 redundancy --

23 A. No problem.

24 Q. -- but what are the steps that you take with a -- call it a  
25 serious, a P1 finding? How do you address it?

1 A. So the only P1 finding I've had was last year with the BARS  
2 audit, and it was a new standard that they had incorporated into  
3 their program that said if you are flying -- transiting with a  
4 longline, that you had to have 35 pounds or more attached to the  
5 end of the longline. We don't have a -- we didn't have a policy  
6 that said that. We're not transiting any distance with a bare  
7 longline as a general practice anyway. However, in that case, we  
8 do have a BARS manual that we have for the company when operating  
9 for a customer that requires BARS standards to be implemented for  
10 their operation. A policy was added to that document that said if  
11 you're transiting with a bare longline, you must have 35 pounds  
12 attached. We submitted a copy of that to BARS. It's now policy  
13 that if you're transiting, that this will happen. So that was  
14 the -- that's the only P1 we've had. We haven't had any P1  
15 findings with any other audits that I'm aware of and not since  
16 I've been there.

17 And many of the P2 audits for oil and gas, for example, you  
18 need to put a placard up that says what the weight requirements or  
19 what the weight limitations are for that particular rack there, we  
20 recommend that for your facility. So the follow-up would be to  
21 install the placard that would indicate what the total weight  
22 requirement or limit is for that particular rack, send a picture  
23 of it, we've completed that task, and gone through the facility if  
24 there were any other placarding, for example, that needed to  
25 occur, those placards would be installed as well. So most of the

1 findings that we would have would be simple things like that. We  
2 don't have any structural or, you know, companywide issues that  
3 would be systemic type issues that we'd be addressing. That  
4 hasn't been a finding that we've had in the past 5 or 6 years  
5 since I've been there.

6 Q. If a problem or a finding is going to take some time to  
7 correct, do you have a hazards log that you document these  
8 findings on?

9 A. We do. If we have something -- and we've had very little of  
10 that where a hazard log -- we do have the hazard log there. I  
11 find hazard logs to be not as useful as disseminating information  
12 either directly to employees or using our SMS system to put that  
13 information out to folks. But we don't maintain a long-term  
14 hazard log. We simply, we try to correct those issues and get  
15 them, you know, off a list. We don't want to have a hazard log of  
16 things that are just out there, hanging out there.

17 Q. Okay. Well, I will say this, having been in a job similar to  
18 yours as a safety officer in an army unit for several years, to  
19 me, you know your job, from the questions we've been asking and  
20 the answers that you've been giving. Have you ever had a  
21 challenge with somebody who didn't want to listen to you because  
22 he was a pilot and you were not?

23 A. I don't have too many issues there. I've been around  
24 aviation a while. I understand -- I guess let me back up. I  
25 spent a long time in fire and I spent a long time with some very



1 Type A ego-driven personalities, and I understand that and I'm  
2 comfortable with that type of interaction with people. It's  
3 possible I may have been one of those people at some point in my  
4 life myself. But I think once you establish just some rapport  
5 with people and help people understand that I'm not here to tell  
6 you what to do, I'm not here to direct you on how to fly, I'm here  
7 to try to make sure we have the same outcome at the end of the  
8 day.

9 We don't have any pilots that currently work there and we  
10 don't have any mechanics that currently work there that I find to  
11 be dismissive or fundamentally opposed to our safety program in a  
12 way that's a challenge for me. We've had pilots when I very first  
13 started that maybe were some older pilots or folks that just  
14 simply weren't interested. And I think the way we run things at  
15 Soloy Helicopters, those people find that it's just not a place  
16 for them to work and move on. So I -- the possibility always  
17 exists that somebody's going to buck you a little bit on  
18 something, but for the most part I think we've got a really -- a  
19 fine group of pilots that are pretty reasonable people and I don't  
20 find that I get any grief or blowback from them at all because I'm  
21 not a pilot.

22 Q. Two last -- two questions. Any reports from either ground  
23 crews or pilots on Soloy's heli-skiing program as it's being run  
24 now?

25 A. I'd have to go back and look. We occasionally -- I know we

1 had some -- an SMS report for glasses fogging wearing masks as a  
2 potential safety hazard. A lot of them are ground stuff, you  
3 know, people maybe bumping into stuff, kicking the helicopter with  
4 their boots or maybe hitting something with their helmet, not  
5 seeing something maybe inside the hangar, hangar rash type of  
6 stuff. But they're pretty good about letting me know and letting  
7 us know if things come up. I mean I do get, occasionally, reports  
8 from them. I think the just the one for heli-ski, just that the  
9 mask was causing some fogging issues for their goggles when he was  
10 landing. So --

11 Q. Were you guys able to come up with any type of corrective  
12 action for that?

13 A. Well, I think the corrective action was pretty clear. I'd  
14 rather you be able to see where you're landing, because I'm not --  
15 you know, all opinions of COVID aside, that is an immediate hazard  
16 that I'm not willing to accept for COVID safety. So take your  
17 mask off when you need to see. That's an easy one.

18 Q. Okay. Last question. Shaun mentioned ASAP, and then  
19 throughout your discussion you mentioned at one point, you know,  
20 getting into trouble, and you explained it. And you also stated  
21 the goal of making things better and you were hitting on some  
22 things, and I was wondering are you familiar with the phrase just  
23 culture?

24 A. Yes, absolutely. And we do talk about that. And  
25 specifically when we talk about nonpunitive, in that same written

1 paragraph that everybody visually sees and that I tell them, and I  
2 read that part to them verbatim, there's a just culture,  
3 nonpunitive, we're here to do the right thing. I need this  
4 information in order to do trend analysis, not to see if you're a  
5 good pilot or a good mechanic. That's not what we're doing here.  
6 So if your supervisor, your chief pilot, or your director of  
7 maintenance is evaluating your abilities and skills and competence  
8 as a pilot or mechanic, that's their job. That's not my job. I'm  
9 here to get information so that we don't repeat mistakes, so we  
10 can make things better. I'm very clear about that.

11 MR. SALAZAR: All right. Thank you. That's it.

12 DR. WILSON: So we've been going about an hour. Do you need  
13 to take a break or anything?

14 MR. CROWLEY: I'm good.

15 DR. WILSON: Okay. Matt?

16 BY MR. RIGSBY:

17 Q. First, Dane, just because we are the FAA and we are here to  
18 help, the AC is 120-66B. That is the ASAP advisory circular, and  
19 it also -- first place you'd go to after reading that, my  
20 understanding, is your certificate management team, and then they  
21 can be the ones to help set that up.

22 A. Thank you.

23 Q. How many total employees does Soloy have?

24 A. Well, it kind of fluctuates throughout the season. Obviously  
25 our operations are heavily weighted to the summer flying season

1 for most of our contracts. We employ at different times of the  
2 year up to 18 mechanics, up to 24 pilots on the roster, and then  
3 our support staff, myself included, officer manager, tech records.  
4 So we do have four -- probably eight or nine people that are there  
5 full-time, year round sort of as -- you know, assistant chief  
6 pilot, chief pilot, assistant maintenance, director of  
7 maintenance, and then we'll have half a dozen or more full-time  
8 mechanics that are there all the time as well. But it fluctuates  
9 throughout the season. So those are kind of the general numbers  
10 of what you should expect to see.

11 So June or July we'll probably sort of peak as far as total  
12 number of employees and then it'll slowly drop off from there as  
13 contracts end. Some of our pilots are just strictly seasonal  
14 pilots who come up to fly for us for 4 months and then that's  
15 their flying season.

16 Q. Your duties as safety manager, does that cover the 145 repair  
17 station that Soloy has as well?

18 A. As far as the coverage of the operation, because the 145 is  
19 in the building and because they operate there, so that would be  
20 more the occupational side where I sort of interact with the 145  
21 as far as OSHA requirements and so on and so forth. But they --  
22 you know, all the mechanics still participate in the SMS program  
23 just the same. So from the standpoint of employees, it's one  
24 safety program. I just have to make sure that I'm accounting for  
25 the OSHA side where it's appropriate it, flight -- you know, on

1 the aviation side where it's appropriate as well.

2       So I don't try to -- I try to keep the interaction, I try to  
3 have it that the employees know how to interact with the system in  
4 a way that they can make reports, they know the feedback loop, how  
5 that comes back them. All the details -- and I tell them all the  
6 information's here; if you want to know more, I'll tell you more.  
7 It's my job to know where the OSHA stuff applies and where it  
8 doesn't. So I don't want to have a safety program that heaps a  
9 bunch of information and overloads them with stuff that's not  
10 useful to what they need to know. I just want them to know that  
11 I'm taking care of it and if they have questions I'm here to  
12 answer them.

13       So I tell this to everybody, and I think it's important, I  
14 don't want to waste people's time with our safety program. I  
15 don't want to send out gobs of emails every month with some new  
16 program that I think is cool and exciting. I want them to  
17 understand the very basic nuts and bolts, and know that we care  
18 about safety and we run a safety program, so when I send you an  
19 email, you better read it because I'm not going to send you a lot  
20 of them. So that model seems to be working very well.

21 Q.   How many bases do you guys operate?

22 A.   One.

23 Q.   One. Do you employ any flight followers?

24 A.   Our customers do a lot of flight following. All of our  
25 customers are provided a login access to the system that that

1 helicopter is operating under. All of our customers have a flight  
2 following person. If they have issues with their flight  
3 following, they call us right now -- hey, for some reason this  
4 tracker isn't working or I'm having trouble logging on this  
5 morning, and we fix that for them if necessary right away.  
6 Oftentimes myself, oftentimes chief pilot, director of operations,  
7 or Sam, as the vice president, will have the trackers up on our  
8 computers anyway. I'm looking to see -- I learn things about  
9 what's going on with operations simply by watching the traffic.  
10 So I do have that up myself as well. So all of us have -- all of  
11 us in the management have the ability to look at the trackers for  
12 all the aircraft all the time, even remotely, and so they're up  
13 often.

14 Q. Do your pilots have flight data monitoring devices? In other  
15 words, like Appareo is one of them, or Flight Data. So basically  
16 it can be a video recorder in the aircraft.

17 A. I'm not aware that any of them have that. They may. That's  
18 not information that I access or use, so it sort of falls outside  
19 of my purview of things I would be looking at. That would be a  
20 better question for John Baechler and the chief pilot, Rob Gideon.

21 Q. You mentioned monthly safety meetings and then daily safety  
22 meetings. And are you the lead on all of those or does it rotate?

23 A. So I'm the chair of the safety committee meeting. So I put  
24 out the agenda, I roll it through just to keep that moving. And  
25 somebody -- our office manager takes notes on that one, so we have

1 minutes on those. We have about a -- I'm going to say about 80  
2 percent success rate on having the monthly meetings. Often in the  
3 summer everybody's scattered to the wind so we can't have a  
4 quorum. That being said, I still review things on the same  
5 schedule. If there is something that is noteworthy that needs to  
6 be discussed, I'm on the phone with Sam or John or Rob or whoever  
7 the case may be. My job continues regardless of the  
8 participation. If everybody's out flying or just isn't there, I  
9 continue that.

10 The daily safety meetings have been run by different people  
11 over the years. Sometimes the director of operations has run that  
12 in years prior. The director of maintenance ran it for a while.  
13 And recently, just to formalize that slightly more, after the  
14 first of the year, I started chairing that morning safety meeting  
15 just to elicit a little more response from different parties, that  
16 I just wanted to make sure it was done slightly differently. So  
17 it seems to be working out pretty good. Our tech records, Ashley,  
18 takes notes and minutes on those, and I retain those minutes  
19 usually for the year. So I have a binder of those.

20 Q. Do you recall when you were notified of the accident?

21 A. I was notified -- I was actually out of town. I was up in  
22 Glennallen and I received a phone call. They knew I was going to  
23 be gone. I'm not sure they thought they could hold of me. But  
24 Rob Gideon did place a call to me on Saturday evening.

25 Q. Does Soloy have a emergency response plan or a pre-incident,

1 post-accident plan?

2 A. We do. We have two. We have an emergency response plan,  
3 which is your basic four-part building, fire, natural disaster,  
4 ground accident, spill, and then maybe a flight accident; four  
5 part. It's your initial. One of those is located by every phone  
6 in the building and oftentimes pilots will take them out or  
7 customers will request our emergency response plan, our basic one.

8 Two years ago, actually as a result of an audit, the question  
9 was asked, if you have a significant accident, do you have a  
10 master emergency response plan that lays out in detail the roles  
11 and responsibilities of the people in your company? And we  
12 didn't. And it was good advice, and so I developed that master  
13 emergency response plan, you know, for the event that -- and it's  
14 quite simple. If you have an accident like we did, you're going  
15 to have an emotional response to that because it's not just  
16 somebody that works for us, these are our friends and the people  
17 we work with. So knowing that, you know, having a folder to go to  
18 that says as chief pilot here's my job, as director of operations  
19 here's my job, so on and so forth, and it lays out the  
20 requirement. So each folder is labeled with the person's  
21 responsibilities and it has a copy of the emergency response plan  
22 in it, the master.

23 So when I arrived to work on Monday, that master emergency  
24 response plan was open and was laid out on my desk and folders  
25 were -- had been utilized as we had intended. Now we do a



1 scenario every year, which is wildly unpopular because nobody  
2 wants to think about these things. But we talk about, you know,  
3 the potential and how we would respond when we would do things.  
4 So we have that drill, and I think it was followed. Now can I  
5 make improvements to that based on having an actual scenario now  
6 that I can speak to? Can I make that better? Yeah, I can make  
7 that better, so I will. Again, hoping I'll never have to use it  
8 again. But we do have those documents.

9 Q. Does Soloy have like a flight risk assessment?

10 A. Yes.

11 Q. Is that part of the safety -- the SMS program?

12 A. Yes and no. I mean it's referenced in the SMS, but that is a  
13 flight operations task. And I know those are conducted regularly.  
14 Those are done -- either Sam or John or Rob will do those for new  
15 operations, one-off operations, and those can be provided if you  
16 needed to see what they look like.

17 As a result of audits, that used to be a -- the risk  
18 assessment was high, medium, low, and we changed that to a  
19 numerical value so you could show a pilot with more experience,  
20 pilot recency, total time, and -- so you can show how you could  
21 numerically reduce the risk versus, how did you get from high to  
22 low? You know, so we assigned numbers to that. So that makes it  
23 a little bit easier for somebody looking at that from the outside  
24 to say, well, I can see how you got from this number to this  
25 number. So we do have those as well.

1 Q. Have you ever done any of the -- or gone on any of the  
2 heli-skiing flights just for awareness?

3 A. I've gone on several of the training flights, yes. So in the  
4 spring I'll sometimes -- and I do this -- last year being an odd  
5 year just with COVID and our customers not wanting to have people  
6 in camps, but as a general rule of thumb, I try to make it to most  
7 all of our worksites in the course of a year to be boots on the  
8 ground to see what's happening there. You can make a phone call  
9 to somebody, ask him how it's going; you know something specific  
10 if you show up there. You can tell if somebody's tired. You can  
11 tell if things are going well. You can tell if things are going  
12 poorly. You can see the atmosphere. So I like to make those  
13 visits annually to all of our customers. So last year, obviously,  
14 was a little bit different. I did make it to the oil and gas,  
15 ConocoPhillips site twice last year. They were agreeable to my  
16 participation.

17 But I do get on training flights on a regular basis. I'll  
18 just go jump in with folks going to do their heli-ski training in  
19 the spring. As they go do their landings and go through their  
20 training program, yeah, I'll jump on with those.

21 Q. Do the guides ever participate in some of the training you  
22 give?

23 A. I have spoken to them before at their request on different  
24 topics. As far as, you know, what those topics were, most of them  
25 had to do with fuel quality. I know there is training that occurs

1 with the pilots and the customer, the company, the ski company.  
2 They do their training to get everybody on the same page just  
3 prior to their season starting off. We're included in their  
4 training as well so that everybody is coordinated going into that  
5 season. So I know that does occur.

6 MR. RIGSBY: That's it for me. Thank you.

7 DR. WILSON: Mike?

8 BY MR. NEWELL:

9 Q. You hit on one of the things that I was -- and I want to  
10 focus on that. You made a statement earlier that you had talked  
11 to Zach before the accident, and I think you explained why. Is it  
12 perhaps random that it was Zach? You just, you interact with the  
13 pilots and mechanics as just part of your duties.

14 A. Um-hum.

15 Q. To your knowledge, was Zach considered one more experienced,  
16 less experienced, average?

17 A. He started flying for us 2019, and as part of his evaluation  
18 as a pilot, he was -- he started off at our ConocoPhillips. He  
19 flew quite a few hours there for 2 different years, so -- and  
20 his -- as his competency, skill level, our flight operations  
21 folks' evaluation of him, you know, he was moved to jobs that  
22 were, you know, more suited to his abilities. I think he was  
23 certainly a journeyman pilot for us, competent, calm, easy to work  
24 with. He's not a high time pilot, because we have some really  
25 high time pilots, and that's a relative term. You know, a high

1 time pilot for some operation versus Soloy Helicopters is a very  
2 different scale. We have some very high time pilots. So for our  
3 organization he was not as high a time pilot, but I think he was  
4 certainly a journeyman pilot with his hours.

5 Q. And then you talked about a formula developing the risk  
6 assessment and identifying hazardous tasks, and obviously heli-  
7 skiing is going to be one of the highest risks. And you mentioned  
8 how that will affect, when you're looking at your risk management  
9 matrix, somebody with more time will have perhaps a smaller value  
10 when you run the hazard probabilities versus a hazard severity.  
11 And based on this accident, do you think that will affect or  
12 change your risk management matrix or have an input or impact or  
13 your flight risk assessment?

14 A. Well, the flight risk assessments, you know, the master log  
15 of risk for skiing, for example, all the different potential  
16 hazards there, and then the actual flight risk assessment form  
17 that's completed prior to, I think it captures the information  
18 that's most pertinent to developing those assessments. I think it  
19 captures enough information. And beyond that, will it change  
20 anything? You know, obviously in a general term, we're not  
21 interested in sending a pilot out to do a job they can't do.  
22 We're not interested in asking a pilot to learn something  
23 overnight. So certainly, you know, the general tone for our  
24 flight ops folks is to evaluate somebody's potential, their skill,  
25 work them up to tasks that maybe they haven't done before and work

1 them into it. Total time is just part of it. There's a lot that  
2 goes into that. So as far as will it change anything for me, in  
3 the short term right now, I am not seeing anything that's going to  
4 change it right now, but it's a continual evaluation. And as far  
5 as how that will change for flight ops, that's a question better  
6 asked for John Baechler and for Rob Gideon.

7 MR. NEWELL: That's all I have. Thanks, Dane.

8 DR. WILSON: Al?

9 MR. WILSON: Holding up okay?

10 MR. CROWLEY: I'm doing fine. Thanks, sir.

11 BY MR. WILSON:

12 Q. Just a couple of questions. I think most safety officers  
13 will tell you the hardest thing about their job is control. And  
14 you're one man. And during the season you are -- you have  
15 helicopters all over the state on various contracts. Do you ever  
16 get the feeling that you're not -- you're always trying to keep  
17 your head above water?

18 A. It can seem that way, and I think it -- you have to fall back  
19 to a couple of things that are -- on how you manage. And so I --  
20 one of the best management training opportunities I ever had was  
21 running fire crews. And I had 19 to 20 some people working for me  
22 as a crew boss and up to 500 people working for me as an incident  
23 commander on fires, and so you can't be everywhere all the time.  
24 And so when running a fire crew, for example, you need to instill  
25 in every single person on the crew that your safety is my priority

1 and I'm going to do everything I can to make sure you have the  
2 tools and information to be safe, but your safety is your priority  
3 as well. And I think you have to get people in your organization  
4 to understand that really and truly their safety comes from  
5 themselves and their willingness to participate in safety because  
6 you can't be everywhere all the time.

7 And I tell them, I can't be walking around telling you don't  
8 do this. I'm not -- you know, to be the, you know, mom. I can't  
9 go around and do that. It's physically impossible to do that. So  
10 I really work year in and year out to instill the sense of  
11 personal responsibility. And we're still a small enough company  
12 that that still is viable to a degree, that I can get people to  
13 understand that if you fall off a ladder and break your leg -- I  
14 tell you you can't stand on the top of the ladder, OSHA tells you  
15 you can't stand on the top, and the ladder manufacturer tells you  
16 you can't stand on the top rung of a ladder, so you know that.  
17 And if you fall off and break your leg, you have a broken leg.  
18 And it's going to be paperwork for us and there's things that go  
19 on with it, but you're the one that's going to suffer for that.  
20 So don't break a leg. It's not in your best interest.

21 And I use the example of pilots on a regular basis. If you  
22 are at home running a Weed Whacker without safety glasses and you  
23 take your eye out, that had nothing to do with us here at work,  
24 but you have fundamentally changed your ability to make a living.  
25 So you need to understand where your safety comes from. And I

1 will do everything I can to make sure you have the tools, the  
2 equipment, whatever it takes, for you to do your job safely. And  
3 if you need something, you need to call me and I'll do everything  
4 I can to get it to you and make it happen. And I try to back up  
5 to that kind of foundational level so that when folks are out in  
6 the field they're not -- they're wearing their safety glasses when  
7 they're doing something because it's good for them first, and good  
8 for the company really second at that point. Because I can't be  
9 everywhere and that's the only way that I can functionally do  
10 that.

11 But I do make those site visits and I do make site visits  
12 unannounced, and I'm generally pleased to find that people are  
13 behaving the same way in the hangar that they do in the field and  
14 vice versa. So that tells me that perhaps that way of going about  
15 safety is working to the degree it's possible.

16 Q. Has a pilot ever complained to you about having too many  
17 responsibilities; too much decision making, too much burden,  
18 administrative burden, risk assessment, weight and balance,  
19 dispatch, flight following, coordinating with the client,  
20 coordinating with Soloy, coordinating maintenance, coordinating --

21 A. No. I think it's a pretty straightforward program. I don't  
22 think we're -- I think we allow for our pilots and mechanics to be  
23 successful in that their job description -- we have enough support  
24 staff that -- you know, pilots, they need to preflight their  
25 helicopter, coordinate with the customer. We have customers that

1 are challenging, that may be just not fun to work with, but that's  
2 sort of life. I mean you can't get along or like everybody you  
3 necessarily work with. But their responsibility is to turn in  
4 their daily flight reports. We've made those as user friendly as  
5 possible. It's a few minutes a day to do those. So I don't  
6 really hear any grouching from any pilots or mechanics that they're  
7 responsibilities are too great. A little bit of paperwork at the  
8 end of the flying day is really their only administrative  
9 responsibility, and then just the normal duties of being a pilot  
10 are the bulk of their job that any pilot anywhere would have to  
11 do. So I don't think I've received any complaints or grouching  
12 about that at all.

13 Q. In your risk management process you classify risk high,  
14 medium, low, no risk, or extreme. At some point does the  
15 management -- depending on the risk level, does the management  
16 have to get involved and make a decision on whether they're going  
17 to do that mission or not?

18 A. Yeah, and I think management is involved in that from the  
19 beginning. I don't -- we don't have so many layers that it's  
20 not -- that our management is separated from our operation.

21 Q. For example, if the pilot on a given mission fills out a risk  
22 assessment form and it's low, is --

23 A. Well, the pilot isn't filling that out. The pilot's filling  
24 that out with management.

25 Q. Okay. And when we say management, that would be the director



1 of operations?

2 A. Director of operations or chief pilot. Or, you know, because  
3 Sam has been director of operations and he may be the one that's  
4 there if John Baechler is out relieving or something, Sam will  
5 also participate in those evaluations as well. So it's not just a  
6 pilot that's filling out this risk assessment. In fact, most of  
7 the time it's not the pilot filling it out. It's filling out with  
8 somebody, you know, participating with that. So we just don't  
9 have that much separation where a pilot is hanging out there on  
10 their own. There's --

11 Q. But when a -- let's say an aircraft goes out on contract to a  
12 remote site. In day-to-day operation of that aircraft is there a  
13 risk assessment for each flight on each day that takes risk --  
14 weather, maintenance, all these things, or is the risk assessment  
15 done prior to when the contract is signed and the aircraft is  
16 released to the client and then the pilot goes, there's one risk  
17 assessment that goes out, that is completed?

18 A. That's one possibility. If a pilot's going out to do a drill  
19 support job, the job and the hazards are the same day to day with  
20 exception of weather, and that is in the pilot's purview to say  
21 we're not flying today, the weather's not conducive, we can't do  
22 this, and that's the way it is. The hazards that exist with, you  
23 know, flying in mountains, external loads, all of those remain  
24 static from day to day on that particular job. Some clients have  
25 a higher internal evaluation process that they want to do on a

1 day-to-day basis and we participate with those clients if they  
2 have a day-to-day one that they want to do for evaluating things  
3 formally on a day-to-day basis. But they're done for that job  
4 perhaps at the beginning of the season. If it's a month-long  
5 drill support job, one will be done at the beginning that captures  
6 all the risk that could be experienced on that particular job.

7 Q. So if this aircraft under normal -- let's look at under  
8 normal circumstances. The lodge -- I'm not sure I always  
9 pronounce it correctly. Tondoro Lodge?

10 A. Tordrillo, yes.

11 Q. Tordrillo. Thank you. Tordrillo Lodge aircraft, you know,  
12 your client may be, I guess -- and let's just use Third Ridge  
13 Heli-Ski. The clients are out at the lodge and an aircraft will  
14 go out there for a week possibly or a day, or -- let's take the  
15 example of a week.

16 A. Okay.

17 Q. Now is he -- is the pilot going to be going at night bringing  
18 the aircraft back typically, just under normal operation, or would  
19 he actually stay out there at the lodge?

20 A. Traditionally, that aircraft would go to the location and it  
21 may stay there for weeks at a time. And yes, the pilots and  
22 mechanics are subsisted there on location, similarly that they  
23 would be on any other drill program or remote site operation.  
24 That's fairly par for the course.

25 Q. So a risk assessment would be done for that client, for that

1 mission, for that support, for whatever that aircraft is there to  
2 do, there would be -- prior to that aircraft being released from  
3 Soloy or dispatched, however you want to call it, out to the  
4 lodge, there would be a risk assessment. Then each day, the  
5 determination of whether it's safe, can you describe -- you may  
6 have already done it, but just touch on that again. Describe who  
7 and how it's going to be made that it's safe to fly that day.

8 A. It's 100 percent the discretion of the pilot to determine if  
9 the flight conditions for today are acceptable to go fly; 100  
10 percent on the pilot every day to decide that.

11 Now when you talk about the safety features that go into  
12 making that decision, there is no hourly pay status for pilots  
13 that are on ski contracts, nor has there ever been, as a way of  
14 further reducing the risk to have somebody pushed to go fly  
15 because now they're going to make more money. Our pilots are  
16 going to make the same amount of money whether they fly or not.  
17 So I don't -- we don't want that, the industry doesn't want that  
18 to be a contributing factor in whether they go fly. It's I got a  
19 truck payment to make, I need to go fly, I haven't flown at all  
20 this week; they're paid the same. And that's just another way of  
21 reducing out the decisions that our pilots are having to think  
22 about. And they can simply say, today's not a day to fly and  
23 we're not flying today. And I think the customer certainly --  
24 especially in Alaska weather dictates life to you here and not the  
25 other way around. So you fly if the weather's good, and if the

1 weather's bad, everybody understands we're not flying today and  
2 there's just nothing you can do about it. So no amount of  
3 bellyaching or kicking rocks on the runway is going to change  
4 that, so --

5 Q. So ultimately it would be -- now obviously the client can say  
6 they're not going. I mean, the pilot wouldn't tell him, okay,  
7 we're going.

8 A. Absolutely.

9 Q. But the pilot is the ultimate authority on whether or not --

10 A. Absolutely. And there's really no question about that. I  
11 don't -- our customers, they understand that if the pilot says  
12 we're not flying today, and we're going to back them up. If we  
13 have a customer call and say, hey, we think the weather was good  
14 today and your pilot said he wasn't flying, they're going to be  
15 told if the pilot says -- you know, if he says it's not flyable,  
16 he's not flying, and we're going to back up our pilot on that.  
17 Yeah, I can't think of any examples where -- we have very few  
18 calls for that and only some that I maybe have heard about. But  
19 we just don't have that issue.

20 It just doesn't seem -- I think there's, like we discussed  
21 earlier, I think they want to -- their business is to go fly  
22 skiers, their business is to move drills, their business is to do  
23 whatever it is that requires a helicopter to be there. Obviously  
24 they want to do their work. So there's some underlying motivation  
25 for them to want to go fly, but we're going to default to the

1 pilot to tell them today's not the day to do that. And I'd say 9  
2 out of 10 times the customer's like, if it improves, let us know;  
3 we'll check back later today and go from there. It's just sort of  
4 a -- it's well recognized that pressuring pilots to fly when the  
5 weather's bad has proved to be a problem, and it's just something  
6 that the industry's addressed years ago. So I just don't feel  
7 like that's a big factor.

8 Q. That kind of -- you touched on my next question, the no vote.  
9 Has the no vote been supported by management in your experience?

10 A. And by the no vote, please explain --

11 Q. When somebody says no, it's supported. No, we're not going,  
12 would be an example.

13 A. Yes, that is supported. Now, and that's -- you know, even  
14 recognizing the individual decisions of pilots based on they're  
15 familiar with an area or not, a pilot who's not as familiar  
16 saying, I don't feel comfortable doing that; I'm not familiar with  
17 that area. Okay, we're good. No problem. So it's just -- there  
18 just is nothing so pressing that you need to push the envelope. I  
19 believe that's how we feel about it there. I don't feel like  
20 we're pushing -- we don't have scheduled 121 operations where we  
21 got to get there by 5 o'clock. That's not something we have to  
22 deal with, so --

23 MR. WILSON: Thank you.

24 DR. WILSON: Greg, any questions?

25 MR. KING: No. I don't have any questions for --

1 DR. WILSON: Okay.

2 MR. KING: -- the safety manager.

3 DR. WILSON: Sabrina, do you have any questions?

4 MS. WOODS: Yeah, just a few, please.

5 BY MS. WOODS:

6 Q. I'm going to go all the way back. You had mentioned that you  
7 had formal training, and I know you mentioned OSHA, but I didn't  
8 hear -- maybe I just missed it. Have you had like specific  
9 aviation SMS training?

10 A. I've had -- I've gone through different programs as they've  
11 been offered. Medallion had some that I participated in.  
12 Formalized SMS training, formalized root cause analysis,  
13 formalized internal auditing, all of those things I've gone  
14 through. And then I've gone through a lot of the IOTA training.  
15 And I have certificates on all those. If the training that I've  
16 had over the past 20 years is something that would like to be  
17 seen, I can provide that.

18 Q. Okay. Thank you. And then going back to your safety  
19 committee, you mentioned who makes up that party. So I guess what  
20 I want to know is who is the -- when it comes to Soloy policy, who  
21 is the primary decision maker?

22 A. Well, it's sort of decentralized in that if the policy -- if  
23 a policy needs to be developed for flight operations, that the  
24 director of operations could make that policy. If it were  
25 maintenance related, that the maintenance department could push

1 forward a policy. And I have the authority to make safety policy  
2 specifically in writing to administer the safety policy and to  
3 create policy to further the SMS program. So if a policy is  
4 proposed -- and I can't think of any examples that, for example,  
5 Chris Soloy didn't support. I'm not aware that he's disallowed a  
6 policy if it's been put forward, that he's disallowed anything.  
7 So if we think we need it and we want to put it in our manuals,  
8 we'll do it.

9 Q. So you kind of answered my second part of that question. So  
10 it sounds like, though, then the policy is presented to Soloy  
11 owners and then they have to by off on it?

12 A. Not necessarily. Usually if something is needed to be done,  
13 it's usually the result comes from a discussion in a safety  
14 committee meeting where, perhaps -- or as the result of an audit,  
15 that necessitates that a new policy be developed, and we simply  
16 agree to that policy and it's not presented to the management.  
17 It's discussed as a group and, if we agree on it, we'll make it a  
18 policy. So we don't -- we're not presenting things to the owners  
19 for a thumbs up, thumbs down. Chris Soloy has sort of given us  
20 the authority within our departments to run the departments and  
21 create the policies, generally as a group, that meet the needs of  
22 the company. So we're not running everything through his  
23 approval, although he is aware of what we're doing all the time.  
24 And if he has input, he's going to make it known, I guess would  
25 be -- he has input into that.

1 Q. Okay. So that's actually a great segue into my next part of  
2 the question, was that with this delegated authority, how  
3 confident are you that Mr. Soloy will have your back if you were  
4 to be challenged by someone else down the line?

5 A. 100 percent.

6 Q. Okay. Then, Dane, it sounds like you're an incredibly busy  
7 guy. So what happens when you want to take that 2 to 3 week  
8 vacation? Who then steps up and fulfills your role for the  
9 company?

10 A. I don't take 2 or 3 week vacations, so I'm usually -- I might  
11 be gone for a week at a time, but I travel with a sat phone and I  
12 check in. If I'm out in the wilds of Alaska, I have a sat phone  
13 and I do check in regularly. I try to schedule my departures for  
14 low periods of flight operations or maintenance operations so that  
15 my absence is not as missed.

16 Q. Okay. Then I think my last question is: You mentioned quite  
17 a bit, you know, you're somewhat nonstructured, but established  
18 checking in with individuals, checking in with the employees under  
19 Soloy, checking in with the hangar, checking in with the field.  
20 You don't so much mention kind of the cockpit, which is a highly  
21 dynamic situation and environment that definitely directly feeds  
22 back into the SMS. I recognize, like when we were discussing the  
23 flight risk assessment process, that you might not get directly  
24 involved with that and that's, you know, that's a function of the  
25 DO. But it does inform your SMS process, so I guess what I want



1 to know is that what is that interface with the director of  
2 maintenance and the director of operations when there are issues  
3 in those respective environments? Like if there's an issue  
4 training and an individual, or an issue with a check ride and an  
5 individual, how do you get informed about that process? Do you  
6 get informed about that?

7 A. Yeah, I'm aware of pretty much everything that's going on in  
8 all the departments, and it really is a function of the ongoing  
9 discussions that occur, the very free sharing of information. And  
10 I do jump in with pilots. If a ferry flight's occurring  
11 somewhere, I use it as an opportunity to go out with the pilot and  
12 to do a site visit to wherever they're going. So I try to double  
13 up on that. So I'm aware of how the flying is being conducted.  
14 I'm on site when flight operations are being conducted. I know,  
15 just in conversations with our chief pilot or assistant chief  
16 pilot, how training is going.

17 In a lot of ways we're quite lucky in that we have a very  
18 long-term group of pilots and mechanics. Mostly the pilots at  
19 this point, who worked for Soloy Helicopters for many, many years,  
20 very competent, they're familiar faces, and so we are evaluating  
21 only a few new pilots to the organization every year, and it's a  
22 topic of discussion, are they good? Can they do the job? Are  
23 they smooth? Can they longline? How's their decision making?  
24 Some of those are subjective conversations with a chief pilot or a  
25 director of operations on their subjective view. Now I'm not sure

1 you can completely put that down into an objective format, and  
2 that's why you do them, that's why you do check rides and that's  
3 why they do training. It's an evaluative tool for those pilots.

4 Q. Okay. Thank you. And then my last question is, a question  
5 earlier was asked about if you anticipate any changes in your  
6 flight risk assessment program that you saw and the fact that this  
7 accident occurred. I'm going to expand that a little bit. And I  
8 know -- I understand and appreciate it is -- this is a short  
9 amount of time that's passed and this might be incredibly  
10 premature. But do you see, anticipate or foresee that there might  
11 be changes to your entire SMS program based on the outcome of this  
12 accident? How are you looking at that at this point?

13 A. Well, I'm looking at it like I believe you should look at it,  
14 in that there's a lot of information that we don't know, a lot of  
15 information that I'll be very interested in knowing. Our  
16 participation and certainly my participation in this inquiry is to  
17 find out what happened and then take that information and see do I  
18 need to make changes? Is there something different we need to do  
19 either -- you know, short term? Is there a fundamental problem?  
20 Is there -- you know, what -- right now I would say it's too soon  
21 for me to tell you. I feel like our program has been thoroughly  
22 vetted and is continually vetted by a number of different entities  
23 over the course of any given year. So I feel like our program is  
24 significant and solid, and it's not until an event like this  
25 occurs that you can see if it holds up and see if there's things

1 you need to change. So I think at this point it would be too  
2 early for me to say that I'm going to make a change because I  
3 don't know what changes I can make at this point that could have  
4 prevented or changed the outcome here, and I guess I will be like  
5 everyone else, and once the information comes in use it to make  
6 those decisions at that point.

7 MS. WOODS: All right. Thank you. I appreciate your time  
8 and I'm done. Thank you.

9 MR. CROWLEY: Thank you.

10 DR. WILSON: Okay. The good news is, is that round two is  
11 always much quicker and most people asked a lot of my questions  
12 that I didn't ask before.

13 BY DR. WILSON:

14 Q. You mentioned that you were out of town when you were  
15 informed about the accident, but did you have any responsibilities  
16 once you learned about the accident?

17 A. My responsibilities are to fill in the gaps. I mean a lot of  
18 the larger responsibilities fall to the chief pilot, director of  
19 operations and maintenance, and my job is to go around and sort of  
20 just make sure that they've accomplished the tasks that they're  
21 supposed to do, to make sure that -- there's always some crumbs  
22 around the edge that, as they're hyper focused on some very  
23 specific tasks, that need to be taken care of but aren't  
24 necessarily in their direct line. So, you know, chief gap filler  
25 at that point to try to -- you know, there's a lot of things that

1 have come up that are unscripted. You just don't know. And so  
2 somebody has to attend to those details, and so I've been working  
3 around the edges to just shore up some things that are getting  
4 taken care of has really been my responsibility. Generally  
5 speaking, everybody's gone and done what they're supposed to do  
6 and I've just been trying to evaluate, and again, using it as an  
7 opportunity to evaluate if that master emergency response plan is  
8 adequate or if I need to make changes based on now a real event.

9 Q. Are there other ways that Soloy personnel can report a safety  
10 concern besides the SMS report?

11 A. They can walk in my office and sit down and shut the door and  
12 have a conversation, which occurs on a regular basis for things  
13 that are more maybe personality driven; I'm having a hard time  
14 with this person, getting along with them. It's a very -- it's a  
15 big responsibility to have an open door policy and maintain the  
16 trust of the people that come in and tell you what's going on in a  
17 way that protects their anonymity and their willingness to come in  
18 and continue to have those discussions with me. Not a lot of them  
19 are directly safety related, but I feel like people are  
20 comfortable that -- some of the things they tell me indicate that  
21 I think if they had a safety issue, they would tell me, because  
22 some of the personnel things that I hear are certainly more  
23 difficult to talk about than a safety issue. So I feel like  
24 people will come in and tell me things.

25 Q. Are there any other methods that you use to find trends

1 besides the SMS reports?

2 A. Well, the trend analysis that I can do with actual SMS  
3 reporting is the only thing that I can put my finger on and  
4 define. The rest of that sort of falls into the vagueness of the  
5 human experience, where you simply try to maintain that baseline  
6 relationship with people, which we can successfully do in an  
7 organization of our size. Long-term relationships, there's -- you  
8 know, most of the people that are working in our management team  
9 have been there as long as myself or longer. Many of our pilots  
10 have been there as long as I've been there or longer. So it's a  
11 baseline relationship that you're able to know when somebody's  
12 having a bad day. You're able to know when somebody's tired based  
13 on your personal interaction with them for many years. And that's  
14 a very difficult thing to quantify, but we all know it exists  
15 because we all do it with our families and our friends. We know  
16 when somebody's having a bad day.

17 And it's -- I don't think those type of things should be  
18 discounted because we can't quantify them through an SMS reporting  
19 system, because it makes the reporting system better. I think it  
20 makes people's willingness to participate in safety better. So I  
21 know a larger 121 operation would never have the ability to do  
22 that and I recognize that I very much do have the opportunity to  
23 do that, and I'm going to do that as long as I can based on our  
24 size of our company because it's a very effective thing to have  
25 those relationships. Your people are going to tell you very

1 flatly and very easily how they're really doing because they know  
2 you and they trust you and they believe what you're doing is in  
3 their best interest, and that is important. And so I consider  
4 that to be the soft side of the job that you can't -- some people  
5 are better at than others, and I strive to be good at that. So  
6 that's the best I can do.

7 Q. How do you ensure the SMS is working?

8 A. Well, the evaluation that we do, you know, am I capturing the  
9 SMS reports I should be? I hear things. I know if there's been  
10 something going on because somebody is always going to tell me,  
11 hey, did you hear? Yeah, I did hear that, actually; thank you.  
12 So I hear about things. And it's on occasion that I have to call  
13 up a pilot or a mechanic and say, hey, tell me about what happened  
14 here. And more often than not, they don't miss a beat. Oh, yeah,  
15 we had this, this, and this. Okay, can you send me an SMS report?  
16 No problem; as soon as I get a chance, I'll send that to you.

17 I would feel that it wasn't working if I thought people were  
18 hiding information from the SMS reporting system. I would feel  
19 like it wasn't working if we didn't have participation from  
20 management, if we didn't have support from the owner. But because  
21 we have all of those things, I feel like it's working. Because  
22 people put their names on their SMS reports, I believe that they  
23 trust that we're doing the right thing with our SMS reporting. So  
24 it's a lot of little things that speak to -- when I walk in a  
25 hangar, and I had the opportunity to tour -- and I won't say their

1 name, but a very large helicopter organization down the Lower 48  
2 in the Pacific Northwest. And I walked through and did a tour of  
3 their hangar with their SMS manager, and they have enough SMS  
4 people that they had occupational side SMS and flight safety. So  
5 they had enough -- they had a group of maybe five people in their  
6 SMS department. As we were walking through the facility, I was  
7 looking ahead as this person was explaining what's going on over  
8 here. I can see people down the line see that the SMS guy is  
9 coming, that the safety guy is coming, and looking for their  
10 safety glasses, like here he comes, you know. And to me, I could  
11 sense that he was not winning his safety battle at that company  
12 because they were not -- they were wearing safety glasses or PPE  
13 because he was making them wear it, not because they believed it  
14 was in the best interest. And I don't have that feeling. And I  
15 think, to me, it was so -- it was such a different feeling to see  
16 that happen.

17 Our director of maintenance instructed the mechanics, you  
18 guys need to wear safety glasses because it's good for you. It  
19 didn't come from me. It came from him. I had certain things that  
20 I expected them to wear safety glasses for. He's the one that  
21 said you need to wear them all the time in the hangar because  
22 we'll avoid the one accident. That tells me that our maintenance  
23 department takes their safety seriously outside of me telling them  
24 anything. And so those are the things that tell me that they're  
25 taken seriously. So it's a lot of little things that tell me it's

1 working.

2 Q. What if a guide or one of the skiers had a concern on a  
3 flight, what would they do?

4 A. I think they would call director of operations, I think if  
5 they're unhappy with a pilot. I know those calls have been made  
6 before. Not in -- it's not normally for a safety thing. It's  
7 like they're -- they fly too slow or they fly too this or they fly  
8 too that. They're not meeting some expectation of the level that  
9 they've seen in the past.

10 When I sit down with the customer -- let's use CPG for an  
11 example. They'll tell me, we like all your pilots. This pilot  
12 flies this and this pilot flies this way and we're happy with all  
13 of them. Or they'll tell me, we just don't like their  
14 personality; we don't like him. How's their flying? Their  
15 flying's fine; we don't like him. Okay. You know, that's always  
16 my question, both for my mechanics and pilots is, how's their  
17 mechanicing, how's their flying? You know, that's first. Well, I  
18 just don't like him; I think they're a jerk. Okay, that's  
19 something different. But they'll tell us, I like him or I do like  
20 him. How'd their flying? They're flying's fine. So that's  
21 usually how that will go. They will say something if they  
22 don't -- if something's not working for them, they will say  
23 something.

24 Q. I think Fabian asked something similar, but I'm going to ask  
25 again because I'm not sure that I heard the answer, I guess. What





1 are pilots most prevalent safety concerns that they report in the  
2 SMS reports?

3 A. It's really pretty varied. I don't know that there's a  
4 strong trend on what pilots are reporting. If they're catching a  
5 maintenance -- something got left undone or a cowling or something  
6 minor, tells us our preflights are working. I'd have to go back  
7 through and look to tell you, but they -- it's sort of a  
8 smattering of different things that they would be reporting on.

9 Q. Okay. And I know it's only been just shy of 2 weeks, but  
10 have you received any SMS reports related to the accident,  
11 concerns that pilots have?

12 A. I haven't received anything specific to the accident. I did  
13 receive an SMS report from that same weekend for an overtorque  
14 just coming in on a heli-ski. An overtorque just for them coming  
15 in, not liking it, and having to pull out of that particular  
16 landing, and there was an overtorque event on that. I've had one  
17 SMS report in the past 2 weeks and that was it. So it's from the  
18 same weekend.

19 Q. Okay.

20 A. Nothing specific to the accident at all.

21 DR. WILSON: Okay. Thank you.

22 Shaun?

23 MR. WILLIAMS: I have no questions. Thanks.

24 DR. WILSON: Fabian?

25 MR. SALAZAR: One last question from me.

1 BY MR. SALAZAR:

2 Q. Does Soloy advocate using personal minimums or do they stick  
3 with what's written in the GOM?

4 A. No. Personal minimums, I know that is a topic of discussion.  
5 I've heard it. And, yeah, if somebody's personally not  
6 comfortable with what they're going with, they're not going with  
7 it. That's par for the course, yeah.

8 Q. So my next question that I just realized is, if you had a  
9 pilot who is uncomfortable with the company GOM posted minimums,  
10 he's got higher minimums, is the company still -- they're okay  
11 with that?

12 A. Yeah. You know, that doesn't come up terribly often. Most  
13 of our pilots are seasoned, experienced pilots, and there may be a  
14 pilot that'll -- that based on his experience in a particular area  
15 or he's been working there for a while, is going to -- what their  
16 personal minimums might be. I think of any occasion where we've  
17 had somebody say that their minimums are well in excess of the  
18 company minimums and they're simply not willing to do it. I don't  
19 know of any occasion where a pilot's been told you'll go fly; this  
20 is what it says, you need to go fly. I'm not aware of anytime  
21 that a pilot's been replaced because they wouldn't fly based on  
22 their minimums being higher. That has not been something I've  
23 experienced since I've been at Soloy.

24 MR. SALAZAR: Okay. Thanks.

25 DR. WILSON: Matt?

1 MR. RIGSBY: I'm good.

2 DR. WILSON: Mike?

3 MR. NEWELL: Just one more question.

4 BY MR. NEWELL:

5 Q. You made a comment about your collaboration with management,  
6 owners, and there's not necessarily a thumbs up or thumbs down.  
7 But has there ever been a recommendation that you've made that you  
8 perceived was -- it was not acceptable or enforced or used because  
9 it affected the bottom line? You know, it's always that  
10 production versus protection profitability. Have you ever  
11 perceived or actually encountered that?

12 A. I've not encountered that. You know, we're, I think -- you  
13 know, common sense is a good thing and common sense is alive and  
14 well. Chris Soloy is blessed with a fair bit of common sense. So  
15 is Sam and John and Rob and Greg and, you know, right on down the  
16 line with these things make sense, these things don't make sense.

17 In my experience I've never -- I've never put forward  
18 anything in our safety department that has been shot down because  
19 it cost money or it affects the bottom line. I've never been told  
20 that I cannot schedule myself for training, which has a cost, and  
21 the tangible benefits of my training may or may not be there, you  
22 know. So I don't get any blowback for that either. So even to  
23 the extent where our -- I've had auditors tell me when they've  
24 asked about maintenance, what's your maintenance budget? And our  
25 director of maintenance told them, I don't have one; if it's

1 broken, we fix it. And that is kind of the way we work.

2 Obviously Chris Soloy has an idea of what he thinks the  
3 budget's going to be for the year because he has to plan for that,  
4 but he does not hamstring the flight department or the maintenance  
5 department or the safety department with a bottom line number of  
6 profitability. We need to do it right. Go do your jobs, do it  
7 correctly. So --

8 MR. NEWELL: That's all I have.

9 DR. WILSON: Al?

10 MR. WILSON: Just one.

11 BY MR. WILSON:

12 Q. Have you ever done a root cause analysis?

13 A. I have.

14 Q. Can you give an example of one that you have -- maybe a  
15 better -- let me rephrase my question. Have you done one on a  
16 scale of a total loss?

17 A. I've not done one a scale of a total loss, including a  
18 fatality. You know, we have information for a previous incident  
19 that I don't have enough information to continue that root cause  
20 analysis. So as that one -- that would be the only thing that  
21 would even approach that. I've done some minor root cause  
22 analysis on some minor stuff, and it's been valuable to sort of  
23 put into terms something you probably knew what's already happened  
24 but while defining it, too. So I think it's a valuable tool, can  
25 be a valuable tool if it's used correctly. Obviously it's good to

1 practice these things on occasion as well. We do have the  
2 opportunity when doing audits, for example, I'll do a root cause  
3 analysis on the 10 P2 findings that I have for this previous BARS  
4 audit. So --

5 Q. Do you -- you had mentioned, I think, I believe -- I don't  
6 mean to speak for you, but you have had formal training in root  
7 cause analysis?

8 A. Yes, sir.

9 Q. Did they -- have you discussed or has it been brought up in  
10 any of your training about certain tools to use for root cause  
11 analysis?

12 A. Yeah, there has been, and I have some reference manuals to --

13 Q. Any software that --

14 A. No software, but I do have some written guidance on that.

15 Q. Does a trademark named TapRoot mean anything to you?

16 A. I do have that one, yes.

17 Q. You do have that?

18 A. Yeah.

19 Q. I know it's familiar in the FAA.

20 A. It is familiar to me as well. Yes, sir.

21 Q. I never used it, but I know it's a tool that our risk  
22 analysis uses.

23 A. Like any tool, you know, it requires practice and it requires  
24 some information to do that. A tool on its own is only as good as  
25 its user. So I do get some practice in root cause analysis. Some

1 things lend themselves well to root cause analysis, some things  
2 don't. Obviously scenarios like this do, or significant damage to  
3 aircraft also do lend themselves well to root cause analysis.

4 Q. Do you intend to do the analysis for this accident yourself  
5 or are you going to contact it out or --

6 A. I think there's a -- obviously you guys are engaged in a  
7 formal root cause analysis here as well and a lot of the  
8 information that will come out of this will be information that  
9 I'll use to drill down on the program that we use and see if there  
10 is some failure in our program that I'm not aware of that will  
11 become apparent in the evaluation after all the information is  
12 gathered. And I'm going to be forced to rely on a lot of external  
13 information to come to me on that in order to complete a root  
14 cause analysis on this for myself and for the company on what --  
15 how our program is operating and if there's something that needs  
16 to change or not. You know, that will be yet to be determined.  
17 But I intend to go through that because it has implications  
18 certainly for the effectiveness of our SMS, the effectiveness of  
19 our master emergency response plan, so on and so forth. So I will  
20 be evaluating all of those things as a result, yes.

21 MR. WILSON: Thank you.

22 DR. WILSON: Greg? Sabrina?

23 MS. WOODS: I don't have anything further. Thank you.

24 DR. WILSON: Okay.

25 MR. KING: Nope.

1 BY DR. WILSON:

2 Q. All right. Thank you, Dane. We've asked you a lot of  
3 questions. Do you have any questions for us?

4 A. I don't. I just -- just know that if any additional  
5 information is needed, I'm very happy to participate in the  
6 program to the end that we can determine what's gone on, and just  
7 for the continued safety of the industry and certainly for our  
8 pilots and the company. So I'm available however you need me to  
9 be available in the future here. So don't hesitate to reach out  
10 if there's something you need.

11 Q. Thank you. We really appreciate that. But one final  
12 question. Anything else that you have to add or something you  
13 wish we asked you that we didn't ask you about?

14 A. I don't know.

15 MR. WILLIAMS: It's the attorney's favorite question.

16 MR. CROWLEY: I'm sure.

17 I don't know. I feel like I've -- a lot of the things that I  
18 was hoping the questions would come up have come up, and -- but I  
19 can't think of a whole lot that is left unsaid. I'm -- certainly  
20 it's been a terrible event for our company. It's a very close  
21 company, for our pilots, so -- for our staff. So we would like to  
22 know as well.

23 DR. WILSON: Well, if you think of anything, don't hesitate  
24 to reach out to myself or Shaun and -- you know, we'll be working  
25 this for the next year or so.

1 MR. CROWLEY: I don't know what the timeline is for these  
2 investigations, so --

3 DR. WILSON: There isn't necessarily a specific timeline. It  
4 could be 12 months, it could be 18 months, just depending upon the  
5 amount of work that there is to do. But definitely not before a  
6 year.

7 MR. WILLIAMS: No. But if anything comes up that's immediate  
8 concerns or things like that, it'll be worked through with Greg  
9 and with Sam to make sure that it gets to you guys, because at the  
10 end of the day, our mission is to prevent it from happening again.  
11 So if we find something that needs to be corrected that could help  
12 save lives, prevent a recurrence, we're going to elevate that  
13 right on up quickly. So it's not like this is going to be in a  
14 total bubble for a year or 18 months and we're sitting on  
15 something that needs to be changed. We're going to let you guys  
16 know, let everybody know who needs to know.

17 MR. CROWLEY: Very good.

18 DR. WILSON: All right. Thank you very much.

19 (Whereupon, the interview was concluded.)  
20  
21  
22  
23  
24  
25



CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: FATAL AIRBUS AS350B3 HELICOPTER  
CRASH NEAR KNIK GLACIER, PALMER,  
ALASKA, ON MARCH 27, 2021  
Interview of Dane Crowley

ACCIDENT NO.: WPR21FA143

PLACE: Anchorage, Alaska

DATE: April 8, 2021

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
\_\_\_\_\_  
Kay Maurer  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AIRBUS AS350B3 HELICOPTER \*

CRASH NEAR KNIK GLACIER, PALMER, \*

Accident No.: WPR21FA143

ALASKA, ON MARCH 27, 2021 \*

\*

\* \* \* \* \*

Interview of: JOSIAH FREEMAN, Pilot  
Alpha Aviation

Via telephone

Friday,  
April 9, 2021



APPEARANCES:

KATHERINE WILSON, PhD, Investigator  
National Transportation Safety Board

D. SHAUN WILLIAMS, Investigator  
National Transportation Safety Board

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I N T E R V I E W

1  
2 DR. WILSON: Okay. And for the record, I'm going to state,  
3 I'm Katherine Wilson. I'm a human performance investigator. And  
4 with me is --

5 MR. WILLIAMS: Shaun Williams, the operations group chairman.

## INTERVIEW OF JOSIAH FREEMAN

7 BY DR. WILSON:

8 Q. And, Josiah, if you could state your full name for us and  
9 your title and the company that you work for.

10 A. I'm Josiah Freeman, pilot for Alpha Aviation.

11 Q. So, Josiah, it would be very helpful to us if you could walk  
12 us through the events on March 27th from when you learned that the  
13 Soloy helicopter was overdue and what actions you took.

14 A. Sure. I first learned the Soloy helicopter was overdue when  
15 I received a call from Third Edge staff as I landed at Ted Stevens  
16 with a group of guests to drop them off. After talking with the  
17 Third Edge staff, it became obvious that something wasn't right  
18 with the situation. And I had enough fuel on board to go direct  
19 from Ted Stevens to the location -- the last known location of the  
20 ship. So I dropped off my guests at Ted Stevens. Two guides from  
21 Third Edge were there helping with the luggage. They hopped in  
22 with me, and I flew direct to the last known location.

23 I departed the FBO (ph.) at 2050. I arrived on site at about  
24 2120. By on site, I mean in the general area. It was pretty dark  
25 by then. First looked on the ridge tops, as that was the most lit

1 at the time. Didn't see anything. I continued searching down  
2 farther, but just got more and more difficult the darker it got,  
3 but eventually did find the ship. By that time, a second Alpha  
4 ship had refueled and picked up two guides from Third Edge and  
5 joined me in the area. However, they stayed up high.

6 By the time they got there, I had found the crash site  
7 already and determined that it was too dark to risk trying to  
8 land. And so together, between the lead guide on the other ship  
9 and myself, we decided it was best to not take the risk to try to  
10 land in the dark there at the site and head back and let the Guard  
11 take over from there.

12 Q. And then, once you departed the area, did you have any other  
13 interaction regarding the helicopter?

14 A. No. After we -- after both the Alpha ships landed back at  
15 the Third Edge base, we continued to monitor the situation (audio  
16 skip) just stand by in case there was anything else we could do,  
17 but that's it.

18 Q. Okay. The phone broke up just for like a millisecond, but  
19 you said something between you continued to monitor the situation  
20 and stand by. Was there more than that?

21 A. Yeah. We continued to monitor the situation, check in with  
22 RCC, and stand by just in case there was anything else we could  
23 do.

24 Q. Okay. You said RCC?

25 A. Yeah, our rescue coordination --

1 Q. Okay, yep. Okay. Thank you. Do you know why Third Edge  
2 called you to help assist?

3 A. I do -- yeah, I do. And it's complicated, but I can explain  
4 it. It'll take a little bit of time. Greg Harms was one of the  
5 lead guides and owners at Third Edge, and he had some guests who  
6 wanted to ski with him as their guide. However, Third Edge was  
7 full, at capacity with guests. And there may be more to the part  
8 of the story that I don't know, but somehow, these guests that  
9 wanted to ski with Greg Harms ended up staying at Tordrillo  
10 Mountain Lodge, so Greg was -- so they were Tordrillo Mountain  
11 guests, but Greg went over to be their guide for Tordrillo  
12 Mountain Lodge.

13 We were all in the same area that day, and so our dispatcher,  
14 Third Edge dispatcher, had Soloy's tracking pulled up as he was  
15 watching just to watch (audio skip) to see where they were and  
16 what they were doing. He was not flight following them or  
17 dispatching them, but he did have their tracking, satellite  
18 tracking up on his computer. Both -- all Third Edge ships back to  
19 base by around 5:30 or 6:00 that evening because the guests had to  
20 get to their jet at (audio skip) that evening. So we came back  
21 early.

22 Once we landed at Third Edge base, our dispatcher stopped  
23 flight following, because we were on the ground at base, and began  
24 helping get the guests' luggage together and everything sorted out  
25 for the flight to Ted Stevens. That took a couple hours. We

1 weren't airborne from Third Edge base to Ted Stevens till about  
2 8:40 that evening, and that's when our dispatcher sat back down at  
3 the computer and noticed that the Soloy ship still hadn't moved,  
4 and called me.

5 Q. Okay.

6 A. And there may be more to that part of it that I don't know as  
7 well, but that's kind of the timeline.

8 Q. Okay. So you -- just going back to what you had said. You  
9 departed Ted Stevens, you thought around 2050, arrived on site at  
10 2120. Do you recall about how long it took you to locate the  
11 wreckage after you were in the general area?

12 A. We found the wreck at 2136.

13 Q. At 2136?

14 A. Yes.

15 Q. Okay. And you relayed this information back to Third Edge?

16 A. Yeah, and I have to make a correction. I was in the zone  
17 before 2120. I'm just looking at my notes again. I marked down  
18 my fuel percentage at 2120, but I was in the zone about probably  
19 2110.

20 Q. Okay.

21 A. Not that it matters, but --

22 Q. Okay.

23 A. I relayed the information back to Third Edge not directly  
24 until I arrived back at base. Our second ship left Third Edge  
25 base with two more guides and arrived on scene not long after I



1 found them. And we talked ship-to-ship but did not relay  
2 information back to base until we landed.

3 Q. Okay. And do you know about what time you got back to the  
4 base?

5 A. Let me look. No, I don't have that exactly. But, let me  
6 see, I would say probably 2210 back at base.

7 Q. Okay.

8 A. Approximately.

9 Q. All right. Okay. So you're in the area, you're looking for  
10 the helicopter, and you said it was pretty dark. Did you have --  
11 did you turn on, you know, landing light, something to assist in  
12 locating the wreckage?

13 A. Yes, of course, lights were on. The weather was clear skies  
14 with a bright moon. However, the moon was not up very high yet,  
15 so there were deep shadows. The ridge tops were lit up by  
16 moonlight, so that was the first place we searched. And then, as  
17 the moon came up and -- yeah, as the moon came up, it got (audio  
18 skip) at last, and we were able to search down lower.

19 Q. Okay. And when you located the wreckage, did you see any  
20 people -- or what did you see when you located the wreckage? How  
21 did you identify it, I guess?

22 A. One of the guides spotted something that he wanted to look  
23 closer at, and so we focused our search on that anomaly down low  
24 and discovered it was the fuselage --

25 Q. Okay.

1 A. -- of the helicopter. I hovered down lower to be able to get  
2 my light on the scene and was still not able to get very close  
3 because of blowing snow and blowing debris and darkness, but was  
4 able to see that the wreck had not burned, that the main fuselage  
5 still mostly intact. However, very wrecked. And there was one  
6 person outside the aircraft that was not moving.

7 Q. Okay.

8 A. We also saw all the backpacks and skis near the aircraft, so  
9 we deduced that all the skiers were inside -- or had been inside  
10 the helicopter instead of being dropped off somewhere and then the  
11 helicopter crashing. If they had been dropped off, they would  
12 have had their backpacks and skis with them.

13 Q. Okay.

14 A. So we were pretty sure that everybody was there at that site  
15 and not, not at a different location, waiting to be found.

16 Q. Okay. And when you were hovering, trying to get a little bit  
17 closer, were you hovering over the main wreckage, the fuselage?

18 A. Yes. First, that was the first thing we found at the bottom,  
19 and I got as close as I could to see if there was any sign of life  
20 and then also searched the fall line above the wreck, all the way  
21 to the top of the ridge, and discovered debris, helicopter debris  
22 from the top of the ridgeline all the way to the bottom. We  
23 searched carefully along there just in case somebody had gotten  
24 out before the helicopter went down and before they had a chance  
25 to get the backpacks and skis out, and we didn't see any sign of

1 life along the fall there.

2 Q. When you were hovering over the fuselage, did you see any  
3 bodies?

4 A. We saw one body that was outside of the aircraft, and that  
5 was the only body we saw.

6 Q. Okay. And did you attempt to -- how did you -- sorry. Let  
7 me back up. What did you do to determine that the body wasn't  
8 moving? I mean, did you hover over them or nearby?

9 A. We hovered nearby. Given the steepness of the terrain and  
10 the blowing snow and the darkness and the blowing debris, I got as  
11 close as I felt was safe. But it was close enough to be able to  
12 see that the body on the ground didn't move.

13 Q. Okay.

14 A. And I don't know -- I couldn't tell you exactly (audio skip)  
15 we looked, but --

16 Q. Okay.

17 A. -- probably a minute or so before we started searching above  
18 the aircraft.

19 Q. Okay. And thank you for this level of detail. It's not in a  
20 -- any sort of accusatory question. We're just really trying to  
21 understand the whole process, so thank you.

22 A. Yeah.

23 Q. Did anybody take any pictures?

24 A. Not that I'm aware of.

25 Q. Okay. Okay. You departed the area, went back to base, and

1 if you recall, in as much detail as you can, what information did  
2 you share and who did you share it with?

3 A. The only information (audio skip) anybody was from my ship to  
4 the other ship, and that was communicating with Jeff Hoke, one of  
5 the other lead guides at Third Edge. Once I was back at base, I  
6 didn't communicate anything else to anybody except back to Chad,  
7 just to let him know that we were back and what we found.

8 Q. Okay. So Jeff Hoke was on the other ship?

9 A. Correct.

10 Q. Okay. And you told Chad what you found, and then do you know  
11 who initiated the Search and Rescue with the Guard?

12 A. I do not know.

13 Q. Okay. Were you told at any point that the Guard had been  
14 contacted?

15 A. Yes. I learned that the Blackhawk was en route at 2103,  
16 while I was also en route.

17 Q. 2123, is that what you said?

18 A. 2103.

19 Q. Oh, oh --

20 A. Zero three.

21 Q. And who told you that?

22 A. I believe Chad told me that. I talked to Chad on the radio,  
23 from my aircraft to his aircraft, while I was en route. He was  
24 returning from a flight, and we talked on the radio briefly just  
25 to let him know -- or he called me, and I just told him what was

1 happening, and I believe he's the one (audio skip) the Blackhawk  
2 was en route.

3 Q. Okay.

4 A. Honestly don't remember now if that's how I learned about it  
5 or not. It might have been through one of the other guides  
6 onboard.

7 Q. Okay. At any point, did you talk to anybody at Soloy?

8 A. No.

9 Q. Okay. Do you know if anybody from Third Edge had contacted  
10 anyone at Soloy?

11 A. I do not know.

12 DR. WILSON: All right. Thanks, Josiah. I think you've  
13 answered my questions. I'm going to see if Shaun has any  
14 questions for you.

15 BY MR. WILLIAMS:

16 Q. Yeah. I just have a couple here, Josiah. Thank you again  
17 for talking with us. What area were you -- your folks skiing in  
18 that day?

19 A. (No response.)

20 Q. Are you there?

21 A. Third -- yeah, thinking to make sure I --

22 DR. WILSON: Wanted to make sure we didn't lose you.

23 MR. FREEMAN: Yeah. The Third Edge guests were skiing in the  
24 Alaska Range that day. However, we did have an Alpha that was  
25 skiing in the Metal Creek/Friday Creek area with different guests,

1 not Third Edge guests. So only one Alpha ship was in the Friday  
2 Creek/Metal Creek area that day. I was not.

3 BY MR. WILLIAMS:

4 Q. Okay. Do you know who the pilot of that ship was?

5 A. That was Chad.

6 Q. That was Chad, okay. So you said you were speaking ship-to-  
7 ship with the other one that got up on location there with you.  
8 Who was the pilot of that other ship?

9 A. Zack Keller.

10 Q. Zack Keller?

11 A. Yes.

12 Q. Okay. When you spoke with Chad, when you got back, did you  
13 give him the coordinates that you found? Was that some of the  
14 information you passed along to him?

15 A. No.

16 Q. Okay. All right. I think that's -- so you were up in the  
17 Alaska Range. How was the snow up there?

18 A. It was fantastic.

19 Q. Okay. No active snow?

20 A. No, we had a gray (ph.) day up there. Came back early (audio  
21 skip) get to their flight.

22 Q. All right. And winds?

23 A. Winds in the Alaska Range?

24 Q. Yeah.

25 A. Negligible.

1 MR. WILLIAMS: Okay. I think that's what I have, Kat.

2 DR. WILSON: Okay.

3 BY DR. WILSON:

4 Q. One question just to follow up on what Shaun was asking you.  
5 Have you flown in the Metal Creek area?

6 A. Prior to this or since then?

7 Q. Yes. Well, either, but just are you familiar with flying in  
8 that -- taking guests to that area?

9 A. I am very familiar with that area.

10 Q. Okay. How -- is there anything particularly challenging  
11 about finding places to land in that area?

12 A. I would not categorize that area as more difficult than other  
13 areas that we might take people skiing.

14 Q. Um-hum. Okay. Is there anything different about the winds  
15 or turbulence or anything around those ridgelines?

16 A. Of course, it depends on the day. All mountains are  
17 challenging given certain conditions. So I wouldn't say that area  
18 is more challenging than any others; it just depends on the  
19 conditions at the time.

20 DR. WILSON: Yep. Okay.

21 BY MR. WILLIAMS:

22 Q. This ridgeline, had you utilized this one before? Did it  
23 look familiar that you've put skiers down it?

24 A. I couldn't say I attempted to land in that particular spot,  
25 but we have landed that ridge many times.

1 Q. When you normally do, are you more often to toe-in, single  
2 skid; how do you normally approach that?

3 A. Well, I would say that a flat landing is preferred, and we'll  
4 take a flat landing every chance we get, flat land and both skids  
5 (audio skip) down and flat pitch (ph.). But a toe-in landing is  
6 acceptable in the right location if it's -- if it can be completed  
7 safely.

8 MR. WILLIAMS: Okay. That's all I have.

9 DR. WILSON: All right, Josiah. Thank you so much. Is there  
10 anything else that you can think of that might be helpful that we  
11 didn't ask you about, but you think we need to know about?

12 MR. FREEMAN: I will think about that for a second.

13 DR. WILSON: Okay.

14 MR. FREEMAN: I can't think of anything right now.

15 DR. WILSON: Okay. Well, you have my number, so if you think  
16 of anything, and I think I even sent you my e-mail in one of the  
17 text messages we exchanged. So, if you think of anything, hear of  
18 anything, if you hear of someone who wants to talk to us, please  
19 reach out to me and let us know. We definitely want to get as  
20 much information as we can to help us with the investigation.

21 MR. FREEMAN: For sure.

22 DR. WILSON: All right, Josiah, thank you very much. We'll  
23 let you go to get back with your day, and condolences for the loss  
24 of, you know, some of your colleagues out there that day.

25 MR. FREEMAN: Thank you.



1 DR. WILSON: Thanks, Josiah. Bye-bye.

2 MR. FREEMAN: Bye.

3 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL AIRBUS AS350B3 HELICOPTER  
CRASH NEAR KNIK GLACIER, PALMER,  
ALASKA, ON MARCH 27, 2021  
Interview of Josiah Freeman

ACCIDENT NO.: WPR21FA143

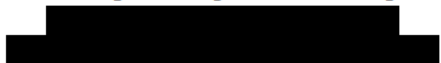
PLACE: Via telephone

DATE: April 9, 2021

was held according to the record, and that this is the original,  
complete, true, and accurate transcript which has been transcribed  
to the best of my skill and ability.



Letha J. Wheeler  
Transcriber



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AIRBUS AS350B3 HELICOPTER \*

CRASH NEAR KNIK GLACIER, PALMER, \*

Accident No.: WPR21FA143

ALASKA, ON MARCH 27, 2021 \*

\*

\* \* \* \* \*

Interview of: JOHN BAECHLER, Director of Operations  
Soloy Helicopters

Embassy Suites Conference Room  
Anchorage, Alaska

Friday,  
April 9, 2021



APPEARANCES:

KATHERINE WILSON, PhD, Investigator  
National Transportation Safety Board

D. SHAUN WILLIAMS, Investigator  
National Transportation Safety Board

FABIAN SALAZAR, Investigator  
National Transportation Safety Board

MATT RIGSBY, Inspector  
Federal Aviation Administration

SABRINA WOODS, Inspector  
Federal Aviation Administration

ALAN WILSON  
Federal Aviation Administration

GREG KING  
Soloy Helicopters

CARYN JORGENSON, Attorney  
Stokes Lawrence  
(On behalf of Soloy Helicopters)

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I N T E R V I E W

1  
2 MR. SALAZAR: John, thanks for coming.

3 MR. WILLIAMS: So Caryn told you kind of what we do, is we  
4 record the interview and then have that transcribed, so are you  
5 okay with that?

6 MR. BAECHLER: Yeah.

7 MR. WILLIAMS: Okay. So, John, thanks for coming, thanks for  
8 sparing some time with us today. My name is Shaun Williams, I'm  
9 the ops group chairman for the NTSB on this investigation. You  
10 know, we're an independent agency charged with determining  
11 probable cause of transportation accidents and promote the safety  
12 side of it. We have no regulatory or enforcement powers at all.

13 We have a lot of people in the room here. I'm going to go  
14 around and let everybody kind of introduce themselves so you know  
15 why we're all here.

16 MR. BAECHLER: Okay.

17 MR. WILLIAMS: So like I said, I'm Shaun.

18 DR. WILSON: Katherine Wilson. I am the human performance  
19 group chairman.

20 MR. SALAZAR: Fabian Salazar with the NTSB, I'm assisting  
21 operations and a fellow helicopter pilot.

22 MR. RIGSBY: John, I'm Matt Rigsby with the FAA's Office of  
23 Accident Investigation, we do just accident investigations on  
24 safety intervention. Myself nor Al have any enforcement-type  
25 capabilities, so (indiscernible).

1 MR. WILSON: As Matt said, I'm FAA, I'm Alan Wilson and I'm  
2 actually a flight test pilot with the certification office here in  
3 Anchorage and I'm here to -- and I'm also a fellow helicopter  
4 pilot and also here to advise the NTSB.

5 MR. KING: Greg King, representative for Soloy Helicopters.

6 MR. WILLIAMS: And Sabrina.

7 MS. WOODS: Hello, good morning to you, I'm Sabrina Woods and  
8 I'm also from the FAA's Office of Accident Investigation  
9 (indiscernible) and I am with human performance.

10 MR. WILLIAMS: Thanks. So are you okay speaking with  
11 everybody here today?

12 MR. BAECHLER: Yeah. Um-hum.

13 MR. WILLIAMS: You're good with that, okay. So we'll be  
14 using a tape recorder to record the interview and then we'll send  
15 that out for transcription. The transcript, not the audio  
16 recording, will be a part of the public docket that's further  
17 released along in the investigation.

18 Like I said, we're here to determine probable cause and  
19 prevent it from happening again. You know, we're not here to  
20 assign fault, blame, or liability. It's just fact finding. We  
21 cannot, however, offer any guarantee of confidentiality or  
22 immunity. Like I said, it's going to be open to the public. The  
23 way we do the interviews, everybody has a chance to ask questions  
24 one at a time, go around the room, usually about two rounds, and  
25 then we'll cut you loose for the day.

1 MR. BAECHLER: Okay.

2 MR. WILLIAMS: Please answer all the questions to the best of  
3 your recollection. "I don't know" is an acceptable answer if you  
4 don't know. The same token, we want the most accurate record, so  
5 if you want to change your answer later and come back to it,  
6 please do so.

7 MR. BAECHLER: Okay.

8 MR. WILLIAMS: You're entitled to have one representative of  
9 your choosing. Is there someone you would like to have as you  
10 representative?

11 MR. BAECHLER: Yes, Caryn Jorgenson is here, she's my  
12 representative.

13 MR. WILLIAMS: Thank you. Caryn, as always, you can direct  
14 John not to answer a question or to -- or excuse me, yeah, not to  
15 answer a question or request a short break, but you can't answer a  
16 question for him.

17 MS. JORGENSEN: Understood.

18 MR. WILLIAMS: Thank you. So do you have any questions,  
19 John, before we get going?

20 MR. BAECHLER: I don't believe so, no.

21 INTERVIEW OF JOHN BAECHLER

22 BY MR. WILLIAMS:

23 Q. Okay. So if you could, for the record, can you spell your  
24 first and last name for us?

25 A. Yeah, John Baechler. J-o-h-n. Baechler is B-a-e-c-h-l-e-r.



1 Q. And what's your title, John?

2 A. I'm the director of operations for Soloy Helicopters.

3 Q. So to start off, kind of give us a little bit on your  
4 background, how you started out and how you ended up as DO at  
5 Soloy.

6 A. Sure, a quick summary. I grew up in rural Alaska, aviation  
7 was a part of rural Alaskan society. I went to college for fixed-  
8 wing flying (indiscernible) and bachelor of science in  
9 aeronautics, and due to exposure in Alaska to the helicopter  
10 industry, I decided to -- after I started working a fixed-wing  
11 line, I became a helicopter pilot, got my rotor-wing license in  
12 2000 -- sorry, my fixed-wing license in 2001, my rotor-wing  
13 license in 2006.

14 And then Soloy hired me at Prism Helicopters at the time in  
15 2008. I worked for him under Prism Helicopters from 2008 to 2011.  
16 When Chris started Soloy Helicopters in its current iteration in  
17 2011, he asked me to move from Prism to Soloy at that time as  
18 a line pilot, which I did, and then in 2013, he made me chief  
19 pilot in the fall of 2013 and I was chief pilot for 7 years  
20 approximately and then I became director of operations in October  
21 of 2019.

22 Q. How much time do you have?

23 A. Around 6,000 hours helicopter and 12-1400 and something  
24 airplane. Maybe a thousand, I can't recall off the top of my  
25 head. Over a thousand, less than two.

1 Q. Do you know about how much of that would be heli-skiing?

2 A. My heli-ski time, I don't off the top of my head. Probably  
3 right around a hundred hours.

4 Q. Okay. As director of operations, what are your duties and  
5 responsibilities?

6 A. Well, the operational oversight of the 135 operations, if  
7 that's what you're referring to, include all the standard director  
8 of operations duties including ensuring that the helicopter is one  
9 of ours, that the pilot is one of ours, that the aircraft is  
10 maintained according to, you know, airworthiness standards and  
11 everything like that and assigning flight duties to the, you know,  
12 individual aircraft and pilots and ensuring compliance with all  
13 the regulations and that kind of thing. I don't have the  
14 operations manual in front of me, so I couldn't list for you  
15 exactly how it's worded in there, but --

16 Q. Okay.

17 A. -- operational control, I guess, is probably the best,  
18 maintaining operational control, that kind of thing.

19 Q. Okay. And what is operational control?

20 A. Basically what I just stated, to make sure that we don't have  
21 pilots flying for us that are not Soloy pilots, that we don't have  
22 aircraft flying for us that aren't Soloy aircraft, that we're not  
23 flying for customers that we're not authorized to fly for, that  
24 we're not conducting operations that we're not authorized to do,  
25 that we're not flying aircraft that are not airworthy, and all the

1 above, that we're not breaking any rules and regulations to our  
2 understanding.

3 Q. Are you responsible for the training, as well?

4 A. Overseeing the chief pilot's duties and responsibilities, to  
5 a degree, yes. But the execution of the training program and  
6 training individual pilots is the chief pilot's responsibility.

7 Q. You're a check airmen, also?

8 A. I am.

9 Q. Okay. How many check rides do you normally give in a year?

10 A. Oh, I don't have a count off the top of my head. We  
11 typically employ anywhere from 18 to 23 to 25 pilots a year. I  
12 probably give 15 to 20 check rides a year, if I have to guess off  
13 the top of my head without counting.

14 Q. Can you kind of walk me through what's a day in the life of  
15 John the DO?

16 A. A day in the life of Soloy Helicopters director of  
17 operations' responsibilities include a lot of scheduling, just the  
18 managerial oversight of who's going where, what's going where and  
19 what customers we're going to be flying for, what the scope of  
20 their operations are, expectations of when aircraft are going to  
21 be departing for work and returning and then overseeing just  
22 stuff, a smaller degree of our day-to-day charter operations that  
23 take place out at the hangars, specifically, but those are a very  
24 small part of our operations. And then, of course, I do  
25 participate in the training and checking of pilots and, you know,

1 maintenance aspects as far as post-maintenance aircraft  
2 inspections and ground (indiscernible), stuff like that.

3 Q. Are you a mechanic, as well?

4 A. No, no.

5 Q. Okay.

6 A. I do that as a pilot.

7 Q. Okay.

8 A. Tracking down all the stuff like that.

9 Q. So where does the training take place?

10 A. Typically, the vast majority of our training takes place out  
11 at the Soloy principal operating (indiscernible) at the Wasilla  
12 airport, but we do conduct training at other locations if it's  
13 convenient or pertinent to the operations at hand.

14 Q. How many instructors do you have?

15 A. I believe right now we have four company instructors; that  
16 would be myself, Sam Soloy, Rob Gideon, and Greg.

17 Q. Do you observe ground school at all?

18 A. I both observe and provide (indiscernible) and the chief  
19 pilot (indiscernible).

20 Q. So talk to me a little bit about the CFIT training. What  
21 does that look like?

22 A. The CFIT training program that we developed is designed to  
23 just continue to raise awareness of CFIT avoidance procedures with  
24 a review of CFIT typical situations, awareness of flat light,  
25 whiteout, and inadvertent IMC situations, training on what those

1 situations -- you know, the correct responses to those situations  
2 and how to avoid them and just trying to build awareness and  
3 knowledge for our pilots of the possibility of CFIT as it pertains  
4 to those specific situations and how to avoid the possibility of  
5 those to the best degree possible, I guess.

6 Q. Is that all done on the ground or is some of that done up in  
7 the air?

8 A. It's all done on the ground. No, the only -- there's no CFIT  
9 flight training. There was formerly a simulator component as part  
10 of it as part of the Medallion program, but that has since expired  
11 (indiscernible).

12 Q. The inadvertent IMC training, is any of that done in the  
13 helicopter?

14 A. The only inadvertent IMC training that's conducted is part of  
15 a 135 check ride. The company aircraft are only equipped for like  
16 unusual attitude-type scenarios. We don't really have the  
17 capability of conducting precision or non-precision approaches, so  
18 the only sort of inadvertent IMC training that's typically  
19 conducted is unusual attitude as part of the 135 check ride.

20 Q. Is that normally done under hood or foggles or something?

21 A. Yes, typically. Yeah.

22 Q. Okay. So as a check airman, can you walk me through your  
23 check ride? What does the flight portion of your check ride look  
24 like?

25 A. A check airman for the 135, a typical check ride is just to

1 go down the maneuvers that are required and we go through the  
2 ground as required, all the oral coverage, I don't have the oral  
3 exam guide or anything in front of me, but we try to cover  
4 everything that is required under the 135, 293, and 299 checks.

5 And then in the aircraft side of things, the flight portion  
6 is very standard, it's the same situation where we try to make  
7 sure that all the maneuvers are conducted under -- you know, as  
8 required under 293 and 299. Off the top of my head, it's quick  
9 stop, hover/auto, straighten autorotation and you typically do a  
10 180 autorotation, just maneuvers, just (indiscernible), you know,  
11 for some of the (indiscernible), you know, there's another  
12 performance maneuver and then we typically go up and do unusual  
13 attitude recovery, pinnacles, and flight areas.

14 There's other emergencies depending on the variance and the  
15 model of the aircraft that we're flying, whether it's hydraulic  
16 emergencies or governor emergencies. And then somewhere in there,  
17 as required, we have to throw in the single-engine aircraft  
18 anyway, an engine failure as a surprise sort of thing. And I  
19 think that's it off the top of my head. There's slopes, of  
20 course, and you know, hovering and stuff, but that's all very,  
21 very basic.

22 Q. So do you have your standard, this is what I always do when  
23 you go do a check ride, like kind of the same, we take off, we go  
24 up to the northwest, we do, you know, slope flight into a stall,  
25 into whatever, do you have that same --

1 A. In a sense that we make sure that all the maneuvers are  
2 conducted that are required, but we don't have a standard like we  
3 only go to this spot, we only go to this inclined area, and we  
4 only do this one specific unusual attitude, we don't do anything  
5 like that. So other than ensuring that all the maneuvers are  
6 conducted, there's not a standard like check ride traffic matters  
7 or something to that effect.

8 Q. And I don't mean so much as the company side, just I know  
9 each check airman and each like FAA inspector that goes and does  
10 check rides, we all kind had our own okay, this is what I do, I do  
11 the same thing every time.

12 A. Um-hum.

13 Q. I didn't know if you had something like that where you always  
14 do it or do you mix it up?

15 A. No, because our airport environment is highly variable in how  
16 accessible it is and how busy it is. We typically try to modify  
17 the check ride according to how busy the air traffic is at that  
18 particular point. It just varies and it can be -- and we try to  
19 work around that the best we can.

20 Q. Is there flight training done every year or is it just the  
21 check ride?

22 A. It depends. I would say it's conditional, but more typically  
23 it's just a check ride.

24 Q. Do you guys train for the heli-ski operation?

25 A. Again, conditionally. We have pilots that have come and

1 worked for us that are very experienced helicopter pilots where we  
2 don't feel we need to conduct heli-ski -- specific heli-ski  
3 training and then, depending on the pilot's experience, we have  
4 conducted heli-ski training for individual pilots, yes, but it's  
5 not required anywhere in documentation and things like that.

6 Q. Okay. So what about Zach, as far as heli-ski ops training  
7 stuff, do you recall?

8 A. Yeah. You know, obviously I've been thinking about it for a  
9 while. Back when I hired him in 2019 I was the chief pilot, I  
10 spent a lot of time with him in the mountains, you know, not  
11 specific to heli-skiing but mountain operations, peak snow, flat  
12 light, pinnacle landing, slope landing in the mountains, all the  
13 mountain-type approaches that we, you know, train for.

14 Just a lot of mountain winter awareness type of situation, we  
15 spent a lot of time on that that first spring and if I recall  
16 correctly, in the last year before he commenced heli-ski training,  
17 we did a lot of individual training, as well. I spent one flight  
18 with him doing heli-ski-specific operations and then I know he  
19 conducted further heli-ski training with Rob Gideon.

20 Q. But that's not something that you would expect normally on an  
21 annual basis, like all your guys have to go do --

22 A. No, no, it's not -- it's not required in any of our  
23 documentation and it's conditional depending on experience and  
24 that kind of thing.

25 Q. Is that just more of an observation as far as when it's --



1 when you guys decide you're going to go do it, take them for more  
2 training or is it documented, okay, if they have X number of --  
3 less than X number of hours and this kind of thing?

4 A. It's conditional, not documented. So it's dependent on  
5 the pilot's specific experience in the mountains, in the snow,  
6 relevant experience, I guess, it's just winter operations.  
7 There's not a specific threshold of any kind that activates heli-  
8 ski training or deactivates it.

9 Q. So I'm sure all pilots fly a little bit different, as far as  
10 how they do tow-ins, single skid-type things, approaches,  
11 whatever. What do you remember about Zach, was he more -- he did  
12 it like you did it, like you were taught, did he kind of his own  
13 way for doing it?

14 A. My memories of the flight training I did with Zach, he was  
15 very receptive to any additional information that we provided.  
16 But mostly what I remember is just a general competence despite  
17 lack of extensive experience doing that type of operations. He  
18 was very comfortable to be in the mountains with, I never felt  
19 unsafe, there was never any egregious mistakes that he made that I  
20 had to correct, that I can recall, certainly. No, overall kind of  
21 just a general feeling of remembering my flight training with him  
22 is just that he was very competent and -- yeah, there were no --  
23 nothing in his flight training that I can remember in my time with  
24 him that was anything other than eagerness to learn and very, very  
25 good attitude and aptitude, both.

1 Q. So you mentioned that the heli-ski ops aren't necessarily  
2 contained within the training program since it's not a required  
3 element.

4 A. Um-hum.

5 Q. Have you ever been approached by the FAA as far as their  
6 desire for having that put into the training program?

7 A. I don't recall any specific conversation with that regard. I  
8 do recall discussions about heli-ski training in general, but I  
9 don't recall conversations with the FAA about making it official,  
10 in a sense, or a requirement of some kind. I don't recall any  
11 conversations like that off the top of my head.

12 Q. Okay. How do pilots train to complete the risk assessment?

13 A. Are you referring to a Soloy risk assessment --

14 Q. Yes.

15 A. -- or just a generalized risk assessment?

16 Q. Just Soloy risk assessment.

17 A. The Soloy risk assessment is completed by management and the  
18 discussion takes place over the risk assessment on why these  
19 individual points on the risk assessment are then added and, you  
20 know, tallied up, essentially, and then each point provides a  
21 point of discussion and we complete the risk assessment in  
22 conjunction with the pilot, the pilot (indiscernible).

23 Q. So how often does one complete it?

24 A. Typically, we try to do one for any differentiation, major  
25 differentiation of operation type. It can be a little bit

1 difficult to discern exactly what those are, but typically it's  
2 like heli-ski operations is a type of specific operation, diamond  
3 and drill exploration is a different type of operation, so we  
4 complete separate risk assessments for those two types. And if  
5 there is a significant change in the scope of operations for a  
6 pilot, we'll try to complete it (indiscernible).

7 Q. So for like the heli-ski, would it be one per season?

8 A. Typically, yes, because the scope of heli-ski operations  
9 don't change from a day-to-day basis.

10 Q. Okay. So we have one here from -- it looks like for heli-ski  
11 for Zach, it was completed the day of his check ride.

12 A. Um-hum.

13 Q. Just curious. So that would be the most recent one?

14 A. Yes, that I'm aware of. Yeah.

15 Q. Okay. So looking down at that one, a couple questions. One,  
16 when I totaled up the numbers, because I saw there were two  
17 sections that didn't seem completed --

18 A. Um-hum.

19 Q. -- when you total it up, it adds up to about 43 and then it's  
20 got the 83 down at the bottom. I just didn't know if something  
21 maybe just didn't pull through from the system when that was  
22 printed or --

23 A. This is a formatted PDF.

24 Q. Okay.

25 A. And there are numbers in some of these boxes that for some

1 reason just don't show up and I don't --

2 Q. Okay.

3 A. I'm not technical enough with PDFs to know how to fix it.  
4 It's been a problem for us for a little bit, since we created this  
5 PDF, and I just haven't been able to solve why some of these  
6 fields, when you populate them, don't show up when we print. But  
7 if you click on them, the number's there.

8 Q. Okay. And that's why I wanted to ask, to make sure I'm just  
9 reading it correctly.

10 A. Yeah. It's an imperfect PDF, I guess.

11 Q. So the mitigations down at the bottom --

12 A. Um-hum.

13 Q. -- the minus 10, and I believe the other one was minus  
14 four --

15 A. Um-hum.

16 Q. -- are those documented anywhere as far as where those values  
17 are derived?

18 A. No, those are subjective values provided by whoever was  
19 filling out the risk assessment. In this case, Rob Gideon.

20 Q. All right.

21 A. These are all generally subjective values --

22 Q. Okay.

23 A. -- because there's obviously no quantifiable way to say how  
24 risky some of these situations are on a 1-to-10 scale.

25 Q. Okay.

1 A. Those are the (indiscernible).

2 Q. So you mentioned operational control and kind of your  
3 definition as far as your understanding what it is. How is it  
4 performed at Soloy?

5 A. That's a very vague question. I guess the best way to answer  
6 it would be all of our -- everybody at Soloy Helicopters knows  
7 what aircraft are ours, they know what pilots are ours, so those  
8 two values are always very standardized. They know if somebody's  
9 not walking off the street to fly in a Soloy Helicopters  
10 helicopter.

11 And then they -- our pilots and mechanics know our sort of  
12 scope of operations as a company and know -- everybody sort of  
13 knows what they should and should not be doing for the most part,  
14 so operational oversight is generally very easy because there's  
15 not a lot of divergence from our sort of core mission that we do.

16 But as far as I think what you're referring to is, you know,  
17 our pilots and us in management and me, specifically, when it  
18 comes to operational control -- we're not that big of a company,  
19 so there's not a lot of verification that needs to be conducted  
20 on, you know, is this pilot qualified to go and do this work  
21 because there's only so many of us. So when we dispatch  
22 helicopters to do certain jobs, it's a fairly simple process of  
23 ensuring that everybody has the information that they need, the  
24 qualifications are still current and, of course, all the general  
25 day-to-day operational stuff we balance, fuel on board, flight

1 planning, that kind of stuff are all conducted pretty standardly,  
2 you know, as far as general operations go. I'm not sure what  
3 direction you wanted to take that question, so I wasn't quite sure  
4 what you're referring to specifically.

5 Q. We'll get there. So the GOM mentions that when there's no  
6 filed FAA flight plan --

7 A. Um-hum.

8 Q. -- a company flight plan will be completed.

9 A. Um-hum.

10 Q. Is that a physical document that is completed and left at the  
11 base? What is that company flight plan?

12 A. There's a different -- a number of different ways of  
13 facilitating that for us depending on the situation. The company  
14 flight plan, for example, at our main hangar is a physical  
15 document that is normally filled out if the pilot wants a flight  
16 plan to be followed by somebody at the present, at the office that  
17 day.

18 If it's a company flight plan filed with one of us in  
19 management, it's typically over the phone because that's obviously  
20 the easiest communication. E-mail is also acceptable or radio  
21 communication, which is less prominent, I guess. It's not always  
22 a physical document, I guess, is what your question was.

23 Q. Okay. The FAA guidance says when an FAA flight plan isn't  
24 filed, so when you guys utilize the company flight plan, operators  
25 must have established procedures for following and locating each

1 flight. What are those procedures? How does that look at Soloy?

2 A. Well, we do have satellite trackers on all the aircraft, but  
3 flight locating at a minimum is establishing a destination and ETA  
4 or at least a check-in and ETA. But at the very bare minimum,  
5 like an FAA flight plan is the same, an ETA with the destination  
6 is what we look for, so wherever the pilot and aircraft are going  
7 and what time they're going to be there and then we can establish  
8 overdue aircraft, the timeline in there, I guess, can be made.

9 Q. For the accident flight, when was it due back at Soloy?

10 A. That is information I don't have because the flight plan was  
11 being conducted by Tordrillo Mountain Lodge.

12 Q. So they didn't file an FAA flight plan and they didn't follow  
13 or they didn't file a company flight plan with Soloy, they filed  
14 it with the lodge?

15 A. Yes. Yeah.

16 Q. So then how does Soloy do flight locating if you don't know  
17 when they're due back?

18 A. We don't. The flight planning is being conducted by  
19 Tordrillo Mountain Lodge at that point, so our operational  
20 oversight is not -- we're not conducting minute-to-minute flight  
21 locating.

22 Q. Okay.

23 A. It would be the same -- excuse me -- as if a pilot had filed  
24 an FAA flight plan, then the responsibility would rather then be  
25 on us to flight-locate that aircraft, it would be with the FAA.

1 Q. Okay. When is an aircraft considered overdue for Soloy?

2 A. Under our current options manual, it says 60 minutes. I  
3 believe it says 60 minutes after the aircraft is considered -- you  
4 know, after its estimated time of arrival, if the aircraft has not  
5 been contacted or heard from or, you know, changing ETA  
6 (indiscernible) ETA plus 60. We typically try to run it as ETA  
7 plus 30 as more standardized. But the operation manual says ETA  
8 plus 60.

9 Q. Okay. So in this case, all of that would fall to the lodge?

10 A. Correct.

11 Q. Okay. So how did you find out about the accident? What  
12 triggered the emergency response?

13 A. So I got a call approximately 8:25, 8:27, somewhere in there,  
14 from Brad Cosgrove on my personal cell. It was a very kind of  
15 vague conversation to begin with about sat tracking in general.  
16 It was a couple minutes into the conversation that I realized he  
17 was inquiring on the location of 3-5-1 and when it was apparent  
18 that he didn't know where it was, I asked him directly if he  
19 considered the aircraft overdue and he told me yes. And at that  
20 point I told him that he needs to activate ERP, his ERP, and I can  
21 co-activate ours immediately. That was when I left my home and  
22 began activating our ERP.

23 Q. Okay. Who is responsible for notifying RCC?

24 A. Whoever activates ERP has the ability to. That can be  
25 literally anybody, the general public, if they have access to ERP.



1 Obviously, the responsibility is not there for them. But the ERP,  
2 as it's written for us, it's designed so that anybody that has  
3 access to it has those numbers available so they can call ARTC or  
4 Flight Service, if they know an aircraft is overdue or has  
5 crashed.

6 Q. Did you call ARTC?

7 A. I did, yes.

8 Q. What time?

9 A. So I believe it was 8:52 when I arrived at the office. I  
10 mean, I arrived at the office at about 8:52, yeah, then I  
11 immediately sat down and that would've my first call from the  
12 office.

13 Q. So why the delay if you thought you had an overdue aircraft?  
14 Why the delay to notify RCC?

15 A. Well, the process of an overdue aircraft, we were still  
16 working through the information that was provided and trying to  
17 determine the correct response. I didn't know if the aircraft was  
18 overdue as per our ops manual or if only with TML's flight  
19 locating. I didn't have a lot of information on why the aircraft  
20 was considered overdue if they simply hadn't communicated in a  
21 certain time frame, checked in or if the aircraft was supposed to  
22 physically be back at base at that time, so I didn't quite know  
23 the situation that we were dealing with until I was closer to the  
24 office itself. And the reason I was, you know, traveling to the  
25 office was to potentially provide recon in our own company

1 aircraft. So there was a number of different factors of why there  
2 wasn't an immediate call as far as -- you know, I was still trying  
3 to gather information as far as why this aircraft was overdue and  
4 to what degree.

5 Q. Do you remember about when you found out that they were  
6 officially down?

7 A. So yeah, part of the communications on my drive to the office  
8 were with other, I guess, guys that I've known that had either  
9 worked with TML or were working with Third Edge at the time and  
10 they informed me that they had aircraft in the area, they provided  
11 recon information. And then once I got to the office, they were  
12 already en route to provide recon, so we decided to stand down our  
13 company aircraft at this time and I don't remember when I got a  
14 call from an owner of Alpha Aviation, his aircraft were providing  
15 a recon that they had located with which. I believe it was  
16 sometime after 9 o'clock, but I don't remember the time off the  
17 top of my head.

18 Q. Just for clarification, you mentioned Brad Cosgrove. Who is  
19 he?

20 A. To my personal knowledge, Brad was -- I first met him as a  
21 TML guide at TML years ago and I -- you know, I don't know him  
22 very well personally, but I just ran into him a few times over the  
23 years. I've flown with him multiple times in a different -- a  
24 number of different heli-ski scenarios, I guess, CBG (ph.) and  
25 TML, both.

1 Q. So he's a TML guide?

2 A. I believe he's guided for both, but I don't know in what role  
3 he was acting that specific day. He has historically been a TML  
4 guide, yes.

5 Q. Okay. So does anyone that we -- that you know was TML, did  
6 anyone specifically call you or was it just Brad?

7 A. No, TML contacted me three or four minutes after Brad did.  
8 After I had already contacted our chief pilot, I received a call  
9 from Mike Rheam at TML asking if I had any further information on  
10 the location of 3-5-1 and we agreed that the aircraft was overdue  
11 at that point. If I recall the conversation correctly.

12 Q. So when did you find out, I guess, that the airplane had been  
13 -- I guess no movement since -- so you were contacted first at  
14 8:25 to 8:27, you said, from Brad --

15 A. Um-hum.

16 Q. -- that the tracking had actually stopped, I mean, Brad  
17 didn't tell you this, but the tracking actually stopped at about  
18 6:30-ish, 6:35.

19 A. Um-hum.

20 Q. So when did you find out that it had been almost 2 hours with  
21 no movement on the helicopter?

22 A. When he called and he asked if I had any different tracking  
23 information than he did or access to different tracking  
24 information than he did and so I logged into the tracker at that  
25 time and noticed that that was the last tracking ping, so it was

1 right -- it was during my conversation with him that I looked it  
2 up myself.

3 Q. So I'm sure we'll kind of come back to that, but to move on  
4 here just for a little bit, are aircraft equipped with ADS-B?

5 A. That one, not that I recall.

6 Q. Okay. Are some of your machines equipped?

7 A. Some of them are, yes.

8 Q. And do you know how that system operates as far as is it off  
9 one of the GPS units, is it installed separately?

10 A. The ADS-B systems, there's -- there's not a standard system  
11 that we install, so a few of them operate in a different manner.  
12 Some are off the radio transponder system, some are off the nav  
13 flight installation system. They're all installed differently, I  
14 guess.

15 Q. Is there any sort of policy or guidance that you guys have  
16 that if it's installed, it must be turned on or is that just --

17 A. No, I don't believe there's any official documentation that  
18 I'm aware of that says the ADS-B must be activated whenever the  
19 aircraft are flying. Not that I can recall off the top of my  
20 head.

21 Q. So something just popped into my head, back to your check  
22 rides here. Do you know about how long they take?

23 A. The typical check rides for 135, 293, and 299, for us, run  
24 anywhere from 45 minutes to an hour, typically, (indiscernible)  
25 with anywhere from -- I've seen it be conducted in as little as 45

1 to as long as an hour on the (indiscernible), which is collective  
2 activated hub.

3 Q. And you have B2s and B3s, correct?

4 A. Yeah, currently.

5 Q. Can you do the B3 transition in a B2? Or differences  
6 training, sorry, not transition. Differences training.

7 A. Differences training is a ground (indiscernible).

8 MR. WILLIAMS: It's ground only, okay. I think I'm going to  
9 let Katherine.

10 BY DR. WILSON:

11 Q. Okay. You doing okay?

12 A. Yes.

13 Q. All right. Let us know if you need to take a break or  
14 anything.

15 A. I have (indiscernible), thank you.

16 Q. Okay. Hopefully that doesn't happen. The CFIT program, when  
17 was that developed?

18 A. I don't recall the year it was developed. Two thousand  
19 sixteen, I believe.

20 Q. Okay. You mentioned the risk assessment was done by  
21 management. Why is that, versus having a pilot do his risk  
22 assessment?

23 A. Well, it's done in tandem. We sit down and you fill out the  
24 other and that is what provides -- the conversation is what it's  
25 designed to facilitate, the conversation around risk management

1 for those particular operations or (indiscernible).

2 Q. Okay. So I'm curious if you still have the form. Item 13,  
3 which is the emergency response procedures and flight following,  
4 what -- what is the risk that you're doing there? Emergency  
5 response is less than 2 hours, it's a risk of two. Like, what  
6 does that mean?

7 A. Emergency response in this context on the risk assessment is  
8 what assets are available for this particular operation in the  
9 event of an aircraft emergency. Because Alaska is so large, there  
10 are much -- you know, highly variable times an emergency response  
11 can be launched for a helicopter operation. So if the area is  
12 very, very remote, we consider it more risky to -- in the context  
13 of an emergency response.

14 Q. So this form having a two there for emergency response less  
15 than 2 hours --

16 A. Um-hum.

17 Q. -- this is assuming that an emergency response could arrive  
18 in 2 hours or less for this one.

19 A. Yeah, it depends on the assets, the centralized assets in  
20 Alaska that provide emergency response are about as close as you  
21 can get.

22 Q. And then the active tracking responsible party, what is that?

23 A. That means that there is somebody tracking the aircraft  
24 beyond the minimum of an FAA flight plan, which is, you know, just  
25 ETA, essentially. So there's somebody that is looking at the

1 aircraft and checking in at some set intervals.

2 Q. What are those set intervals?

3 A. That's up to that specific person or tracker, I guess. But  
4 it just has to be something beyond an estimated time of arrival.

5 Q. Okay. And I want to go back to that, but let's finish with  
6 the form first, again. So you got the initial risk number and  
7 then there's the two mitigations or control measures. So how are  
8 those numbers determined, that second, you're in a (indiscernible)  
9 area of ops is a minus 10?

10 A. Again, that's subjective to the person filling out the form,  
11 trying to be -- trying to take into consideration whatever they  
12 were taking into consideration for this specific operation, as far  
13 as what they were putting down there, I guess. I'm not -- I mean,  
14 I don't know why these specific numbers were used since I did not  
15 complete the form.

16 Q. Got you. And is a number of 68, is that kind of like a high  
17 heli-ski risk assessment number? Is this one higher than normal?

18 A. No, heli-ski typically falls in the medium, medium-high  
19 range. There's very little (indiscernible) to be able to mitigate  
20 heli-ski operations. On this form, anyway, it's much more a  
21 medium to medium-high rating.

22 Q. Okay. And then at the bottom for the signatures, it says  
23 low, medium, you need the chief pilot and director of operations  
24 signature.

25 A. One or the other.

1 Q. Just one or the other. And then for the high there's three  
2 potential, chief pilot, director of ops, or president can sign and  
3 you need two of those three?

4 A. Correct.

5 Q. Okay. Going back to the tracking, what is your expectation  
6 from Soloy? What is Soloy's expectation with flight tracking,  
7 what is going to be done?

8 A. I would say with regard to flight tracking, there's not a lot  
9 of expectations. More specifically, flight planning we're more  
10 concerned with, that somebody is in to activate an emergency  
11 response if the aircraft is overdue at some point. But flight  
12 tracking is just something that (indiscernible).

13 Q. Okay. How do you initiate an emergency response if you're  
14 not tracking?

15 A. Because flight planning dictates an estimated time of arrival  
16 for an aircraft and if that aircraft is not at its destination at  
17 the estimated time of arrival plus a set amount of time, 30  
18 minutes is standard, then the ERP should be activated.

19 Q. But the manual says 60 minutes?

20 A. Yeah, our manual says 60 minutes, but we try to reduce that.

21 Q. Okay. You said that you didn't know the full situation until  
22 you were closer to the office. Who were you talking to that made  
23 it clear? You said it wasn't really clear until you were driving  
24 to the office that the RCC needed to be called, so who was that  
25 that you were talking to and what information did they relay to



1 you?

2 A. It wasn't a single entity, you know, I spoke with a number of  
3 different people on my way to the office, including -- I know I  
4 had phone conversations with Rob Gideon, our chief pilot,  
5 Sam Soloy, our vice president. From the customer side of things,  
6 Jeff Hoke and Brad Cosgrove and Mike Rheam, I spoke with all of  
7 them and it was through, I guess, the information gathered from  
8 those conversations that it was determined that it was going to be  
9 (indiscernible).

10 Q. Okay. Do you recall what time you contacted the RCC?

11 A. I believe it was 8:52.

12 Q. So right when you arrived at the office?

13 A. Um-hum.

14 Q. Okay. And then you mentioned that you had logged in to check  
15 the tracking, was that while you were still at home or was that  
16 when you got to the --

17 A. Correct.

18 Q. Okay, at home?

19 A. Yes.

20 Q. Okay. And then what information did you relay to the RCC?

21 A. When I called the RCC, I informed them that we had an overdue  
22 aircraft, I asked them to check ELT activation, if they were aware  
23 of any, which they were not. I told them the location of the  
24 aircraft and what I knew about it at that time. I don't recall  
25 the specifics of the information that I had at that time from my

1 first conversation with them, but it was all the information that  
2 I had gathered at that point.

3 Q. And the location that you gave them was based on the last  
4 hit?

5 A. The last (indiscernible).

6 Q. Okay. The ETA that's a part of the flight plan, that's for  
7 coming back to base? That's for coming back to the lodge? What  
8 is the ETA that's being used on the flight plan?

9 A. It depends on the situation. In this specific one, I'm not  
10 sure what estimated time of arrival or destination they were  
11 using, so it really depends on the specific operation being  
12 conducted.

13 Q. And is there -- I apologize if you already discussed this, is  
14 there a contract that you make with TDL -- TML, sorry, that says  
15 like this is the expectation, that you're going to be doing flight  
16 tracking or --

17 A. Yeah, typically on a tracking basis we try to -- I don't  
18 really do a lot of contracting, but it's my understanding that  
19 there is an understanding that the flight planning and flight  
20 tracking can be specified in this case, you know.

21 Q. When you say you don't do a lot of contracting, you don't do  
22 it specifically or there's usually not a formal contract?

23 A. I don't do the contracting for Soloy Helicopters.

24 Q. Okay. Who would be the person that would be setting those  
25 expectations and doing that contract?

1 A. Contracting for us is typically conducted by Chris or  
2 Sam Soloy.

3 Q. Okay. And I need to look at my notes. For tracking, the  
4 satellite system that's on Guardian something, Guardian --

5 A. I believe the company that manufactures the tracking box is  
6 called Guardian Mobility.

7 Q. Right.

8 A. If it's still the same name. And then they provide their  
9 tracking information online through a -- what's called a mapping  
10 solution called SilverEye Aviation. I don't know specifically how  
11 that functions.

12 Q. Okay. And I think from the tracking information we have,  
13 it's every -- a ping every 2 minutes.

14 A. That's (indiscernible).

15 Q. Is there an ability, like with a subscription you could have  
16 it more frequently, or do you know any of those details?

17 A. I do not, no. I believe so, but I don't know that for sure.

18 Q. Is there an ability for the pilot to push a button in the  
19 cockpit that would let whoever's tracking know that they've  
20 arrived safely somewhere, a ping on touchdown or something?

21 A. Not that I'm aware of, no.

22 Q. Is there any sort of text messaging capability from the  
23 aircraft?

24 A. Not for this specific tracking. We have installations.

25 Q. Okay. Do you know if that's an option or you just don't

1 think regarding Mobility?

2 A. I know it's not an option for this tracking box specifically.  
3 I don't know if Guardian Mobility has other equipment that has  
4 that capability, but this, I know that this installation did not  
5 have that.

6 Q. Do you know how long Soloy's been using the Guardian Mobility  
7 tracking?

8 A. We've been using Guardian Mobility since 2011.

9 Q. Did you look at others? Were you involved in that using this  
10 system, by chance?

11 A. At the time I was (indiscernible).

12 Q. Just curious. I'm not familiar at all with this system, so I  
13 was -- when Zach was hired, you said that you were -- you said  
14 "when I hired him," you were just the chief -- you were the chief  
15 pilot then.

16 A. Um-hum.

17 Q. Is the chief pilot primarily responsible for hiring new  
18 pilots? Is it the DO? How does that process work?

19 A. Well, yeah, the chief pilot does the hiring of pilots, but  
20 you know, we're not a big company, so it's typically everyone is  
21 involved. But I would say the chief pilot is the point person for  
22 hiring pilots.

23 Q. So as the chief pilot, when you were doing hiring, what are  
24 -- what qualifications are you looking for from a pilot coming in?

25 A. That is very highly dependent on the type of work that we

1 expect that pilot to perform. In this particular instance with  
2 Zach, we were bringing him on knowing that he was -- he had less  
3 than our average pilot experience in anticipation of using his --  
4 the fact that he was local, to build up his experience in a cold  
5 environment.

6 Q. Was he initially hired to do heli-ski or was he hired to do  
7 something else?

8 A. No, he was initially hired to do summer charter operations.

9 Q. What kind of flying is that?

10 A. For the company it's highly variable, but for him  
11 specifically, because he didn't have a lot of vertical reference  
12 experience, something with generally non-precision for reference  
13 work or less precision for the reference work right then, but his  
14 primary function was summer operations.

15 Q. Okay. Was he a full-time employee or was he considered a  
16 contract or a seasonal employee?

17 A. We hired him as a seasonal employee to start with, then he  
18 became full time shortly after. I don't recall when exactly that  
19 took place.

20 Q. When did you become a check airman?

21 A. Oh, when I became chief pilot in August of 2013. I do not  
22 recall when my first check airman authorization came after that,  
23 it was just a few months, if I recall correctly.

24 Q. Okay. Do you still fly the line, if you will?

25 A. Yes, I do.

1 Q. How often do you do that? What percentage of your time is  
2 dedicated to doing that?

3 A. Oh, man. Well, that depends on if it's COVID here or not, I  
4 guess. I've only been director of operations for less than 2  
5 years. Last year, with the challenge that we faced with COVID, I  
6 ended up flying the line for a significant portion of the season.  
7 I don't know how many days, a hundred, hundred and twenty.

8 Q. Okay. And when you're flying the line, does that include  
9 heli-ski operations, too?

10 A. Um-hum. It does.

11 Q. Yeah. I saw something in the GOM and it was actually under  
12 the DO's duties and responsibilities, but it said the company  
13 operation manual. Is that the same thing as the GOM or is that a  
14 separate document?

15 A. As far as I'm aware, that's the same document.

16 Q. Okay. Do you do the scheduling of pilots for various  
17 contracts or does someone else do that?

18 A. We do the scheduling -- I do the scheduling of the aircraft  
19 and customers and I'm aware of pilot qualification, so I do pilot  
20 scheduling, but it's all backed up by the chief pilot to make sure  
21 I'm not scheduling pilots for something they're not qualified for.

22 Q. So how does the scheduling process work? So you've got --  
23 I'll let you talk and then I'll ask, if I have follow-ups.

24 A. To make it as simple as possible, a customer calls, they  
25 would like to fly on these days to this location in this type of

1 aircraft and I see if we have that type aircraft available, I see  
2 if we have a qualified pilot that's available, and then we move  
3 forward with the process of making the aircraft -- ensuring the  
4 aircraft is airworthy, ensuring the pilot is ready and we're doing  
5 it, and then just attaching that flight on that particular day.

6 Q. And when you say customer, who is the customer?

7 A. Anyone from the public that wants to charter a helicopter, a  
8 business or a person.

9 Q. So it could be a ski operator, ski operation as well, like --

10 A. Typically, complex operations are more carefully vetted than  
11 like day charter type of things. Theoretically, yes, but we only  
12 have one that worked for a few heli-ski operators in Alaska and  
13 she was voluntarily not the one (indiscernible).

14 Q. So who are the operators that you work with?

15 A. We work with (indiscernible) guides based out of here with  
16 Tordrillo Mountain Lodge --

17 Q. Okay.

18 A. -- based out of their lodge.

19 A. Okay.

20 Q. Okay. Were you a part of scheduling Zach to fly this -- on  
21 the day of the accident?

22 A. Yeah.

23 Q. Okay, so how did that work?

24 A. For scheduling this flight, I don't -- as far as my memory  
25 serves, it was -- the aircraft was brought back to our base due to

1 the current pilot that was flying it, Kevin Covis (ph.), so he  
2 brought the aircraft back, there was a momentary suspension of  
3 operations while TML reassessed if they had customers for the  
4 aircraft, and then we reassessed our pilot schedule to see if we  
5 could make a pilot available to them. They determined that they  
6 did have a customer that they wanted to conduct heli-ski  
7 operations with, so we moved things around to make a pilot  
8 available for them and it was Zach Russell that was determined it  
9 would be, you know, the best or most available pilot at that time.

10 Q. And had Zach flown the day before, as well, or if he -- this  
11 was his first flight with this customer?

12 A. Oh, for this customer, I believe it was his second day.

13 Q. Okay. And were these, the skiers that were on board, I don't  
14 know if that's what you consider the customer, but they were not  
15 staying at the lodge, there was an issue. Were they staying  
16 somewhere off site from the lodge?

17 A. Yes. Due to the same reasons, the COVID situation, the  
18 aircraft didn't return to Winterlake Lodge where it was slated to  
19 be for the heli-ski season, instead remained at (indiscernible).  
20 I don't know where specifically they were staying.

21 Q. Okay.

22 A. But it wasn't Winterlake Lodge.

23 Q. Okay. And then when Zach started the day, he picked them up  
24 in Wasilla. Did they come to the helicopter or the helicopter  
25 went to them?



1 A. The helicopter went to them.

2 Q. Okay. And do you know where he picked them up?

3 A. General area, yes. Specific location, no. I know it was on  
4 Wasilla Lake, but I don't know --

5 Q. Okay.

6 A. -- the address of the (indiscernible) or anything.

7 Q. And like a helipad that's there or I mean, where do they --

8 A. Just a holding yard --

9 Q. Okay.

10 A. -- I believe it has.

11 Q. Is there any -- does anything have to be done differently  
12 when that happens or is that common that they would go to an open  
13 field and pick up passengers?

14 A. Yeah, the airport operations are fairly common for us.

15 Q. Okay. Has anyone -- you mentioned that when you flew with  
16 Zach, you felt safe. Has anyone ever not been hired or been fired  
17 for feeling that they're unsafe as a part of the operation?

18 A. Not since I recall being chief pilot. We've never fired  
19 anybody for unsafe operations.

20 Q. Okay. How is it determined that a flight is going to go or  
21 no go? Like depending upon weather, is that made by the company,  
22 is that made by a pilot to say they're not comfortable flying?  
23 How does a flight go or not go for weather?

24 A. No flight "go/no go" decision is made by the pilot.

25 Q. Okay. Does Soloy, you or the chief pilot, does it ever say

1 like the weather's bad today, no flights are going?

2 A. No. No, that's completely determined by the pilot, unless we  
3 have information that the pilot doesn't, as far as weather that is  
4 outside of regulatory capability.

5 Q. And how do pilots check the weather?

6 A. That's an individual basis. Typically using online  
7 resources, the FAA weather briefing, depending on what's  
8 available. In rural situations, just mobile weather operations.

9 Q. Um-hum.

10 A. So it could be anything.

11 Q. Okay. Is there an expectation when there's a heli-ski  
12 operation of typically it's 4 hours, typically it's 8 hours or  
13 does that vary based on --

14 A. The duration, you mean?

15 Q. Yeah.

16 A. There's no standard, that I'm aware of.

17 Q. Okay. Is there a requirement for them to be back a certain  
18 -- by a certain time? Do you expect all flights to be back by  
19 8:30, 9:00?

20 A. No.

21 Q. An hour before sunset?

22 A. We have no operational mandate of that kind, no.

23 Q. Okay. Can they stay out past sunset?

24 A. Provided they're backed with lights, yes, they can.

25 Q. When we were talking to Dane yesterday, he mentioned that

1 there's a daily flight report that pilots complete. Is that a  
2 term that -- am I using the right term?

3 A. Yeah.

4 Q. I don't know if that's what he said.

5 A. Yeah. So that's typically for customer billing purposes,  
6 that documents the flight time for the day and flight activities,  
7 to a very general degree.

8 Q. Okay. And that's completed by the pilot?

9 A. Yes.

10 Q. At the end of every day?

11 A. Yes, every flight day should have a daily flight report.

12 Q. Okay.

13 A. We conduct them for maintenance and flight training, as well.

14 Q. And is it a paper, like a handwritten or is it on a computer?

15 A. It's handwritten.

16 Q. Okay. And then who holds on to that?

17 A. What typically happens is the pilot takes a photocopy and  
18 e-mails our admin staff a copy, and then he keeps a copy and he  
19 should provide the customer a copy, as well.

20 Q. How would a pilot get updated weather in -- like if they're  
21 out doing a heli-ski operation and the weather is deteriorating,  
22 is it just like by observing that the weather is deteriorating or  
23 is there a way that they can get weather information?

24 A. It's highly variable. I guess it depends on if you're within  
25 cell phone coverage or not or the pilot is, but that's really the

1 only sort of online availability if the pilot has cell phone  
2 coverage. There are radar resources as far as Flight Service  
3 goes, but typically it's mostly done observationally.

4 Q. Um-hum. And is there any way the pilots can communicate with  
5 each other, you know, hey, I was flying in Metal Creek today and a  
6 lot of blowing snow or things seemed unstable or, I don't know, a  
7 way to share information with other pilots of the conditions that  
8 they experienced?

9 A. Not outside of common traffic frequencies on the VHF or  
10 customer frequencies on the FM radios or cell phone  
11 communications.

12 Q. Does Soloy have any dispatchers on staff? Anybody with the  
13 dispatcher title?

14 A. Yes.

15 Q. Is there any weather radar on board the aircraft?

16 A. (Indiscernible).

17 Q. Are pilots required to wear a helmet or is that at the  
18 discretion of the pilot whether they want to wear a helmet or not?

19 A. That's their discretion.

20 Q. Are they provided by the company or they can buy one?

21 A. It's personal equipment.

22 Q. Do you recall how many other heli-ski flights were operating  
23 on the day of the accident?

24 A. In the state or our company?

25 Q. Your operation.

1 A. If I recall correctly, we should have had seven helicopters  
2 operating that day.

3 Q. Okay.

4 A. For heli-skiing.

5 Q. Do you ever pull up the flight tracking? I know that you  
6 said that it's up to the -- like the lodge was doing the flight  
7 tracking for this flight but, I mean, do you ever just pull it up  
8 and watch where the Soloy aircraft are?

9 A. For curiosity purposes, absolutely, and then also if I've  
10 been tasked with providing a company flight plan.

11 Q. When would you be tasked to do that?

12 A. If a pilot requested that I provide a company flight plan for  
13 them. Or they provide me, excuse me, with a company flight plan  
14 that they've been the responsible party for.

15 Q. What would be the -- like why would they do that?

16 A. You know, day charter operations are very difficult, the  
17 customer doesn't have a base of operations that they're working  
18 out of, so we provide a company flight plan coverage for them, a  
19 specific flight.

20 Q. In that case, what -- how would it look, you tracking that  
21 flight?

22 A. I would know the aircraft and pilot, the number of people  
23 aboard, the same information that's on an FAA flight plan, and  
24 then I'd be -- I would be monitoring the flight, but I would be  
25 dependent on the estimated time of arrival, it's the primary

1 information that would be pertinent as far as overdue aircraft, if  
2 that's what you're referring to.

3 DR. WILSON: Okay. All right. Thanks, John, I think you  
4 answered my questions for now.

5 MR. WILLIAMS: Okay, thanks.

6 Fabian.

7 BY MR. SALAZAR:

8 Q. John, I just have a short page or two, it should go pretty  
9 quick. With regards to mountain flying and heli-ski operations,  
10 can you enlighten us a little bit on the similarities and the  
11 differences?

12 A. With regards to mountain flying versus heli-ski operations,  
13 well, obviously there's significant overlap because heli-ski  
14 operations take place in the mountains. I would say mountain  
15 flying is a little broader than heli-ski operations because that  
16 can involve an external load or other types of mountain flying not  
17 specific to heli-skiing, but obviously Soloy encompasses heli-ski  
18 operations, as well.

19 Q. What about approaching ridge lines and landing, any  
20 differences there?

21 A. Not as far as the flying aspect. There's considerations for  
22 safe ingress and egress for heli-skiers, as far as picking out  
23 leaves (ph.) in that sort of situation. There's a little more  
24 awareness on snow stability and avalanche awareness and that sort  
25 of generalized awareness, as well. Flight operations, obviously

1 the mountains don't change or care what you're doing, so approach  
2 considerations and, you know, wind information and that sort of --  
3 that sort of information doesn't change on the type of operation  
4 that we're conducting.

5 Q. Okay. When you hired Zach and you were doing training with  
6 him, when you were going through the mountain operation, talk to  
7 us a little bit about the thing that you trained him on and then  
8 subsequently evaluated him on, with regard to the different ways  
9 of landing on mountains and then going to deep-snow operations, as  
10 well.

11 A. Well, it was a couple years ago so my memories aren't real  
12 current, but I do remember a significant amount of flying in the  
13 mountains that covered approach paths, wind, you know, deriving  
14 wind information in the mountains. We spent a lot of time on snow  
15 information as far as visibility and flat light and inadvertent  
16 IMC type of situations. We worked a lot on safe LZ operations as  
17 far as keeping the passengers safe embarking and departing the  
18 aircraft, and picking and discerning slopes, approaching and  
19 departing pinnacles and ridge lines and -- yeah, just a lot of  
20 that general mountain operations.

21 Q. Okay. And now getting into the same operations with snow as  
22 a consideration.

23 A. You're asking what question? I'm sorry.

24 Q. What I'm looking for now is you're training him on landing in  
25 snow, the approaches, the landing techniques, what to do --

1 A. Snow-specific operation.

2 Q. Exactly.

3 A. So that's combined with mountain operations. And as far as  
4 snow-specific, yeah, we spent a lot of time on discerning safe LZs  
5 with regards to snowpack, keeping the aircraft safe with regards  
6 to hidden dangers in the snowpack, whether it's (indiscernible) or  
7 avalanche dangers or hidden obstructions underneath the snow, safe  
8 reference and visibility considerations for operating in snowy  
9 environments. Picking up and setting down in the snow is very  
10 basic and of course, that's covered, as well.

11 Q. Okay. And you said that he was a quick study. Did he have  
12 any issues with any of this?

13 A. No, we had -- not that I recall, everything was very -- if I  
14 remember the training correctly, everything was just very  
15 easygoing, there was no discomfort on my end from anything that he  
16 was doing. We talked through a number of different approaches, I  
17 remember, and different styles of flying in the mountains as far  
18 as depending on the operations that you're doing. And everything  
19 was -- I don't recall anything.

20 Q. No need for retraining of any task?

21 A. No, there was never anything outside of, you know, like  
22 practical test standards or anything like that. So a lot of the  
23 mountain training that we do is more informational, but there was  
24 never anything that he did that was outside any guidelines or  
25 anything like that.



1 Q. Okay. Just transitioning to power management, did you cover  
2 power management with him or any of your pilots (indiscernible)?

3 A. Certainly, yes.

4 Q. Would you mind going over just a few things that you cover in  
5 power management?

6 A. Well, that's part of mountain flying, in general, and wind  
7 awareness and aircraft performance, that's covered in aircraft-  
8 specific training. Understanding what is required for any  
9 operation as far as the capability of the aircraft, the in-ground  
10 effect or out-of-ground effect power performance, scalability  
11 (ph.), center of gravity considerations, that's all covered for  
12 every pilot's training in heli-ski and mountain safe operations  
13 aren't unique (indiscernible).

14 Q. Did Soloy -- I don't know how I'm going to ask this question.  
15 Did Soloy require the pilots to develop any type of performance  
16 planning documentation prior to any flights?

17 A. Performance plan documentation is not required by -- by any  
18 of our manuals that I can recall off the top of my head.

19 Q. Do you just expect the pilots to have additional  
20 understanding of the power that they can put in to develop  
21 (indiscernible)?

22 A. Not a general, but a specific, they should have a specific  
23 knowledge of performance and requirements, but there's nothing  
24 that (indiscernible).

25 Q. Do you have your pilots give any type of power check before

1 they launch out?

2 A. Power check, are you referring to like --

3 Q. (Indiscernible).

4 A. No, not on a daily basis.

5 Q. What do you have the guys look for when they're selecting  
6 LZs?

7 A. That's a very generalized question, there's so many factors  
8 to be considered on any given LZ. We train on clearances, skid  
9 placement, safety of passengers, safety of helicopter, obstacles,  
10 any type of potential debris or FOD, wind considerations, other  
11 aircraft considerations, parking and shutdown type of  
12 considerations. I mean, I'm sure I could keep going for a while,  
13 but any particular LZ has so many different variables, it depends  
14 on the specific operation.

15 Q. We're focusing in -- we're focusing on heli-skiing  
16 operations. When you're giving a 293 check ride and you're out in  
17 the mountains with the guy during this portion of the check ride,  
18 are these the things you're looking for as you're giving your  
19 evaluation?

20 A. A 293 check ride is not heli-ski specific, so we don't  
21 conduct a check ride for heli-ski operations under 293.

22 Q. You don't cover any heli-ski tasks during the check ride?

23 A. No, that's not a requirement under 135 check rides.

24 Q. Do you do any type of mountain operation tasks during that  
25 ride?

1 A. Yeah, pinnacle and confined area operations are part of it.

2 Q. So when we're going through pinnacle ops, these are the  
3 things you're looking for through your LZ selection?

4 A. Yeah, as far as a check ride goes, pinnacle operations are  
5 clearly going in and practical test standards, so that type of  
6 checking information is very well documented items in conformance  
7 to that standard.

8 Q. All right, let's get into flight tracking. As I understand  
9 it, as you were explaining it to us, if you're on a company flight  
10 plan and you're supporting the lodge, the lodge will be doing the  
11 tracking for Soloy.

12 A. Yes.

13 Q. Okay. Is there anything as far as the task or the duty  
14 responsibilities that is documented?

15 A. For --

16 Q. For that lodge or specific lodge. So if they're doing  
17 tracking --

18 A. Um-hum.

19 Q. -- how do they know what they're supposed to be doing?

20 A. The responsibilities that they have, I think, with regard to  
21 flight planning is probably the more pertinent. Flight tracking  
22 is just the -- you know, minute-to-minute information we get off  
23 this app tracker, but the flight planning information with regards  
24 to emergency response activation is probably the information that  
25 you're more concerned with or I guess I'm looking for a little bit

1 more of a definition of what --

2 Q. What I'm looking for is we have -- well, let me ask you this,  
3 how many lodges does Soloy support or contract with?

4 A. On a given year, probably 50 to 60.

5 Q. Okay. Of those 50 to 60, they're all going to provide the  
6 tracking for the aircraft that's contracted with them?

7 A. It's dependent on the specific customer and various other  
8 factors, if it's tracked via -- and flight plan via Soloy or the  
9 FAA or the customer.

10 Q. Okay, I understand. I understand the FAA. I'm focusing in  
11 on the lodges that do the tracking.

12 A. Um-hum.

13 Q. Who trains these people to do that duty?

14 A. There is no documented training for flight planning that we  
15 have. We do have training for dispatch capability, but that's not  
16 what -- that's not what's being provided.

17 Q. Okay. So what is Soloy's expectation of the lodge?

18 A. The expectation is that they know where their aircraft are or  
19 what their aircraft are doing and when their aircraft are due back  
20 to their destination, whatever that may be, and when they are  
21 considered overdue and at that overdue time period, that they are  
22 activating our ERP or their ERP or an integration of the two.

23 Q. When they have an ERP, do you guys have anybody that goes  
24 over and looks at the quality controls?

25 A. Yes. If it is an integrated ERP or something that they have

1 compiled on their own, it would be typically by Dane, our SMS  
2 manager.

3 Q. You mentioned -- help me understand this, I'm trying to --  
4 you mentioned VHF CTAF, guides are finding each other on VHF CTAF.

5 A. Um-hum.

6 Q. Is that the CTAF of the local airport that's in the vicinity  
7 or --

8 A. Um-hum. Yeah.

9 Q. CTAF. What is Soloy expected of -- Soloy expect of the CTAF  
10 as far as their actions in and out of the aircraft?

11 A. The expectations for ski guides for getting in and out of the  
12 aircraft typically involves them opening and operating the doors,  
13 opening or closing the doors, ensuring that the basket, the cargo  
14 basket is loaded correctly and closed and secured and then seating  
15 themselves and securing themselves.

16 Q. Okay. What about safety equipment on board the aircraft?

17 A. All passengers know where all the safety equipment is that we  
18 have on board the aircraft, it's part of the standard of 135  
19 passenger briefing.

20 Q. Is there any training at all on using or securing the ELT?

21 A. Not typically, no, and it's not standard.

22 Q. Do they have -- any type of survival radio that the guides  
23 take with them, the skiers, the customers?

24 A. As far as I'm aware, do the guides have additional radios,  
25 VHF radios? No, but company radios or, you know, whatever guide

1 radios they have, yes.

2 Q. Okay.

3 A. But I'm not aware of any VHF radios.

4 Q. Okay. So for the thing that the ski guides do in and around  
5 the aircraft, who trains them?

6 A. Well, they're briefed under the same passenger briefing that  
7 everybody else is, as far as 135 briefing goes. Typically,  
8 they're also then -- they just have more experience operating the  
9 doors and the cargo basket and that kind of thing. So typically,  
10 a guide briefing takes place separate from the passenger briefing  
11 and that covers a few more items than a passenger briefing would  
12 because the passenger briefing would just cover the standard 135-  
13 required briefing items. So the guide gets a little bit more  
14 thorough of a briefing as far as, you know, what to expect as far  
15 as opening and closing doors and ensuring that everything is  
16 closed and operating correctly.

17 Q. But for any given year, is there ever a time when any Soloy  
18 employee will coordinate with the ski guides to ensure that, you  
19 know, (indiscernible) but just to make sure that they're operating  
20 correctly the Soloy equipment?

21 A. They receive a briefing, yes.

22 Q. They do?

23 A. Um-hum.

24 Q. Is there a maximum amount of flying hours that a pilot can  
25 have in a day or make in a day?

1 A. It's the same regulatory system that we all have to fly  
2 under, yes.

3 Q. Do any of your pilots use ForeFlight on their iPad?

4 A. I'm sure some of them do. I just know that --

5 Q. It's not something that you're mandated to do by Soloy?

6 A. Not at all.

7 Q. Mandated?

8 A. If they want to participate using ForeFlight, they're welcome  
9 to.

10 MR. SALAZAR: All right, thank you.

11 MR. WILLIAMS: Thanks, Fabian.

12 Matt.

13 BY MR. RIGSBY:

14 Q. Yeah. I'll try to be quick. Just briefly on your experience  
15 and your interaction with (indiscernible), specifically probably  
16 the POI. I don't know exactly what you were referring to as far  
17 as -- has she given you a check ride or who gave you the check  
18 ride for the FAA?

19 A. I received a check ride from numerous people within the FAA.

20 Q. When was your last one?

21 A. I don't recall, specifically. I believe it was 2019.

22 Q. Do you have regular interaction with the -- your  
23 (indiscernible) monthly or --

24 A. Yeah, I would say regular interaction, absolutely, from both  
25 our POI and other members of the FAA in Alaska.

1 Q. How long have you had the same POI, for a while?

2 A. I don't recall how long our current POI has been our POI,  
3 it's been at least a year, but I don't recall when she became our  
4 POI.

5 Q. Do you feel you have a decent relationship with your POI?

6 A. Yeah, I would say so.

7 Q. Did you call the POI after this accident?

8 A. When I was calling the RCC, I asked our chief pilot to inform  
9 our POI of the situation.

10 Q. Okay. Is Soloy, are they a VFR-only company?

11 A. Yes.

12 Q. Do you require your pilots to have additional ratings?

13 A. No.

14 Q. What are the minimum requirements to get hired as flying  
15 pilot?

16 A. They're just the minimum 135 requirements in the regulations.

17 Q. A commercial rating?

18 A. Correct.

19 Q. And a license.

20 A. Correct.

21 Q. Is there a list -- well, in the interview, I did see a list  
22 of identified individuals who are employed that have operational  
23 control, the name -- the names of people. Is there a list, does  
24 that exist?

25 A. Well, the list is me, as director of operations.



1 Q. If you're out of town or if you change a flight, do you  
2 delegate operational control?

3 A. Yeah, I'm not sure if delegate is the correct word, but yes,  
4 yes, we do do that. And that's typically Sam Soloy who will take  
5 the operational controls if I'm not available.

6 Q. I'm a little confused by what base at the lodge or I mean  
7 park overnight and then a pilot is there to do the operations  
8 or --

9 A. The air traffic is parked at our hangar.

10 Q. Okay. Yeah, so they park at the hangar and then other than  
11 this accident flight, normally it would go to the lodge and pick  
12 the clients up and then take them from there?

13 A. Normally, it would be at the lodge 24 hours a day. Well,  
14 other than when it's flying, that would be where it would be based  
15 out of. But due to the COVID situation and all that being shut  
16 down, we offered them to park it at the hangar.

17 Q. I know we hit on some of the training requirements of the  
18 heli-skiing and (indiscernible). Is there like a syllabus that  
19 you guys follow?

20 A. We have a 135 training manual. It does not include heli-ski  
21 specific operations.

22 Q. Does Soloy have a specific IIMC or a VTOL IMC policy for the  
23 pilots if you want to do a 180 on all tests? Is that --

24 A. It's highly dependent on the situation, but it's covered  
25 under our CFIT avoidance training manual.

1 Q. Does the lodge have the same tracking software that you have?

2 A. They have their own log-in, yes, for the same tracking  
3 software.

4 Q. And if I understood -- well, the question's already been --  
5 Zach was a direct employee of Soloy or was he a contractor?

6 A. Zach was a direct employee.

7 Q. How was he paid?

8 A. If I remember right, his current contract, he gets a salary  
9 and is paid twice a month.

10 Q. If he doesn't fly for whatever reason, the weather's bad,  
11 does he still get paid?

12 A. No.

13 Q. Is there any policy for Soloy as far as allowing him to  
14 either not accept tips or accept tips from clients or passengers?

15 A. We have no (indiscernible).

16 Q. Did you give Zach a check ride? Were you the one that gave  
17 him his last check ride?

18 A. Yes.

19 MR. RIGSBY: Thank you, I think that's it.

20 MR. WILLIAMS: Okay. Thanks, Matt.

21 Al.

22 BY MR. WILSON:

23 Q. You holding up okay?

24 A. Yes.

25 Q. I promise I'll be brief.

1 A. No problem.

2 Q. Are you familiar with the ridge where the accident occurred,  
3 that area?

4 A. The general area, yes. The exact spot, no.

5 Q. Have you studied -- I assume you stated you saw the actual  
6 track, flight track.

7 A. The only information I've seen is the last -- our last  
8 tracking of the aircraft. I am not privy to anything else.

9 Q. I'm sure we probably covered some of this, but I don't recall  
10 yesterday's testimony, but how does a guide -- how does a guide,  
11 the coordination between the guide and the pilot, in your  
12 experience, are they -- does it start with a (indiscernible), does  
13 it start with tribal knowledge of an area that they know is  
14 typically good for ski operations and they go out there and the  
15 guide is giving the assessment that it's safe at -- considering  
16 the outlined major -- coordinating with the pilot or is it  
17 something as simple as that looks good down there, why don't we  
18 hover on that peak and see if you can land there?

19 A. No, there's a lot of coordination between the guide and the  
20 pilot as far as gathering information on any specific run, the LZ,  
21 pickup location, and that pertains to the safety of passengers and  
22 guides and then the aircraft and pilot.

23 Q. So ultimately the guide will tell the pilot okay, we want to  
24 use this area now, you know, would that be in his -- you know,  
25 we're desiring to get our customers or clients down and then it's

1 handed over to the pilot. Ultimately, he's got to land the  
2 aircraft there, so --

3 A. Um-hum.

4 Q. -- the pilot is making the decisions from thereon.

5 A. Oh, absolutely. Yeah, typically if a guide wants to utilize  
6 a specific LZ, he can point it out or say he'd like to -- can we  
7 land here and then it's up to the pilot to determine if that's  
8 safe or not.

9 Q. Do the guides help the pilot do any actual landing?

10 A. Just like any passenger, they can provide information that  
11 may not be available to the pilot with regard to they may see  
12 something that the pilot didn't or they can provide snow  
13 information maybe that the pilot doesn't have. There's  
14 information they can provide, yes.

15 Q. Do they brief that? At some point, do the pilot and the  
16 guides work together doing their briefings? Is that actually  
17 discussed, that hey, you can call out, knock it off or stop or  
18 whatever the communication is?

19 A. Specifically that, no, but it's generally well understood  
20 between guides and pilots that more communication is better than  
21 less with regard to every aspect of the operation, from snowpack  
22 to wind and weather conditions, the LZ, (indiscernible)  
23 information, all that kind of information is typically encouraged  
24 as far as there's information maybe that the pilot has that the  
25 guide could find useful or vice versa.

1 MR. WILSON: Thank you, that's all I had.

2 MR. WILLIAMS: Thanks.

3 Greg.

4 MR. KING: I have no (indiscernible).

5 MR. WILLIAMS: Sabrina, do you have any questions?

6 MS. WOODS: I do, just a few, thank you.

7 BY MS. WOODS:

8 Q. Going back to your (indiscernible) practices, you mentioned  
9 that it's pretty subjective between -- that someone on -- you  
10 mentioned staff and then the pilot, but my worry is, for that  
11 (indiscernible), is it just based on people's past experiences or  
12 is there any sort of training that goes into that and how they  
13 determine what the risk is?

14 A. Training on the risk assessment itself, we don't have a  
15 curriculum on risk assessment evaluation, no.

16 Q. Okay, so how do -- let's say you crush all the numbers and it  
17 comes out to be a high risk, I heard that there are certain sound  
18 levels for accepting that risk, but how do you go about mitigating  
19 that risk, if possible?

20 A. Depending on the situation and specific type of operation,  
21 further discussion with the -- every party involved, you know, me,  
22 the chief pilot, the president or vice president and the pilot  
23 himself can determine if there's further training that could be  
24 possible, further equipment that may lower the risk or if there's  
25 anything on the sheet itself that can be mitigated by either not

1 conducting (indiscernible) operation on the sheet specifically.  
2 Just any type of risk mitigation that can be performed, you know,  
3 we evaluate all of it to the best of our ability.

4 Q. Understood. Okay. And you might have mentioned something to  
5 this effect before, but -- so because you have (indiscernible),  
6 they may have differences of opinion because it's subjective and  
7 (indiscernible), so what's the difference of opinion between the  
8 management individual and the pilot?

9 A. I guess that would depend on what the individual dispute  
10 would be, if it's -- I would say that management typically is  
11 trying to mitigate risk to the greatest degree possible and I've  
12 never experienced a pilot that has fought back against that. I  
13 think everybody is working for the same goal as far as risk  
14 mitigation goes.

15 Q. Understood. Thank you. So moving quickly back to kind of  
16 hiring practice, and I know you said that some of your pilots are  
17 seasonal and at one point Zach was also seasonal and then became a  
18 full-time employee. So for the seasonal pilots, is there some  
19 understanding that they're welcome back at any time once the  
20 season gets up again or do they have to go through some sort of  
21 interview and recall vacation (ph.) process just (indiscernible)?

22 A. As far as seasonal employees go, no, it's typically well  
23 understood that they're welcome back the following season if, in  
24 fact, that is the case. Since most of our work is incredibly  
25 seasonal in Alaska, you know, a large number of our pilots operate

1 on a seasonal basis.

2 Q. So then how do you reassess if skills have degraded from the  
3 last season or over time or --

4 A. Well, all of our training is conducted annually, as per the  
5 regulations, so it provides that opportunity to reevaluate.

6 Q. Okay. And the last question that I have, which is this  
7 company rulebook (indiscernible). Can you describe the  
8 professional working relationship you have between your office and  
9 the office of the department -- I'm sorry, the director of  
10 operations and then the office of safety management systems?

11 A. What the working relationship is? It's my understanding that  
12 our safety management manager, safety management systems manager  
13 operates independently of my oversight. Certainly, we work in  
14 conjunction in developing safety systems and risk mitigation  
15 strategies, but I don't have -- as far as I'm aware, I don't have  
16 the capability of directing him specifically, operationally.

17 Q. Well, not necessarily directing or if you see there's an  
18 issue within your purview that needs to be addressed, then how do  
19 you interface with the SMS manager to make sure that those issues  
20 get taken care of?

21 A. Well, the communication lines are there and we can, you know,  
22 provide for any communication or facilitate any communication in  
23 that regard. If there is a safety issue that needs to be  
24 mitigated within the safety management system itself, those  
25 communication lines are open. So we --

1 Q. How often --

2 A. We conduct safety meetings once a month between the Soloy  
3 management team, safety team, and I don't know if -- I can't  
4 remember the audit schedule off the top of my head, but we have a  
5 safety management system audit that he conducts, as well.

6 MS. WOODS: Okay, that answers my last question. Thank you.

7 MR. BAECHLER: Thank you.

8 MR. WILLIAMS: Thanks, Sabrina.

9 BY MR. WILLIAMS:

10 Q. You doing all right?

11 A. Yeah.

12 Q. Okay. Round two is usually faster, so --

13 A. Okay.

14 Q. -- bear with us here. I don't have that many, but there are  
15 a few things I wanted to jump back to here. My apologies for  
16 jumping around. So just to verify, the only instrument procedures  
17 that are on the check ride, is that strictly the unusual attitude  
18 section?

19 A. Depending on the equipment on the specific aircraft being  
20 utilized for the check ride, but the vast majority of our aircraft  
21 are only capable of unusual attitude.

22 Q. Okay. Does that include the B2?

23 A. The four currently in the fleet, yes.

24 Q. Okay. As far as how the pilots check weather, are there any  
25 -- does the FAA have any guidance as far as what's considered



1 approved weather versus unapproved? Is there a requirement for  
2 the pilots to check it from a specific source or is it just up to  
3 them to become knowledgeable?

4 A. I don't have -- I'm not a hundred percent clear on what's the  
5 definition of an official source, off the top of my head. My  
6 understanding is that it is provided by official government  
7 sources like the National Weather Service. That's my  
8 understanding.

9 Q. Is there any guidance to the pilots as far as this is  
10 considered -- this is where we need to get our weather from or is  
11 it up to them to just know that?

12 A. Well, it's covered under our general operations manual,  
13 that's the official source that we utilize, and I think there is a  
14 working knowledge and it's covered under our annual training that  
15 official weather sources, what they are. As far as available to  
16 us, we have the National Weather Service information and in Alaska  
17 specifically, we have the FAA weather cameras, as well.

18 Q. Okay. Do you know if the weather cameras are included on the  
19 op spec for approved weather?

20 A. I can't recall off the top of my head.

21 Q. Okay. Is flight locating -- and we may have mentioned this  
22 before, is flight locating a part of operational control?

23 A. No. Flight planning, as far as like ensuring that the  
24 aircraft is on a flight plan, yes. Flight locating on a minute-  
25 to-minute basis, I don't believe that's part of our operational

1 control. I don't recall specifically, but --

2 Q. Is flight locating a requirement for the FAA?

3 A. Like an installation of a sat tracker?

4 Q. Well, just flight-locating procedures, is that --

5 A. I think maybe I'm looking at it differently than you are.

6 Yes, we're supposed to be aware of where our aircraft are and  
7 where their destinations are or at least have that information  
8 available to us and what the estimated time of arrival at those  
9 destinations are and when they're available.

10 Q. Okay. So when a helicopter goes out on, like this went to  
11 the lodge, does Soloy know where the operating area is going to be  
12 for that helicopter for that day?

13 A. The information is with Tordrillo Mountain Lodge and it  
14 should be available if requested, but not provided on a daily  
15 basis by any means.

16 Q. Okay. Does Sam Soloy have operational control or is it  
17 strictly you?

18 A. Not unless it's delegated by me to him. No.

19 Q. Okay. Is that listed in the GOM or op spec, that he has the  
20 ability --

21 A. As far as my ability to delegate it to him?

22 Q. Well, the ability for him to take that responsibility at all.

23 A. No.

24 Q. Okay. When you logged in to the tracking system from home  
25 before -- after the accident and before you were headed to Soloy,

1 did you notice the helicopter hadn't moved at all?

2 A. I noted the last -- the duration since the last ping, yes.

3 Q. Do you know how long that was?

4 A. At 8:25 it would've been close to 2 hours.

5 Q. Okay. Was that cause for a little bit more concern?

6 A. Given the context and the information, sure.

7 Q. Since the accident, I know it's only been a couple weeks, any  
8 changes to the way you guys are doing flight tracking, flight  
9 locating, or anything like that? Any policy changes since the  
10 accident?

11 A. No, there have been no manual changes. I think, obviously  
12 there are reasonable concerns of safe operations and communication  
13 lines and that sort of safety information, but there's been no  
14 manual or op spec changes or anything of that nature.

15 Q. Are you aware of any review by the POI or the FAA as far as  
16 your -- the procedures for Soloy for the flight tracking/flight  
17 locating?

18 A. I have not been made aware of any.

19 MR. WILLIAMS: Okay, I think that's what I had.

20 Katherine, I'm going to go --

21 BY DR. WILSON:

22 Q. Just a couple of questions. What happens if a pilot, they're  
23 on a heli-ski operation and, you know, weather turns bad and they  
24 have to cut the flight short, what does that mean in terms of the  
25 customer?

1 A. It really doesn't mean anything, it just means that they'll  
2 return to base and reassess the weather for either -- depending on  
3 the time of day, maybe a later departure that day or, you know,  
4 reevaluating for a certain day.

5 Q. Is there -- does the customer have to get compensated if they  
6 don't get a certain number of flight hours in?

7 A. Our customers, the heli-ski companies, CBG and TML, there's  
8 no stipulation or (indiscernible).

9 Q. Okay. Have any pilots ever told you that there's pressure  
10 from either guides or skiers on the aircraft to fly when they  
11 didn't feel comfortable flying?

12 A. Not necessarily pressure to fly in like conditions they  
13 didn't want to fly in. I know I've been told that pilots have  
14 felt pressure to provide a positive ski experience, I guess. I've  
15 never heard of pressure in relation to performing unsafe  
16 operations or anything.

17 Q. Okay. What would be the -- you know, the ideal ski  
18 experience? I mean, when you hear that, like what does that mean?

19 A. A positive ski experience, you know, people want to go skiing  
20 and (indiscernible) I know aren't ideal for ski customers.

21 However, I feel both of our ski customers that we deal with are  
22 heli-ski providers that are customers, are both very safety  
23 oriented and we felt very little pressure from them, to my  
24 awareness, to fly in any unsafe conditions.

25 Q. Um-hum. Is there any discretions that Soloy has with the ski

1 operators that you work with? So in terms of the guides, you  
2 know, they're trying to locate a place to set down, are the guides  
3 assisting with that at all? Like, are they being spotters or how  
4 does that work so that the guides and the pilots, you know, are  
5 kind of working together to, you know, find a safe landing spot?

6 A. Like I mentioned to Alan, there's pretty -- we encourage --  
7 in both heli-ski operators, that we encourage very open-minded  
8 communications from the guide to the pilot. Ski guides are  
9 generally well trained in what -- you know, the duties that they  
10 perform, which is snowpack knowledge and, you know, they have a  
11 higher degree of first aid training than our pilots do. So they  
12 have information that could be pertinent to the pilot.

13 One specific one that I can think of is they're much better  
14 trained in avalanche awareness. And so one thing we try to  
15 coordinate very openly with the guides, as pilots, are safe  
16 landing zones near the bottom of zero, that aren't going to expose  
17 the helicopter to unsafe avalanche conditions.

18 So they basically have knowledge that we don't as pilots.  
19 Necessarily, some pilots are more knowledgeable than others, but  
20 I'm not specifically well trained in avalanche knowledge, so  
21 that's something I rely on when I'm heli-skiing with guides to  
22 provide or help me discern safe parking locations for helicopters  
23 at the bottom of the ski runs.

24 Q. Is a guide ever expected to, you know, assist the pilot in  
25 ensuring clearance from terrain when setting down?

1 A. If there is information that he can help with or the guide  
2 sees obstacles or debris that could pose a hazard, absolutely,  
3 they're encouraged to speak up.

4 Q. The Guardian Mobility solutions, is there a way within that  
5 system or whoever's in charge of the flight locating, flash  
6 tracking, can they enter in the ETA so that if, you know, the  
7 aircraft is overdue, that the system will, you know, turn to amber  
8 or red or something to let the person doing the tracking know that  
9 it's overdue?

10 A. Not that I'm aware of, no.

11 DR. WILSON: Okay, thanks. That's it.

12 MR. WILLIAMS: That's it. Okay, thank you.

13 Fabian?

14 BY MR. SALAZAR:

15 Q. John, I just have one last question and I know it's more  
16 Dane's line, but I'm curious. The risk assessment and the style  
17 of risk assessment where management has a part of it and then the  
18 pilot is looking mostly at the weather, where did this concept  
19 come from?

20 A. The concept of a risk assessment came about from multiple  
21 safety institutions, I guess, that we've worked with over the  
22 years, including the Medallion Foundation, which is not defunct,  
23 some of our customer audits that have been conducted where they  
24 participate in various aviation safety institutions. So the idea  
25 of risk assessment has been developed from them and we also

1 developed it as a way to provide a conversational aspect in risk  
2 mitigation with a pilot prior to commencement of any of a specific  
3 type of operation.

4 Q. Okay, so it's specifically the style that you guys have or  
5 management has a large portion of it and then the pilot has that,  
6 that came from you guys internally --

7 A. Um-hum.

8 Q. -- after all of the --

9 A. Yeah, this was developed internally.

10 Q. Okay. How long has it been in use?

11 A. We've been utilizing some form of the risk assessment, if I  
12 recall correctly, all the way back to when I became chief pilot  
13 and I believe it was in place before that, but I don't recall  
14 specifically.

15 MR. SALAZAR: Okay. That's it.

16 MR. WILLIAMS: Okay, thank you.

17 Matt.

18 BY MR. RIGSBY:

19 Q. Just real quick, John. When you -- recalling back to when  
20 you had your check ride with the FAA POI or air check-man, did  
21 they -- when they gave your IMC recovery technique, did it entail  
22 just -- did they put you under a hood and was it just unusual  
23 attitude recovery or what all -- do you recall what they made you  
24 do?

25 A. I don't recall the last one specifically but historically,

1 yeah, it's been under foggles, typically, because that doesn't fit  
2 on the helmet very well, but the foggles with an unusual aircraft  
3 recovery or an unusual attitude recovery.

4 Q. Did you have to shoot an approach?

5 A. No, because none of our aircraft are equipped for that.

6 Q. Okay.

7 A. We don't have the installed equipment to shoot an approach,  
8 precision or non-precision.

9 Q. And then one last one on the -- do your pilots or do the  
10 guides carry EPIRBs or personal (indiscernible) on their person?

11 A. I don't know individual guides or policies. I have heard or  
12 I've been told in the past that a lot of guides will carry like  
13 (indiscernible) systems, satellite communicators, but I don't know  
14 if that's the case for all the guides or if that's a personal  
15 thing.

16 Q. But your pilots don't (indiscernible)?

17 A. Not as a requirement, no.

18 MR. RIGSBY: That's it, thank you.

19 MR. WILLIAMS: Al?

20 MR. WILSON: No questions. Thank you, John.

21 MR. WILLIAMS: Greg?

22 MR. KING: No.

23 MR. WILLIAMS: Sabrina?

24 MS. WOODS: No more questions for me, thank you.

25 MR. WILLIAMS: Thanks. John, thanks. Don't worry, you still



1 haven't set the record for the longest one. That was your SMS  
2 manager yesterday. But no, thanks for taking the time to come in  
3 and is there anything we didn't ask you that you wish we did? Is  
4 there any additional information you think that will help us?  
5 This is your chance to --

6 MR. BAECHLER: No. I really appreciate all your roles in  
7 trying to discern what may have happened that specific day.  
8 Certainly, I hope we can find something to prevent a similar  
9 accident for any operator in the future and I really do appreciate  
10 all your roles in trying to do that. I don't have anything  
11 specifically that I'm aware of that can provide additional insight  
12 at this point, I don't have a lot of information on, you know, the  
13 last moments of that accident that I feel I can provide anything  
14 at this time. Maybe if something becomes available in the future,  
15 I certainly hope that that's the case, but I don't know of  
16 anything at this moment.

17 MR. WILLIAMS: Okay. Well, thank you again. If anything  
18 does come up, you have our information, so please feel free to  
19 reach out to us.

20 MR. BAECHLER: Okay. Thank you, all.

21 MR. WILLIAMS: All right, thank you. I'll stop the  
22 recording.

23 (Whereupon, the interview concluded.)  
24  
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL AIRBUS AS350B3 HELICOPTER  
CRASH NEAR KNIK GLACIER, PALMER,  
ALASKA, ON MARCH 27, 2021  
Interview of John Baechler

Accident No.: WPR21FA143

PLACE: Anchorage, Alaska

DATE: April 9, 2021

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been compared to  
the recording accomplished at the hearing.



---

David A. Martini  
Transcriber



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AIRBUS AS350B3 HELICOPTER \*

CRASH NEAR KNIK GLACIER, PALMER, \*

Accident No.: WPR21FA143

ALASKA, ON MARCH 27, 2021 \*

\*

\* \* \* \* \*

Interview of: ROBERT GIDEON, Chief Pilot  
Soloy Helicopters

Embassy Suites Conference Room  
Anchorage, Alaska

Friday,  
April 9, 2021



APPEARANCES:

KATHERINE WILSON, PhD, Investigator  
National Transportation Safety Board

D. SHAUN WILLIAMS, Investigator  
National Transportation Safety Board

FABIAN SALAZAR, Investigator  
National Transportation Safety Board

MATT RIGSBY, Inspector  
Federal Aviation Administration

SABRINA WOODS, Inspector  
Federal Aviation Administration

ALAN WILSON, Flight Test Pilot  
Federal Aviation Administration

MIKE NEWELL, Director of Aviation Safety  
Airbus

GREG KING, Assistant Chief Pilot/Check Airman  
Soloy Helicopters

CARYN JORGENSON, Attorney  
Stokes Lawrence  
(On behalf of Soloy Helicopters and Mr. Gideon)

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I N T E R V I E W

1  
2 MR. WILLIAMS: My name is Shaun Williams. I'm the Operations  
3 Group Chairman with the NTSB for this accident. We have a room  
4 full of people here. We'll all -- be given the opportunity to  
5 introduce themselves so you know who you're talking to. NTSB,  
6 we're an independent federal agency charged with determining  
7 probable cause in transportation accidents. We're not a part of  
8 the DOT or FAA. We have no enforcement powers. So, like I said,  
9 I'm Shaun Williams. Go around the room here.

10 DR. WILSON: Katherine Wilson. I'm a human performance  
11 investigator with the NTSB.

12 MR. SALAZAR: Hi. Good morning. Fabian Salazar with the  
13 NTSB assisting operations, fellow helicopter pilot.

14 MR. RIGSBY: I'm Matt Rigsby, out of the FAA's Office of  
15 Accident Investigation. Al's technical assistant. Just to let  
16 you know, we have no regulatory enforcement capabilities. So  
17 anything you say can't be used against you.

18 MR. WILSON: As Matt said, I'm Alan Wilson, and I'm a flight  
19 test pilot assigned to the (indiscernible) Office here in  
20 Anchorage. Here as an advisory role. And I -- to emphasize, I'm  
21 not flight standards, neither is Matt. We have no enforcement  
22 authority. Our focus is purely safety.

23 MR. KING: Greg King, pilot for Soloy Helicopters.

24 MR. WILLIAMS: On the phone we have Sabrina.

25 MS. WOODS: Sabrina Woods. I'm also with Matt from the FAA

1 Office of Accident Investigation, and my background is human  
2 performance.

3 MR. WILLIAMS: So are you okay talking with all of us in here  
4 today?

5 MR. GIDEON: Yes.

6 MR. WILLIAMS: So, like I mentioned before, we use a tape  
7 recorder to record the interviews. That recording will be sent  
8 for transcription. The transcript, not the audio recording, will  
9 become part of the public docket when we're done with the  
10 accident, it's released.

11 Like I mentioned, the purpose of our investigation is safety.  
12 We want to find out what happened, why it happened, and try to  
13 prevent it from happening again. We're not here to assign fault,  
14 blame or liability. Strictly part of a fact-finding phase of the  
15 investigation. We cannot, however, offer any guarantee of  
16 confidentiality or immunity. I guess that's going to be part of  
17 the public docket, the transcript will.

18 The way we do this, each member will have a chance to ask  
19 questions. We'll ask them one at a time, go around the room.  
20 It's usually been about two rounds. The second round tends to go  
21 faster than the first round. So don't sweat it that you're going  
22 to get really long. Please answer all questions to the best of  
23 your recollection. If you don't know something, I don't know is  
24 an acceptable answer. In the same regard, if you've misspoken or  
25 you want to go back and change your previous answer, please, by

1 all means, do so. We want the most accurate record possible. I  
2 want to have a full understand as to what we're looking at.

3 You are entitled to have one representative of your choosing.  
4 Is there someone you'd like to have with you?

5 MS. JORGENSON: Go ahead and say it for the recording.

6 MR. GIDEON: Oh, Caryn here.

7 MR. WILLIAMS: Caryn. As previously discussed, you may  
8 direct him not to answer a question or request a short break.  
9 However, you cannot answer any questions for him.

10 MS. JORGENSON: Understood.

11 MR. WILLIAMS: Do you have any questions before we get going?

12 MR. GIDEON: I don't yet.

13 MR. WILLIAMS: Okay. If you need a break at any point, just  
14 say so. Okay.

15 INTERVIEW OF ROBERT GIDEON

16 BY MR. WILLIAMS:

17 Q. So as we get started off, if you could spell your first and  
18 last name for us.

19 A. First name is Robert, R-o-b-e-r-t. Last name Gideon,  
20 G-i-d-e-o-n.

21 Q. And what is your title?

22 A. Chief Pilot, Soloy Helicopters.

23 Q. How long have you been the Chief Pilot?

24 A. A little over a year.

25 Q. So give me a little bit of your background, how you got to be



1 Chief Pilot at Soloy.

2 A. After high school, I graduated, I joined the Army, and that  
3 was in '93. I was in the Army from '93 to '96 as a heavy wheel  
4 vehicle mechanic working in an aviation unit. That kind of  
5 sparked my interest in aviation. I got out of the military in  
6 '96. Tried to go to the warrant officer school, but they couldn't  
7 guarantee it to me without entering reenlistment. So I went ahead  
8 and got out. I attended A&P school as a mechanic in Portland,  
9 Oregon, right straight after '96. So there into '98 when I  
10 finished my A&P, and directly went to work for an airline as a  
11 mechanic at that time. I was there about six years before I  
12 started flight training.

13 So at that time, I was working as a mechanic going to flight  
14 school, and that was approximately 2003, 2004 when that started.  
15 As I went through my flight training, continued to work as a  
16 mechanic until I got to the point where I could do flight  
17 instruction. Got a job doing that. So I quite the airline in  
18 2005. And then instructed 2005, end of 2005 into 2006. Once I  
19 built up probably 1200 hours there, I took a job up here in Alaska  
20 flying other aircraft for another operator. Flew for them doing  
21 utility work, MR44 for three years about. That took me up to  
22 2009.

23 2010, I went to work for Prism Helicopters. Soloy -- or  
24 Chris Williams, the Director of Ops, at that time, he was my boss.  
25 He broke off from Prism again to start Soloy Helicopters back up.

1 Asked me to go with him, and I've been with Soloy Helicopters ever  
2 since then. So 10 years with Soloy; 11 years worked for  
3 Chris/Soloy.

4 Q. So the flight school flight training, was it all rotor wing  
5 or was it fixed wing?

6 A. All rotor.

7 Q. All rotor. How much time do you have?

8 A. 8,000 plus hours.

9 Q. What about heli-skiing? How much -- do you do any heli-  
10 skiing?

11 A. I did heli-ski for -- I still fill in now and then, but four  
12 seasons, three or four seasons. I think four seasons.

13 Q. So do you do training as well?

14 A. Yes, I do.

15 Q. Are you an instructor or check airman?

16 A. Instructor and check airman.

17 Q. Check airman.

18 A. Check airman on two types of aircraft. We're only allowed  
19 two types; one being 205s and 500 check airman.

20 Q. Do you do instruction on the 350?

21 A. Yes.

22 Q. Okay.

23 A. Yeah. I'm a instructor just not a check airman.

24 Q. Do you have -- well, before we get there, what's the training  
25 like for the heli-ski operations?

1 A. (Indiscernible) basically playing in the mountains to start  
2 with. We go out to the mountains, go through wind checks,  
3 terrain, like LDs look at what would be a good spot to land,  
4 weather checks, several approaches to ridge tops, picking up PC at  
5 the bottom for where we would be picking people up, perches, where  
6 to park the helicopter, avalanche terrain, and where you can keep  
7 radio communications with the guides and everybody.

8 Best is if you can keep your eyes on the run as you're  
9 sitting on the ground. Whiteout conditions, flat light  
10 conditions. Sometimes when it's available, actually going down,  
11 getting guidance from the operators, taking them out, and doing  
12 the actual heli-skiing.

13 Q. Okay. Is there a specific training program or training  
14 module or anything tailored to heli-skiing?

15 A. We have a, like a standard operating procedure that just  
16 lines out how you go about flying in the heli-skiing. But  
17 tailoring the heli-skiing is usually an individual basis with the  
18 pilot that we're teaching.

19 Q. Is this SOP procedure, is that contained within the training  
20 program or is that a separate document?

21 A. It's separate document. It's incorporated in other long  
22 line, which is also a different sector of our flying, external  
23 load.

24 Q. Is there any specific sign-off or anything that the pilots  
25 have to have for it or once they do their 293 they are qualified?

1 A. Once they do their 293, and they went through the training,  
2 they're like they're good to go then.

3 Q. Is the heli-ski training, is that a one-time thing? Is it  
4 done on a recurrent annual basis?

5 A. Most of those guys who do our heli-skiing, their recurrent  
6 training falls right before heli-ski season. Because that's when  
7 they're getting renewed. So when we go out and do training, I  
8 mean, just your normal annual training leading up to your 135  
9 check ride, we go up the mountains, and do landings in the  
10 mountains, find the snow -- not to get into whiteout conditions  
11 and flat light, but we work with the mountain flying as well prior  
12 to start of the season.

13 Q. So do all pilots do flight training prior to doing the 293  
14 check ride each year?

15 A. Yes.

16 Q. So in looking through the training records for Zach, I know  
17 you're not a check airman on the ASAR like you mentioned, but in  
18 2019, we have where there was looks like heli-skiing type of  
19 operations trained, and then we have it again in 2020 where there  
20 was one flight was more recurrent from when he was first hired.  
21 But would we expect or should we expect to see one from this year  
22 when he did prior to doing his check ride?

23 A. It would be incorporated. I think he did his training in  
24 January, if I remember right. Again, it would have been in the  
25 mountain flyings and everything else. And at that time he's had

1 the heli-skiing experience. So a lot of during the ground  
2 training that we go through we start talking about situations,  
3 heli-skiing, what we've seen from years past, any other prior  
4 accidents that have happened. Just that sort of thing, but we  
5 don't actually -- this year did not go out and do actual heli-  
6 skiing training like the guides like who did the prior season with  
7 Zach.

8 Q. Okay. So you have to know not only the 350, but when you go  
9 up and do your check rides. So when you're giving your check  
10 rides on the 500 or, yeah, 500, 205, about how long do those check  
11 rides last?

12 A. The check ride itself, we will do most of them right around  
13 the Wasilla Airport. So you can get to the pinnacles quite close.  
14 You're required to do a pinnacle or a confined landing, engine  
15 outs, all that stuff. We got a basis of what we have to check  
16 during the check ride. Typically, they're about 30 minutes  
17 (indiscernible) time, 30 minutes to 40 minutes. Any other flying  
18 besides that is training.

19 Q. So is that 30 to 40, 45 minutes, does that include the 299  
20 line check as well?

21 A. No.

22 Q. No.

23 A. No. We do the line check, well, it's included in the check  
24 ride. It can be included as the 299 and the 293. But we go out  
25 pre-flight. It's usually training. Everybody knocking the dust

1 off, going through their stuff, maneuvers. Mountain flying is the  
2 typical one. Confined areas, we do a majority of that. And at  
3 the end of that, we can roll into a check ride. Changing the  
4 hats, go through the maneuvers; 135 check ride or we land, get  
5 more fuel, brief again, then go out for the check ride.

6 Q. So can a 299 be done prior to the 293?

7 A. Yeah.

8 Q. How are pilots trained on a risk assessment?

9 A. Risk assessment? We do a risk assessment with the pilots  
10 before they go out. That typically involves sitting down at the  
11 table. Ours is in the computer forum so we can talk with -- I  
12 just did one yesterday. But with the pilots they go through. We  
13 look at the weather, season conditions that can be met, how long  
14 they've been flying, how long they've been flying in the area, how  
15 long they've been doing the operations. Yeah. There it is. And  
16 all the stuff here.

17 We go through it with the pilot, and, okay, duration, how  
18 long he's going to be out there for, less than a week, we'd agree,  
19 put our numbers in here, going down through all the different  
20 types of jobs he'll be doing while on contract, put the numbers  
21 in. At the end tallies them up, and then we say, okay, well, this  
22 falls into high risk, medium risk, whatever else. We can subtract  
23 points for how long they've done it, their experience levels,  
24 whatnot. And then if we agree upon what the risk comes out to,  
25 everybody is on the same page --

1 Q. Okay.

2 A. -- go forward.

3 Q. For the subtractions, is there a set value anywhere? Is it  
4 just kind of up to your discretion?

5 A. Yes.

6 Q. How often is the risk assessment done?

7 A. Prior to the job. So if we do this risk assessment here, and  
8 he finishes up heli-skiing, we do another risk assessment for the  
9 next operation that he's going to be on.

10 Q. So in this case, the date on that risk assessment was the day  
11 that he did his check ride in January. So would that cover heli-  
12 skiing for the entire season or is it --

13 A. Yes.

14 Q. -- per contract?

15 A. It would cover for the season. The heli-skiing, basically  
16 risk involved isn't going to change very much except for, you  
17 know, changes that happen with weather, snow conditions.

18 Q. So how is the risk assessed for weather conditions?

19 A. PIC.

20 Q. Does management have any role in that?

21 A. At that time it's the job of the PIC to gather his weather  
22 information before he goes, and go or no-go or be flying and say  
23 I'm done. Light is too flat. It's too windy.

24 Q. Where can they get the weather from? Are there approved, are  
25 there FAA approved sources for weather or can the pilot just get

1 it wherever they need it from at the time?

2 A. They know through everything. Greg and the other pilots we  
3 have a number of apps on our phones for going from FAA weather  
4 cams, which are great tools to see what the clouds are doing.  
5 Satellite, military satellites (indiscernible) the clouds and what  
6 they're going to be doing. Windy apps become very popular for  
7 showing what could be expected at different levels. Airport  
8 reporting stations for surface winds, winds aloft. I mean,  
9 there's numerous. Like myself, all our pilots they go through not  
10 just looking at one. They look at several different.

11 Q. So you've been chief pilot for a little over a year. Were  
12 you around when this form was created?

13 A. Was I around?

14 Q. Yeah.

15 A. We did -- separate type of form. It used to be handwritten.  
16 Risk assessments were handwritten.

17 Q. Do you know how those values came to be for each different  
18 risk?

19 A. These? I do not.

20 Q. Okay. I didn't mean like specifically for Zach on that one.  
21 I just meant the creation of the form like?

22 A. I believe prior Director of Operations.

23 Q. Okay. So prior to you, management?

24 A. (No audible response.)

25 Q. Okay. Rob, in your opinion or your understanding, what is



1 operational control?

2 A. Operational control? Operational control in my understanding  
3 is knowing what aircraft, that aircraft's speed, what pilot's  
4 going to be flying it, what job it's going to be on, knowledge of  
5 what's happening in the operation.

6 Q. Do you have operational control as a chief pilot?

7 A. Not all the time. If John is unavailable, he will usually  
8 say, hey, you've got this or everything else, but ultimately falls  
9 on Director of Operations.

10 Q. Who all can be delegated operational control at Soloy?

11 A. Myself and John.

12 Q. Can Sam?

13 A. With his role as Vice President now, I can't tell you for  
14 sure.

15 Q. Okay. So the GOM mentions that when there's no FAA flight  
16 plan you guys have the option to file essentially a company flight  
17 plan.

18 A. Yes.

19 Q. Tell me a little bit about that. Is it a physical document?  
20 Is it all verbal? What is this?

21 A. Both. A little bit of both. Typically, if we're doing  
22 training or maintenance flights, daily charters, when they're  
23 coming back to Wasilla, we do review missions and everything else.  
24 We've got a form that stays in the hangar almost like an FAA  
25 flight plan layout, but you, the pilot fills it out, tail number,

1 pilot, number onboard, fuel onboard, how long it's -- when it's  
2 expected to return, contact phone number, and signs that.

3 And then he'll go to either one of us, if we're in the  
4 office, me, myself or John or Dane or Greg or anybody that can,  
5 hey, I'm heading out. Okay. When you going to be back? Tell us  
6 about it so -- we already know that he's going to Bald Mountain of  
7 course or wherever he's going because called him. Assign the  
8 aircraft. They go on that flight plan, and it's kept out in the  
9 hangar. So he's supposed to be due at 1400 hours. He lets one of  
10 us know that he's supposed to be back at 1400 hours. So --

11 Q. So what's the purpose of that? Why do the pilots have to do  
12 it?

13 A. For tracking.

14 Q. So who is doing the tracking?

15 A. Who is ever aware of the flight plan.

16 Q. Okay.

17 A. Say if I dispatched him, said, hey, got a flight for you at  
18 whatever. You're taking these people out here. They would come  
19 to me, and I give them all the details and everything. Hey, I'm  
20 taking off. Okay. What time do you think you'll be back? All  
21 right. He'll tell me where he's going. Okay. Put out to Bald  
22 Mountain. And I know by this time I should be trying to call him  
23 on the phone or go check the tracker, and see if he's still  
24 sitting on the top of Bald Mountain or if he's on his way home.  
25 And then 30 minutes to -- I'm not for certain what our ops spec

1 says on that, but, typically, it's 30 minutes after they are  
2 supposed to come back. Consider overdue or --

3 Q. So in the case of the accident flight, did you do the company  
4 flight plan with Zach?

5 A. Yes. He was operating the same as he did the day before. So  
6 he was closing out with me at nighttime via text message Friday  
7 night or he typically calls if he is going to, but like Friday  
8 night, the day, night, day before the accident, he texted me right  
9 around eight o'clock. Down at Paws. They're doing the daily.  
10 All good. Okay. So that would close out his flight plan.

11 The next day, he was texting me from -- everything in the  
12 morning from -- they're saying 9 o'clock. It's 11 to 12 o'clock.  
13 Now they're saying 1400. Could be as late as 1600. And then,  
14 finally, he said taking off. I said, okay. So, typically, same  
15 thing as the day before. It's same operation, heli-skiing.  
16 They're usually back by hour before sunset or (indiscernible). So  
17 the day of the accident, that's what we were expecting his normal  
18 8 to 8:30. Since the late start that's when he would be  
19 returning.

20 Q. Does the lodge -- do you ever transfer control of the  
21 locating the tracking to the lodge?

22 A. Transfer control of it? Typically, all of our helicopters  
23 that are dispatched to the -- are contracted out to them, the  
24 helicopters are at the lodge all the time. So they are doing the  
25 tracker tracking things like (indiscernible) the helicopters.

1 Q. So if they're contracted out to the lodge, do you -- I know  
2 you said in this case he was texting with you, and you knew what  
3 he was doing that day. Was there any requirement to, if he's at  
4 the lodge, contracted to the lodge, and just going to do theirs?  
5 Does he still have to communicate with Soloy?

6 A. No. He was doing that pretty much out of courtesy. Most of  
7 the pilots when they're at the base in Wasilla when they're not  
8 really operating from the base. That was -- he -- that helicopter  
9 was assigned to TML, was assigned to lodge, just that it was  
10 operating out of Wasilla for those days due to the other  
11 circumstances of -- I know you guys are already with COVID, that  
12 lodge they were supposed to be at.

13 Q. So how were you notified of the accident?

14 A. I was expecting a phone call, like I said, between 8 and  
15 8:30. I looked at the tracker probably an hour before, 7-ish  
16 o'clock, same track that sits there now. Nothing seemed abnormal  
17 to me. The way the tracker works, that's where he's sitting. So  
18 I started dinner at home, and I'm waiting, kind of waiting for a  
19 text message that night. Instead of a phone call from him, I got  
20 a phone call from John saying sounds like we've got a overdue, and  
21 then went back to the tracker. At that point, it's like, yeah, I  
22 haven't heard from Zach. And that's when we headed in, started  
23 the ERP at that point.

24 Q. What is the expectation of lodge as far as the tracking of  
25 it? Are they supposed to be watching it constantly, just checking

1 to make sure they're back when they're supposed to?

2 A. I can't tell you exactly how they do it at the lodge. I,  
3 personally, have not flown heli-skiing at TML.

4 Q. When Soloy has contracted with the lodge, is that included in  
5 the discussions as far as being able to utilize your services, how  
6 things will be laid out?

7 A. What do you mean by that?

8 Q. So if TML comes to Soloy, and says we want to contract your  
9 helicopter for the next three days to do the heli-ski operations,  
10 does Soloy have any paperwork or anything that says, okay, these  
11 are our requirements that if you're going to use our helicopter,  
12 and you're going to essentially track or locate the helicopter it  
13 has to be either an active tracking, you have to check on it every  
14 hour? Is there anything like that for stipulations for them?

15 A. I don't do contracts.

16 Q. Okay.

17 A. I'm not involved in actual customer contracting of the  
18 aircraft.

19 Q. Who does that?

20 A. It's usually between Sam and John. Sam usually does the  
21 majority of the contracting, I believe.

22 Q. Do you know who did it for this flight?

23 A. I do not.

24 Q. Okay. So I think I missed it, but what time did you first  
25 check the tracking, and saw that it was still sitting there?

1 A. Well, we had a helicopter up on the North Slope around seven  
2 o'clock that they had thought he had a dead battery down on the  
3 ice. So we were looking at the tracker with that as I was talking  
4 to the mechanic up there because we were looking at the same  
5 thing. I'm like okay. See him sitting out there waiting on that  
6 at that same time I flip over to the other tracker, see where  
7 everybody is at. So it was probably just prior to seven o'clock.

8 Q. Does it tell you how long they've been in that same location?

9 A. It tells you, but at that point it had only been like 30  
10 minutes, which is not un-typical, I should say.

11 Q. That was going to be my next question.

12 A. When you're flying in single group, heli-skiing, I mean, it's  
13 not uncommon to land at the top, hang out, sit there, shut down up  
14 top while they ski. So --

15 Q. Is that where the locator was showing was up at the top of  
16 the ridge or was it showing more towards the bottom? Was there  
17 just not that much detail?

18 A. Not that much detail. It was two minutes. I don't know if  
19 they ping every two minutes, every five minutes on that  
20 helicopter, but it was up there. It did show a knot, but that  
21 doesn't really -- I see it all the time. Helicopter lands.  
22 Specially in a B3 shutdown within two minutes, five minutes easy.  
23 So you take that battery off. That's the last (indiscernible)  
24 until you get the battery back on, and it re-pings itself. Then  
25 it will go to zero. So it didn't seem odd until we checked it

1 again at eight o'clock or whenever he called me.

2 Q. So what was your role in the ERP?

3 A. We went to the hangar. John was on the phone with -- I  
4 believe, well, search and rescue. He had me call the FAA or  
5 Paula, our FAA person. I called her. Notified her that overdue  
6 aircraft. That was about it. Sat with John, and he's making  
7 phone calls back and forth between the lodge there, and everything  
8 else.

9 Q. So do you know why it took almost two hours to realize the  
10 aircraft hadn't moved?

11 A. Do I know why? No, I don't. Most all of that communication  
12 is done by our check-ins with -- I'm not exactly sure if TML if  
13 they're on an hourly check-in or what their check-ins are.  
14 They're remote out there. If, at the latest, it's usually an  
15 hour, and they call by SAFO.

16 Q. Okay.

17 A. And that's not to us. That's to TML, whoever is tracking  
18 them at that point, whoever they've assigned as their flight  
19 following.

20 Q. And you don't know if that's, like, part of the contract  
21 paperwork type stuff, right?

22 A. I do not.

23 Q. All right. So you mentioned you're an instructor. So talk  
24 -- walk me through the CFIT avoidance training.

25 A. CFIT? Well, it's in our manual. It's got a list of

1 different things that we go through, but most of it is discussions  
2 on control, the flight terrain, what can cause it -- clouds. We  
3 go through inadvertent IMC procedures for that, whiteout, flat  
4 light. We've got series of pictures. Show different scenarios  
5 that it's happened in the past.

6 I've taken pictures myself when I've sat on the ground.  
7 It's, like, oh, this would be a good shot. Take a picture of how  
8 white it looks out there compared to the horizon, what you can  
9 tell. But it's on the ground, but as well as in the helicopter  
10 during flight training. We do it with unusual latitudes and  
11 spatial disorientation in the clouds. Not in the clouds really  
12 but --

13 Q. Okay. What are the inadvertent IMC procedures?

14 A. Inadvertent IMC? Level the aircraft, get your air speed,  
15 control the helicopter, 180-degree turn, backed out of the clouds  
16 that you just flew into. The first thing you do is go to the  
17 instruments, rely on the instruments, keep the aircraft flying.  
18 Turn 180 degrees to the direction of the TMC, and try to get out  
19 of the clouds.

20 Q. Is climbing a portion of that?

21 A. Yes. You do climb.

22 Q. When in that procedure would the climb be?

23 A. When would the climb be? After he stabilizes steady flight.

24 Q. Prior to the turn?

25 A. Prior to the turn.



1 Q. I saw in the training records that there's CFIT like a  
2 written exam for CFIT training.

3 A. Yes.

4 Q. Is that an annual exam?

5 A. No. No. The written, just there's actual CFIT Manual that  
6 they go through, look through all the stuff, and they take an exam  
7 over that, test. That's like the first time when they come to us.  
8 And then all other training after that is the discussion; there's  
9 classroom talk without an actual exam.

10 Q. Do you guys do the CFIT avoidance training? Do you do any of  
11 that in the aircraft?

12 A. Yes. With all the CFIT flight if the weather is, like it's  
13 wintertime, like we're doing the heli-skiing and stuff like that,  
14 we'll do it based on mostly whiteout, flat out, flight light  
15 conditions. And then during our training in our 135 check rides  
16 designed to show attitudes and inadvertent IMC.

17 Q. So the inadvertent IMC on the check ride that --

18 A. With foggles.

19 Q. With foggles. Is that when then unusual attitudes are done?

20 A. Yeah.

21 Q. Is that the only time under the foggles during the check  
22 ride?

23 A. Yes. We don't have any IFR aircraft capable of IFR  
24 approaches.

25 Q. Are there any procedures or policies or guidance or anything

1 pertaining to inserting skiers into above -- into or above clouds?  
2 A. Policy into clouds?  
3 Q. Like being above --  
4 A. No.  
5 Q. -- and dropping them in through a cloud layer? You may be  
6 VFR up on top. There's a skuddy layer right here. Can you drop  
7 them on -- put them down here to ski through the clouds?  
8 A. As long as you're not flying over the top, VFR over the top.  
9 I mean, if you're avoiding the clouds, here's blue and shining  
10 over here, come into the thing. Don't really have a policy for  
11 that, but there is the policy don't do VFR over the top of the  
12 clouds. But, I mean, they could ski down to where it is, but  
13 you're going to back up, drop down and go around the hill, pick  
14 them up, back down. We don't fly through the clouds to get to the  
15 top of mountain.  
16 Q. That's not what I was -- I wasn't trying to accuse you of  
17 going into the clouds to get to the top. I just -- kind of like  
18 what you said, you're above, you're clear, you can still get  
19 around and down.  
20 A. Yes.  
21 Q. But as a skier --  
22 A. We don't --  
23 Q. -- into the clouds.  
24 A. -- pop through the clouds, put them -- pop back down to the  
25 clouds. No.

1 Q. Right. Okay. You're qualified on the B2, B3, correct?

2 A. Yes.

3 Q. Do you know what system runs the ADS-B?

4 A. Nav lights for ours usually have to have the nav lights on  
5 for what we have for our ADS-B on the tail.

6 Q. Is there a requirement to turn those on at all times?

7 A. No. If you run into controlled airspace now you should have  
8 the ADS-B on. Most of the time we're running our nav lights  
9 anyway.

10 Q. You're not aware of any requirement to have it on if it's  
11 installed?

12 A. (No audible response.)

13 Q. Do pilots check the ELT before each flight, the function of  
14 the switch or anything?

15 A. -- check the function of the switches. Can only see that  
16 it's there, but as far as testing it, no. It's always been a  
17 practice in the past you can only test during certain hours of the  
18 day. So --

19 MR. WILLIAMS: All right. I think that's what I have for  
20 right now. I've been talking for almost an hour.

21 Kath.

22 DR. WILSON: Thanks, Shaun.

23 BY DR. WILSON:

24 Q. You doing okay? I mean, Rob. Sorry. Are you doing okay?

25 A. I think so.

1 Q. Okay. When you are doing flight tracking or do you consider  
2 it flight track or flight locating?

3 A. Locating.

4 Q. Okay. How often are you looking at the system?

5 A. I don't have a set time. It's not a set every 30 minutes,  
6 every hour. It's just throughout the day. And, like, when we're  
7 in the office, there are several computers around the office that  
8 have it up or --

9 Q. Okay.

10 A. -- there, but personally if I'm sitting in my office, I  
11 usually have it in the background of the computer, and that's for  
12 all the aircraft.

13 Q. So you might be doing locating for multiple aircraft?

14 A. (No audible response.)

15 Q. How do you know if they're all coming back at different  
16 times, let's say, how do you kind of keep track of who might be  
17 overdue versus who is not?

18 A. Through the customer.

19 Q. Okay.

20 A. Because even in the summertime you go out on a job the remote  
21 area work is -- you're back and forth all day from seven o'clock  
22 in the morning using almost your entire duty day 'till eight-  
23 thirty at night. So --

24 Q. Do you know if the system, if there's a way for the pilot to  
25 send a signal saying that they've landed safely using the Guardian

- 1 System in the cockpit?
- 2 A. I don't believe so.
- 3 Q. Are you involved in assigning pilots to a flight?
- 4 A. Yes.
- 5 Q. Were you involved in assigning Zach to this contract?
- 6 A. Um-hum.
- 7 Q. Any special considerations that were given or?
- 8 A. Not at all.
- 9 Q. Normal?
- 10 A. Normal, and I had joked with him before, because I was, like,  
11 well, sorry, but you're off Wednesday, but I -- you get to go to  
12 TML this time. He's, like, oh, yeah, I was hoping I was going to  
13 avoid that. Only reason is he likes CPG being on the road system  
14 when he goes home about every night --
- 15 Q. Okay.
- 16 A. -- and the lodge is like being in a island. So they stay at  
17 the lodge the whole time.
- 18 Q. What happened in this case? Where did he stay? Did he stay  
19 at his own place or did he have to stay somewhere else?
- 20 A. He actually, well, since he was in Wasilla, he stayed in a  
21 motel.
- 22 Q. Okay. Is that something that you all -- Soloy provides  
23 housing or does he have to?
- 24 A. We did this time. Typically, TML is the one that provides  
25 housing.

1 Q. Okay.

2 A. So even if they were technically operating out of Wasilla  
3 normally they would take care of the accommodations for the pilot  
4 as well.

5 Q. What was different where you all put him up this time in a  
6 hotel?

7 A. Just to make sure that he has -- had a hotel.

8 Q. Is it --

9 A. Our crew house is where people would normally stay, but we  
10 had a COVID person staying there positive.

11 Q. Okay. And you have a crew house because the pilots live far  
12 away from the airport?

13 A. Most of our pilots don't live in Alaska. They come in for  
14 seasonal work.

15 Q. Okay.

16 A. We only have a handful of full-time people that live in  
17 Alaska.

18 Q. Okay. Well, Zach was a full-time?

19 A. Zach is full-time.

20 Q. But did he not live nearby?

21 A. Yeah. He lived in Anchorage but --

22 Q. Okay.

23 A. -- they had thought that he was going to have an early enough  
24 start in the morning, which turned out was not true, and I even  
25 text back and forth a lot like that doesn't fairly justify getting

1 a motel room for even a nine o'clock in the morning start, you  
2 know, since you only live 45 minutes away but --

3 Q. I think when I was looking in your manuals it said that  
4 pilots they have to have 10 hours of off-duty time; is that  
5 correct?

6 A. 10 hours of rest.

7 Q. Is that -- does that include travel time to and from their  
8 home or is that from when they land until they're expected to  
9 depart?

10 A. It's part of your whole duty. So if you have to drive 45  
11 minutes and do your flight, drive 45 minutes off, that's not  
12 really rest. So I wouldn't consider it rest.

13 Q. Okay. Does the company from a scheduling perspective though?

14 A. We account for that.

15 Q. Okay. Were you involved in hiring Zach?

16 A. I was not.

17 Q. Ever receive any complaints about him as a pilot from other  
18 pilots or a customer?

19 A. No.

20 Q. What happens if a pilot says he's not going to fly because of  
21 weather that day?

22 A. He doesn't fly.

23 Q. No pushback?

24 A. No. Absolutely not.

25 Q. Any paperwork that needs to be filled out?

1 A. No.

2 Q. Who does he tell?

3 A. Usually he'll tell who he's working for. So whatever job  
4 (indiscernible) weather is no good. And if they have a problem,  
5 then he'll notify us, hey, they still want me to fly, but the  
6 weather is crap. And we have their back.

7 Q. Any pushback if a pilot cuts a flight short because of  
8 weather or anything?

9 A. No.

10 Q. Do you attend the morning safety standup meetings?

11 A. I do.

12 Q. What information is discussed in those?

13 A. They go around about. That usually starts off with Dean our  
14 safety guy. And he talks about anything pertaining to safety for  
15 the day, even as much as the ramp is slick. Wear your cleats.  
16 Different things that's going on, and he kind of directs the  
17 meeting. It goes around. John, flight ops. John (indiscernible)  
18 if we have any helicopters leaving that day, what's going to be  
19 flying. He'll ask me if I have any training going on for the  
20 whatever else for that day. Then he goes around to the  
21 maintenance side, and then at the end it will usually be with Sam  
22 or Chris if he's out in the hangar, and do you guys have anything  
23 to add?

24 Q. Is there ever any discussion of weather? Like, we're  
25 expecting the weather to get bad later in the day or --



1 A. Yeah. That usually accounts for helicopters we got parked on  
2 the ramp as far as sweeping the blades off, how much snow we're  
3 going to get, if it's going to be freezing rain.

4 Q. Who would brief that?

5 A. They would just probably -- anybody who is in the meeting  
6 say, hey, we're going to -- not one person.

7 Q. Okay. Do pilots have to sign anything saying that they like  
8 attended that day?

9 A. The pilots usually aren't there unless they're flying from  
10 Wasilla. We have very few flights that originate off our ramp.

11 Q. Okay. So just -- the meeting is just whoever is at that base  
12 that day, and it's usually management then?

13 A. Yeah. Management, mechanics, the pilots that are -- if  
14 there's pilots that are operating from that base.

15 Q. I apologize if you answered this already. I think Shaun  
16 asked you something similar. So if a pilot is not at Wasilla,  
17 it's the courtesy communication that they're having with you or is  
18 there expected that they're going to communicate with Soloy,  
19 someone at Soloy prior to a trip, a flight that day? Is there any  
20 communication with the pilot when they're not at the base by you?

21 A. What do you mean?

22 Q. Like, oh, hey, I'm flying today, and I'm taking these  
23 passengers somewhere.

24 A. And they're not at the base?

25 Q. Correct.

1 A. They would be at the base if they were flying from our base,  
2 but if they're contracted out --

3 Q. Right.

4 A. -- which they typically are, no, they do not.

5 Q. Okay. That's what I'm asking. Yes. So they're typically  
6 not there --

7 (Simultaneous speaking.)

8 A. -- not every single day.

9 Q. So their only communication then is with the lodge or  
10 wherever they are?

11 A. Project managers usually.

12 Q. Okay. We're just hearing some, like, a little bit of  
13 inconsistent information from each person. So that's why I'm  
14 trying to make sure that I have it clear in my head what  
15 everything is. How many pilots do you oversee?

16 A. Anywhere from I think at the top of the season probably 20 at  
17 the most.

18 DR. WILSON: Okay. Thanks, Rob. I think that's all that I  
19 have for now.

20 MR. WILLIAMS: Fabian.

21 BY MR. SALAZAR:

22 Q. Rob, did you do any mountain training with Zach?

23 A. Yes.

24 Q. Can you tell us about that?

25 A. Just up behind Wasilla flying around previously. But the

1 main training I did with him was down in Girdwood with actually  
2 doing heli-skiing training. He had already been with the company  
3 by the time I became chief pilot. So when we started going to  
4 heli-ski training, he did some with John and other people specific  
5 to mountain and heli-skiing. And then I took him down to  
6 Girdwood, and grabbed one of the Girdwood shifts with the guides,  
7 and took him out, and actually did heli-skiing.

8 Q. With the guide actually in the aircraft?

9 A. With the guides. Full helicopter of guides.

10 Q. Okay. What are the tasks that you guys trying -- are trying  
11 to --

12 A. Dropping -- picking the LZs, dropping the passengers off, how  
13 you depart the passengers, not to put your tail over the top of  
14 them. Go down, pick them -- proper pickup zone or just a place to  
15 perch, set the helicopter down safely, picking a spot that's --  
16 that the helicopter can be shut down. Wait for the skiers to go  
17 down, loading them back up, taking them to another round, picking  
18 the LZs.

19 Q. Okay. So you're doing training with a guide with -- while  
20 servicing a customer?

21 A. No. It's not customers. They're not paying us for that.  
22 They are helping us in the training.

23 Q. Okay. So you actually have guides that are participating in  
24 the training?

25 A. Yes.

1 Q. Okay.

2 A. And it helps with theirs. They get into their recurrency as  
3 well. I had called down there before, and I said, hey, you guys  
4 got any guides that aren't flying so we could go out while we're  
5 doing some training, and actually we had dual controls in the  
6 helicopter. I was in the left seat; he's in the right seat.  
7 Couple guides in the helicopter taking them to typical heli-skiing  
8 terrain.

9 Q. Okay. And during this training, the guides were doing their  
10 thing. Were they --

11 A. Yes.

12 Q. -- providing advice to the pilot on any type of --

13 A. They don't do advice. They were doing like you would. They  
14 ski down a hill. We come land on them because they usually  
15 provide visual reference for you if they're not skiing to the  
16 helicopter. Typically they ski down to the pickup spot, and then  
17 the helicopter has to fly in to pick them up.

18 Q. Got it.

19 A. The guide was landing Zach. So he got used to where he needs  
20 to be compared to where the customers are, landing, getting in the  
21 helicopter, flying out, gaining altitude, going over looking at  
22 runs, getting used to how they do all that, their procedures.

23 Q. Okay.

24 A. We want to get out here. We want to ski there.

25 Q. Okay.

1 A. So go around, make his approach, pick a landing spot, land.  
2 They would get out, hunker down. He would take off, go to the  
3 bottom. They would ski down.

4 Q. Okay. Now, on that flight, you were up there with Zach, and  
5 you had your guides in the back.

6 A. Yes.

7 Q. On a typical heli-ski operation, is it a pilot up front with  
8 a guide in the opposite seat?

9 A. The main guide, yes.

10 Q. Okay. The main guide.

11 A. Lead guide would be in the front seat.

12 Q. Does he go through any type of training to -- to assist the  
13 pilot in anything the pilot in his duties? Clearing the aircraft,  
14 looking for obstacles, things like that?

15 A. I don't know what training they go through. As far as  
16 clearing the aircraft and obstacles, it's still the PIC's job for  
17 safe operation of the flight. They are a good tool to use for  
18 snow, even weather. They are really good at weather observations,  
19 snow packs, with the density of the snow as they check it all the  
20 time.

21 Q. Okay. You guys don't have any training on if the guide says  
22 go around (indiscernible) any type of --

23 A. That's not --

24 Q. -- announcement?

25 A. That's a PIC duty. That's not a guide duty.

1 Q. Okay. Getting into IMC training that you talked about  
2 earlier. You mentioned getting the aircraft under control,  
3 turning 180 degrees around to fly out of the -- or back into the  
4 VFR weather that you were just previously in. Do you know of an  
5 hazard associated with the making 180-degree turn?

6 A. If you're turning into a hillside, but if you're going,  
7 flying along IMC or your VFR and you enter the clouds, then you  
8 know the air behind you is where the mountains are, terrain.  
9 So --

10 Q. Okay. Do you know if the ski guides are ever trained to  
11 secure an ELT for emergency operations?

12 A. Well, during our training, when we first go down there, we're  
13 doing our briefings with the guides, and they do briefings with  
14 all their customers. But as the guide briefings are they know  
15 where the ELT is located. They know where the switch is located  
16 to turn it on. They are told in their briefings to remove the  
17 ELT. There's a switch on it. Turn it on. There's an antenna.  
18 You've got to plug into the top. If it doesn't have the antenna,  
19 it's not going to transmit.

20 Q. And that briefing is done prior to the beginning of that  
21 contract?

22 A. That's all of our remote operation trainings. That's the  
23 first thing that happens with the customers before they get on the  
24 aircraft. Gather everybody around, briefing.

25 Q. Last question I have deals with your safety guy. Does Dane

1 guy never get any resistance from anybody because he's not a  
2 pilot?

3 A. I don't believe so.

4 Q. Okay. Thanks.

5 A. Not that he tells me about.

6 MR. SALAZAR: All right. Thanks.

7 MR. WILLIAMS: Matt.

8 BY MR. RIGSBY:

9 Q. When you last had your check ride from the FAA, I assume was  
10 your EOI probably, how long ago was that, and just kind of go over  
11 how -- what they did with you?

12 A. My check ride -- the check airman check ride?

13 Q. Um-hum.

14 A. Was two years ago. My next one coming up in May. Mine and  
15 John's as well. Is due in May where we'll be flying with our POI  
16 again. It's a typical check ride, going through the maneuvers  
17 instead of me performing the maneuvers in that one. I have one of  
18 the pilots that I am giving a 135 check ride to. So the FAA sits  
19 in the back and observes the check ride. Makes sure that I'm  
20 hitting all the procedures, and going through all the motions  
21 correctly, as if I was operating as the FAA.

22 Q. Did they have you do a -- IMC training for recovery?

23 A. They do unusual attitude recovery, and they'll typically have  
24 you do -- and it's all done with the foggles. So it's --

25 Q. Okay.

1 A. -- I've got the controls, get the helicopter out of whack  
2 there (indiscernible) coming up, going on the instruments, getting  
3 the aircraft steady, leveled, start a climb, air speed, and then  
4 --

5 Q. Do they have you do your procedure of a 180?

6 A. We do. We do 180s.

7 Q. Do they have you contact ATC?

8 A. They would if it's going to -- if you're in IMC and your  
9 helicopter has approach you can actually do an instrument  
10 approach. They would have you to contact ATC, head for the  
11 airport that you're going to be doing the approach to. I had had  
12 a -- our POI one time we set up a GPS approach. We didn't have  
13 all the equipment onboard. That's what she made me do personally.  
14 It was get that aircraft around, turned around, headed toward  
15 where we're going to go. At that point, it was Anchorage. And  
16 she said, what are you going to do now? Contact ATC until I break  
17 out the clouds or whatever else.

18 Q. How often do you see your POI or anybody on the  
19 (indiscernible)?

20 A. Usually when she's -- she comes in, and drops off, you know,  
21 any changes to our ops specs and that, sometimes she just drops  
22 in. She calls often when she has any questions, and we call her  
23 often when it has to do with anything in our operation like  
24 special permits we have to notify her about, like, heli-skiing,  
25 certain aspects of that, if they're going to do any avalanche



1 control type stuff.

2 Q. Do you know who contacted her on the night of the accident?

3 A. I did.

4 Q. What was her -- did she give you any instructions or just --

5 A. I just said we have an overdue aircraft, and she said, have  
6 you activated the -- emergency response? Say, yes. And then  
7 after that, she said, okay, I'll call you back. When she went  
8 about her business, when she called back, I was actually in the  
9 restroom. I didn't answer the phone. So she called John, and I  
10 think she talked to him a couple times after that.

11 Q. Have you had any additional contact with her since the  
12 accident?

13 A. Not like direct contact. She called, how are you guys doing?  
14 Do you need anything from me?

15 Q. And I think Kyle alluded to this, and I didn't quite hear it,  
16 but does anyone at the lodge notify Soloy when an aircraft leaves  
17 or gets back from a flight?

18 A. No.

19 Q. Okay. Before the unfortunate event that occurred on that  
20 Saturday, previous to that event has Soloy ever run any drills or  
21 exercise ERP with TML for a similar type event of aircraft?

22 A. Previous years, not that I'm -- I'm not aware of. I've only  
23 been in the position for a year. So last year got cut off short  
24 with COVID.

25 Q. Sure.

1 A. This was the first year.

2 Q. Okay.

3 A. I wasn't aware of that.

4 Q. Was Zach, did Zach have an instrument rating?

5 A. I believe he did.

6 Q. Is that a requirement for your pilots pre-hiring?

7 A. No.

8 Q. If Zach got up in the morning or just and just wasn't feeling  
9 it, weather is good, but he said I just don't feel like flying,  
10 and told the lodge that, the lodge calls you, I mean, what would  
11 that -- would you call Zach and kind of he says I just don't feel  
12 it, would you support that decision?

13 A. Absolutely.

14 Q. Okay.

15 A. That's part of what we're all supposed to do is self-check.

16 Q. Okay. Has the lodge or a customer ever called you with  
17 concerns of a pilot?

18 A. As I've been there for a year, I have not received phone  
19 calls for them complaining. Last reports I got from all of our  
20 pilots was the same, and that was just from a guy who said, hey,  
21 they're doing a great job out there.

22 Q. Are pilots allowed to accept, obviously, you're dealing with  
23 some wealthy individuals. Are they allowed to accept tips?

24 A. Yes.

25 Q. Okay. Are you aware of -- is it a common practice or

1 (indiscernible)?

2 A. (No audible response.)

3 Q. Are the -- I don't think I saw one on this aircraft, but do  
4 any aircraft have radar altimeters?

5 A. Yes.

6 Q. How about HTAWS, Helicopter Training Awareness Warning  
7 Systems? Sorry.

8 A. Well, there's a couple of them in the newer B3s.

9 Q. The newer B3s?

10 A. Yeah.

11 Q. Is that the integrated?

12 A. That's the integrated environmental, yeah.

13 Q. Do you guys use that in your CFIT avoidance training?

14 A. Actually, with the train avoidance, is we're in the training  
15 all the time. So it becomes more of a distraction than a tool  
16 because the mountains that we're in we're going to plan on. Don't  
17 want something saying training, training, training.

18 Q. I assume --

19 A. And we don't fly IFR where we're in the clouds and on the  
20 instruments and worried about (indiscernible) into the hills.

21 Q. Sure. Is everybody required to wear headsets in the  
22 aircraft?

23 A. No.

24 Q. Okay. Typically the pilot has a headset, and then does a  
25 guide?

1 A. Yes.

2 Q. Okay.

3 A. And sometimes if they have a second or a tail guide in the  
4 back, typically, they'll have a headset on so that they can track.  
5 Lot of it is just a distraction if you've got the other customers  
6 having headsets on, and they're whooping and hollering while  
7 you're trying to do your flying.

8 Q. How do the guides once they put them and the passengers or  
9 the clients out, how do the guides talk to the pilot? Like the  
10 run's done, say, hey, we're ready to be picked up?

11 A. Over the radio, hand-held radios.

12 Q. Okay.

13 A. And we typically have a hand-held radio that they give us.  
14 So if we sit down, shut down, we can't sit there with the battery  
15 on listening to our helicopter radio, we'll turn on their  
16 frequency, and they'll sit there, and they'll say, hey, we'll be  
17 ready for a pickup. You can pull up or we'll be ready when you  
18 get here.

19 Q. Do your pilots have personal locating devices?

20 A. Some of them do.

21 Q. But Soloy doesn't provide those?

22 A. No.

23 Q. Did they have it registered with you all? Registration  
24 number, you know, like --

25 A. No --

1 (Simultaneous speaking.)

2 A. -- they'll have inReach or something like that but --

3 MR. RIGSBY: Okay. I think that's it for me. Thank you.

4 MR. WILLIAMS: Thanks, Matt.

5 Al.

6 MR. WILSON: I have no questions. All my questions have been  
7 answered.

8 MR. WILLIAMS: Greg.

9 MR. KING: Yeah, I guess I do, ask one or two.

10 BY MR. KING:

11 Q. On the day that Zach was flying, you said you were in  
12 communications with him. Was that just a redundancy thing or was  
13 it -- was his flight following through TML?

14 A. It was just redundancy, and I just asked him since he was  
15 operating out of the hangar give me a call when you get back or  
16 give me a text when you land.

17 Q. So that the chickens whatever timeframe they've given would  
18 be expected to go back to the lodge or back to Tordrillo Mountain  
19 Lodge?

20 A. Yeah. Because when he was out there he had no cell phone  
21 service anymore. So it was all done through them.

22 Q. And (indiscernible) relationship to Wasilla?

23 A. Relationship to Wasilla?

24 Q. Yeah. Like Tordrillo Mountain Lodge.

25 A. To (indiscernible)?

1 Q. Yeah.

2 A. 60 miles.

3 Q. Okay. So it's -- and it's on or off a road system?

4 A. Off the road system. And then Winter Lake is even farther  
5 than that -- base of Green Pass.

6 Q. So that would be (indiscernible) just occasionally check in  
7 with the lodge during the term of the contract?

8 A. Yes.

9 Q. And what sort of contract links are involved with the heli-  
10 ski at Tordrillo?

11 A. It's usually a couple of months ranging from February into  
12 February to end of April.

13 Q. And when you say it's typical for us to operate, typical for  
14 a heli-ski operation to -- back at the home base what you've seen  
15 over the years of use?

16 A. Typical for them to work --

17 Q. To work off the ramp of the Wasilla (indiscernible)?

18 A. They've worked remote places, but typically not out of  
19 Wasilla.

20 MR. KING: Can't think of anything else I want to ask.

21 MR. WILLIAMS: Sabrina.

22 UNIDENTIFIED SPEAKER: She texted me. They dropped off.

23 MR. WILLIAMS: Okay. I just have two questions. So we're  
24 starting to finish up here a little bit.

25 BY MR. WILLIAMS:

1 Q. When you're doing a check ride, is there any FAA guidance to  
2 determine which items and which actions need to be performed on  
3 that check ride?

4 A. Yeah. It's on the Form 8410.

5 Q. Okay.

6 A. And then they have the whole other portion of it, and that  
7 tells you what maneuvers you need to go through, through the  
8 Operations Guide for the FAA. So it tells you, you have to do  
9 this, you can verbally talk about this portion, you have to  
10 demonstrate this or -- know how to do a 180 rotation, straight  
11 rotation. You only really have to do one of them if it's  
12 (indiscernible) rotation that accounts for both of them, but we  
13 typically do the engine out, straight in autos, 180 autos. Tail  
14 rotor failures are demonstrated in training, and talked about  
15 during the check ride. Settling with power is usually something  
16 that they demonstrate, which is also another item that we talked  
17 about down the (indiscernible) for the FAA.

18 Q. Have there been any changes at Soloy following the accident  
19 up to this point?

20 A. Not direct changes just yet because need to know before we  
21 start making changes is we need to know what happened.

22 MR. WILLIAMS: Okay. That's what I have.

23 Kath.

24 (No audible response.)

25 MR. WILLIAMS: Fabian.

1 BY MR. SALAZAR:

2 Q. Help me out. What Zach was doing with the lodge, was that  
3 remote operations according to you guys?

4 A. Yes.

5 Q. Okay.

6 A. He was contracted or the helicopter was contracted. TML as a  
7 remote location. Zach was flying for TML at that time. He was  
8 parked on our ramp, but he was still TML lodge. The only reason  
9 why that helicopter wasn't out there was because of the COVID  
10 case --

11 Q. Right.

12 A. -- at Winter Lake Lodge.

13 Q. I may have one more. Hang on just a second, all right. What  
14 other type of contracts do you guys, does Soloy have other than  
15 heli-skiing?

16 A. Mineral exploration. Quite a few of them are mineral  
17 exploration, which is long line remote operations.

18 Q. And when those operations are in place does Soloy use the  
19 same type of program where that contractor is providing the  
20 tracking --

21 A. Yes.

22 Q. -- or the locating?

23 A. Because they're hands-on there with the aircraft.

24 Q. Okay.

25 A. And those operations are typically in a small area. So they



1 have their camp and their operating areas like a 2 to 5-mile  
2 radius typically. So helicopters either (indiscernible).

3 MR. SALAZAR: Thank you.

4 MR. WILLIAMS: Matt.

5 BY MR. RIGSBY:

6 Q. Does Zach get days off?

7 A. Does Zach? Yes.

8 Q. How many? Is it two days off in a row or how does it?

9 A. It depends on what, the need. He had a couple days off  
10 before he switched from flying for CPG to flying for TML.

11 Q. Okay.

12 A. But it's normally the required 13 days off per quarter. So a  
13 lot of guys don't want the days off.

14 Q. Sure. I assume places like TML are seven days a week this  
15 time of year?

16 A. They have a change-over day, which I think is kind of a slow  
17 day for them. Like, I personally have not flown a heli-ski at  
18 TML. A lot of our other contracts. But not that I'm aware of  
19 they -- and weather days, they're always counted.

20 Q. How many --

21 (Simultaneous speaking.)

22 A. -- days.

23 Q. How many heli-ski operations do you guys or contracts I guess  
24 you call them?

25 A. Two.

1 Q. Two. And when Zach is not on -- or on his day off, I assume  
2 you -- another pilot goes up and --

3 A. (No audible response.)

4 MR. RIGSBY: That's it for me. Thanks.

5 MR. WILLIAMS: Al, any follow-ups?

6 MR. WILSON: One clarification.

7 BY MR. WILSON:

8 Q. I'm still confused. I've heard both Tordrillo and Winter  
9 Lake Lodge.

10 A. Winter Lake Lodge is Tordrillo.

11 Q. Okay.

12 A. Tordrillo actually, I don't know if they lease or rent, but  
13 two other lodges besides their actual name Tana Lodge. One is  
14 right next door. The other one is Winter Lake Lodge.

15 Q. Okay.

16 A. Which is still out in that general area, skiing on the same  
17 terrain.

18 Q. So for our purposes, we can consider one --

19 A. Yes --

20 (Simultaneous speaking.)

21 A. -- they're one and the same.

22 Q. One and the same. Okay. I just wanted to make that  
23 clarification. Thank you.

24 MR. WILSON: I don't have any other questions.

25 MR. WILLIAMS: Greg, any follow-ups?

1 MR. KING: No.

2 MR. WILLIAMS: Okay. Rob, thank you. Thank you for taking  
3 the time to come in and talk with us. I don't have any other big  
4 questions. Just is there anything we didn't ask that you were  
5 hoping we would? Is there any additional information you can  
6 provide to help us out?

7 MR. GIDEON: Not that -- I was hoping you guys could tell me  
8 something.

9 MR. WILLIAMS: All right. Well, thank you very much again  
10 for taking the time.

11 Turn off the recorders at 1:29.

12 (Whereupon, at 1:29 p.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: FATAL AIRBUS AS350B3 HELICOPTER  
CRASH NEAR KNIK GLACIER, PALMER,  
ALASKA, ON MARCH 27, 2021  
Interview of Robert Gideon

ACCIDENT NO.: WPR21FA143

PLACE: Anchorage, Alaska

DATE: April 9, 2019

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Katherine Motley  
Transcriber

FUNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

FATAL AIRBUS AS350B3 HELICOPTER \*

CRASH NEAR KNIK GLACIER, PALMER, \* Accident No.: WPR21FA143

ALASKA, ON MARCH 27, 2021 \*

\* \* \* \* \*

Interview of: DONALD "DESI" SHERWOOD, Heli-Ski Guide  
Tordrillo Mountain Lodge

Via telephone

Friday,  
April 9, 2021



APPEARANCES:

KATHERINE WILSON, PhD, Investigator  
National Transportation Safety Board

FABIAN SALAZAR, Investigator  
National Transportation Safety Board

MATT RIGSBY, Inspector  
Federal Aviation Administration

ALAN WILSON  
Federal Aviation Administration

GREG KING  
Soloy Helicopters

TIM LAMB, Attorney  
Delaney Wiles  
(On behalf of Tordrillo Mountain Lodge)

I N D E X

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I N T E R V I E W

1  
2 DR. WILSON: Desi, thank you for taking time to talk with us  
3 today. Condolences on the loss of, you know, some of your  
4 colleagues. We do appreciate you taking the time because you're  
5 really going to help us to understand the operation and what your  
6 role was in terms of tracking the flight and then what happened  
7 once we realized we had an overdue aircraft.

8 MR. SHERWOOD: Yes. Happy to do it.

9 DR. WILSON: My name is Katherine Wilson. I'm a Human  
10 Performance Investigator with the NTSB. I have a few folks in the  
11 room with me here. We do work under what we call the party  
12 system, so we have folks from organizations that can provide us  
13 expertise to assist with our investigation. They are here  
14 strictly from the safety side of the investigation and we are all  
15 just looking to try understand how this accident occurred and how  
16 to prevent it from happening again.

17 So, I'll have them introduce themselves quickly. Al?

18 MR. WILSON: Let me get over here by the -- I'm hoping you --  
19 can you hear me okay?

20 MR. SHERWOOD: I got you now.

21 MR. WILSON: Okay. Good afternoon again. Sorry for your  
22 loss. My name is Alan Wilson. I'm a flight test pilot with the  
23 FAA based in Anchorage. And my role is technical advisor to the  
24 NTSB panel and that's about it.

25 MR. SHERWOOD: Thanks, Alan.



1 MR. KING: This is Greg King with the party member for Soloy.  
2 Hi, Desi.

3 MR. SHERWOOD: Hey, Greg.

4 MR. LAMB: And one more.

5 MR. SALAZAR: Hello, this is Fabian Salazar, I'm with the  
6 NTSB assisting in operations.

7 DR. WILSON: Okay. So, Desi, I know you've got legal  
8 representation there, which you are entitled to have. So, if you  
9 could just state for the record who you would like to have  
10 representing you on this call today.

11 MR. SHERWOOD: Yeah, I'd like Tim Lamb to represent and be  
12 here --

13 DR. WILSON: Okay. Great.

14 Tim, if you could do me a favor. Could please spell your  
15 first and last name for us?

16 MR. LAMB: Certainly, Tim, T-i-m Lamb, L-a-m-b.

17 DR. WILSON: Okay.

18 MR. LAMB: And I'm with the law firm of Delaney Wiles,  
19 D-e-l-a-n-e-y, W-i-l-e-s, here in Anchorage.

20 DR. WILSON: Great.

21 INTERVIEW OF DONALD "DESI" SHERWOOD

22 BY DR. WILSON:

23 Q. And Desi, if you could start by stating your -- oh, I should  
24 have said this before. What we are doing with these conversations  
25 that we are having we would like to record the conversation and

1 then the conversation will be transcribed by a court reporter.  
2 That just ensures that everything that we talk about today is  
3 completely accurate. And then eventually this record of our  
4 conversation will become a part of our public docket down the  
5 line. So, I just want to make sure that you are aware and you're  
6 okay that we are recording the interview?

7 A. I'm aware. Thanks.

8 Q. Okay. Great. So, if you could state for us your full name,  
9 please and provide the spelling as well?

10 A. My legal name is Donald Sherwood, and it's D-o-n-a-l-d,  
11 S-h-e-r-w-o-o-d.

12 Q. Okay.

13 A. I go by Desi, D-e-s-i.

14 Q. And is it okay if I call you Desi?

15 A. Yes, please do.

16 Q. Okay. All right. And Desi, what is your title and the  
17 organization you work for?

18 A. I'm a guide -- I'm a heli-ski guide in the winter and a  
19 fishing and activities guide in the summer for Tordrillo Mountain  
20 Lodge.

21 Q. And how long have you been doing that?

22 A. This will be my eighth year.

23 Q. Okay.

24 A. For Tordrillo. But I have been guiding for ten years.

25 Q. Okay. So, if you could just walk us through the events of

1 March 27, starting from when, you know, you started working with  
2 the guides for the flight -- the pilot for the flight to do the  
3 tracking until you learned about the accident and your actions you  
4 took after that?

5 A. Yeah, sure. The 27th of March, I was on radio communications  
6 and flight following for dispatch for the lodge. And I was also  
7 dispatching for other helicopters in the Tordrillo area. And for  
8 helicopter 351, I was to be in communication with Sean McManamy,  
9 and we started communication at 11:55 a.m., testing our inReach  
10 devices because it was a remote operation, and they were operating  
11 about 100 miles away. Our main source of communication was to be  
12 via inReach, which is a Garmin satellite device, and so we tested  
13 those at about 12:00.

14 And then they didn't leave their lodge or place they were  
15 staying until about 3:30. And then Sean was checking in every  
16 hour via inReach with a written message, but inReach also has an  
17 automated tracking system that sends a ping to a web portal that I  
18 was following on my computer. So, I could actually see where  
19 their inReach was located. I was also using a flight following  
20 website called Silvereye, which showed where the helicopter was  
21 operating as well.

22 Sean was pretty good about being on time with his check-ins.  
23 I have a number of check-ins written down on our event log, radio  
24 log. And I was getting positive flight following and positive  
25 inReach intervals received up until 6:30. And the last message I

1 got from Sean was at 6:34 saying ops normal, moving to Metal  
2 Creek, which is on a WhatsApp message. He had also sent messages  
3 on the inReach portal of Runmore Cow, no red flags at 6:32. And  
4 so I wasn't expecting the next written message until 6:34.

5 At 6:24, I received the last inReach interval. It's just an  
6 automated ping. And at 6:30, I got the last flight following  
7 interval on the Silvereye web site. I wasn't expecting them until  
8 6:34 for a written message. I had just seen their last ping  
9 around 6:30; 6:28 I sent them a message saying copy. Which is  
10 just how we talk over the radio but was looking for them to reach  
11 back.

12 7 o'clock, gave them a little bit of time because the  
13 satellite devices and being so far away in a remote area, I was  
14 giving them the benefit of the doubt. 7 o'clock, I messaged  
15 again, how is it going in status. 7:14, I texted my supervisor  
16 saying that I hadn't had communication with Sean in an hour and  
17 that flight following shows 351 hadn't moved in a little bit of  
18 time.

19 At 7:15, my supervisor Mike Rheam said that he would contact  
20 Third Edge Heli, Brad Cosgrove, their dispatcher radio  
21 coordinator, which is the base where the helicopter took off from  
22 and which is a lot closer than where we were. Brad reassured  
23 Mike that he wasn't expecting them until last lift, around 7:40  
24 and that he expected they would be ops normal.

25 I continued to try to reach out via inReach to Sean with no

1 messages back. I was at the lodge with Mike Rheam, he was in a  
2 separate building, but I went and found him and cursed (ph.) him  
3 and at about 7:49 and told him I still hadn't heard anything.

4 So, he called Brad Cosgrove again, and Brad relayed the  
5 message to Mike that they were inbound. At that point, I still  
6 hadn't heard anything from them, but they -- the message was that  
7 they were inbound, so we (indiscernible) that's the information I  
8 had.

9 At 8:13, I could see on the inReach web portal that Brad  
10 Cosgrove had messaged Sean about their whereabouts. At 8:29, Brad  
11 called me at base indicating that they actually hadn't had contact  
12 and wanting to know the last communications. Immediately we were  
13 pretty concerned, and my boss Mike Rheam kind of took over  
14 communications from there.

15 Q. Okay. Thank you. A couple of clarifying questions on that.  
16 The last WhatsApp communication, can you tell me again the time of  
17 that?

18 A. From Sean to the TML base was at 5:34 p.m.

19 Q. 5:34, okay. And at 7:49, you said you found Mike, you told  
20 him you had heard who -- it was Mike then that called Brad again  
21 at that time?

22 A. That was at 7:15, initial.

23 Q. Okay

24 A. And Mike talked to Brad Cosgrove on the phone.

25 Q. Okay. So, he initially called him at 7:15, and then he

1 called a second time, and that's when he was told that they were  
2 inbound?

3 A. Correct.

4 Q. So, just to clarify, it was your understanding that Brad said  
5 that the helicopter that had lost communications was inbound back  
6 to the lodge?

7 A. Yeah, correct. I received a text message from my supervisor  
8 Mike --

9 Q. Okay.

10 A. -- saying that they were inbound.

11 Q. Okay. So --

12 A. And that was after Mike had talked to Brad on the phone to  
13 get that information.

14 Q. Okay. So, walk me through a little bit of your role. You're  
15 a guide, but you can also do -- you also do this dispatching  
16 flight following aspect. So, how does that work?

17 A. Pretty much all the guides on site rotate and does dispatch  
18 during the day or during the different days, and that way we have  
19 a better understanding, and we communicate with each other of  
20 where they are. So, we actually know. And the dispatch role is  
21 to maintain communication with guides and helicopters, and it's a  
22 rotating job though amongst the guide staff.

23 Q. Okay. And is there any training that you do or is there --  
24 or what guidance do you follow to do this dispatching role?

25 A. We have onsite training, and we also do annual training with

1 Tordrillo Mountain Lodge guides every year. There's an annual  
2 training where we go over everything on like all the different web  
3 portals. But then there's also onsite training with any updates  
4 or changes of passwords and stuff.

5 Q. And how often are the guides that are out doing heli-ski  
6 operations, how often are they supposed to check in?

7 A. Typically, it's one-hour check-ins.

8 Q. Okay.

9 A. But, in remote operation, I believe our op man says one and a  
10 half hours.

11 Q. Okay. And are you ever in communication with the pilot or  
12 just the guides?

13 A. Our pilot will check in when they have radio communications,  
14 but being so far away, we only had the inReach communications via  
15 satellite, so it was just the guide.

16 Q. Okay. And how does the pilot contact you? Over the radio in  
17 the helicopter or he's got a separate radio? How does that work?

18 A. Yeah. The radio in the helicopter, you know, typically when  
19 it's higher in sky has a cleaner line of sight to our radio  
20 repeater. And so oftentimes the pilot will check in and say ops  
21 normal for guides.

22 Q. Okay.

23 A. But that wasn't an option being so remote and far away.

24 Q. And the information that the guides are sharing -- I mean you  
25 read off some of the messages, but it's just that things are going

1 normal and the area that they are going to be flying to or that  
2 they are in?

3 A. Yeah. Typically, it's either a conditions report or  
4 operations normal or location.

5 Q. And what would usually be included in the conditions report?

6 A. Substantial weather or other operators or animals in the  
7 area.

8 Q. Okay. The flight tracking that you do, does it vary if  
9 you're tracking a Soloy helicopter or another operator's  
10 helicopter?

11 A. Yes.

12 Q. Okay. What is different? What do you do differently for  
13 Soloy that you might not do for another operator or vice versa?

14 A. I don't think you would do anything different. I just think  
15 that there's different like websites that certain operators use.

16 Q. Okay. So, like if one helicopter has Spidertracks, per se,  
17 versus Soloy, they use the Guardian Mobility Solutions?

18 A. Yes, exactly.

19 Q. Okay.

20 A. Different apps to use.

21 Q. Okay. When you're doing this dispatching and flight  
22 following, do you have other duties?

23 A. No. During that time, no.

24 Q. Okay. And how many other helicopters might you be following  
25 at the same time?



1 A. Usually around three, sometimes more or less.

2 Q. Okay. Do you recall on that -- on March 27th how many  
3 flights you were following?

4 A. I believe it was just three. But I don't have all the  
5 information in front of me.

6 Q. Okay. Is there -- does the pilot file any sort of kind of  
7 flight plan with you or do you complete some kind of flight plan  
8 for the flight?

9 A. To me as the dispatch?

10 Q. Right.

11 A. No, but we communicate just our last lift times, and the  
12 pilots and guides know the check-in times. But the last lift is  
13 always communicated, which is typically an hour before sunset.  
14 And for that day, it was at 7:40.

15 Q. What time was this flight expected to be back?

16 A. The last lift for the day was at 7:40 p.m., an hour before  
17 sunset, and that's when they were expected to be leaving the  
18 field.

19 Q. Okay. And that's established ahead of time prior to them  
20 departing?

21 A. Yeah. Every morning, there's a meeting, and it's discussed  
22 and shared.

23 Q. What is this meeting?

24 A. The meeting, we have a morning meeting every day. As the  
25 light changes every day, it's just part of the operations meeting.

1 Today's sunset is at 8:40 making last lift 7:40, giving an hour  
2 prior to the last light.

3 Q. Okay. And who attends the meetings?

4 A. All the guides, pilots, and operators at the lodge.

5 Q. So, in this instance, the pilot, Zack Russell, he wasn't at  
6 the lodge in the morning, so would he call in, or is it just if  
7 they are not there, they don't -- they are not a part of the  
8 meeting?

9 A. I'm not sure if he called in or not.

10 Q. Have you heard pilots call in before?

11 A. Yes.

12 Q. Okay. Were you doing the flight tracking the day before the  
13 accident?

14 A. I don't know. I don't remember.

15 Q. Okay. So, prior to a flight taking off, does the guide, the  
16 guides that will be on that flight, do they tell you like, okay,  
17 this is the general area we are going to, so that you know, you  
18 have an idea of the area where they will be skiing that day?

19 A. Yes.

20 Q. Okay. And did the guides do that on the 27th that you  
21 recall?

22 A. Yeah, that I recall.

23 Q. Okay. Does it ever change? Like if they think they are  
24 going to be in one area, but they might -- I don't know,  
25 conditions aren't good, so they might change on the fly?

1 A. Absolutely.

2 Q. Okay. Do you recall if there was any changes with this  
3 flight on that day?

4 A. I don't recall.

5 Q. Okay.

6 A. They would have -- their plan was to be in the Knik area, and  
7 that's where they crashed.

8 Q. Okay. Does Soloy, I don't know, do they provide any guidance  
9 or training for the guides?

10 A. I'm not, I'm not sure if they have any input with our annual  
11 training or not.

12 Q. Okay. Did you talk at all with the pilot?

13 A. No.

14 Q. Did you know him by chance?

15 A. Yes. I did.

16 Q. Okay. Ever hear anybody have any concerns about him as a  
17 pilot?

18 A. Never.

19 Q. If a flight were turning back, coming back early, would the  
20 guides just let you know?

21 A. Well, what do you mean, like just for the day?

22 Q. Yeah. Weather gets bad or the conditions aren't good, so  
23 they decide to just cut the day short.

24 A. Yeah, typically they would, they would let us know for sure.

25 Q. Okay. Is there ever any pushback for, you know, them to stay

1 out longer?

2 A. Not that I have experienced.

3 Q. Okay. The flight tracking, if you know, is that required for  
4 every flight?

5 A. I believe it's one of the options for tracking. I do not  
6 know if it's a required thing for Soloy. That you'd have to ask  
7 them.

8 Q. Okay. What do you mean by it's an option?

9 A. There's just redundancies in our communication and certain  
10 protocols, and it's one of our forms of also keeping track of  
11 where the helicopter and guides are at, and guests.

12 Q. Okay. Is that something that's told to the guests that are,  
13 you know, as one of the safety features?

14 A. Can you ask that again please?

15 Q. I just didn't know whether flight tracking was, you know, a  
16 part of the benefits of using, you know, the lodge, that we do  
17 flight tracking of your flights when you're out there on a  
18 helicopter. Is that like a safety benefit that the lodge tells  
19 its guests?

20 A. I'm not sure.

21 Q. Okay. The Guardian Mobility Solution, so you were using the  
22 Silvereye. How easy is it to track a flight using that system?

23 A. When everything is working, it's relatively easy. It's a map  
24 on the webpage, and you can see a little icon of the helicopter.

25 Q. Okay.

1 A. I don't think it's, I don't think it's a hundred percent  
2 right all the time because it does like a check in that has to go  
3 to a satellite and then show up on a computer miles away.

4 Q. Uh-huh.

5 A. So, exact, I'm really not sure, but it's relatively easy to  
6 use.

7 Q. Are there other tracking systems that you feel are more  
8 reliable than this one?

9 A. No.

10 Q. No, okay. It's just the nature of where they are flying?

11 A. Yeah. It's just a map with a translated message.

12 DR. WILSON: Okay. Thanks, Desi. I think that's all my  
13 questions for now. I'm going to see if anyone else in the room  
14 has some questions for you.

15 Fabian, no?

16 MR. SALAZAR: I don't.

17 DR. WILSON: Matt?

18 BY MR. RIGSBY:

19 Q. Desi, do you have any aviation certificates, pilot, mechanic,  
20 anything like that?

21 A. Myself, no.

22 Q. Okay. Do you have weather available like a graphical  
23 representation of weather by your dispatch station?

24 A. Was it available is what you're asking?

25 Q. Yes. Yes. Do you have that like a satellite overview or

1 anything like that?

2 A. Yeah. We have a -- as part of our meeting in the mornings  
3 going over the weather and satellites and images, and I'm on my  
4 computer, so I have access, you know, to monitor as well, but --

5 Q. Okay. Do you have an emergency response plan there?

6 A. Not with me.

7 Q. Does the lodge have their own?

8 A. Yes.

9 Q. Okay. Did you activate it that night?

10 A. I contacted my supervisor who eventually activated it.

11 MR. RIGSBY: Okay. Thank you. That's it.

12 DR. WILSON: Al.

13 BY MR. WILSON:

14 Q. Does the -- this is Al Wilson again. Just to clarify at -- I  
15 was writing notes pretty fast. I believe you had mentioned at  
16 1734 the contact with Sean was through WhatsApp; did I hear that  
17 correctly?

18 A. Yeah. One of the contacts we received from Sean at that time  
19 was on WhatsApp.

20 Q. If you're Bluetooth from your phone to the inReach, is  
21 WhatsApp available, or was he, was he actually at that point of  
22 the message able to get cell service? Did it come in directly or  
23 was it through the --

24 A. My understanding with WhatsApp and inReach that they are  
25 separate, and that WhatsApp needs cell service.

1 Q. Yeah, that's my understanding.

2 A. But I'm not a hundred percent on that.

3 Q. Well, that's my understanding, and I looked it up and I  
4 didn't see anything that it was available through the inReach.  
5 SMS messaging through your text app is available but not WhatsApp.

6 A. Yeah. That's my understanding.

7 Q. So, that contact -- yeah. Okay.

8 A. If he had sent, he had sent the message on WhatsApp and  
9 inReach within minutes at the same time, just being diligent, and  
10 I also tried to respond via both modes.

11 Q. Okay. You had mentioned that you're a guide as well, Desi.

12 A. Correct.

13 Q. Are you familiar with the Knik Glacier area?

14 A. Not really.

15 Q. Okay. So, suffice to say you are not familiar with that  
16 immediate area of where the mishap took place?

17 A. I have been there maybe once or twice, but I don't know the  
18 area like other people do.

19 MR. WILSON: Okay. I don't have any other questions. Thank  
20 you, Desi.

21 DR. WILSON: Okay. Greg, do you have any questions?

22 MR. KING: A couple. Which one is the microphone?

23 DR. WILSON: Right here.

24 BY MR. KING:

25 Q. Hey, Desi. Just got a couple of questions, I guess. So, was

1 TML provided with a copy of Soloy's ERP for the season and a  
2 current one?

3 A. I'm not sure.

4 Q. Okay. And if you said there was not a contact with Zach  
5 about the day's mission in the area, but I presume that the guides  
6 would have been included in the morning meeting and briefings for  
7 the day with the rest of the crew out at lodge there?

8 A. I would presume as well.

9 Q. Okay. And do you know of any weather delays over the course  
10 of that day at all?

11 A. Not to my knowledge.

12 Q. Okay.

13 A. I don't remember.

14 Q. Okay. What time of the day did they launch out for ski  
15 operations?

16 A. They left around 3:40.

17 Q. Okay. So, do you know of any particular reason why they  
18 would have a departure at sort of later in the afternoon, good  
19 light for pictures or something along lines maybe or --

20 A. I, you know, I really don't know. I can't remember that day.  
21 I'm not sure.

22 MR. KING: Okay. No worse. That's all I've got. Thanks,  
23 Desi.

24 MR. SHERWOOD: Yeah, thanks.

25 DR. WILSON: All right. Thanks, Desi. I just have a few



1 follow ups.

2 BY DR. WILSON:

3 Q. As a guide when you're flying, when you're out there flying,  
4 how do you -- you know, you see a run or an area, you know, where  
5 you think looks like would be a good place to ski. What do you,  
6 you know, what do you tell the pilot and how is it decided where  
7 you're -- you know, where they're actually going to set down to  
8 drop everyone off?

9 A. You communicate with the pilot about where you'd like to go,  
10 but in the end, the pilot has the ultimate say if they can land  
11 there or not.

12 Q. Okay. Do the guides, do they act as like spotters or  
13 anything as they are coming in?

14 A. I didn't hear what you said.

15 Q. Do the guides act as a spotter or anything, you know, for  
16 terrain clearance or anything like that or is that just all -- the  
17 pilot is doing all of that?

18 A. I'm not really following the question.

19 Q. So, you're coming -- the pilots are coming in to land on a  
20 ridge. Do the guides have any role? Do they do anything during  
21 that time to assist the pilot?

22 A. No. It's all the pilot.

23 Q. Okay. Okay. The timeline that you have been referring to,  
24 is that something that you would be willing to share with us?

25 A. Yeah. I think we can share the event log.

1 Q. Okay. That would be really helpful as we are trying to put  
2 all pieces together.

3 DR. WILSON: I'm going to see if anyone else has any  
4 additional questions.

5 Fabian?

6 (No audible response.)

7 DR. WILSON: Matt?

8 BY MR. RIGSBY:

9 Q. Desi, does the lodge or did somebody from your office, did  
10 they ever approve flight or disapprove a flight?

11 A. I don't, I don't really know.

12 Q. I'm sorry.

13 A. I'm not really sure --

14 Q. Okay.

15 A. -- if they -- you're asking if somebody approves or  
16 disapproves a flight? I'm not sure.

17 MR. RIGSBY: Okay. That's it for me.

18 DR. WILSON: Okay. Al?

19 MR. WILSON: Yeah.

20 BY MR. WILSON:

21 Q. Desi, this is Al Wilson again. So, back to the -- back to  
22 the timeline, on my notes, I have like at 1915 you notified your  
23 supervisor Mike Rheam.

24 DR. WILSON: Rheam.

25 MR. WILSON: Is that correct?

1 DR. WILSON: Rheam, we have that correct last  
2 name. MR. WILSON: Okay.

3 BY MR. WILSON:

4 Q. And then he -- to your knowledge, he subsequently got a hold  
5 of Brad, I think it was Cosgrove with Triple Edge Heli-Ski?

6 A. Third Edge Heli-Ski.

7 Q. I beg your pardon, Third Edge Heli-Ski; is that correct?

8 A. Yeah, correct. He called Brad. He was doing radio  
9 communications for Third Edge who also had other ships in that  
10 area for the day.

11 Q. Okay. So, to the best of your knowledge, at that point once  
12 you, once you have notified your supervisor and the supervisor has  
13 contacted further contacts, do you consider from the aspect of the  
14 lodge that you have exercised everything with the emergency  
15 response plan?

16 A. Well, we were still within our time limits, so at the time,  
17 yes.

18 Q. Okay. When -- do you recall, or to the best of your  
19 recollection, when you were actually informed that a mishap had  
20 occurred?

21 A. That a mishap had actually occurred, at 8:29 when Brad called  
22 me, I was -- prior to that, we were reassured by Brad that  
23 everything was fine, and then at 8:30, he indicated some sort of  
24 stress to phone. He said that he'd call me back.

25 Q. Okay. Is there -- this is kind of an open-ended question.

1 Do you have any knowledge as to, as to why Brad would have  
2 reported that the aircraft was inbound, any knowledge that you  
3 know of how that -- how he obtained any of that information or  
4 speculated?

5 A. I have nothing.

6 Q. Okay.

7 A. I just received a text that they were inbound, and I can't  
8 say if he got a radio communication or not. I don't know.

9 Q. And that text came from Brad?

10 A. Came from Mike Rheam.

11 Q. Mike Rheam, okay. Now was -- is Mike on -- during the events  
12 of that day, was Mike actually at the lodge?

13 A. Yes.

14 Q. Okay. And then do you have any knowledge of where Brad --  
15 Brad's location was?

16 A. I believe it was Wasilla.

17 Q. Does Third Edge have an office that you are aware of?

18 A. Not that I'm aware of.

19 Q. Okay.

20 A. I know that they were operating out of Meier Lake and they  
21 had other groups in the field that day.

22 Q. Okay.

23 A. I don't know if that's an office though, but --

24 MR. WILSON: Thank you, Desi.

25 MR. SHERWOOD: You're welcome.

1 DR. WILSON: Greg, any additional questions?

2 MR. KING: No, not from me.

3 BY DR. WILSON:

4 Q. Desi, are you familiar with the term operational control?

5 A. No.

6 Q. Okay. Were you informed of anybody contacting the RCC?

7 A. I believe that Mike Rheam had talked to Soloy who was  
8 initiating that.

9 Q. Okay. Any idea what time that might have been around?

10 A. No. I know that Mike was talking to Soloy, I think John  
11 Baechler, around 8:30.

12 Q. Okay.

13 A. And then I'm not sure from there on.

14 Q. Okay. Not a problem. All right, Desi, we asked you a lot of  
15 questions. Is there anything that we didn't ask you that you were  
16 hoping we would, information that you think would be relevant to  
17 the investigation?

18 A. I just -- this is a tough case just to like watch the  
19 computer screen without the ELT or anything coming on, which is  
20 concerning and kind of -- it just baffles me why it didn't go off.

21 Q. Would you have -- what system would you have seen that on,  
22 you had a screen up or you would have -- if it had initiated?

23 A. I believe that it would have gone straight to Soloy and the  
24 RCC.

25 Q. Okay. Would you have known if an ELT had activated?

1 A. We would have gotten a call. I'm not sure if it would have  
2 come on the Silvereye portal or not.

3 Q. Okay.

4 A. But that portal only has like an icon of the helicopter, and  
5 if it is normal, how it always looked.

6 Q. In the Silvereye system, can you enter in an ETA so that if  
7 a, you know, a flight doesn't arrive somewhere by a certain time,  
8 it will -- you know, the Silvereye system will alert you?

9 A. I'm not sure.

10 Q. Okay. Okay. Anything else that you can think of?

11 A. No.

12 DR. WILSON: Well, Desi, you have got my number and Mike  
13 also has my email address. So, if you think of anything that you  
14 think would be beneficial to our investigation, please do not  
15 hesitate to reach out to me.

16 MR. SHERWOOD: Okay. Thanks.

17 DR. WILSON: And if you want to do the timeline that we  
18 discussed, if you want to give it to Mike who can then e-mail it  
19 to me, or however is the easiest way, that would be greatly  
20 appreciated.

21 MR. SHERWOOD: Yeah. We'll work it out.

22 DR. WILSON: All right. Thank you so much, Desi, for your  
23 time.

24 MR. SHERWOOD: You're welcome.

25 DR. WILSON: Bye-bye.

1 MR. SHERWOOD: Okay. Bye-bye.

2 DR. WILSON: Thank you, Tim. Bye.

3 MR. LAMB: You bet. Bye-bye.

4 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL AIRBUS AS350B3 HELICOPTER  
CRASH NEAR KNIK GLACIER, PALMER,  
ALASKA, ON MARCH 27, 2021  
Interview of Donald "Desi" Sherwood

ACCIDENT NO.: WPR21FA143

PLACE: Via telephone

DATE: April 9, 2021

was held according to the record, and that this is the original,  
complete, true, and accurate transcript which has been transcribed  
to the best of my skill and ability.



Letha J. Wheeler  
Transcriber



UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

FATAL AIRBUS AS350B3 HELICOPTER \*

CRASH NEAR KNIK GLACIER, PALMER, \* Accident No.: WPR21FA143

ALASKA, ON MARCH 27, 2021 \*

\* \* \* \* \*

Interview of: MICHAEL RHEAM, Partner  
Tordrillo Mountain Lodge

Via telephone

Friday,  
April 9, 2021



APPEARANCES:

KATHERINE WILSON, PhD, Investigator  
National Transportation Safety Board

D. SHAUN WILLIAMS, Investigator  
National Transportation Safety Board

FABIAN SALAZAR, Investigator  
National Transportation Safety Board

MATT RIGSBY, Inspector  
Federal Aviation Administration

GREG KING, Assistant Chief Pilot/Check Airman  
Soloy Helicopters

TIM LAMB, Attorney  
Delaney Wiles  
(On behalf of Tordrillo Mountain Lodge)

I N D E X

ITEM

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Interview of Michael Rheam:

By Dr. Wilson

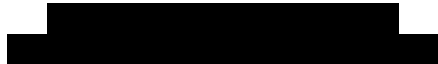
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By Mr. King

16

By Mr. Rigsby

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I N T E R V I E W

1  
2 DR. WILSON: All right. Well, let's go ahead, and get  
3 started. Mike, thanks for taking the time to talk to us. I don't  
4 recall if I mentioned this on the -- in the e-mail or if Tim let  
5 you know, but what we like to do is record the conversation that  
6 we have today, and then we will have it transcribed. That way we  
7 will have an accurate record of the conversation that we have. Is  
8 that okay?

9 MR. RHEAM: Yeah. I assume that would be the case.

10 DR. WILSON: Okay. And so the transcript will eventually  
11 become a part of our public docket when we do open that, which  
12 will be many months down the line. The audio recording will not  
13 become a part of our public docket. We do work under a party  
14 system. So we have representatives from other organizations that  
15 participate in our investigation that can provide expertise. So I  
16 will have -- they're in the room with us. So I will have  
17 everybody introduce themselves. Like I said, Katherine Wilson.  
18 I'm a human performance investigator with the NTSB.

19 MR. WILLIAMS: Shaun Williams. I'm the Operations Group  
20 Chairman, NTSB.

21 MR. SALAZAR: Fabian Salazar, NTSB Operations.

22 MR. KING: Greg King, pilot (indiscernible), Soloy  
23 Helicopters.

24 DR. WILSON: And we also have Matt Rigsby with the Accident  
25 Investigation Division of the FAA. He's actually stepped out for

1 a phone call, but he will most likely be coming in to join us.  
2 And just so that you know, anybody who participates with us from  
3 the FAA is here strictly from the safety side. They don't have  
4 any enforcement authority that they can take on any matters that  
5 we discuss here.

6 MR. RHEAM: Okay. That's fine. I don't quite understand the  
7 relationship between the FAA and the NTSB. I thought they were  
8 kind of very similar entities, but sounds like they're different.

9 DR. WILSON: Yes. We are different, but the FAA does have an  
10 Accident Investigation Division that solely does accident  
11 investigations, and that's Matt, who just did come back in the  
12 room. He'll be just with us here today.

13 MR. RHEAM: Okay.

14 MR. WILLIAMS: All right. And just like Matt, I mean, the  
15 NTSB, we have no enforcement authority either. So we're strictly  
16 here from the safety side trying to understand what happened in  
17 this accident, and prevent something like this from happening  
18 again. And we're talking to you today because we know that you  
19 had a role once the -- it was identified that the aircraft might  
20 be overdue. So we're hoping just to hear what you know about  
21 that, and what your activities were in relation to the missing  
22 aircraft.

23 MR. RHEAM: I understand. Yeah.

24 DR. WILSON: Okay.

25 MR. RHEAM: I understand.

1 DR. WILSON: And you are entitled to have a representative  
2 with you during this interview. For the record, can you state who  
3 your representative will be?

4 MR. RHEAM: That's Tim Lamb.

5 DR. WILSON: Great.

6 INTERVIEW OF MICHAEL RHEAM

7 BY DR. WILSON:

8 Q. And, Mike, if you could just start by giving us your full  
9 name, and also spelling your last name.

10 A. Yep. My name is, full name is Michael Rheam, R-h-e-a-m.

11 Q. And your position and the company that you work for?

12 A. Yes. I'm one of the partners with Tordrillo Mountain Lodge,  
13 and one of the managers out there.

14 Q. And as a manager, who do you oversee at the lodge?

15 A. One of the -- as being one of the owners, I have operations  
16 management.

17 Q. Okay.

18 A. When I'm at the lodge.

19 Q. Okay.

20 A. Tordrillo -- sorry. Tordrillo Mountain Lodge.

21 Q. All right. And you were at the lodge on March 27th?

22 A. I was.

23 Q. Okay. So walk us through what you recall on that day in  
24 relation to this aircraft?

25 A. We had several helicopters operating that day. The remote

1 operation that was going on out of Wasilla Lake that with like up  
2 351 with the one that had the accident. I knew they were still  
3 out in the field. Desi Sherwood was monitoring that, handling  
4 communications for Tordrillo Mountain Lodge, and he brought it to  
5 my attention a little after seven that he was -- that they were  
6 still out with no real concerns. But at 7:15, he reached out to  
7 me just stating when they, you know, when last -- he'd last heard  
8 from them.

9 And I immediately called Brad Cosgrove, who was handling base  
10 communications for Third Edge Heli, who we were working with on  
11 this trip, and because they are in closer contact we're using  
12 their radios, things like that, and they had other machines in the  
13 field in that area, which was part of the plan. So I wanted to  
14 see what Brad thought about it. And given the location of the  
15 last ping that we were seeing on the flight following, and the  
16 last ping from Sean's in-reach, it seemed reasonable that  
17 approach, and Brad is fairly certain, hey, Brad had -- Brad's  
18 injured right now, and he had skied with Kellner many times, and  
19 Greg many times. And that their plan because of their late start,  
20 they didn't get out 'till nearly four o'clock, that their plan was  
21 that they would come back right at last lift.

22 And just given the location of what we'd seen and the  
23 communications, it seemed like a reasonable thought process. So  
24 last lift that day from the morning meeting was scheduled for  
25 7:40. I was okay with that decision. And at -- we -- I asked

1 Desi to continue to monitor progress and communications. Desi, I  
2 believe, continued to reach out to them. At eight o'clock, we  
3 still hadn't heard from them.

4 I called Brad Cosgrove again, and at eight o'clock I called  
5 Brad Cosgrove again, and I was pretty darned concerned at this  
6 point. I was told that they were inbound. He'd gotten radio  
7 call. And I accepted that information as accurate. Took a big  
8 deep breath, and communicated to Desi in -- that they are inbound,  
9 which is the exact words Brad had told me, and was -- and I texted  
10 him that that was the case. Went back, you know, basically I  
11 believed that to be the case. They were inbound. Big sigh of  
12 relief. Was no longer concerned.

13 I actually, during that conversation, said to Brad, text me  
14 when they're down. He said, okay. I kept looking for the text.  
15 I even reached out to Sean via text because at this point I  
16 figured he had landed, and that Brad subsequently must have  
17 realized they weren't back or that that information was wrong, and  
18 he eventually called Desi indicating they actually hadn't had  
19 contact, and Desi told me. I immediately called John Baechler.  
20 John, I believe, had actually been called by Brad maybe a minute  
21 before me. And when I talked to John Baechler with Soloy he said  
22 he was letting the RCC know.

23 And we were at that point monitored from afar, which is very  
24 difficult when you want to be more involved in a rescue, but it  
25 was in the RCC's hands, and we just stayed in contact with John



1 Baechler through the whole process after that. We also had -- we  
2 had some other contacts there too. Quite a lot back and forth  
3 between Third Edge Heli and ourselves, and John, and the, you  
4 know, and Soloy. But that's the bullet points.

5 Q. Okay. Did you ever get a sense from Brad as to where he got  
6 that information that they were inbound?

7 A. Radio. I don't know. I've thought about this a lot, as you  
8 can imagine, and I don't, I can't, I can't speak to that. I just,  
9 I've thought about this a lot. I don't know why Brad thought they  
10 were inbound when they were not.

11 Q. Okay.

12 A. Or why he said that.

13 Q. Yeah. The procedures that Desi follows for doing the flight  
14 following, is, I guess, I should ask, is there a procedure that he  
15 follows? Is there like a document that the flight followers have  
16 of what they're supposed to do, and what the expectations are?

17 A. Yeah. I don't want to get caught up using a term wrong, but  
18 flight following is, I think, identified in plans, but it's also  
19 used regularly just to mean the specific programs that which you  
20 track an aircraft. So he -- as anybody who is kind of doing --  
21 has those duties for the day, they're monitoring the radio,  
22 they're monitoring flight following programs, and they're also  
23 following the inReach program, and communicating that way. And  
24 then we also have sat phones as well on most of our operations.  
25 So there's lots of duties that these guys have to monitor the

1 progress. For this remote operation, it was the inReach, the  
2 SilverEye flight tracking, and then Third Edge had  
3 responsibilities there too.

4 Q. What responsibilities does Third Edge have?

5 A. Well, they had a -- because of the proximity of the  
6 operation, the reason -- part of the reason we agreed to do this  
7 two-day operation there was because Third Edge had machines  
8 operating in the same area. They were working out of Meier Lake,  
9 and this -- and Third Edge actually got the house and the lodge,  
10 and they were -- so it was -- we were willing to go out there  
11 because of Third Edge's support.

12 We used Third Edge's radios, and had -- Third Edge provided  
13 us with those frequencies. We provided them with Soloy so that  
14 they'd have the best communications both guide to pilot, and also  
15 pilot to base. Because there's no way radios are going to work  
16 towards our base at that great distance, if that makes sense. And  
17 there was a lot of other things that were combined on that as  
18 well. Airbags, beacons. It was just a joint, a joint effort  
19 there, but the guides and the pilot were -- and the helicopter  
20 with Soloy and Tordrillo Mountain Lodge.

21 Q. You mentioned that the flight took off kind of late, closer  
22 to 4 p.m. Why was that?

23 A. I believe that it had to do with clearing weather there.  
24 They might have been able to get out a little earlier than that,  
25 but I -- in the morning they indicated they were waiting for

1 things to improve.

2 Q. Okay. So just thinking back to the question that I asked  
3 you, if there's some sort of written documentation about what the  
4 -- what Desi's role was, if you will, in this dispatch flight  
5 following of these programs. Is there -- how do they know what  
6 they're supposed to do? Is there something written?

7 A. Well, there's training that goes on, and then certainly we  
8 have written plans from an operating plan standpoint, and an ARP  
9 where we -- we look for communication as often as 30 minutes, and  
10 have the ability prearranged to go to 90 minutes, and with the way  
11 that communication can be -- direct communication or it can be  
12 inReach or it can be the flight following and flight tracking.  
13 There's different ways to do that. So --

14 Q. Okay.

15 A. -- yes. We have all of those listed in our plans for sure.

16 Q. And Desi mentioned to us that he is a guide as well.

17 A. Yes.

18 Q. Is that typical? Is it just guides that rotate through, and  
19 have this role on occasion?

20 A. It's typical. We have some people who just dispatch, but for  
21 the most part, it's -- we tend to have -- it tends to be a guide  
22 rotation. It's a good way to do it so the guides get a day not in  
23 the field, but also if they -- guides tend to have some rescue and  
24 resource experience. So I don't know, we find it a good fit to  
25 have guides do it.

1 Q. Okay. You mentioned that there's --

2 A. It's often rotated into newer guides, who are working their  
3 way into being that lead guide position.

4 Q. And these guides, are they employees of the lodge or are they  
5 employees somewhere else contracted to the lodge?

6 A. They are employees for the lodge.

7 Q. Okay. And you mentioned training. What is the training that  
8 they get?

9 A. For this flight following and things like that?

10 Q. Yeah.

11 A. We, you know, with COVID, everything was a little different  
12 this year. We did a lot of -- a few days of Zoom meetings, and  
13 covered all the basics there. We have basically a list of tabs  
14 because it ends up being a lot of, as you can imagine the way I  
15 just described it, you have a computer up, and you have several  
16 tabs going, and you're constantly moving between the one where we  
17 actually do some dispatch recording and logging to the one that,  
18 you know, there might be a couple different flight following  
19 companies we use as well as the inReach, as well as e-mail. So  
20 it's you can set those up on your own computer or use the company  
21 computer that's there. And then a lot of us have experience in  
22 doing that. So every year we sit down, and when somebody is doing  
23 it their first day, they get overseen by one of us who has done it  
24 a lot.

25 Q. Okay. You mentioned there are some people who just do the

1 dispatching. Are they --

2 A. Well, it's only during the busiest weeks we may bring that  
3 in. We prefer the system with the guide, with a guide doing it.  
4 If somebody is a little hurt, they might slide into that role to  
5 heal up. So --

6 Q. So what is the -- sorry. Is there a -- is there something  
7 written in the contract between the lodge and Soloy that says that  
8 this dispatch slash flight following or flight tracking will  
9 occur?

10 A. I don't have that in front of me. We do have a contract with  
11 Soloy, and -- not going to answer it. So --

12 Q. Yeah.

13 A. -- I don't have it in front of me.

14 Q. Okay. And when the guides are doing this dispatching and  
15 flight following, do they have any other duties beyond that during  
16 the day or that's their responsibility only?

17 A. That's their responsibility.

18 Q. Okay. About how many helicopters might they be monitoring at  
19 a time or aircraft?

20 A. Three or four.

21 Q. Okay.

22 A. And I will say that I want to clarify that we do have  
23 non-guides dispatch sometimes as well. For instance, the lodge  
24 manager often does it, and the facilities manager is trained, and  
25 we have a couple people that will just do that as their role. So

1 it's not just guides, but we don't let just anybody dispatch  
2 either.

3 Q. Okay. And you say dispatch. Do they have any formal  
4 dispatch training outside of what the lodge provides?

5 A. We don't require that.

6 Q. Okay.

7 A. And it's -- and to be clear, it's -- we call it in our work  
8 it's radio communications. So --

9 Q. Okay. Got you. I'm just scrolling through my questions.  
10 Give me one -- just a minute. Are you a pilot?

11 A. I am not.

12 Q. Is there any pressure from the clients, the guests that come  
13 to your lodge? Do you ever feel like there's pressure from them  
14 that they put on pilots or guides to maybe continue a flight, if  
15 they don't feel comfortable continuing a flight?

16 A. You know, as a guide, I'll say that people sometimes want to  
17 go to terrain that we're not willing to take them. I don't hear  
18 about -- I don't hear clients pushing pilots. That would be  
19 pretty darn rare. I haven't seen that.

20 Q. Okay. Have you ever had any complaints from guests about  
21 pilots doing something that's not safe?

22 A. I'm just thinking. No.

23 Q. Okay. Have you done this dispatching role before?

24 A. I've done the base communication role before.

25 Q. Okay. I mean, what would you consider, like, how would you

1 consider the workload in doing that? Is it pretty easy or light,  
2 medium?

3 A. It's manageable. It's manageable.

4 Q. Okay. Do you work with any other helicopter operators?

5 A. You mean does Tordrillo --

6 Q. Um-hum.

7 A. -- work with other heli operators?

8 Q. Yeah.

9 A. We have worked with some other heli operators over time for  
10 sure. Soloy is our -- been our primary provider though for I  
11 forget how many years now.

12 Q. Okay. What do you -- what is the -- you've been operating  
13 with them a long time. What do you feel are their biggest  
14 strengths? Why do you continue to work with them?

15 A. Soloy has been, I guess, they've been there for us. We've  
16 been -- we've grown together in heli-skiing as we've gotten  
17 larger, and I don't know how many machines Soloy has had over time  
18 as we've kind of grown as operation, but it's just been a -- to me  
19 it's been a great partnership. We all know each other, and we're  
20 just, you know, if there's an issue, they fix it.

21 Q. Okay.

22 A. They have a lot of pilots. They have great mechanics. They  
23 take everything seriously. Really good, really good relationship  
24 with Soloy.

25 DR. WILSON: All right. Hey, thanks, Mike. I'm going to see

1 if anyone else in the room has some questions for you at this  
2 time.

3 Shaun?

4 MR. WILLIAMS: No. I don't have anything.

5 DR. WILSON: Nothing from Fabian.

6 Greg.

7 BY MR. KING:

8 Q. Yeah, Mike, I'll just ask you what I asked Desi, but was  
9 there a copy of the company, the Soloy Company ERP delivered out  
10 there this year?

11 A. Yes, there was.

12 Q. Okay.

13 A. It was just in that logbook in the, you know, in the book.  
14 It sits right in --

15 (Simultaneous speaking.)

16 A. -- the main table area there.

17 Q. Yeah.

18 A. At the base radio.

19 Q. Okay. Did the pilot ever make any contact out to Judd Lake  
20 at all? Clearly, he was operating remote from --

21 A. Yeah. So he -- I had some texts with him to clarify that had  
22 good communication with Sean McManamy, our guide, and was involved  
23 in that communication to make sure that was a smooth hand-off. I  
24 provided, I think, I think he and maybe John Baechler the radio  
25 frequencies, things like that. But, yes, Sean was our point of



1 contact to -- once we did that, Sean was the point of contact to  
2 Zach, but I know they had -- they were communicating well. In  
3 fact, I communicated with them about DRFs, where we keep -- that  
4 information, things like that.

5 Q. Okay. Sounds good. And do you know if he was part of the,  
6 like a morning briefing with -- in the usual fashion?

7 A. Yeah. So our morning brief, our morning meeting is -- the  
8 guides are mandatory, and we like pilot representatives. I,  
9 honestly, can't say who all had dialed into those. I know that  
10 Sean and Greg both spoke up in those meetings on the -- on Friday  
11 and Saturday.

12 Q. Okay. So he could well have received a meeting briefing from  
13 McManamy or --

14 A. Right. And that's how we tend to do it. We just want to  
15 make sure that one of the Soloy pilots is present to -- each  
16 morning just to talk about everything from weather to planning,  
17 and then as you know, that meeting and notes are available online  
18 as well so people can get that launch -- those launch times.

19 Q. Yeah. Yeah. Okay. So --

20 A. And that day, I followed up with calls with possibly Sean,  
21 definitely Greg, just to kind of keep in touch on the -- what the  
22 plan was going to be.

23 Q. Yeah. So he had good communication via the --

24 A. Yeah.

25 Q. -- back to you like a --

1 A. Yes, sir.

2 Q. Sounds good. And then you were just saying you thought it  
3 was weather delays in the morning for launch, and --

4 A. Yeah. I guess, I can't speak to it exactly. We delayed a  
5 little bit at Judd Lake before we launched our groups out there,  
6 and that's -- that was my understanding that -- but you can't hold  
7 me to it. I could -- we could check a little more on the weather,  
8 but that was my understanding is they just wanted things to clear  
9 off a little more.

10 Q. Clearly it was a flyable afternoon with regard to the  
11 aircraft being up there and operating.

12 A. Right.

13 Q. Yeah.

14 MR. KING: I've got no further questions.

15 DR. WILSON: Matt.

16 BY MR. RIGSBY:

17 Q. Just a couple, Mike. This is Matt Rigsby. Have you ever  
18 seen anybody from the FAA visit the lodge and specifically look  
19 at, like, the flight following that you all do or ask for an  
20 overview of it?

21 A. No, I don't believe that's happened. I've just been these  
22 -- I've been involved in the lodge many years, but I'm spending  
23 more and more time there over the last few years, and I don't know  
24 that that has ever occurred.

25 Q. Okay.

1 A. If it has, it hasn't been for awhile.

2 Q. Okay. Are you aware were there other aircraft in the air or  
3 that Brad may have confused 351 with when he told you they were  
4 returning to base? Was there another aircraft that had that last  
5 lift time around 7:40?

6 A. So the other helicopters were operating as Third Edge Heli,  
7 and they were kind of co-backup. We were -- Third Edge Heli and  
8 Tordrillo have worked together many years. A lot of their guides  
9 are -- have guided for us. Greg Harms, the owner of Third Edge,  
10 has worked with us for many years. So the plan was that they  
11 would be -- they weren't planning on necessarily like flying  
12 together in close proximity, but that they would be communicating,  
13 and then they could be there for support because they're a lot  
14 closer than we would be for Judd Lake.

15 Whether they were -- whether that's where this communication  
16 came, I don't know. So meaning, like, I don't know if Brad  
17 thought it was -- misheard one of them. I don't know if they were  
18 still in the air, I can't speak to that, when we did identify  
19 there was a problem, if they tried to rally those machines, but I  
20 think they were already doing something different with them maybe  
21 taking some guests to Anchorage or something.

22 Q. Okay.

23 A. I can't -- I never got good information on that.

24 Q. Okay. You mentioned that you keep minutes of the meetings.  
25 Do you log the attendees as well who attends the meetings?

- 1 A. I'm sorry?
- 2 Q. The meetings, those morning safety briefings --
- 3 A. Yes.
- 4 Q. -- do you -- you said you log the minutes and post them  
5 online. Do you all log the attendees of who attends them as well?
- 6 A. I believe so. A lot of time it just auto-fills the days  
7 before but --
- 8 Q. Okay.
- 9 A. -- yes. It wouldn't necessarily log people though if the  
10 -- yeah, I mean, we, we try to.
- 11 Q. Okay. Last question is does the lodge provide personal  
12 locator beacons for guests?
- 13 A. I'm sorry?
- 14 Q. Does the lodge provide personal locator beacons for the  
15 guests?
- 16 A. As in avalanche transceivers?
- 17 Q. Yeah. Or just beepers or -- if they request it, or is it  
18 something standard that they --
- 19 A. Yeah. So, I guess, I'm not clear. There's avalanche  
20 transceivers, which are to locate each other in the group, and  
21 then there's more GPS things like these inReaches that we're  
22 talking about, which is -- so I'm not sure which you're asking  
23 about, but, yeah.
- 24 Q. More like the inReach.
- 25 A. Oh, no. We don't provide those for guests. Some guests, I

1 know some guests own them, but I've never seen anybody use one.

2 Q. Okay. That's it.

3 A. And I'm not sure if I was clear about those radio calls when  
4 you were talking about could Brad have mistaken one for another.  
5 I guess all I was asking him about was 351 at the time.

6 Q. Okay.

7 A. And then, yeah, far as the transponders go, like I said, I --  
8 might have confused earlier. Third Edge did supply avalanche  
9 transceivers --

10 Q. Okay.

11 A. -- to the group, but not that -- not a GPS transponder. That  
12 wouldn't be normal for in this industry.

13 MR. RIGSBY: Okay. Thank you.

14 DR. WILSON: All right. Thanks, Mike.

15 I'm just going to -- anybody else last minute questions?

16 All right, Mike, well, I really appreciate you taking the  
17 time to talk to us. We've asked you a lot of questions. Is there  
18 anything that we didn't ask you that you think we should have  
19 asked you?

20 MR. RHEAM: Let me think about that for a second. Feel like  
21 you've covered the main, the main points in this. I don't, like I  
22 said, I don't necessarily understand what the NTSB -- it sounds  
23 like you do this for more of a safety type report, but I hear it's  
24 a very big part of what happens, and I know that, I guess, what do  
25 we expect? Something in the paper said there's going to be a

1 report tomorrow, and that I never -- I know not to believe  
2 everything I read in the paper, but, I guess, can you explain what  
3 the process is?

4 DR. WILSON: Sure. So there's multiple steps and multiple  
5 reports that will eventually come out. But what they're most  
6 likely referring to about coming out tomorrow with a preliminary  
7 report, which just has very basic information about what we know  
8 about the accident, like the time and the location and things like  
9 that. And then there might be a little bit additional information  
10 in there.

11 And then we have groups that have formed, like, right now  
12 Shaun and myself, we have a Operations/Human Performance Group,  
13 and then there's other groups that have been formed with  
14 specialists looking at the structure, the engine, those type of  
15 things, and then each of us will create a factual report at some  
16 point in the investigation. And all of that will eventually  
17 become a part of our public docket.

18 And so this conversation that we have today, the transcript  
19 will eventually become an attachment to our factual report, and  
20 that will become released. And then the next step after that will  
21 be the different specialists create analysis reports, and then all  
22 of that gets combined into a final report for the investigation.

23 So there's -- it's a multi-step process. It's possible that  
24 this could go to a board meeting. There's lots of things that can  
25 happen as we move forward with the investigation depending upon

1 what we find. But the NTSB is in charge of the investigation  
2 itself, determining the probable cause, and issuing any safety  
3 recommendations that we think are critical to the investigation,  
4 and improving safety.

5 MR. RHEAM: Okay. So is that big a report, is that -- I've  
6 been hearing things like a year. Is that an accurate statement?

7 DR. WILSON: Yes. Most likely. But if we find that there is  
8 a safety concern that's a level of criticality that we think can't  
9 wait to be addressed for year, then that's obviously something  
10 that we would work with that organization to address that prior to  
11 the final report being released.

12 MR. RHEAM: Well, I know everybody is looking for answers,  
13 including us, and it's been such a tragic event on everybody that,  
14 I mean, I, I apologize for not being a little more forthcoming  
15 with you. I'm helping with just helping with families, and trying  
16 to get through these processes here that it was just a couple  
17 e-mails, but I do want to say that we want to help, and help get,  
18 you know, help in any way we can to provide the answers everybody  
19 is looking for.

20 And along those lines, we do have some photos that I don't  
21 know if you have great photos of the site or not, but when this  
22 occurred, we got some photos in the morning sometime between when  
23 the (indiscernible) was there and when your rescue, when they went  
24 up to recover the deceased. So --

25 DR. WILSON: Okay. Yes. We would definitely be interested

1 in seeing those photos, and we might have a couple of additional  
2 requests that I'll send you an e-mail with maybe some documents  
3 that could help us to better understand things.

4 MR. RHEAM: Okay. You bet. I'm sure there will be some  
5 follow-up.

6 DR. WILSON: Yes. And if you think of anything after our  
7 conversation, anything you want to clarify or additional  
8 information that you think is relevant, please don't hesitate to  
9 reach out to me. We always want to gather as much information as  
10 we can to make sure we have the most complete picture of what  
11 happened.

12 MR. RHEAM: Okay.

13 DR. WILSON: Well, thank you again, Mike, and condolences for  
14 the loss of some of your colleagues and friends. I know that this  
15 is a difficult time in any of these investigations, and we really  
16 do appreciate you taking the time to talk to us.

17 MR. RHEAM: Yeah. Thank you. Yeah. It's been a difficult  
18 13 days. I just realized. I can't believe it's that many days  
19 already, but thank you for your consideration, and we'll be in  
20 touch.

21 DR. WILSON: Sounds good. And thank you, Tim.

22 MR. LAMB: Oh, you bet, you bet. Thanks a lot.

23 DR. WILSON: Bye-bye.

24 (Whereupon, the interview was concluded.)

25



CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

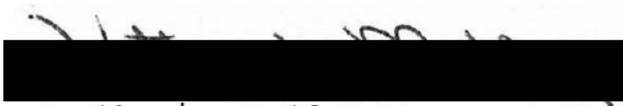
IN THE MATTER OF: FATAL AIRBUS AS350B3 HELICOPTER  
CRASH NEAR KNIK GLACIER, PALMER,  
ALASKA, ON MARCH 27, 2021  
Interview of Michael Rheam

ACCIDENT NO.: WPR21FA143

PLACE: Via telephone

DATE: April 9, 2021

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Katherine Motley  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

FATAL AIRBUS AS350B3 HELICOPTER \*

CRASH NEAR KNIK GLACIER, PALMER, \*

Accident No.: WPR21FA143

ALASKA, ON MARCH 27, 2021 \*

\*

\* \* \* \* \*

Interview of: PAULA HUCKLEBERRY, Principal Operations Inspector  
Federal Aviation Administration

Via videoconference

Monday,  
April 19, 2021



APPEARANCES:

JOSHUA CAWTHRA, Investigator in Charge  
National Transportation Safety Board

KATHERINE WILSON, PhD, Investigator  
National Transportation Safety Board

D. SHAUN WILLIAMS, Investigator  
National Transportation Safety Board

FABIAN SALAZAR, Investigator  
National Transportation Safety Board

MATT RIGSBY, Inspector  
Federal Aviation Administration

SABRINA WOODS, Inspector  
Federal Aviation Administration

GREG KING, Party Representative  
Soloy Helicopters

MARK TOMICICH, Attorney  
Federal Aviation Administration  
(On behalf of Ms. Huckleberry)

I N D E X

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I N T E R V I E W

(2:00 p.m. CDT)

1  
2  
3 MR. WILLIAMS: All right, Paula. My name is Shaun Williams.  
4 I'm the operations group chairman with the NTSB, to talk about the  
5 accident, the Soloy accident up near Palmer. There's no -- we're  
6 an independent agency. Our whole purpose is to determine the  
7 probable cause and prevent it from happening again, what happened,  
8 why it happened, and make sure it doesn't recur. So we have no  
9 regulatory or enforcement powers.

10 The way we do the interviews is it's a group format, so each  
11 person will take turns asking questions, and we'll go around the  
12 virtual room here. Usually it's two rounds, and that does it;  
13 we'll cut you free for the day.

14 So I introduced myself, but we'll go around and let everyone  
15 introduce themselves. Katherine?

16 DR. WILSON: Hi, Paula. My name is Katherine Wilson. I'm a  
17 human performance investigator with the NTSB.

18 MR. WILLIAMS: Fabian?

19 MR. SALAZAR: Hello, Paula. My name is Fabian Salazar. I'm  
20 assisting in operations.

21 MR. WILLIAMS: Josh?

22 MR. CAWTHRA: Yeah, hey, Paula. It's Josh Cawthra. I'm the  
23 investigator in charge (indiscernible).

24 MR. WILLIAMS: Matt?

25 MR. RIGSBY: Hey, Paula. Matt Rigsby with the AVP-100 Office

1 of Accident Investigation. I took over this investigation from  
2 the Anchorage FSDO, Matt Carey (ph.), who was our initial person  
3 on sight, and that's it. Thank you.

4 MR. WILLIAMS: Sabrina?

5 MS. WOODS: Hi, Paula. I'm also from the AVP-100 Office of  
6 Accident Investigation, and I am human performance.

7 MR. WILLIAMS: And Greg?

8 MR. KING: Good morning, Paula. Greg King, party  
9 representative of Soloy Helicopters.

10 MR. WILLIAMS: So, Paula, are you okay talking with all of us  
11 here today?

12 MS. HUCKLEBERRY: Yes, I am.

13 MR. WILLIAMS: Okay, perfect. So, like I said, we'll be  
14 using a tape recorder to record the interviews which'll then be  
15 sent off for transcription. The transcript, not the audio  
16 recording, will be a part of the public docket when all our files  
17 and things are released.

18 We're not here to assign fault, blame, or liability. We're  
19 just -- this is the fact-finding phase of the investigation.  
20 We've done interviews up in Alaska with Soloy, and so we want to  
21 talk with you and get your perspective and your point of view on  
22 some things. We cannot, however, offer any guarantee of  
23 confidentiality or immunity. Like I said, it's all going to be  
24 released with the accident.

25 Please answer all the questions to the best of your

1 recollection. If you don't remember something or understand the  
2 question, you know, please let us know. Same time, if you realize  
3 you misspoke and want to go back and change an answer, please do  
4 so. We want the most accurate understanding and record as  
5 possible. Okay?

6 You are entitled to have one representative of your choosing  
7 with you. Is there somebody you would like to have?

8 MS. HUCKLEBERRY: I'll have Mark sit in with me.

9 MR. WILLIAMS: Mark, as always, you may direct Paula not to  
10 answer a question or request a short break to confer with her.  
11 You may not, however, answer questions for her.

12 So are there any questions for us before we get going?

13 MS. HUCKLEBERRY: I have none.

14 MR. WILLIAMS: Okay.

15 INTERVIEW OF PAULA HUCKLEBERRY

16 BY MR. WILLIAMS:

17 Q. So, Paula, can you start off, can you spell your first and  
18 last name for us?

19 A. P-a-u-l-a, Huckleberry, H-u-c-k-l-e-b-e-r-r-y.

20 Q. Okay. And what is your position with the FAA?

21 A. Currently, I'm a front line manager with the rotorcraft  
22 helicopter unit. At the time of the accident, I was principal  
23 operations inspector for Soloy.

24 Q. Okay. Can you kind of give us a general overview of your  
25 background, how you got to where you are?

1 A. I started with rotorcraft flight training in the United  
2 States Army. After my Army service, I immigrated to Canada, flew  
3 commercially with Canadian commercial helicopter pilot certificate  
4 for approximately 6 years. Returned to the United States to  
5 another helicopter position with a California operator. Flew for  
6 them for several years.

7 Just prior to that, I obtained my fixed-wing ratings using  
8 the (indiscernible) and that included ATP, multi-engine, CFII,  
9 helicopter and airplane, flight engineer, turbo jet, ground  
10 instructor, advanced and instrument. After my helicopter stint in  
11 California, I accepted a corporate position with a major defense  
12 contractor in the LA area. Flew Bell 222 helicopters IFR and  
13 Citation and King Air in the department. Left that position in  
14 1990 and went overseas for a major environmental organization  
15 flying Hughes 500D off of boats.

16 Came back to Alaska -- I did that for approximately 10 years.  
17 Came back to Alaska in about 2001. Went to work for an Alaska  
18 helicopter operator that's now out of business, then went on to  
19 help Chris Soloy with the rebirth of Soloy Helicopters. I was on  
20 board there as the chief pilot. Following that, I retired from  
21 active flying and I went south and got a CDL and did a little bit  
22 of over-the-road trucking. Did that long enough to know that's  
23 not where I wanted to spend the rest of my life. Came back to  
24 Alaska and was employed by the FAA.

25 Q. Okay. So when did you get hired by the FAA?



1 A. 2016.

2 Q. Okay. And when did you become the POI for Soloy?

3 A. Probably 2 -- I want to say 2 -- 2018, approximately.

4 Q. Okay. So besides Soloy, how many other certificates were you  
5 responsible for?

6 A. I think I had -- at the time, I had approximately seven  
7 certificates.

8 Q. And that was at the time of the accident you had seven?

9 A. Yes.

10 Q. Okay. All right. On average, about how much of your time  
11 were you able to dedicate to Soloy with everything else that you  
12 had?

13 A. About equal to my responsibilities with the other operators.

14 Q. Okay. So besides your oversight activities with Soloy, were  
15 you also doing check rides? What were your other duties that you  
16 did?

17 A. I did do some check rides, most recently check airman  
18 observations, and I'm not currently flying.

19 Q. Okay. When was the last time you were at Soloy, do you  
20 remember, prior to the accident?

21 A. I don't recall a specific date.

22 Q. Okay. General, was it a month? Was it 6 months? Do you  
23 know about when it was?

24 A. I may have done a check pilot observation a year ago.

25 Q. Okay.

1 A. Prior to COVID.

2 Q. Okay. Have you been back since COVID?

3 A. I have not.

4 Q. Okay. So between then and the accident, what type of  
5 oversight activities took place?

6 A. Conducted a flight operations observation in December, I  
7 believe, of last year.

8 Q. December of 2020?

9 A. Yes.

10 Q. Okay. So then was it just an observation? I guess, when was  
11 the last time you observed like operational control and done full  
12 surveillance of Soloy? Like operational control inspection --

13 A. That would've been --

14 Q. Sorry.

15 A. I'm sorry. Finish your question.

16 Q. No, that's kind of -- the operational control inspections,  
17 base inspections, like routine surveillance.

18 A. That was done in the third quarter of 2020. And it's now due  
19 this quarter, in '21.

20 Q. Okay. And do you know if that was operational control,  
21 flight locating? Do you know what was done then?

22 A. Both of those were included in the operations management 3.0  
23 in SAS.

24 Q. Okay. So did Soloy get a higher level of attention beyond  
25 what -- just what was put in for SAS? As far as what SAS kicked

1 out, was there -- did you try to do additional surveillance in  
2 between there or did it kind of stick Soloy to what SAS generated?

3 A. Typically, it's SAS related with the exception of special  
4 projects, i.e. avalanche control. They frequently would call me  
5 with their (indiscernible).

6 Q. Okay. Did you ever observe the heli-ski operation?

7 A. While I was an employee, yes.

8 Q. Okay. But not as POI?

9 A. No.

10 Q. Okay. When you were an employee, did you fly the heli-ski  
11 op?

12 A. On one occasion for a training of another pilot in a specific  
13 aircraft.

14 Q. Okay. So Soloy does remote operations, some further out than  
15 others. Did -- as a POI, did you ever observe any of their remote  
16 operations, either announced or unannounced?

17 A. I did not.

18 Q. Do you know if anyone from the CMT did?

19 A. I do not know.

20 Q. Okay. Did other inspectors -- are you aware of other  
21 inspectors I guess conducting any surveillance for you or -- like  
22 geographic or otherwise of Soloy?

23 A. I've asked other inspectors to conduct check rides.

24 Q. Okay. All right. Tell me a little bit about the training  
25 program at Soloy. How would you kind of describe that?

1 A. They have a published training program of which we have  
2 manuals. My experience with the operator, they conduct excellent  
3 training and frequently go outside of Alaska to attend  
4 manufacturing -- or manufacturer's recurrent or initial flight  
5 training on some aircraft.

6 Q. Is there any specialized training such as like heli-ski, deep  
7 snow toe-ins, more the non-normal like specialty type curriculum?

8 A. They do all of that training and to include deep snow, flat  
9 light, controlled flight into terrain avoidance.

10 Q. Okay. Is any of that -- is there -- is that stuff required  
11 to be in the training program per 8900 regulation or is that  
12 something that they do above and beyond?

13 A. Some of that's above and beyond. The restrictions to  
14 visibility training, flat light and white or brownouts, are  
15 required by regulation.

16 Q. Okay.

17 A. To include CFIT avoidance.

18 Q. Okay. So, as a POI, part of your responsibility was  
19 approving training program revisions and things like that,  
20 correct?

21 A. Correct.

22 Q. So, if some of those items, like maybe the deep snow or the  
23 heli-ski, is not a required element, how do you evaluate that  
24 before stamping the approval?

25 A. I don't believe they have a reference to deep snow.

- 1 Q. Okay.
- 2 A. So that's not something I would evaluate.
- 3 Q. Okay. What about like the heli-ski?
- 4 A. I have not seen a specific heli-ski training reference,  
5 although I did have knowledge, first-time heli-ski pilot got  
6 extensive training in mountains with skiers and guides.
- 7 Q. Okay. So when they -- when an operator conducts training  
8 that's above and beyond the training program, and that's not  
9 necessarily a required element, is there any sort of FAA oversight  
10 of that additional training?
- 11 A. No.
- 12 Q. Okay.
- 13 A. No.
- 14 Q. To your knowledge, was -- did you guys ever request that  
15 training to be put in the training program for Soloy?
- 16 A. I did not.
- 17 Q. Okay. All right. Can you describe the CFIT training?
- 18 A. CFIT training consists of lecture, some video training, and  
19 practical exercises in the mountains. It's pretty easy to find  
20 flat light here in Alaska.
- 21 Q. Okay. Have you ever observed the CFIT training as POI?
- 22 A. Yes.
- 23 Q. Do you believe it's adequate?
- 24 A. Yes.
- 25 Q. Let's talk for a minute about company check airmen and

1 instructors. Do you know how many they have?

2 A. They have four check airmen and instructors.

3 Q. So do you play any -- what role do you play in the approval  
4 of people for that position of instructor or check airman?

5 A. Well, I -- on initial check airmen, I conducted their review  
6 of training and gave them check rides.

7 Q. Okay. Anything on an ongoing or recurring basis?

8 A. I don't have a current medical.

9 Q. Okay.

10 A. So I have to -- if they're due -- I can do -- up until I  
11 accepted the new position, I could do check airman observations,  
12 which I did a couple times in the last 2 years.

13 Q. Okay.

14 A. If they need a -- if it's an initial check airman, I would  
15 farm it out to one of the current inspectors.

16 Q. So where would a check airman go to find what's required for  
17 a check ride, what elements are required?

18 A. That's outlined in their training program.

19 Q. Okay. Is the 8410, the check ride form, is that to be used  
20 as a checklist on a check ride?

21 A. It is not a checklist. It's a report of performance.

22 Q. Okay. Does it contain all the required items, or are there  
23 additional items for the check ride?

24 A. It would at least contain all the required items, yes.

25 Q. Okay. So I know there's a Table in the 8900, 3-71. Does the

1 8410, do you know, does that contain all those items that are in  
2 the Table as well?

3 A. I believe it does.

4 Q. Okay. So inadvertent IMC training -- sorry, inadvertent IMC  
5 checking. Let me be clear. On the check ride, on the 293, how is  
6 that checked?

7 A. Please repeat the question.

8 Q. How -- for inadvertent IMC, how is that evaluated on a check  
9 ride, on a 293(b)?

10 A. The pilot being checked is put under the hood and doing  
11 various scenarios. And okay, how would you get out of this? You  
12 went inadvertent IMC; what are you going to do now to get out of  
13 it?

14 Q. Is it up to each check airman to kind of develop their own  
15 scenario?

16 A. Yes.

17 Q. Okay. So unusual attitude recovery, when that's accomplished  
18 with a view-limiting device such as foggles or a hood -- I know  
19 with a helmet (ph.) it's more foggles -- is just doing the unusual  
20 attitude recovery, does that suffice for the inadvertent IMC  
21 checking, or is there more to it than that?

22 A. Well, it's two separate items. One is unusual attitude  
23 recovery, and IMC recovery is totally different.

24 Q. Okay. So if only the unusual attitudes is accomplished and  
25 not the other, the inadvertent IMC, like the second item that you

1 mentioned, is that still a valid check ride?

2 A. I would have to look at documents. I don't believe that IMC  
3 is a required item on a checklist.

4 Q. Okay.

5 A. Or on a check.

6 Q. Okay.

7 A. And that could be also tabletop.

8 Q. So where would it be -- where would it -- I guess, what  
9 guidance is there to say what can be tabletop'd and what is  
10 practical, in the aircraft?

11 A. The check airman has certain choices they can make. The  
12 check airman observations I've done, they do both, inadvertent IMC  
13 -- in fact, every one I've seen, they do inadvertent IMC, and they  
14 also do at least two unusual attitude recoveries. Some of the  
15 emergency procedures may be tabletop'd, and that's indicated in  
16 the 8040. For example, tail rotor failures can be tabletop'd.

17 Q. And what document did you say, the 8040?

18 A. Well, the -- I'm not very good with numbers. The check ride  
19 form.

20 Q. Okay. Oh, on the actual -- that -- the 8410, the check ride  
21 form that you would sign down at the bottom?

22 A. Yes.

23 Q. Okay. All right.

24 A. Yes.

25 Q. All right. So tell me, when you did check rides, Paula, how



1 did you evaluate the inadvertent IMC?

2 A. I put the applicants on -- under the hood and basically  
3 simulate going into IMC, and then you expect them to do a  
4 particular maneuver or several maneuvers. Maybe the best one is  
5 do a 180-degree turn and descend 300 feet. Depending on how you  
6 went into the IMC conditions and the terrain you're in, it could  
7 possibly be just a descent. If you're unable to get out of the  
8 IMC and the aircraft is equipped, declare an emergency and get  
9 vectors for an instrument approach.

10 Q. So is the descent to 300 feet and the 180-degree turn,  
11 obviously not necessarily in that order, is that in -- would that  
12 be found in the training program, or would that be found in a  
13 separate CFIT manual? You know where I could find that procedure?

14 A. I think it would be in published handbooks with the FAA.  
15 Sorry, my dog's barking at somebody outside.

16 Q. That's okay. Mine went nuts earlier, on the previous  
17 interview, so -- so, when you're observing check airmen, what do  
18 you look for? How do you determine who's going to be a good check  
19 airman?

20 A. I looked for the check airmen that have the proper evaluation  
21 skill to determine if a candidate is performing maneuvers  
22 correctly and how they would go about dealing with that if they do  
23 not.

24 Q. Okay.

25 A. The -- yeah. You know, there's a published criteria for if a

1 maneuver is done correctly as far as (indiscernible) to air speed  
2 control and so on.

3 Q. Okay. So I want to switch gears a little bit here. Let's  
4 talk about some operational control. First of all, what is  
5 operational control?

6 A. Operational control is the authority of the operator to  
7 initiate, continue, or end a flight.

8 Q. How does Soloy perform operational control?

9 A. Soloy Helicopters outlines their operational control in their  
10 GOM manual, assigns responsibilities.

11 Q. So, when you do an operational control inspection or  
12 surveillance, what are you looking for?

13 A. That they conduct the -- that they meet the requirements in  
14 the FARs and the guidance to exercise the control.

15 Q. Okay. Do you know how many people are authorize to exercise  
16 operational control on behalf of Soloy?

17 A. The overall responsibility is assigned to the director of  
18 operations. In his absence, it can then be delegated to other  
19 persons; for example, the chief pilot. For remote operations, the  
20 pilot in command has operational control to initiate flights.

21 Q. Is flight locating considered a part of operational control?

22 A. Yes.

23 Q. Okay. In remote operations, you said that the pilot in  
24 command can be delegated operational control to initiate flight.

25 And, if flight locating is a part of operational control, does

1 Soloy know when all their machines are in the air or when they're  
2 on the ground?

3 A. That's -- I don't really have a good answer for that. I know  
4 they would expect their aircraft in a remote operation to be  
5 flying.

6 Q. Well, let me ask this: who's responsible for flight locating?

7 A. Okay, again, the director of operations has overall  
8 responsibility for operational control and flight following.  
9 Flight following are fulfilled by filing FAA or company flight  
10 plans.

11 Q. Okay. So the GOM for Soloy states that, for remote  
12 operations, the pilot's required to check in at least once every  
13 7 days. So, if they're --

14 A. Yes.

15 Q. If they're expected to be flying while they're out there, but  
16 they're also only required to check in every 7 days, how is the  
17 flight locating being accomplished?

18 A. With a company flight plan.

19 Q. Okay.

20 A. In a remote area, the flight plan is filed over the  
21 responsible member of that party.

22 Q. Okay. So, if flight locating is operational control, and  
23 operational control is stated that people performing operational  
24 control have to be listed by name and title in either the 89 --  
25 sorry, A008 or the GOM, would the people, the responsible people

1 then have to be listed as well?

2 A. I don't believe so.

3 Q. Okay. All right. So A008, Paragraph A -- let me see if I  
4 can pull it up.

5 MR. TOMICICH: Shaun, if you're going to be referring to a  
6 specific document, I'd like to find out if Paula has access to  
7 that as well.

8 MR. WILLIAMS: Yeah, I was actually going to put it up on the  
9 screen, but yeah, we can see if Paula has it.

10 MR. TOMICICH: Okay. No, that's --

11 MR. WILLIAMS: Will that work?

12 MR. TOMICICH: Okay, that's perfect.

13 MR. WILLIAMS: Okay.

14 MR. TOMICICH: Yeah, sure.

15 MR. WILLIAMS: All right. Let me see here. Don't share so  
16 well with Zoom, but let me see what I can do.

17 (Pause.)

18 MR. WILLIAMS: Okay. So can you guys see the OpSpec?

19 MR. TOMICICH: I can see it.

20 Paula, do you see it?

21 MR. HUCKLEBERRY: I see it.

22 MR. TOMICICH: Okay, go ahead.

23 MR. WILLIAMS: Thanks, Mark.

24 BY MR. WILLIAMS:

25 Q. So, for the record, I opened up Operations Specification,

1 Paragraph A008, dated February 8th of 2019. So, under Paragraph  
2 A, it says the system described and referenced below in the  
3 subparagraph must be used by the certificate holder that conducts  
4 operations in a Part 135 to provide operational control. So I'm  
5 looking at the 8900 guidance. This is where it would either be  
6 described in writing or reference to the manual, but with this one  
7 being blank, I'm kind of wondering what that means.

8 A. The A008 you're looking at, Shaun, isn't -- has been archived  
9 and corrected. This particular version, Headquarter Revision 040,  
10 was, due to a template change in the automation, the information  
11 wasn't carried over from the previous A008. That has been  
12 corrected, and there is a current A008 with that information.

13 Q. Okay. Do you know when it was corrected?

14 A. On the 12th, actually.

15 Q. Of April?

16 A. Yes.

17 Q. So this was the current -- this was the version that was  
18 issued and maintained by the operator and the FAA at the time of  
19 the accident though; is that correct?

20 A. Yes.

21 Q. Okay. But it was blank due to the template change in the  
22 update?

23 A. Yes, and the archived (indiscernible) before this was issued  
24 has references to the GOM.

25 Q. Okay.

- 1 A. And this was an oversight on my part, so it was my mistake.
- 2 Q. Okay.
- 3 A. But it still references -- the current paragraph and the  
4 archived paragraphs before that one all references the GOM.
- 5 Q. Okay.
- 6 A. And I have the current one if you want to see it.
- 7 Q. I'll get that through Matt. I appreciate that. Matt  
8 Rigsby's on here. He'll be able to pull that right down for me.  
9 Okay. So through -- trying to think. Since the accident -- or  
10 first of all, how were you notified of the accident? Let's start  
11 there.
- 12 A. I was notified by telephone the day of the accident at 8:52  
13 that evening.
- 14 Q. And who notified you?
- 15 A. Rob Gideon.
- 16 Q. And, when he did, what information did he relay to you?
- 17 A. That the aircraft was overdue.
- 18 Q. Did he mention how long overdue?
- 19 A. He mentioned the aircraft was due to return at 8:00 p.m.
- 20 Q. Okay. So, since the accident, has there been any additional  
21 surveillance of Soloy?
- 22 A. No, there has not.
- 23 Q. Has there been any changes as a -- to operational procedures  
24 or anything, either on their own or requested by you?
- 25 A. No, no changes were requested.

1 MR. WILLIAMS: Okay. All right. I think I've been talking  
2 for almost 45 minutes. I'm going to pass it off, Paula, to  
3 Katherine. Thank you.

4 BY DR. WILSON:

5 Q. Hi, Paula. Thanks so much. I just have a few follow-up  
6 questions.

7 A. Sure.

8 Q. When you were notified of the accident, what did you do?

9 A. I --

10 Q. Are there any steps as a POI that you're to follow?

11 A. Well, just I requested they stay in touch with me as things  
12 developed, and I asked if the NTSB had (audio drop) they said yes.

13 Q. Okay. Given that you formerly worked with Soloy, was there  
14 any issues, any special ethics review or anything, given that you  
15 were going to be the POI for the company?

16 A. The FAA has specific policies regarding a former employee  
17 going to work as one of their principal inspectors, and at -- I  
18 think it was 2 years at one time; I think it's since been revised  
19 to one year. But I left their employment in 2013, so we had no  
20 conflicts as far as accepting that assignment.

21 Q. Great. Shaun had asked you about flight locating and flight  
22 following. Can you help me understand what the difference is  
23 between flight locating and flight following?

24 A. I'm not sure the terms you're using -- the flight following  
25 basically is dispatch of an aircraft, and it goes to destination,

1 and it has an arrival report. Flight locating, basically the  
2 guidance says it can maintain radios -- Bear -- excuse me -- Bear,  
3 shut up -- I have a black lab, and he's a hooligan.

4 Q. My chocolate lab is as well.

5 A. Yeah. And okay, so if you can't maintain radio control, the  
6 individual authorized to exercise -- conduct control, in this case  
7 the pilot, provides a date and location and estimated time that  
8 they reestablish communication.

9 Q. Okay. So, under the regulations, is flight locating required  
10 then or is flight following -- which -- I've heard both of those  
11 terms, and in the 8900, I believe it says there has to be  
12 procedures for locating and following, but I know 135.79 has  
13 flight locating requirements. I'm just trying to understand  
14 what's really required versus not.

15 A. There is no requirement that an operator be able to maintain  
16 two-way radio communication with an aircraft in 135. 121, it may  
17 be different, but 135, there's no requirement for that.

18 Q. Okay. And so the flight -- is it the flight following or the  
19 flight locating that says that you need to have an ETA, and then,  
20 if the aircraft is overdue, you initiate the procedures for trying  
21 to identify the last position and communicating with that  
22 aircraft?

23 A. Yes.

24 Q. Is that the flight following or the flight locating?

25 A. That's flight locating.



1 Q. Okay.

2 A. They're almost synonymous. So --

3 Q. Well, I'm trying to understand --

4 A. -- in the guidance, locating systems, 135.79, each operator  
5 maintain a flight locating system that provide for the  
6 notification of a FAA facility if an aircraft is overdue or  
7 missing.

8 Q. So, as a POI or to your understanding of the regulation, is  
9 there then any requirement for an operator to track its aircraft  
10 prior to its ETA?

11 A. There's not.

12 Q. As a POI, do you find that there's any one area that where  
13 you spend most of your time? You know, typical day of Paula  
14 Huckleberry or a quarter, where do you feel you're spending most  
15 of your time as POI?

16 A. I spend a lot of time responding to requests from operators  
17 adding aircraft, removing aircraft, revisions to manuals,  
18 reviewing MELs and improving the same. Yeah, it varies daily.

19 Q. Okay.

20 A. Quite a few CFI renewals. Everybody in the FAA is taxed at  
21 times with responding to stakeholder requests, and I did several  
22 enforcement actions, and most of this is outside my duties as a  
23 principal operations inspector.

24 Q. So how would you characterize your workload?

25 A. My workload at that time was medium to busy.

1 Q. Okay. Manageable?

2 A. Oh, easily.

3 Q. Okay. I forget if we asked you this or not, but is there --  
4 do you have an assistant POI?

5 A. I do not. Bear --

6 Q. Maybe Bear wants to --

7 A. Can we take a --

8 Q. -- questions.

9 MS. HUCKLEBERRY: Can we just take a quick break? I think he  
10 wants to go outside.

11 DR. WILSON: Absolutely.

12 MS. HUCKLEBERRY: I'll be right back.

13 DR. WILSON: Okay. That's okay.

14 (Pause.)

15 BY DR. WILSON:

16 Q. And I -- now I've lost track. Did you answer, there's no  
17 assistant POI? Is that what you said?

18 A. I did. There's no assistant.

19 Q. Okay. Who do you normally interact with at Soloy?

20 A. Most frequently with John Baechler, the director of ops.

21 Q. Okay. When you came on as the POI, did Soloy already have  
22 their SMS program, or did that start after you became the POI?

23 A. They had a SMS program existing already.

24 Q. Was there any discussion that you had with them about them  
25 becoming part of the voluntary SMS program under the FAA?

1 A. We did not.

2 Q. Did you review it by chance?

3 A. I've reviewed it. I wrote it.

4 Q. Oh. So it was written back when you were at Soloy?

5 A. Yes, yes.

6 Q. Okay, okay. So given that it's not under the FAA's voluntary  
7 program, there's no oversight that you would do as a POI of that  
8 program?

9 A. Not currently.

10 Q. Okay. Do you recall when the program was being developed,  
11 was there discussion of join -- you know, it becoming a part of  
12 the FAA's voluntary program?

13 A. We didn't discuss it, and I'm going back (audio skip) with  
14 the operator. At the time, Medallion was still in operation, and  
15 in lieu of doing the Medallion thing, they just -- the company  
16 decided to implement their own SMS program. And although they're  
17 not required by the FAA, some of their clients do.

18 Q. Okay. What do you think, just your perspective of -- what do  
19 you think the benefit would be of falling under the FAA's  
20 voluntary program?

21 A. Well, SMS is, I think, proven to have benefits if operators  
22 really buy into it and implement it.

23 Q. Do you think that there is a benefit though being under the  
24 voluntary program versus just having -- being committed to an SMS  
25 program and having it as a part of your organization?

1 A. That's something I think the FAA is going to have more  
2 emphasis on. The push from our office seems to be voluntary --  
3 VSOP, voluntary safety -- or VSRP, voluntary safety reporting  
4 program. And I know Soloy has that under review. They haven't  
5 agreed to participate yet.

6 Q. Okay. And I believe in one of the interviews that we had  
7 with Soloy personnel a week or so ago, they had just recently had  
8 a BARS audit done. Do you look at those results?

9 A. I didn't know about it.

10 Q. Oh, okay. As your time -- during your time as a POI, did you  
11 ever make any recommendations to Soloy for changes to their  
12 manuals or procedures?

13 A. I don't recall any.

14 Q. Okay. How receptive were they to any feedback that you had  
15 for them in terms of any improvements that could be made, if you  
16 offered those?

17 A. Soloy is one of my best operators. They're very receptive  
18 and forthcoming in our relationship.

19 Q. Okay. You ever -- I think Shaun asked you if you had sat in  
20 on the CFIT training, but do you ever observe their training in  
21 general?

22 A. So I want to be careful in -- so I don't cut across any  
23 boundaries because I have personally witnessed their CFIT training  
24 as an employee.

25 Q. Um-hum.

1 A. In fact, I used to -- I was the primary instructor and check  
2 airman for them. That kind of training is done in the mountains,  
3 in bad weather, and I would not normally witness that. I have sat  
4 in on some ground training.

5 Q. That's exactly what I'm asking about, yeah, the ground  
6 training. Just -- and not even CFIT specific, but just their  
7 training in general.

8 A. Yes, I have.

9 Q. Okay. So, in your POI duties, you've done that?

10 A. Yes.

11 Q. Do you recall when might've been the last time you did that?

12 A. Probably 2019.

13 Q. Okay.

14 A. Approximately estimated.

15 Q. Right. I know things have been a little weird this last  
16 12 months.

17 DR. WILSON: Okay. Thanks, Paula. I think that's all the  
18 questions that I have for now.

19 MS. HUCKLEBERRY: Thanks, Katherine.

20 MR. WILLIAMS: All right. Fabian?

21 MR. SALAZAR: I don't have any questions at this time. Thank  
22 you.

23 MR. WILLIAMS: Okay.

24 Josh?

25 MR. CAWTHRA: No questions right now.

1 MR. WILLIAMS: Okay.

2 Matt?

3 BY MR. RIGSBY:

4 Q. Hey, Paula.

5 A. Hi, Matt.

6 Q. When you -- just so we make sure to get it right, how -- when  
7 did you start Soloy and when did you leave Soloy?

8 A. We started Soloy in 2011, and I left in 2013.

9 Q. And you started as the chief pilot?

10 A. I did.

11 Q. Okay. How many aircraft does Soloy have?

12 A. I think they have 19 currently, or maybe 18 with the  
13 accident.

14 Q. Okay. Have you had training in all those aircraft?

15 A. I have.

16 Q. (Indiscernible) I'm sorry.

17 A. Yes, I have.

18 Q. Okay.

19 A. Oh, maybe with the exception of the BK117. I have flown it  
20 in (audio skip) I have no formal training in the 117.

21 Q. Okay. Did you ever have the opportunity to fly with  
22 Mr. Russell, the accident pilot?

23 A. I did not know Zach.

24 Q. Okay. In their -- in Soloy's General Operations Manual,  
25 their GOM, do you know what their SAR overdue aircraft procedures

1 are and the time?

2 A. I believe they reference one hour.

3 Q. Do you know how they came up with that one hour by chance?

4 A. Soloy operations are widely scattered throughout the state in  
5 regions where reliable communication is often not available, so my  
6 feeling is that may have been a factor in their decision.

7 Q. Okay. Have you ever seen their flight tracking program,  
8 their satellite tracking program?

9 A. Yes.

10 Q. Is that something that you have to approve as a POI?

11 A. No, it's not. We have no regulatory oversight.

12 Q. Okay. You said the manual update, that is in process, so  
13 that's currently being uploaded, and is that something that I'll  
14 be able to get now off (indiscernible) or --

15 A. Oh, the A008?

16 Q. Yes, sir [sic].

17 A. Yeah, that's current.

18 Q. Okay. Was that in --

19 A. It is in the (indiscernible).

20 Q. Okay. Was that in work before the accident or post accident?

21 A. No, it was pointed out to me it was missing that section  
22 after the accident.

23 Q. Okay. I may have missed it, what was your total time in  
24 helicopters?

25 A. I'll take a stab at more than 16,000 hours.

1 Q. Okay. Is Soloy the only operator that you have that does  
2 heli-skiing operations?

3 A. I'm going down my list. Soloy I think is the only operator  
4 that I currently -- or that I did oversee that does heli-skiing.

5 Q. Okay. When they do that training -- or when you did your  
6 check airman evaluation, did they demonstrate that heli-skiing  
7 operation when you did your check airman evaluation?

8 A. They did not.

9 Q. What about white -- flat light or whiteout?

10 A. That -- depending on the time of year when that kind of  
11 training or check airman observation would be done, it's probably  
12 not available to go do that, so it's tabletop'd.

13 Q. Okay. Do you recall, I think you said December of 2020 was  
14 the last time you did in the aircraft; is that correct?

15 A. That's an approximation. I would have to go into records to  
16 see.

17 Q. Okay. And you recall, if it was in the winter months, was it  
18 any more than tabletop or --

19 A. I don't remember the last check airman observation I did and  
20 which pilot it was.

21 Q. Okay. The assignment -- the inspector would -- that you  
22 assigned an inspector to do the check airman evaluation, do you  
23 recall who that was?

24 A. I've used Ben Herning for rides in the past and also Bruce  
25 Cummings.



1 Q. Okay. And it's my understanding you are now the FLM for the  
2 helicopter unit; is that correct?

3 A. That's correct.

4 Q. Okay. And has there been any -- have you done any turnover  
5 with the new POI of Soloy?

6 A. We've talked -- we had a phone conversation yesterday. He's  
7 currently out of the country, due back here in a month, so we  
8 won't have any time together until he gets back.

9 Q. Okay. Is there a plan and a process for you to do that?

10 A. Informally, yes.

11 Q. I started writing it down here and I didn't finish, so who  
12 notified you of the accident? Who did you say?

13 A. The chief pilot, Rob Gideon.

14 Q. Did you -- have you ever, in your IIMC training with your  
15 operators -- I know that you talked about the unusual attitude  
16 recovery. Is there a process for you to -- for them to shoot an  
17 approach to an airport, whether it's a precision or a  
18 non-precision approach?

19 A. Depending on which aircraft. Some of the aircraft have no  
20 flight instruments.

21 Q. Okay. Have you ever evaluated Soloy's flight risk assessment  
22 tool that they use?

23 A. Yes.

24 Q. As the operations inspector or as an employee?

25 A. Both.

1 Q. How do they -- currently, how do they do their flight risk  
2 assessments?

3 A. Typically, they would do a flight risk assessment each time  
4 the job changes. For example, if they go from -- the heli-ski  
5 operation would require one risk assessment. That pilot goes on  
6 to do a drill job for a mining company, that would be a different  
7 risk assessment. Pilot may go do a (indiscernible) job on the  
8 north slope, would require its own risk assessment.

9 Q. Okay. Is that before each flight?

10 A. That would be before each job assignment.

11 Q. Okay. Is Soloy allowed to delegate their flight following to  
12 a non-employee, (indiscernible)?

13 A. Yes.

14 Q. Has Soloy ever done any ERP exercises? The emergency  
15 response plan, have they exercised that as far as (indiscernible)  
16 type format?

17 A. Yes.

18 Q. Have you observed that personally or --

19 A. Yes.

20 MR. RIGSBY: Okay. I think I'm done.

21 MS. HUCKLEBERRY: Thank you, Matt.

22 MR. WILLIAMS: All right. Thanks, Matt.

23 Sabrina?

24 MS. WOODS: Everyone's done a really outstanding job. All of  
25 the questions I had have been answered. Thank you.

1 MR. WILLIAMS: Okay, thanks.

2 Greg?

3 MR. KING: Sorry about that. Finger trouble. No, I don't  
4 have any questions at this stage.

5 MR. WILLIAMS: Okay, thanks.

6 Paula, I just have a few more here. There we go. Just a  
7 couple questions, then I'll be done. We've been going for a  
8 little over an hour; are you okay to keep going?

9 MS. HUCKLEBERRY: Maybe a 5-minute break.

10 MR. WILLIAMS: Sure, we'll take a 5-minute break. So I'm  
11 going to stop the recording at 3:12 Central. We'll be back in  
12 5 minutes.

13 (Off the record at 3:12 p.m. CDT.)

14 (On the record at 3:17 p.m. CDT.)

15 MR. WILLIAMS: Okay. Thanks, Paula. We're back on at 3:17  
16 Central.

17 MS. HUCKLEBERRY: All right.

18 BY MR. WILLIAMS:

19 Q. So, Paula, I just have a couple more questions here, and then  
20 I'll be done. You mentioned that Bruce Cummings is taking over as  
21 the POI, but yet he's out of the country until the end of the  
22 month. So, for right now, who's watching the company? Who's got  
23 oversight responsibility of Soloy?

24 A. We don't have a specific assignment yet, but Ben Herning and  
25 I will share that for now.

1 Q. Okay. So I want to go back to the flight locating and just  
2 make sure I understand. So when a Soloy helicopter pilot, they're  
3 doing, say, a lodge contract, and so they go out to the lodge, and  
4 then they're doing daily flights. Is someone at the company  
5 required to know when that aircraft is airborne?

6 A. Could you repeat that question?

7 Q. Yeah. When there's a pilot in a machine, is out doing a  
8 lodge contract, and they're out -- you know, they're doing daily  
9 flights for the lodge, say the heli-ski flights, is someone at  
10 Soloy, like John or Rob, is someone at Soloy -- are they supposed  
11 to know when that -- when they have an aircraft, one of their  
12 machines is airborne?

13 A. There's -- I don't believe there's a specific requirement  
14 that they know. I do know that they do monitor the onboard  
15 tracking systems on a large flat screen in the office.

16 Q. Okay. So, if they're not required to know, whose  
17 responsibility is it to activate the ERP?

18 A. The aircraft operated on a company flight plan in a remote  
19 location, so the person at that location is designated to make a  
20 report if an aircraft is believed to be overdue.

21 Q. Okay. So, in this -- in the case of the accident, the  
22 accident took place about 6:34. Soloy wasn't notified until, I  
23 believe, about an hour and a half later, almost 2 hours, at  
24 8-something, and then they notified you at 8:54, and some point  
25 right around there, they notified RCC. So the flight locating

1 requirements, especially in this case, are they adequate?

2 A. The flight locating requirements are met with their current  
3 program.

4 Q. Okay.

5 A. It's in compliance with guidance and regulation.

6 Q. Okay. And flight locating, if I understood from earlier, is  
7 a part of operational control, correct?

8 A. Yes.

9 MR. WILLIAMS: Okay. Okay, I think that's all my questions.  
10 We'll go back around the room again and start with Katherine.

11 DR. WILSON: I don't have anything. Thank you, Shaun.

12 Thank you, Paula.

13 MR. WILLIAMS: Okay.

14 Fabian?

15 MR. SALAZAR: I don't have anything. Thank you, Paula.

16 MR. WILLIAMS: Josh?

17 MR. CAWTHRA: I don't have anything. Thank you, Paula, for  
18 taking the time to talk to us.

19 MR. WILLIAMS: Matt?

20 BY MR. RIGSBY:

21 Q. Hey, Paula. Just one more, kind of a follow up on Shaun's  
22 question. And forgive me, because we didn't -- unfortunately  
23 didn't get to go to the base there in Wasilla for Soloy, but I'm  
24 trying to understand the flight following. You said there's a  
25 screen at the base where they can follow the aircraft, so is

1 somebody there 24 hours a day, or how -- like this accident  
2 occurred on Saturday. How does their management look at it? I  
3 guess do they have access at home or --

4 A. Those --

5 Q. -- a network --

6 A. -- codes from home.

7 Q. Okay. So it would have to be -- is there an app on their  
8 phone or how -- or is it purely like they pull it up on a website?

9 A. Each flight -- each system has its own website, and Soloy  
10 currently has three systems in operation.

11 Q. Okay.

12 A. Oh, let me correct that. I think two systems in operation.

13 Q. Do they give you access to that site?

14 A. No.

15 MR. RIGSBY: Okay, that's all my questions. Thank you,  
16 Paula.

17 MR. WILLIAMS: Thanks, Matt.

18 Sabrina?

19 MS. WOODS: I don't have anything further. Thank you, Paula,  
20 for your time.

21 MR. WILLIAMS: Greg?

22 MR. KING: No, I don't have any questions. Thanks.

23 BY MR. WILLIAMS:

24 Q. Paula, one just popped in my head here. Do you know, do they  
25 keep a list of the operational -- whoever can perform operational

1 control, do you know if they keep a list in the -- at Soloy or in  
2 the GOM or where that is?

3 A. The list of --

4 Q. Operational --

5 A. I'm sorry, repeat please.

6 Q. Sorry. Operational control delegates, people that can have  
7 operational control.

8 A. Yes, it's in their GOM.

9 Q. Okay. All right. And that should be all-encompassing then  
10 as far as, if it's not in the GOM -- only the people in the GOM  
11 can have operational control; is that correct?

12 A. With the exceptions of the pilot who's delegated operational  
13 control, and if you have a company flight plan in a remote  
14 location, they will designate a person who notifies Soloy if they  
15 believe an aircraft to be overdue.

16 Q. Okay. All right.

17 A. For example, that could be the camp cook in a drill camp.

18 Q. Okay.

19 A. Because he -- that person is always in the camp. Other folks  
20 would be out on the job site, so --

21 MR. WILLIAMS: Okay. All right. I think that's all the  
22 questions. Is there anything you want to add, any --

23 MR. TOMICICH: Shaun, excuse me. I think Matt had a  
24 question.

25 MR. RIGSBY: Sorry, Shaun. I thought of one question.

1           Had this flight ended successfully, would Zach -- is there a  
2 procedure, Paula, or are you aware, had he got back to the lobby,  
3 is there a process -- does he call the chief pilot, the DO, and  
4 says, hey, I'm down on the ground and everything's good, or is  
5 there that closeout loop?

6           MS. HUCKLEBERRY: My belief is there is. However, I have not  
7 had that specific conversation recently.

8           MR. RIGSBY: Okay.

9           Okay, that's it, Shaun. Sorry. Thank you.

10          MR. WILLIAMS: No problem, Matt.

11          So, Paula, was there anything else you wanted to add,  
12 anything we didn't ask you that we probably should've?

13          MS. HUCKLEBERRY: No. You know, I just want to say thanks to  
14 everybody participating, and I enjoyed meeting and talking with  
15 you. Wish it had been under more pleasant circumstances.

16          MR. WILLIAMS: Well, thank you, Paula. We do appreciate it.  
17 We appreciate the time you've taken today. So, if there's nothing  
18 else, then I will stop the recording at 3:27 Central.

19          (Whereupon, at 3:27 p.m. CDT, the interview was concluded.)  
20  
21  
22  
23  
24  
25



CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

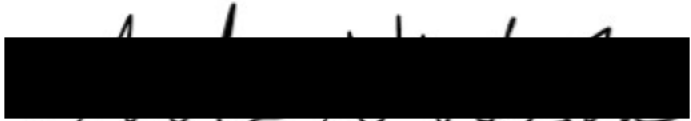
IN THE MATTER OF: FATAL AIRBUS AS350B3 HELICOPTER  
CRASH NEAR KNIK GLACIER, PALMER,  
ALASKA, ON MARCH 27, 2021  
Interview of Paula Huckleberry

ACCIDENT NO.: WPR21FA143

PLACE: Via videoconference

DATE: April 19, 2021

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Autumn Weslow  
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

FATAL AIRBUS AS350B3 HELICOPTER \*

CRASH NEAR KNIK GLACIER, PALMER, \* Accident No.: WPR21FA143

ALASKA, ON MARCH 27, 2021 \*

\* \* \* \* \*

Interview of: BENJAMIN HERNING, Acting Front Line Manager  
Federal Aviation Administration

Via videoconference

Monday,  
April 19, 2021



APPEARANCES:

JOSHUA CAWTHRA, Investigator in Charge  
National Transportation Safety Board

KATHERINE WILSON, PhD, Investigator  
National Transportation Safety Board

D. SHAUN WILLIAMS, Investigator  
National Transportation Safety Board

FABIAN SALAZAR, Investigator  
National Transportation Safety Board

MATT RIGSBY, Inspector  
Federal Aviation Administration

SABRINA WOODS, Inspector  
Federal Aviation Administration

ALAN WILSON, Flight Test Pilot  
Federal Aviation Administration

GREG KING, Party Representative  
Soloy Helicopters

MARK TOMICICH, Attorney  
Federal Aviation Administration  
(On behalf of Mr. Herning)

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I N T E R V I E W

(11:30 a.m. CDT)

1  
2  
3 MR. WILLIAMS: All right. So thanks, Ben. Thanks for taking  
4 the time to chat with us here today. As I said, my name is Shaun  
5 Williams with the NTSB. I'm the operations group chairman for  
6 this investigation.

7 As you know, we're an independent agency. We're looking at  
8 the probable cause, what happened, why it happened, and what we  
9 can do to prevent it in the future here. No regulatory  
10 enforcement powers, anything like that.

11 The way we do these interviews is a group format. So  
12 everybody'll have a chance to ask questions, we go one at a time,  
13 we go around the room -- virtual room, and it's usually two  
14 rounds, and then we cut you loose. So not too terribly painful.

15 What I'll do first so that you kind of know who all's here,  
16 I'm going to let everyone kind of introduce themselves. So we'll  
17 start with Katherine.

18 DR. WILSON: Hi, Ben. Katherine Wilson. I'm a human  
19 performance investigator with the NTSB.

20 MR. HERNING: Morning.

21 MR. WILLIAMS: Fabian?

22 MR. SALAZAR: Hello, Ben. Fabian Salazar, NTSB, assisting in  
23 operations.

24 MR. WILLIAMS: Josh?

25 (No audible response.)

1 MR. WILLIAMS: Okay, we don't have -- yeah, we don't have  
2 Josh. He's probably ran into the same type of audio stuff. So  
3 we'll say Josh Cawthra's the investigator in charge, so he'll  
4 probably pop on here shortly.

5 Matt, are you on?

6 MR. RIGSBY: I am. It's Matt Rigsby, Ben. I'm with the  
7 FAA's Office of Accident Investigation, and I came in after Matt  
8 Carey (ph.) and took over the IIC role for the FAA.

9 MR. HERNING: Morning.

10 MR. WILLIAMS: Thanks.

11 Al?

12 MR. WILSON: Morning, Ben. I'm Al Wilson. I'm a flight test  
13 pilot based here in Anchorage, assisting in operations.

14 MR. HERNING: Cool. Morning.

15 MR. WILLIAMS: Okay, Sabrina?

16 MS. WOODS: Hi, Ben. I'm also in the FAA's Office of  
17 Accident Investigation with Matt Rigsby, and I'm also human  
18 performance.

19 MR. HERNING: Okay. Good morning.

20 MR. WILLIAMS: And Greg?

21 MR. KING: Good morning. Greg King, party representative  
22 from Soloy Helicopters.

23 MR. WILLIAMS: Okay.

24 MR. HERNING: How you doing, sir?

25 MR. KING: Good, and yourself?

1 MR. HERNING: Not too bad.

2 MR. WILLIAMS: So, Ben, are you okay to talk with all of us  
3 on the phone here today?

4 MR. HERNING: Yep, yep.

5 MR. WILLIAMS: Okay. All right. So like I mentioned before,  
6 we'll be using a tape recorder to record the interviews, audio  
7 only. Then that recording will be sent for transcription, and the  
8 transcript, not the audio recording, will become a part of the  
9 public docket when the accident's released.

10 So we're not here to assign fault, blame, or liability.  
11 We're just trying to gather all the facts and things, and we've  
12 done some interviews, and now we want to talk to the FAA and see  
13 kind of your take on things and give us that additional  
14 information.

15 So please answer all questions to the best of your  
16 recollection. If you don't understand a question, you can ask to  
17 have it repeated or explained. If you misstated, by all means,  
18 please go back and correct it. The same token, I don't know is a  
19 validated answer. If you don't know something, you don't know it.  
20 Okay?

21 You are entitled to have one representative of your choosing  
22 with you. Is there someone you'd like to have as your  
23 representative?

24 MR. HERNING: No, I'm fine.

25 MR. TOMICICH: Oh, actually, let me jump in --

1 (Simultaneous speaking.)

2 MR. HERNING: -- bail me out if I jump in head first.

3 MR. TOMICICH: Yeah.

4 MR. WILLIAMS: All right.

5 MR. TOMICICH: I think he's indicate (audio skip) but, Ben,  
6 you really need to say that on the record that I'll be your  
7 representative.

8 MR. HERNING: Oh, I'm sorry. Yeah, I guess Mark is  
9 representing me.

10 MR. WILLIAMS: Okay. Thanks, Ben.

11 Mark, as always, you may direct Ben not to answer a question  
12 or request a short break to confer with him, but please don't  
13 answer any questions for him.

14 Are there any questions before we get going?

15 MR. HERNING: I assume you'll ask me my experience a little  
16 bit. I wouldn't mind knowing how many people have helicopter  
17 experience.

18 MR. WILLIAMS: Yeah, absolutely. So Matt Rigsby has  
19 helicopter experience. It's kind of his background there.

20 And, Fabian, you want to kind of give a brief overview there  
21 of yours?

22 MR. SALAZAR: Ben, I'm a retired Army aviator, 20 years  
23 flying Hueys, Cobras, Apaches, a little bit of Lakota time, so  
24 I've got about 6,000 hours of helicopter time, most of it in Utah  
25 where we were mountain qualified and high mountain qualified.



1 MR. HERNING: Oh, cool. Very nice.

2 MR. WILLIAMS: Does that help?

3 MR. HERNING: Yeah, great.

4 MR. WILLIAMS: Perfect. All right.

5 INTERVIEW OF BENJAMIN HERNING

6 BY MR. WILLIAMS:

7 Q. So you kind of already jumped there. Can you -- before we  
8 really get going here, can you spell your first and last name for  
9 us?

10 A. My full first name is Benjamin, B-e-n-j-a-m-i-n, last name  
11 H-e-r-n-i-n-g.

12 Q. Okay. Thanks, Ben. And kind of give us an overview of your  
13 background, aviation background, and how you got to where you are.

14 A. Sure. I started as a kid helping my dad at Frontier Airlines  
15 as a mechanic. Went to A&P school out of high school in '82,  
16 started working right away in '83 in Fairbanks as a mechanic. My  
17 boss was a Huey pilot in the Guard here in Alaska, so in '85, I  
18 joined the Guard, went to flight school, stayed working as a  
19 mechanic till '96, ending my mechanic stuff as lead mechanic at  
20 Frontier Airlines -- or Frontier Flying Service in Fairbanks for  
21 probably 8 or 9 years.

22 Then I took a full-time job with the Guard out in Bethel and  
23 then did another 20 years in the Guard, active duty, as an  
24 instructor pilot, test pilot. Retired in 2014 as the state  
25 aviation maintenance officer for the Guard here in Alaska, and

1 then started right away the next day at the FAA, in June of 2014,  
2 and have been -- as an office guy, as a POI (audio disruption)  
3 principal ever since, (audio disruption) I guess.

4 Q. All right. Hang on one second. All right, sorry about that.  
5 So when did you become the acting front line over Soloy?

6 A. As soon as Marcus (ph.) went and took the acting over in  
7 Hawaii. I believe it's -- I'll mess up the date. I think it's  
8 the 16th of October was the day, if I -- it was in the middle of  
9 October somewhere, I believe the 16th.

10 Q. Okay. In 2020? So this past --

11 A. Yes, sir.

12 Q. Okay.

13 A. It was just a 6-month detail. And it ended the other day,  
14 beginning of -- the Sunday of last week, I think the 10th or 11th.  
15 The 11th I think that is.

16 Q. Okay. Have you ever been the POI for Soloy?

17 A. No, sir.

18 Q. Okay. All right. So, when you became acting front line,  
19 what does that consist of, like what are your duties? What is an  
20 acting front line manager, I guess?

21 A. Well, acting is the front line, so front line manager duties  
22 are assigning work; reviewing/processing external correspondence  
23 for the Agency; personnel management, leaves, sick things;  
24 coordinating risk based management decisions; and data review  
25 functions in SAS, those kind of things.

1 Q. Okay.

2 A. I don't know that I can give you an exhaustive list off top  
3 of my head, but that's some of the highlights I guess.

4 Q. Okay. Yeah, that's more what I'm looking for, just kind of  
5 the general idea there. So, when you were doing your detail, were  
6 you also still responsible for oversight of your own operators?

7 A. Yes, sir. I was still POI. So there were certain functions  
8 as an FLM that I couldn't do because I was still holding my old  
9 complexity, so --

10 Q. Okay. What are those types of functions?

11 A. I wasn't -- I was able to remain in the flight program. That  
12 was one of my primary duties. And -- but I -- I could not approve  
13 my own work; I could not data review my own work. I couldn't  
14 assign outside of my unit that I was responsible for. So the FLM  
15 unit that I was over was -- we call it Unit E, which is the  
16 helicopter unit, but I couldn't do anything non-Unit-E related,  
17 primarily because most of that is non-helicopter, and I'm a  
18 helicopter-only POI, so --

19 Q. Okay.

20 A. That's the extent of my authority, if you want to say it that  
21 way.

22 Q. So how many operators did you still have or -- at the time  
23 while you were acting?

24 A. I picked up one more about halfway through. I think I have  
25 seven -- six or seven. If you need, I can check here real quick.

1 Q. No, that's fine. If you find it, great, but there's no need  
2 to do anything special. How many inspectors make up the E that  
3 unit that you were overseeing?

4 A. Inspectors, there should be six. There's another AFT (ph.)  
5 and MPA (ph.) I believe, but as far as inspectors, there's six.

6 Q. Okay. So then you were responsible for oversight of about  
7 eight people, total?

8 A. Yes, sir.

9 Q. Okay. All right. How many certificates, do you know, were  
10 attached to Unit E?

11 A. Oh, that's a trick question. So, because I had two PAIs, you  
12 could almost say, indirectly, probably 150 are assigned to that,  
13 because the PAIs carry 70 certificates each usually. But their  
14 involvement is not the same as a PMI or a POI would be. As far as  
15 the POIs, the certificates we carry, the number's probably pretty  
16 close to 30, 25 or 30. PMIs, maybe considerably more, but I would  
17 be guessing, sir.

18 Q. Okay. All right. How many inspectors make up the CMT for  
19 Soloy?

20 A. Just three.

21 Q. Three, okay.

22 A. Just a regular CMT. Is that what you're asking?

23 Q. Yeah, yeah.

24 A. Yeah, just a maintenance, an ops, and an airworthiness. Just  
25 three.

1 Q. Okay. So what type of oversight activities should take place  
2 on an operator such as Soloy during the year?

3 A. Primarily, oversight is defined through the Safety Assurance  
4 System the FAA uses that is -- term is "scoped" based on their  
5 type of operation. They become narrowed down, if you want to say  
6 that, to what's called a peer group in SAS that then defines what  
7 kinds and what frequencies of inspections are done at the facility  
8 of the operator. And that's done through scoping in SAS based on  
9 number of aircraft, type of operation, number of employees, areas  
10 that they fly, and whether it's CFR, IFR, commuter, on-demand,  
11 single pilot; all that stuff scopes that specific surveillance  
12 that's done on an operator.

13 Q. Okay. So, with that in mind, do you or the POI put in, as  
14 far as the different, I guess, operational activity, such as  
15 higher risk, heli-skiing, remote operations, whether they're doing  
16 external load stuff, supporting whatever the oil rigs out -- or  
17 not the oil rigs, sorry, the oil fields, whatever they're doing,  
18 do you guys help input information into SAS that will change the  
19 risk level?

20 A. Yeah, so the term in SAS is called CHOP; it's the certificate  
21 holder operating profile. There are a myriad of options that the  
22 CMT goes through. It is the equivalent of what used to be vitals  
23 in EBIT (ph.). It still is, but it's not the portal anymore; SAS  
24 is the portal. But it defines all the different operations that  
25 they do, as defined by the Agency. There isn't the ability to

1 pick something that isn't on the list, if that makes sense.  
2 Everything is given a value, as determined by 900, which then  
3 calculates its overall risk placement.

4 And I -- you know, if they're doing an odd thing -- not --  
5 heli-skiing is not an odd thing, but if they're doing something  
6 weird, like trimming trees with aerial chain saws or whatever,  
7 that's not a check block that you get to check. You would have to  
8 annotate that some other way, through a CHAT (ph.), which is a  
9 health assessment tool, which would add increased -- or decreased;  
10 it goes both ways -- risk to the operator. But yes, the CMT is  
11 the entity that does that.

12 Q. Okay. Is there a box, are you aware of one, for heli-skiing  
13 operations?

14 A. I don't believe there is.

15 Q. Okay.

16 A. As I recall, I don't believe there is.

17 Q. Okay. But there is a method to be able to almost account for  
18 that through other ways, other means?

19 A. Yes, sir.

20 Q. Okay.

21 A. And those are done, at a minimum, annually. Those  
22 assessments that modify the pre-calculated risk through SAS, those  
23 assessments are done, at a minimum, annually. They can be done  
24 semi-annually or quarterly if -- or for cause, so any time, say, a  
25 management change or an ownership change or bankruptcy or

1 something that's unscheduled or un-routine, it can be done at any  
2 time for cause, so --

3 Q. Okay. And is that done by the CMT? Is it done in  
4 conjunction with the front line?

5 A. Oh, it would be coordinated with the front line, but it is  
6 the CMT who is the interface with the company, and they're the  
7 ones that would make that determination.

8 Q. Okay.

9 A. They're the ones with their finger on the pulse, I guess.

10 Q. Do you recall, while you were acting, any change to the  
11 assessments for Soloy?

12 A. To the overall assessment?

13 Q. Yeah.

14 A. The profile of the company?

15 Q. Yes, sir.

16 A. Not that I was aware of, no.

17 Q. Okay.

18 A. They were in -- I'll say it for me, but in the office, they  
19 were not identified or had not given cause to be an increased risk  
20 level operator that required additional assistance. They did not  
21 have that history or seem to have an absence of structure that  
22 would've demanded that.

23 Q. Okay.

24 A. Do those incoming mail tings annoy you guys? Do I need to  
25 like turn off my email or something, or does --

1 Q. It's fine for me. So are you familiar with Soloy's training  
2 program at all?

3 A. Not really, no, sir.

4 Q. Okay.

5 A. It had not been under revision or reviewed during any time  
6 where I was acting, so I wouldn't have had opportunity to review  
7 that.

8 Q. Okay. Do any of your operators that you're POI for, do they  
9 do any heli-ski type of operations?

10 A. Yes, sir. One of my operators has stated that they're  
11 probably one of the bigger heli-ski operators in the country, so  
12 they probably have maybe 14 -- 12, 14 airplanes on heli-ski  
13 contract. I don't -- we're getting to the end now. I don't know  
14 if they still are, but they had been.

15 Q. Okay. In your work with that operator, was there any -- in  
16 the training program, anything specific to heli-ski training or  
17 like deep snow toe-ins, the non-normal type of stuff?

18 A. Yes, sir. There's quite a bit. They -- specific to  
19 training, they conduct training annually with all their lodges  
20 that they support, all their commercial contractors. They bring  
21 their guides -- they're not theirs; they bring the lodges' guides  
22 in, and they conduct all their training with them and their  
23 pilots.

24 They have established standards in their GOM for what's  
25 authorized proximity for the helicopters, so doesn't matter if



1 it's a heli-ski operation or just a confined area for whatever  
2 reason, landing next to a building or landing in the tress; they  
3 have set rotor distances, usually defined by a fraction of a rotor  
4 disc, usually a half, that they have to maintain at all times.  
5 They also have a slope limit, not for landing but for approach, so  
6 they can't approach a slope, I don't believe -- I'd have to look,  
7 but I believe it's 30 degrees. So, if a slope is steeper than 30  
8 degrees, they can't approach to it.

9 Pardon me.

10 Q. That's all right. Do you know, is that a required element of  
11 the training program?

12 A. No.

13 Q. Okay.

14 A. Well, what do you mean?

15 Q. Specialty type --

16 A. (Indiscernible).

17 Q. Specialty type of curriculum, like the heli-ski stuff, is  
18 that -- do you know, does that have to be in there?

19 A. Is it required that the pilots take it, or is it required --  
20 what -- I don't understand what you're asking.

21 Q. Is it required to be a part of the training program?

22 A. No, not specifically. It could fall under the generic other  
23 mission set kind of thing, if you chose to do that. But it's not  
24 spelled out directly by name as being required training, if that's  
25 what you're asking.

1 Q. Yes, that was it. As a front line, did you review any -- is  
2 it part of your duty to review any OpSpec changes to an operator?

3 A. Just in the regular course of things, you mean?

4 Q. Right. So let's say there was going to be a change to A008,  
5 operational control section for Soloy. You're covering as the  
6 acting front line. When that change is made, is there -- do you  
7 have to go in and look at it, or is it all independent between the  
8 CMT and the operator?

9 A. No, it's kind of the CMT. That doesn't mean that -- if it's  
10 for A008, that doesn't mean a POI wouldn't ask me if they didn't  
11 need help, but it's not -- just for changes to OpSpec, that's  
12 included in a principal's duties. It doesn't require -- without  
13 some mitigating reason, it doesn't require FLM involvement to  
14 issue an OpSpec.

15 Q. Okay. That's just what I was trying to just make sure where  
16 that line is for who does what function.

17 A. (Indiscernible) unnecessarily pretty much swamp an FLM if he  
18 had to be involved in every OpSpec interaction. That's kind of  
19 the whole purpose for a CMT.

20 Q. Are you --

21 A. In my mind, at least.

22 Q. Are you aware of any changes or were you involved with any  
23 changes to the Soloy OpSpecs that you can remember?

24 A. Only in the discussion of adding aircraft to a D085. That's  
25 -- and maybe a D106 for taking one out of long-term storage, I

1 believe would've been the only interaction I had, OpSpec related,  
2 with Soloy.

3 Q. Okay. All right. And, Ben, I forgot to ask, did you have  
4 any specific training for essentially being an FLM?

5 A. The normal Agency FLM protocols that you go through when you  
6 start.

7 Q. Okay.

8 A. It's actually a year's long protocol of -- I don't know,  
9 there's got to be 50 courses in there, everything from getting  
10 along with grumpies to how to fill out a time card, but that's  
11 just the standard package. I don't know if that's what you're  
12 referring to.

13 Q. Yeah, that's -- that works. Are you familiar with Soloy's  
14 flight locating procedures at all?

15 A. Only to know that I think they use Spidertracks. That's  
16 about the extent of my awareness of what they use.

17 Q. Okay.

18 A. There's a plethora of different tools that different  
19 operators all use.

20 Q. Okay.

21 A. I may be mistaken, but I believe they use Spidertracks.

22 Q. So the flight locating is required by reg, correct? Or it's  
23 a requirement; I won't tie you down to regulation, but flight  
24 location is a requirement for Part 135, right?

25 A. Yes.

1 Q. So --

2 A. But that is a very broad term, so you get to define what you  
3 mean by that.

4 Q. Okay. What's the difference between flight following and  
5 flight locating?

6 A. Flight following, the simplest version is you have listed  
7 your flight with some sort of entity that has been advised of an  
8 ETA, and at a predetermined tolerance from that ETA, if you have  
9 not closed or given an arrival message, you will be considered  
10 overdue, at which point they -- overdue aircraft protocol will be  
11 initiated, whatever that is specific to the company.

12 Q. So that's --

13 A. Is that the answer you're looking for?

14 Q. That was flight following or that was flight locating? I'm  
15 trying to figure out what the difference between the two is.

16 A. That's flight following. Flight locating, I think if I was  
17 to give you an answer, I'd be giving you my opinion as to the  
18 difference. I would say flight locating, as my opinion, is going  
19 to include awareness of the progress of the flight as it's doing  
20 whatever it's doing. It does not necessarily require a set time  
21 check-in procedure. It may include that, but I don't believe that  
22 it requires that.

23 Q. Okay. So who's responsible for flight locating in a Part  
24 135?

25 A. Well, it's whoever they have designed in their A008 and in

1 their GOM, but it's usually the management structure of the  
2 company.

3 Q. Okay. So, if an A008 -- I know Paragraph A is where you kind  
4 of describe the operational control, either by reference to the  
5 manual or in paragraph form, you can type it out. What if that is  
6 blank? Can it be blank?

7 A. The block that states where the operational control is  
8 located; is that what you're saying is blank?

9 Q. Yes.

10 A. Or the whole A008?

11 Q. That block. That whole block is blank.

12 A. I'd have to look at the text of A008, but I think -- I don't  
13 -- I'm doing this from memory, but seems like the block on the  
14 A008 says something to the effect that the operational control  
15 scheme is defined in the following location. You're talking that  
16 block is what's blank, the following location or whatever it says?

17 Q. Yeah. Has there been a time where you've gone in to admit an  
18 OpSpec and maybe the changes didn't save correctly and it popped  
19 up blank, or does it make you put something in there?

20 A. No, not necessarily. It's an occasional issue where you --  
21 well, we routinely get template updates. They're constantly  
22 changing the template format of an OpSpec, and the -- if there are  
23 no changes other than the template -- that's kind of a bad way to  
24 say it. If the template change doesn't require additional  
25 information to be documented on the OpSpec, then the data that is

1 on the previous or the active version would be loaded, would be  
2 transferred to the new template in work, and then signed and  
3 issued.

4 Q. Okay.

5 A. Periodically, occasionally, that transfer process from the  
6 old to the new template doesn't flow right or doesn't happen, and  
7 it could possibly be issued without all the blocks being filled  
8 in. It is physically possible, if that's what you're asking.

9 Q. Okay.

10 A. The system will not prevent it from happening, if that's  
11 where you're going.

12 Q. Okay. So can flight locating, can that be outsourced to  
13 another entity, or does that remain within the responsibility of  
14 the carrier?

15 A. I don't know. I mean, is it possible to be -- I would have  
16 to look at A008 and guidance to see if that's possible. I don't  
17 see why it can't. I believe it'd have to be spelled out, it'd  
18 have to be documented, defined, who the entity is, what the  
19 notification stream is, that kind of thing. I assume -- I'm  
20 guessing it should be possible, but that would depend -- I'd need  
21 to do some specific digging into that. I'm sorry I don't have  
22 a --

23 Q. No, that's fine.

24 A. -- defined answer.

25 Q. No, like I said at the beginning, I don't know or I don't

1 have the answer is perfectly valid. Is flight locating part of  
2 operational control?

3 A. It can be structured that way. I don't think it is mandatory  
4 that it be part of operational control. Operational control is a  
5 fairly big pie that is a whole lot more than just flight following  
6 or flight locating, and I don't believe flight locating, as a  
7 single piece, is a mandatory portion of operational control. That  
8 may be -- that's my assumption though.

9 Q. All right. So I just have a few more, and then I'll pass it  
10 around here. I want to talk about check rides a little bit and  
11 check airmen. Did you, as front line, have any interaction with  
12 any of the check airmen over at Soloy?

13 A. I did a check airman ride for a Huey guy probably 4 or 5  
14 years ago. I couldn't even remember who it was.

15 Q. Okay.

16 A. That's the only interaction I've had with Soloy at all has  
17 been that one check ride. And it was probably 2016, I'm guessing.

18 Q. All right. So a little bit more general --

19 A. And it was -- sorry.

20 Q. No, I'm sorry. Go ahead.

21 A. No, no, it was just a summer ride. It was not in the  
22 mountains. It was just a standard 293 ride as a check airman.

23 Q. So is the 8410, the check ride form, is that the official  
24 checklist that encompasses all the required items on a check ride?

25 A. No. The required items comes out of guidance.

1 Q. Okay.

2 A. Table 3-71 I believe.

3 Q. Okay. What about inadvertent IMC on a check ride? So how is  
4 that checked?

5 A. Are you asking me how I check it?

6 Q. Well, how would -- how should --

7 A. Or --

8 Q. -- it be checked by a check airman? So, for example --

9 A. Say that again. You broke up. I missed it.

10 Q. Sorry. Like how should that be checked by a check airman?

11 And I'll give you an example, make it a little bit easier. For

12 the inadvertent IMC training, is only unusual attitudes with a

13 view limiting device, is that sufficient? Does that cover

14 everything that has to be covered for CFIT or IMC training? Or is

15 there more to it, even with a VFR only aircraft?

16 A. No, they're different things. There is the whole Note 4 on

17 Table 3-71 that is specifically addressing inadvertent IMC, and

18 unusual attitudes is a separate task outside of inadvertent IMC.

19 So unusual attitude is usually attained through allowing the pilot

20 to experience a reality mentally that is different than the

21 reality outside, in actuality, and then require him to acquire

22 controlled flight through use of instruments. That's unusual

23 attitude recovery.

24 Inadvertent IMC is a phenomenon that requires a calculated

25 and usually pre-determined, pre-thought-out approach and response



1 with specific steps, with a plan to reacquire or to get directed  
2 to VMC conditions and is, in effect, an emergency procedure that  
3 is evaluated separately as its own thing. Note 4 in Table 3-71  
4 gives provisions to airplanes that don't have artificial horizons  
5 or any attitude instruments of any kind, but even then, for me,  
6 inadvertent IMC is still a fairly substantially evaluated event.  
7 It's pretty exhaustive.

8 Q. Okay. Do you give 293s in helicopters in conjunction with  
9 the 299, like in the same flight?

10 A. Usually, yes, sir.

11 Q. Okay. About how long do those check rides last? Just  
12 ballpark.

13 A. For me, it's usually about 45 minutes. I'm pretty -- I don't  
14 know, I would call myself nonstandard in how I do rides a little  
15 bit. I fail a lot of things initially before we've even left the  
16 ground, so we're doing multiple tasks. I like to combine tasks.  
17 You know, a confined area, pinnacle, in a slope; I want to go find  
18 a pinnacle in the trees with a slope. And I believe we do a  
19 disservice by sterilizing events to one single task, because  
20 that's not how real life is.

21 I want -- you know, one of our tasks is a rapid deceleration.  
22 I don't set up the task and say, okay, we're going to go do a  
23 rapid deceleration. We go get ready for our first takeoff and we  
24 do our first takeoff; I abort the takeoff. That necessitates a  
25 rapid deceleration. I don't say, let's go set up for a simulated

1 engine failure; I just give them the simulated engine failure at  
2 an opportune point, usually right off the top of the pinnacle.

3 And when you're doing things that way without the announcing,  
4 you can go through the members really quick. The hardest one to  
5 set up is usually inadvertent IMC and settling with power (ph.),  
6 and I usually spend a fair bit of time on both of those.

7 Q. Okay. So you were still acting at the time of the accident  
8 as FLM, so how were you informed of the accident?

9 A. Yeah, you probably shouldn't put this in the record. Paula  
10 was texting me at 9:30 at night when I was in bed. She texted me  
11 right away and told me.

12 Q. Okay.

13 A. And so I made some calls. I was -- I think she told me that  
14 Alpha was leaving out of the Knik River Lodge with an aircraft  
15 they had stationed there to go do a recon themselves and go look  
16 for the airplane since they were just right across the river.

17 Q. Okay. Has there been any additional surveillance of the  
18 company since the accident?

19 A. I don't know if there has been anything that was not already  
20 planned added. I don't believe so. There was an attempt to do  
21 some initially that was sort of asked to stand down because of AVP  
22 showing up, so I don't know that there's been anything above and  
23 beyond what was normally scheduled as far as DCTs go.

24 Q. Okay. Since the accident, are you aware of any FAA-requested  
25 changes to operation procedures, flight locating, or anything like

1 that at Soloy?

2 A. That they have requested, no.

3 Q. Okay. Has the --

4 A. I am not aware.

5 Q. Okay. Has -- do you know if Paula or anybody at the FAA  
6 coming through you as front line have made any requests to the  
7 operator to change anything?

8 A. Not that I'm aware of, no.

9 MR. WILLIAMS: Okay. All right. Ben, I think I've been  
10 talking long enough, so I'm going to take a break here. I'm going  
11 to let -- pass it off to Katherine.

12 MR. HERNING: Thank you, sir.

13 (Pause.)

14 MR. WILLIAMS: Kat, are you there?

15 DR. WILSON: Shaun, did you say my name?

16 MR. WILLIAMS: I did. I passed it off to you.

17 DR. WILSON: Okay. Sorry. I was like, did he say my name?  
18 I wasn't sure.

19 MR. WILLIAMS: Yep.

20 DR. WILSON: Sorry about that.

21 BY DR. WILSON:

22 Q. Thanks, Ben. I just have a couple of questions. I wanted to  
23 follow up on the flight locating and the flight following. I'm a  
24 little bit confused about what the difference is and what the  
25 expectation would be for an operator. So if you could just --

1 again, I know that you attempted to give us a definition, your --  
2 you know, your interpretation of flight locating and flight  
3 following, but if you could just walk me through that one more  
4 time.

5 A. So flight following is -- to me, is we give someone the  
6 flight plan, whether it's the FAA Flight Service, the office, the  
7 company. And it has the ETA on it, and they are sitting there,  
8 staring at a clock, waiting for the ETA to go by. And when the  
9 ETA goes by, and they haven't heard or haven't gotten a  
10 cancelation or a closeout or arrival message, however it's sent,  
11 then the aircraft is considered overdue. When it's considered  
12 overdue, then an overdue aircraft sequence or protocol is started.  
13 That's flight following to me. That's the same level you're going  
14 to get with Flight Service, if that's who you choose to flight  
15 follow with.

16 Flight locating is -- can be someone sitting at a screen,  
17 watching you progress through some means, whether it's radar,  
18 whether it's Spidertracks, DZM, Spot, inReach, whatever. And that  
19 is usually associated with either periodic check-ins, you know,  
20 ops normal kind of things, or an actual person sitting there  
21 watching. And oftentimes, that's done electronically by a  
22 satellite or some means where a response from the airplane is  
23 gained. That would be my interpretation.

24 Q. Okay. And are both of them required under 135, locating and  
25 following?

1 A. I'm going to say flight following is what's required, not  
2 flight locating.

3 Q. Okay.

4 A. By my definitions.

5 Q. Okay. So as a POI, if you were to have an operator that has  
6 this flight following, what are you looking for? I mean, do you  
7 have any expectations of what you would expect them have, how  
8 often -- you know, how do they know when an aircraft is overdue?  
9 Is an alarm set? Is it just by chance because a person didn't  
10 text after they landed? I'm trying to understand how the  
11 operation would work.

12 A. I don't know what -- I know the clock doesn't stop. Is the  
13 clock not a good enough reason?

14 Q. I don't know, but I'm -- now, you know, I'm expecting a  
15 flight to be back at 8:30, and I'm at home and I'm cooking dinner,  
16 or is the expectation I'm literally sitting at a computer looking?

17 A. I don't know that that's defined. We haven't set a standard  
18 for what that entails. Just --

19 Q. Okay.

20 A. -- as long as when ETA plus whatever the time period arrives,  
21 someone is making a call. I mean, I -- yeah.

22 Q. Okay. Like --

23 A. It would be nice if we had around-the-clock people sitting  
24 there. It'd be nice if we had RCOs every 50 miles in the state  
25 and radar coverage and -- yeah, we don't have any of that, so ETA

1 is a rather critical piece in Alaska. We live and die by it.  
2 I've been flying here my whole life, and I wish we had way more  
3 RCOs and radar coverage and -- or ADS-B coverage, whatever that we  
4 have, but it's just kind of -- I don't know. It's similar to  
5 airlines flying over the ocean. There ain't nothing out there. I  
6 may not have answered what you were looking for, but --

7 Q. There is no right or wrong answer. I -- and especially if  
8 you say there's really no guidance, then it sounds like it's up to  
9 an operator to determine how they're going to do flight following  
10 and/or flight locating. There's no -- if there's no guidance out  
11 there.

12 A. Well, there's the scheme that's set up in A008 for -- but  
13 flight following is just a piece of that. There's a whole  
14 preparatory side as well, but that's a small piece of it.

15 Q. Right. I guess I was trying to get, you know, from your  
16 standpoint as POI, what are you looking for an operator to have to  
17 meet that requirement?

18 A. So I -- by you asking the question, what am I looking for,  
19 you're asking my personal opinion. Yeah, it'd be nice to have --  
20 I mean, one of my operators has an airborne operations center  
21 where they have people sitting there round the clock, staring at  
22 walls of big screens, you know. But that's above and beyond;  
23 that's not required. It'd be great if everybody could do that,  
24 but that's not realistic for everybody in the world. But it would  
25 be nice if they did that, but I can't require that. I can't

1 mandate that. I can try and sell it.

2 Q. And are the requirements different if a flight -- an FAA  
3 flight plan can be filed versus having to file with the company?

4 A. Are they different or can they be different? They may be the  
5 same, but the process can be tailored for the method they're going  
6 to use. I don't know -- ask your question again.

7 Q. I guess if an operator or pilot files an FAA flight plan,  
8 then the FAA is now doing the flight following versus the company  
9 doing the flight following; does that meet that requirement?

10 A. You said is the process different?

11 Q. Right, for the flight following. So if I -- if a pilot files  
12 an FAA flight plan, then the FAA is -- or, you know, that's how  
13 they're being flight followed; the company is no longer needing to  
14 do the flight following because an FAA flight plan has been filed,  
15 and the flight following comes along with that?

16 A. And you're asking if that's a true statement, I would --  
17 yeah, I would agree. The onus is on who is tasked with the flight  
18 following duties. If it's the FAA, then the FAA owns that.

19 Q. Okay.

20 A. Most -- I don't know, I shouldn't say most. It doesn't seem  
21 like very many operators choose -- VFR around the state choose the  
22 FAA as their point of contact, mostly because they're really hard  
23 to get. You're limited to phone and RCO contact capabilities, so  
24 that makes it a little more difficult.

25 DR. WILSON: Thanks, Ben. That's all that I have.

1 Thanks, Shaun.

2 MR. WILLIAMS: Okay. Thanks, Kat.

3 Fabian, do you have any questions?

4 MR. SALAZAR: Not at this time, thank you.

5 MR. WILLIAMS: Okay.

6 Josh?

7 MR. CAWTHRA: No. No questions at this time. Thanks.

8 MR. WILLIAMS: Okay.

9 Matt?

10 BY MR. RIGSBY:

11 Q. Hey, Ben. Good morning.

12 A. How you doing, sir?

13 Q. Just real quick, I may have missed it in the beginning, but  
14 you're -- I know you're a pilot, but what FAA flight ratings do  
15 you have?

16 A. I'm an ATP helicopter and a single-engine land private and an  
17 A&P.

18 Q. Okay. How many hours do you have?

19 A. Oh, 6,200, 6,400, something like that.

20 Q. And all of it in Alaska there?

21 A. Except for some paid vacations over in the desert, yeah.

22 Q. Okay, okay. So I take it you grew up in Alaska, so you're  
23 familiar. Okay. Kind of to expand on Kat's question, the FAA --  
24 is it the FAA that provides flight following or the Flight Service  
25 Station?



1 A. Well, yeah, it's the Flight Service Station, but is that not  
2 an FAA entity? I'm sorry, I'm -- if I'm --

3 Q. Correct. Correct, yeah. I just wanted to make sure we get  
4 that on the record.

5 A. Yeah, I'm sorry. I should've stated Flight Service maybe  
6 more often than just saying FAA.

7 Q. No worries.

8 A. I don't imply Flight Standards, I'm sorry.

9 Q. Sure. And how many certificates did you say that you -- that  
10 the helicopter unit, I think you said was Unit H or something --

11 A. Unit E.

12 Q. Unit E, okay.

13 A. Well, so you understand my concept of how that's a trick  
14 question, so --

15 Q. Right, right, yeah. But between all of the inspectors that  
16 handle, how many certificates in the helicopter unit are they  
17 managing? How many inspectors manage overall between all the  
18 principals?

19 A. I would be warranting a guess.

20 Q. Okay.

21 A. Because my -- they're not mine anymore, but the PAIs have --  
22 so I don't know, I'll ballpark it. We have 320-some maybe  
23 certificates in the office, and we have five -- four, five PAIs in  
24 the office, so all those certificates are divided among those five  
25 PAIs. So just doing quick math, that's 65 apiece-ish. But as far

1 as -- I don't know. PAIs are not as involved in the maintenance  
2 side as the PMI is. They're not doing the manual reviews; they're  
3 not -- you know, they'll be doing DCTs with them, on-site visits  
4 and stuff, but they've got -- I don't know, PAIs are beat up.

5 So when you ask how many Unit E covers, that's why I sort of  
6 spelled it out. Like POIs and PMIs, the POIs and PMIs in the  
7 helicopter unit, we probably cover 35, 40 certificates between the  
8 three POIs and the two PMIs, and then the PAIs have a whole mess  
9 of stuff, so -- we are getting another POI. He should -- he's  
10 just crossing this year, so we'll have four principals -- well,  
11 actually, we've lost -- Paula is now the acting FLM, so we're back  
12 down to three, so it all stays the same.

13 Q. Okay. That was my next question. So three POIs and you said  
14 five PMIs; is that correct?

15 A. Oh, no, no. Two.

16 Q. Two.

17 A. Three POIs, two PMIs, and two PAIs.

18 Q. Okay. Is that unit fully staffed, or are there open  
19 positions?

20 A. No, it's -- well, I don't -- I don't -- this is out of my  
21 league. I don't believe staffing for the office is by unit.  
22 Staffing for the office is by office, so where we put people, how  
23 we subdivide into units is on us. The office is fully manned;  
24 there are no vacancies, the way I understand it. We got really  
25 lucky before everything shut down, I think people (indiscernible)

1 so the POI that we have, the new one coming on, worked two days in  
2 the office and then got sent home. That was his welcome to the  
3 FAA, so --

4 Q. Okay.

5 A. We got the last guy.

6 Q. When you say the office, where is your office?

7 A. Right here. No --

8 (Simultaneous speaking.)

9 Q. -- space in Anchorage, or --

10 A. Yes, it's in Anchorage. It's on 36th and (indiscernible)  
11 there. I've been out of the office; I've been full time telework  
12 since whenever we started into 2016 it seems like, so I've been  
13 working out of the house here 5 years now.

14 Q. Okay. Is the helicopter unit all located in Anchorage, or  
15 are some remotely sited?

16 A. What do you mean by remotely sited?

17 Q. Well, is there another office location that --

18 A. There is an office location in Wasilla, but it's been closed  
19 the same as Anchorage is. But I don't know that I would call that  
20 remote -- that's why I asked for your definition. Remotely sited,  
21 to me, means they're working in Fairbanks or something. If  
22 there's an actual FSDO office there, that, to me, isn't remotely  
23 sited, but if that's what you mean --

24 Q. Is anybody in that -- in the Fairbanks office, are they  
25 assigned to the helicopter unit?

1 A. No, sir. Everyone is in the Anchorage fold.

2 Q. Okay. Is there specific guidance for 135 helicopter  
3 operators in IIMC training, inadvertent IMC training?

4 A. As to what their training should consist of; is that what  
5 you're asking? I have not reviewed a training manual in a few  
6 weeks, so I am -- I would suspect there is. In fact, I'm pretty  
7 sure there is. I couldn't tell you what it is off the top of my  
8 head. I'd have to refer to guidance.

9 Q. Okay. You said you mentioned -- or that you had operators  
10 that did heli-skiing operations, correct?

11 A. I did, sir.

12 Q. Okay. How do you evaluate training for flat light or  
13 whiteout conditions?

14 A. So we go out and do it.

15 Q. Okay.

16 A. And we --

17 Q. Any specific FAA guidance on that?

18 A. Say that again.

19 Q. Is there specific FAA guidance on that? That you --

20 A. On evaluating flat light? Yes.

21 Q. Yes, sir. Okay.

22 A. Yes. And whiteout, brownout, it is specific.

23 Q. Okay. With -- when an aircraft is not based at its home  
24 location, but it may be remotely put at a base where it's not, not  
25 -- I'll say away from the head shed (ph.), how is operational

1 control maintained?

2 A. It could be a variety of ways, but it's -- it should be in  
3 accordance with whatever their control scheme is. But primarily,  
4 the pre-launch, the pre-departure portion of operational control  
5 is all negotiated in accordance with their operational control  
6 plan with whoever the appropriate management personnel are in the  
7 chain, commensurate with the risk level that they're at, and  
8 that's all approved. And then, from departure on, provided that  
9 risk management -- or that risk level is not exceeded, that  
10 authority that's granted based on a certain level of risk is not  
11 exceeded, that remains with the PIC through the flight.

12 If he later on in the flight has to exceed what was  
13 originally authorized for him through the management process, then  
14 he would have to go back and revisit that, but once -- normally,  
15 if they are away from the office and out of contact, they're going  
16 to have some means of pre-approving, you know, three days worth of  
17 or five days worth of -- as long as this is your criteria, and you  
18 can remain within this risk envelope, you are authorized to  
19 conduct these missions in these conditions for this set amount of  
20 time. If you exceed any of that, whether the weather's going to  
21 change or mission is different now, your customer changes,  
22 whatever, you go back and start the process over again. That's  
23 normally how it works.

24 Q. Okay. Thank you. Are you familiar with the FAA's voluntary  
25 SMS program?

1 A. Yes, sir.

2 Q. Are you aware if Soloy, are they a part of that program?

3 A. I don't know. I don't believe so, but I'm guessing.

4 Q. Do you have other operators in your -- that you are the POI  
5 for that are a part of it there in Alaska?

6 A. I have had one that has tried and attempted, and I will state  
7 that I think it's sort of been sabotaged by their -- by our  
8 management a little bit. Not in the office, I mean national  
9 level. The decision has been made that voluntary SMS is the  
10 lesser of two choices, that they would rather have people do the  
11 full SMS, not the voluntary version, and as such, they have made  
12 the voluntary process unnecessarily difficult with the stated  
13 purpose of discouraging people from the voluntary to steer them  
14 towards the full, as stated by -- to me by their management people  
15 coordinating the SMS program.

16 Q. Okay. Last question is, how's COVID changed your duties,  
17 both -- and responsibilities, both as an FLM and as a POI?

18 A. FLM, it makes it a pain, because you got to double check,  
19 triple check, jump through hoops to get anything done. POI-wise,  
20 it hasn't changed anything for me personally other than give me  
21 more to do because nobody else wants to do it. But I've --

22 (Simultaneous speaking.)

23 Q. (Indiscernible)?

24 A. Oh, I have the whole time. Never stopped.

25 Q. Okay.

1 A. I've been -- oh, all told, probably two months worth of  
2 (indiscernible) this whole time, done probably 100 check rides all  
3 over California, Washington, Oregon, Texas, Hawaii, because nobody  
4 else wants to, and I don't mind doing it.

5 Q. Is there a process for the inspector, if they do not want to  
6 do a check ride because of COVID, is there a process that they  
7 can --

8 A. Sure, that's the majority of what my (indiscernible) travels  
9 have been. They say I'm either not available or I'm uncomfortable  
10 or whatever doing it, and they put in a request into the national  
11 resource program for -- inspector resource program, and they find  
12 the closest guy or the nearest available guy that's willing to go  
13 do it, and we go do check rides. I'm going to do all --

14 (Simultaneous speaking.)

15 A. -- all over the state. In fact, as soon as I'm done here,  
16 I'm off to Nome, doing check rides in Nome for the Fairbanks  
17 office tomorrow, so --

18 Q. As your time as an FLM, how many check rides have you had to  
19 do?

20 A. As an FLM, I probably did 50 or 60 of them during that time  
21 period.

22 MR. RIGSBY: I'm done. Thanks, Shaun.

23 Thanks, Ben.

24 MR. HERNING: Yes, sir. Thank you.

25 MR. WILLIAMS: All right. Thanks, Ben.

1 Al, do you have any questions?

2 MR. WILSON: Let me get technology to work for me here.

3 BY MR. WILSON:

4 Q. Can you hear me okay, Ben?

5 A. Yes, sir.

6 Q. Okay. Good morning again.

7 A. How you doing?

8 Q. Oh, existing. I guess basically just one question, kind of  
9 want to rewind to the specific FAA guidance concerning whiteout  
10 and brownout. Can you -- kind of an open-ended question. Can you  
11 elaborate on that a little bit? Kind of looking for what  
12 consistencies there might be amongst operators, particularly up  
13 here in Alaska, anything, I guess, policy-wise required or  
14 anything required by 135 or regulation. There seems to be a lot  
15 of -- in my opinion, a lot of -- and I don't mean to put words in  
16 your mouth, but a lot of inconsistency on exactly how that element  
17 is addressed, whether it's done more from a -- well, I'll stop.  
18 I'll shut up. I'll let you kind of give me your opinion of that.

19 MR. TOMICICH: Al, I'm sorry to interrupt. This is Mark.  
20 You have a lot of different things. Could you just narrow down  
21 your specific question? I think there may be a lot lost in  
22 translation, so --

23 MR. WILSON: Okay.

24 MR. TOMICICH: -- if you could ask a concise question, that'd  
25 be helpful.



1 MR. WILSON: Thanks. Yeah.

2 BY MR. WILSON:

3 Q. Sorry, Ben. Can you touch on exactly what specific FAA  
4 regulation or guidance there is on whiteout or brownout  
5 conditions? Focusing on training.

6 A. On company training programs?

7 Q. We could start there. I guess I'm looking maybe a little  
8 more specific -- FAA-specific guidance on whiteout or brownout  
9 training.

10 A. I'm still sort of lost. So you tell me where -- what little  
11 rabbit trail I'm supposed to go. You started out saying I'm  
12 inconsistent on what is happening with checking whiteout/brownout  
13 during -- like when I am conducting a check ride; is that what  
14 you're referring to, or no?

15 Q. No, no. I was elaborating on there seems to be  
16 inconsistencies in the industry on how to address whiteout --

17 A. How --

18 Q. -- brownout.

19 A. How checking of whiteout and brownout training is  
20 accomplished or --

21 Q. Specifically what you would be looking for in an operator's  
22 training program to address whiteout and brownout conditions.

23 A. Okay. So training program review, not in the actual  
24 evaluation?

25 Q. Well, we'll get to that in a sec, but let's talk about what

1 your expectation would be with the -- with an operator in their  
2 training -- approved training program for whiteout and brownout.  
3 A. Okay. Back to your one statement, regulatorily, there is not  
4 a regulation requiring that. Guidance has stipulations on  
5 whiteout and brownout as being special consideration factors in  
6 all tasks, not a standalone thing. We don't -- I mean, we address  
7 whiteout and brownout as a topic, but we address it -- we expect  
8 it in training programs to be addressed specific to a task,  
9 whether it's, you know, a hover task or an autorotation or a  
10 confined area or a pinnacle, each one of those special  
11 consideration factors as whiteout and brownout or flat light.

12 And so, when you're reviewing a training program, you're  
13 looking for those to be listed in the special considerations and  
14 somewhere in one of the modules, usually -- I don't know which.  
15 It's usually in multiple. Recurrent and re-qual and initial are  
16 going to have a segment that covers whiteout, brownout, and flat  
17 light.

18 Q. Does that -- those special considerations, does that fall  
19 under the ACS?

20 A. We don't -- no, helicopter's still PTS.

21 Q. Oh.

22 A. We haven't changed to ACS, no. I mean, yes, it is in there  
23 as -- I don't -- rephrase your question. Is -- I don't know. Are  
24 you saying is that where it comes from?

25 Q. Yeah, I guess, if an operator were to create a training

1 program, where -- what would tell him that he has to apply a  
2 special consideration for whiteout and brownout?

3 A. I'm pretty sure it's in guidance. I don't know -- if you  
4 want me to find something, you're going to have to give me a  
5 second to give.

6 Q. Guidance in the --

7 A. In the (indiscernible) training programs.

8 Q. Okay. The -- touching on guidance, would we be going beyond  
9 the PTS? Would it be rotorcraft flying handbook, would it be in  
10 aeronautical knowledge, would it be aeromedical factors --

11 A. To answer your question, yes.

12 Q. Yeah. Okay. All right. You had mentioned earlier that --  
13 when the question was asked before that you actually go out and do  
14 it.

15 A. I did.

16 Q. So can you elaborate on that, what you would do to address  
17 whiteout and brownout?

18 A. You request that the pilot you're evaluating conduct a  
19 maneuver in a location where that is likely, and you evaluate his  
20 ability to predict, to modify his technique, and to either state  
21 or demonstrate the things that he would use to properly manage it.  
22 It's a factor, it's a known thing, it's not -- you know, English  
23 just left me. It's not imaginary, it's an actual thing, so let's  
24 go out and see the actual thing, or show me where the actual thing  
25 would become a factor and how you would address it. That's a

1 normal means of evaluation. In Alaska, we have fairly year round  
2 opportunity to provide places to demonstrate it, so --

3 Q. All right. Do you -- in your opinion, is that -- what you  
4 just described, is that kind of your standard practice, or is that  
5 -- in your opinion, is that pretty consistent with other POIs  
6 doing check rides to actually go out and evaluate a pilot's  
7 decision making when encountering those kinds of conditions, or  
8 would it be more of a table topic to discuss what a pilot would  
9 do, or a combination of both?

10 A. Well, I'll answer your question, but first I need to say, I  
11 am not real familiar with what other POIs are doing on their check  
12 rides. I know what I've been trained to do. I know what I'm  
13 evaluated on every quarter or year when I go down to get my  
14 review, and it includes brownout. I can't seem to get -- although  
15 I did get whiteout in Dallas in February. It was awesome. Want  
16 to throw that out there.

17 Q. Okay.

18 A. But I am -- you know, I was trained by my trainer when we  
19 were doing that, and it was in accordance with what was -- at the  
20 time, what was a notice which then became guidance, but we've  
21 included -- that's fairly -- I'm guessing it's what everybody is  
22 doing. It has the opportunity or the necessity, sometimes, if you  
23 live in a concrete jungle where there isn't either, that you  
24 tabletop some of it. But it's a fairly big reality of life up  
25 here, so I know, in our office, the principals are pretty keen on

1 it, and the POIs are pretty keen on it, and it's routinely  
2 evaluated. But I'm at a loss for the rest of the company -- or  
3 the country, sorry.

4 Q. (Indiscernible) I pushed (indiscernible) for 20 years, so --

5 A. A non-essential bus, I like it.

6 Q. Easy now.

7 A. I know.

8 Q. Do you have any --

9 (Simultaneous speaking.)

10 A. -- got to carry them blivets (ph.) of hydraulic fluid to get  
11 you home. Stupid Huey guy making (indiscernible).

12 Q. We will have that discussion later. What's your -- we'll  
13 leave that as it may with whiteout and brownout, but what's your  
14 experience with the A-Star?

15 A. I have a fair bit of experience with it. I have never flown  
16 it commercially as a job, but I've flown it quite a bit. There  
17 are some nuances of French engineering that I'm not real fond of,  
18 but it's a --

19 Q. Agree.

20 A. -- capable helicopter.

21 Q. Yeah. I agree. Personally speaking, but the -- is -- were  
22 you -- just general question concerning POIs. For an aircraft  
23 like the A-Star, were -- is there specific training that would be  
24 required for an operations inspector on an A-Star? If they're --  
25 there's no type rating required, so let's say an operator has a

1 fleet of aircraft -- let's use Soloy -- that has a number of  
2 different models, and a POI is assigned to them. Would there be  
3 an expectation on the FSDO side that, that POI get specific  
4 training in each model, or rely on previous, similar type air --  
5 can you --

6 A. Yeah, I --

7 Q. -- my rambling so Mark doesn't get on me here?

8 A. Yeah, I would say there is not. And this is a discussion  
9 we've had multiple times with maybe not the NTSB but around the  
10 office and the rotorcraft roundtable, some upper management. The  
11 primary flight controls in the helicopter are all identical. The  
12 fuel condition lever or the throttle is not a primary flight  
13 control because it is never manipulated during normal operation.  
14 So the response, the inputs, the maneuver methods are identical.  
15 Provided it has a governor, and you're not talking an R-22 or a  
16 TH-55 or Schweizer 300, whatever, all the rest of them are all the  
17 same. I mean, you know the deal: Chinook flies the same as Huey  
18 flies the same as a A-Star. Granted, it's a little squirrelier,  
19 but trees get little, trees get big, left, right; it's all the  
20 same.

21 Q. But you're dating yourself if you're mentioning a TH-55.

22 A. Man, we should've never got rid of them at Fort Worth. They  
23 were the funnest little rigs ever. Sorry. So, as far as specific  
24 training, I don't know, you're leaning seems like towards like a  
25 differences training kind of thing.

1 Q. Familiarity. Let's use the term familiarity, to offer  
2 familiarity to an inspector.

3 A. Yeah. I would say the majority of those are small enough and  
4 not exercised enough or at all during a 293, 299 event that they  
5 remain relatively insignificant. So I am not messing with  
6 (indiscernible) on a B3 versus manual control or manual condition  
7 lever on a B2. That's done by the pilot. It's initiated during  
8 the start. From that point on, it's uninterrupted till you come  
9 back and shut down. So whether he clicks a twist grip to vol,  
10 that's different in his actions, but it's not different in my  
11 grading, my evaluating, my having him do tasks. I don't know,  
12 does that muddy the water or help?

13 Q. No, yeah, that's fine. The last question I have is, before I  
14 hand it off to somebody else, do you get -- does the operations  
15 inspector get into a company's ERP, emergency response plan, at  
16 all? Is that part of an overall -- well, I'll shut up and let you  
17 answer the question before Mark gets back on me.

18 A. If it's part of their operational control scheme, then yeah,  
19 you would. If it's included in their GOM or their training  
20 program modules in some way, you would. But outside of that,  
21 probably not.

22 MR. WILSON: All right. Thank you for your time. I'll --

23 MR. HERNING: No, thank you, sir.

24 MR. WILSON: -- hand it back to Shaun.

25 MR. WILLIAMS: Hey, thanks, Al.

1 Sabrina, do you have any questions?

2 MS. WOODS: I do. I have two questions really.

3 BY MS. WOODS:

4 Q. Ben, so Matt touched on one of the questions, but I wanted to  
5 clarify. So do you feel -- or how do you feel your current  
6 manning as it stands now with your POIs, PMIs, and PAIs, do you  
7 feel that your current manning is appropriate to the workload that  
8 you guys have?

9 A. I don't know. Mark, should I answer that?

10 Yeah, so we always say manning is never enough. We always  
11 need more people. That's a perpetual argument. But we're not  
12 arguing with you, we're not arguing with whoever we're arguing  
13 with, the American people. So that argument is usually relegated  
14 to the serial dreaming.

15 That said, we have been force-fed really cool things like SMS  
16 and SAS and regardless of the sales pitch that everybody from  
17 Steve or John on down has been sold, it is a huge time sucker.  
18 Every process that was relatively simple is now much more labor  
19 intensive and time consuming. It requires multiple levels of  
20 interaction. I can't just go do a check ride for someone and fill  
21 out a PTRS and be done with it; I now have to get in SAS, task  
22 myself an ad hoc, do it, send it to a manager to get reviewed,  
23 turn it around, and submit it. And I'm doing sometimes eight of  
24 those a day. So do we need more people? Sure, we need more  
25 people. Is that realistically attainable? Probably not.



1           That then forces the whole concept of risk based decision  
2 making. I grade everybody out by who I think they are, you know,  
3 risk producing, and then I focus at the top of the list and work  
4 down as far as I can go. And at the end of the day, the single  
5 pilot operator who's always by himself and never doing nothing but  
6 trucking around doing the same back and forth to fish camp all by  
7 himself all day long, he usually doesn't get the benefit of  
8 meeting us fine flight standards people. But we've sorted things  
9 out to accommodate unnecessary evil of not having enough people to  
10 adequately dump time into everything we need to.

11           Did I dig myself a hole, Mark, or did that help? I got a --

12           MR. TOMICICH: Yes, sorry about that. I ended up -- I got a  
13 screen announcement, and every time I went to hit the unmute  
14 button, it sent me some place else. So I apologize. I will let  
15 everybody else kind of weight your response. I thought it was  
16 great, but that's a personal opinion. But no, keep going.

17           BY MS. WOODS:

18 Q. Thank you. I appreciate the response actually. And then the  
19 second question I have, which I think Al kind of came close to,  
20 which is training and the -- and, again, this is how you feel.  
21 And I don't mean training as a helicopter pilot, but I mean as a  
22 function of a POI, and now having done time as an FLM, do you feel  
23 that the training that you have received personally, and then I'll  
24 expand it to what you think about other people, but do you feel  
25 like the training you received was adequate to perform the duties

1 that you were actually required to do?

2 A. Oh, yeah. Yeah, I had great training. I had my boss, who I  
3 was pretending to fill his shoes. He was a great trainer. Very  
4 capable, very knowledgeable, very thorough. We had the  
5 opportunity, as a helicopter unit, to make our own training  
6 opportunities, so we spent a lot of time together out at multiple  
7 operators all over the state doing all sorts of stuff. So in that  
8 regard, yeah, I feel adequately prepared. That may be a unique  
9 scenario with he and I, just because we get along and have similar  
10 passion for what we're doing, but -- so hopefully that helps.

11 Q. No, it does, and you are I think also in a unique situation  
12 to where, as you stated, you've grown up and you're very  
13 comfortable and familiar in the working environment. So now I'm  
14 going to ask you to think a little outside the box and expand that  
15 question to, let's say, like for instance, you have a new POI  
16 coming in. Let's say this POI is like born and raised in Florida  
17 and, although an accomplished helicopter pilot, is not as familiar  
18 with the environment and the uniqueness of your particular  
19 operations that you do there. Do you feel that same training is  
20 adequate for a person of that nature?

21 A. Well, in your hypothetical situation, I would hope and expect  
22 that the OJT trainer would capitalize on the opportunity to  
23 introduce and practice all these unique environmental factors in  
24 their training. That being said, I'll flip the coin on you. All  
25 of us POIs, helicopter POIs in this office, including my new one,

1 are all Alaskan born and bred. The new one coming is a Chinook  
2 guy, just coming out of the Guard, and he and I have been flying  
3 together since '87, so he's a pretty capable dude as well.

4 Q. Understood. So it's a bit of a moot point for your  
5 environment, because everybody's familiar with the area.

6 A. We -- I think we avail ourselves of the opportunity to be  
7 really particular in the selection process to avoid creating  
8 ourselves some big holes to dig out of, if that makes sense. So  
9 if we can be finicky during the hiring times, bills to dividends  
10 that pays down the road are huge. So we're pretty, I don't know,  
11 well situated I guess, or at least on the POI side. That's what  
12 you were asking about. So I have confidence that the other people  
13 around the office are doing the same thing.

14 MS. WOODS: Excellent. Thank you for that, Ben. That's all  
15 I have.

16 Thank you, Shaun.

17 MR. HERNING: Thank you.

18 MR. WILLIAMS: Thanks, Sabrina.

19 Al, do you have anything? Or not -- sorry, not Al. Greg.

20 MR. KING: Good morning. No, I don't have any questions at  
21 this point.

22 MR. WILLIAMS: Okay, thanks.

23 BY MR. WILLIAMS:

24 Q. Ben, I just have really probably one, maybe two more  
25 questions for you here if that's okay.

1 A. Sure.

2 Q. So I want to go back to the check ride. We talked about the  
3 8410 and the Table 3-71 and all of that.

4 A. Um-hum.

5 Q. If an operator is only doing the items on the 8410, using  
6 that as the checklist, then is that considered a valid check ride?

7 A. I don't -- I'm not sure I understand the question. I don't  
8 have a different form that I document check rides on than the 8410  
9 unless the company produces their own.

10 Q. No, so the 8410, yeah, that's the form. That's the one form  
11 that's used.

12 A. Right.

13 Q. But I guess what I'm getting at is, if you're only doing the  
14 items listed on the 8410, not necessarily also the items contained  
15 in Table 3-71 that you talked about, then is that check ride valid  
16 or is it still lacking additional things?

17 A. Table 3-71, and I'm going to pull 8410 just to -- I've never  
18 side-by-sided them to see what's on one and not on the other. Am  
19 I able to use these pieces of paper --

20 Q. Oh, absolutely. But --

21 A. -- for reference?

22 Q. -- I think Mark's about to jump in here. I see him reaching.

23 MR. TOMICICH: No, that's fine. I was just going to ask Ben  
24 just to explain what the two documents are for the record, because  
25 the court reporter's --

1 MR. HERNING: Oh.

2 MR. TOMICICH: -- be able to see you holding up the paper, so  
3 just if you could, just describe or identify each page that you're  
4 using.

5 MR. HERNING: Yes, sir. This is FAA Form 8410, dated 8 of  
6 '81, Airman Competency Proficiency Check Grade Slip (ph.), we call  
7 it. It's what's normally utilized during a 135 check. And then  
8 the maneuvers as required to be tested out of guidance, out of  
9 Table 3-71, and all I'm doing is going through them side-by-side  
10 to make sure that -- I've never actually looked at it that way, so  
11 I want to make sure that, if you say they're only doing the tasks  
12 on the 8410, I'm not aware of a task that's on the 3-71 that is  
13 not on the 8410.

14 BY MR. WILLIAMS:

15 Q. Focus more on the inadvertent IMC or the IMC procedures. On  
16 the left side of the 8410, down where it has the approaches and  
17 things, there's the unusual attitudes. So earlier, when we were  
18 talking about only doing unusual attitudes under the hood, whether  
19 or not that met the requirements of the check ride. And that's  
20 where you brought up Note 4 and Table 3-71, that you do more than  
21 just unusual attitudes.

22 So I guess what I'm getting at is, if the only IMC training  
23 on the check ride is unusual attitudes under the foggles or other  
24 view-limiting device, does that meet the standard or the  
25 requirement for a satisfactory check ride completing all the

1 elements? And, again, if it's something that you would have to  
2 research more, that's fine. I'm just curious.

3 A. I -- well, so two sides to your coin here. If the tasks were  
4 evaluated fully, both unusual attitude recovery and inadvertent  
5 IMC, in accordance with Table 3-71, there are no additional blocks  
6 checked or handwritten in or whatever on an 8410 that say  
7 something was done differently than if a person was to check off  
8 the blocks on the 8410. I can't look at any 8410 and say they  
9 used this as their POA, plan of action, while they were doing  
10 their check ride. That doesn't exist.

11 I don't -- I mean, I sort of see where you're going, but as a  
12 POI, if I were to go observe a check airman conducting an  
13 observation, and all I saw was him having this as his POA, I may  
14 say something, but if he got down here to inadvertent IMC and did  
15 not do unusual attitude, I would say something. But I have never  
16 had any operator, either here or in America, do one without the  
17 other. That -- they are two separate things, and they are  
18 evaluated separately.

19 The depth that they go into the inadvertent IMC recovery  
20 differs place to place, and that's kind of necessarily required by  
21 the environment they're in. Our inadvertent IMC recovery plans  
22 here are substantially different than they are in the Los Angeles  
23 bowl; you've got radar everywhere. So inadvertent IMC, for a lot  
24 of these guys, they're 30 miles away from town. There's nobody to  
25 talk to, let alone to get you on radar or ADS-B and even pretend

1 to give you vectors. So if you got yourself in, you have to be  
2 somewhat independent and get yourself out. So, for me, that's a  
3 rather substantial portion of that maneuver.

4 I communicate U.S. Helicopter Safety Team and HAI principles  
5 routinely to keep guys from making turns in the first 53 seconds  
6 so that they can live and have a plan and evaluate what they're  
7 doing, and most operators are, in my experience, are doing that.  
8 So I don't know if I'm answering your question, but I -- I don't  
9 know. Help me.

10 Q. Yeah, I think that does -- you know, one thing, when you look  
11 at the 8410, and it just -- there's not the inadvertent IMC  
12 recovery or CFIT training, right, it's under instrument procedures  
13 I believe, and then it says -- or it's emergency procedures, and  
14 it says unusual attitudes.

15 A. Yep.

16 Q. So are you -- if that's the only -- I guess how else would it  
17 be documented that the rest -- that the inadvertent IMC or the  
18 CFIT training was accomplished? Is there anywhere else to  
19 document it, or would it just be right there on that one form?

20 A. Okay, ask your question again. You -- once again, you said  
21 to document that the training was accomplished.

22 Q. The checking, sorry.

23 A. Are we talking training or --

24 Q. The checking.

25 A. -- are we talking --

1 Q. 293.

2 A. -- checking -- okay. Yeah, there is no other place other  
3 than the 8410.

4 Q. Okay. Yeah. All right.

5 A. Now, some people -- when we first got the notice, that used  
6 to be a remark that we would add in, but now that it's been  
7 included in the Table, we no longer write the remarks in the  
8 remarks for inadvertent IMC and whiteout, brownout. They used to  
9 be handwritten remarks prior to them being included in Table 3-71,  
10 which the -- the date of the Table is 2016 that I have, so it was  
11 some time prior to that that it was added as a notice.

12 MR. WILLIAMS: All right. I think that does it for me.  
13 We'll go around one more time, and then we should be able to cut  
14 you loose here.

15 Katherine, do you have any more questions?

16 DR. WILSON: I don't have anything. Thanks, Shaun.

17 MR. WILLIAMS: Okay, thanks.

18 Fabian?

19 MR. SALAZAR: Ben, I wanted to let you know that I never saw  
20 Fort Wolters, but I did fly the TH-55, so thanks for your service.  
21 No, I have no questions.

22 MR. WILLIAMS: All right, thanks.

23 Josh?

24 MR. CAWTHRA: I got nothing. And thanks for taking the time  
25 to talk to us today.



1 MR. HERNING: Thank you, sir.

2 MR. WILLIAMS: Okay, thanks.

3 Matt?

4 BY MR. RIGSBY:

5 Q. Hey, Ben. Just a quick one. You're no longer the FLM for  
6 the office. Who took that over?

7 A. Paula, Paula Huckleberry.

8 Q. Okay. And will she remain the POI for Soloy, or will  
9 somebody else be assigned that?

10 A. No, that's already been transferred I believe.

11 Q. Okay. Do you know who has that now?

12 A. It should be Bruce Cummings.

13 MR. RIGSBY: Okay, that's it for me. Thank you.

14 MR. HERNING: Thank you, sir.

15 MR. WILLIAMS: Al, do you have any other -- any additional --  
16 mute button. Al, do you have any additional questions?

17 MR. WILSON: No. Thank you for your time, Ben, and along  
18 with Fabian, appreciate your service.

19 MR. HERNING: No, thank you, sir. Thanks for buying my gas.

20 MR. WILLIAMS: Sabrina?

21 MS. WOODS: One quick clarification please. For -- you said  
22 that Paula has taken over the FLM position. Was that -- is she on  
23 the detail, as you were, for 6 months, or is she the permanent?

24 MR. HERNING: Oh, all these hard questions. It is not a  
25 6-month detail. I believe it is a 2-year, not to exceed, but it

1 was announced and applied for competitively, so it can be  
2 permanent. Yeah, so it's not a temporary, less than 2 years kind  
3 of thing. I don't know beyond that what's going to happen, but --

4 MS. WOODS: Understood. Thank you.

5 MR. HERNING: -- it is not the same. Yes, ma'am. Thank you.

6 MR. TOMICICH: And just a note for the record, Paula is our  
7 next witness interview, so you guys can find out.

8 MS. WOODS: Thank you. That's all I have.

9 MR. HERNING: Oh, you bet. Thank you.

10 MR. WILLIAMS: Greg, do you have any questions?

11 MR. KING: No, I don't have anything to ask. Thanks.

12 MR. WILLIAMS: All right. Well, Ben, thank you very much for  
13 taking the time to talk with us. It's been a short almost  
14 2 hours, but --

15 MR. HERNING: Yeah. Do I get some off the record questions?

16 MR. WILLIAMS: Not necessarily off the record, but do you  
17 have questions you'd -- do you have something you want to tell us?

18 MR. HERNING: No, no. I got questions I want you to talk to  
19 me.

20 MR. WILLIAMS: About?

21 MR. HERNING: Well, about this accident I guess. So there  
22 were some calibrated leaks kind of put out towards the beginning  
23 of things that --

24 DR. WILSON: Hey, Shaun. Hold on.

25 MR. WILLIAMS: Yeah.

1 DR. WILSON: Let's just wrap up the interview if there's  
2 things that he just wants to share that's not going to be in the  
3 transcript.

4 MR. WILLIAMS: That's fine, so we'll go ahead and turn the --

5 DR. WILSON: I'm not -- just want to make sure that we're  
6 still on the record depending upon whatever's being discussed and  
7 shared right now.

8 MR. WILLIAMS: Yes, yeah.

9 MR. RIGSBY: Ben, you can call me if you want. This is Matt.

10 MR. HERNING: Is that what you would prefer?

11 MR. RIGSBY: Probably so, yes.

12 MR. HERNING: Okay, I can do that.

13 MR. RIGSBY: Just to maintain the integrity of the  
14 investigation as well, so just to be --

15 MR. HERNING: Okay. Perfect.

16 MR. WILLIAMS: All right. Well, Ben, thank you. I'll stop  
17 the recording now, so we're off the record at 1:27 Central Time.

18 (Whereupon, at 1:27 p.m. CDT, the interview was concluded.)  
19  
20  
21  
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23  
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25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL AIRBUS AS350B3 HELICOPTER  
CRASH NEAR KNIK GLACIER, PALMER,  
ALASKA, ON MARCH 27, 2021  
Interview of Benjamin Herning

ACCIDENT NO.: WPR21FA143

PLACE: Via videoconference

DATE: April 19, 2021

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.



Autumn Weslow  
Transcriber

