

Columbia Seaplane Pilots Association reimbursed \$25,000 In Legal Expenses by U.S. Forest Service over Waldo Lake Fight

Portland, Oregon--(October 28, 2010) - The U.S. Forest Service has agreed to pay the Columbia Seaplane Pilots Association \$25,000 for legal fees from a lawsuit in which the United States District Court ruled that the Forest Service did not have the legal authority to regulate seaplanes on Waldo Lake.

The Forest Service had attempted to adopt a plan for Waldo Lake that would prohibit seaplanes from using the lake. For fifty years seaplanes have used Waldo Lake as an important available stop when traveling cross country along the route Seattle-Portland-Eugene-Klamath Falls-Shasta-San Francisco. In addition, pilots occasionally landed at the lake for recreational uses.

CSPA argued that the Forest Service had no credible reason to prevent seaplanes on Waldo Lake, and pointed out that seaplane use of the lake was needed for the purpose of interstate travel which is protected under the Commerce Clause of the U.S. Constitution. In fact, the Forest Service staff had admitted they had never even seen a seaplane on the lake. Judges Coffin and Hogan from the U.S. District Court for the District of Oregon, stated in their ruling that the Forest Service attempt to prevent seaplanes from using Waldo Lake was “arbitrary, capricious and an abuse of discretion.” The Columbia Seaplane Pilots Association was represented in the case by Schwabe, Williamson & Wyatt.

Under the U.S. Administrative Procedure Act, non-profit groups such as CSPA may petition to be reimbursed for legal expenses if they prevail in the lawsuit. CSPA so petitioned, and was awarded the \$25,000. CSPA will keep these funds in reserve should another fight occur where an agency attempts to curtail legitimate seaplane access rights.

"We believe the Court's ruling confirms that seaplanes are a vital means of travel and commerce, and that reasonable and safe use of seaplanes in the Northwest should not be artificially restricted," noted Aron Faegre, President of CSPA. "We hope that other public agencies will recognize the importance of seaplane travel and continue to allow free and open access for our pilots."

It is important that seaplanes continue to receive this right of access to navigable lakes and rivers, so that they can continue to be a practical mode of transportation. Many citizens and planners are not aware that seaplanes can provide a much lower carbon footprint than automobiles, since they do not require the extensive infrastructure necessary to build and maintain highways, which has an enormous added carbon footprint. The seaplane's infrastructure is simply the existing healthy clean waterways, the same as what is needed for wildlife and recreation uses – with the added benefit that carbon is sequestered, not emitted.

More information on the transportation access needs of seaplanes, their carbon footprint, and their use in the Pacific Northwest can be found at the Columbia Seaplane Pilots Association web site: www.c-spa.org or by contacting Mr. Faegre at 520 SW Yamhill Street, Portland, Oregon 97204 503-222-2546.