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CSPA BULL-A-TON

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Finding Waldo

President's Message: November 14, 2011

Waldo Lake is a particularly beautiful lake, when traveling from east to west over the Cascades. I vividly remember its image, and the feeling of warmth it gave me, on one trip. I had flown from Portland to Klamath Lake to pick up my daughter, a biologist working at the Klamath Bird Observatory. The trip south went well, and I landed just outside of the Wildlife Refuge on the lake, and taxied up the narrow channel to where the research station was located. It was a short visit with her co-workers, and a viewing of a colony of bats living along the north eave of the cabin roof. We then took off north. We usually

follow Highway 58 through the Cascades since it uses the lowest pass of the Middle Fork of the Willamette River. Ceilings were forecast to be fine for the trip back, but as we approached the height of land between Odell Lake and Waldo Lake, it became apparent that we were likely to be blocked.

Per my limited training following Ted and Warren in the North lands, I worked my way around the cloud edge and found a way into the grey – and like magic Waldo Lake appeared in the distance.

“You start with a big bag of luck and an empty bag of experience. The trick is to fill up the bag of experience before you empty the bag of luck”

Bull-a-Ton Newsletter Editor:
Mary Chlopek



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Finding Waldo

President's Message: 11/14/2011
(continuation)

From there I knew I had a safe place to land if I needed it, and I continued on, and sure enough as the terrain dropped I could get through the gap and follow the Willamette down to the valley, and home. Ahhh sweet Waldo.



As you all know, your CSPA has first battled the U.S. Forest Service for three years to retain the right to use Waldo Lake on our migrations back and forth around the state. And then in the past two years has been battling the State of Oregon for that same right. One would have thought that the clarity of Section 2 of the 1859 Oregon Admissions Act would make a fight like this unnecessary:

“... and all the navigable waters of said State, shall be common highways and forever free ...”

That is a pretty lucid statement, and has withstood the test of time for 150 years. However, in 2009, our Governor Kulongoski declared, on his own:

“except Waldo Lake”

So we have needed to keep this fight on, since Waldo Lake is one of our essential lakes along our “common highway” around Oregon and the Western United States. The map on the opposite page shows our common routes, which for float aircraft by necessity follow the “navigable waters of the said State.”

We have offered to the State several times, to negotiate “reasonable” seaplane access to Waldo Lake, but so far with no positive response. So as of October 19, 2011, we have filed in the Court of Appeals of the State of Oregon, Columbia Seaplane Pilots Association and Waldo Lake for Everyone vs. State Marine Board, our “Opening Brief and Excepts of Record.”

Here is a summary of the arguments we are bringing, in the 104 page document:

The Marine Board exceeded its statutory authority in promulgating the rule change, because it contradicts Oregon statutes that already allow the use.

The Marine Board failed to follow requirements of notice-and-comment rulemaking in that it conducted sham hearings and then voted at the instruction of the Governor’s Office, rather than in accordance with its own judgment, in violation of Oregon statutes.

The Marine Board failed to provide adequate fiscal impact statements.

The Marine Board failed to carry out its rulemaking “in cooperation with” the Oregon Department of Aviation in the manner required by law.

In researching for our brief, we found that the public hearings were a total sham, because the Governor had already agreed to a MOU (Memo of Understanding) with the U.S. Forest Service giving them just what CSPA had denied them in federal court. The Marine Board hearings were just a rubber stamp process. Listed below are a few excerpts from our brief, to give the flavor of what we found the Governor had done:

“[The Governor’s representative] told me in no uncertain terms that the Governor wants the Board to adopt a rule prohibiting motors on Waldo as soon as possible. There is no room for discussion.

We need to be firmly on the same page here, because under the MOU, Section 2 would become the text that the [Marine Board] would be required to adopt verbatim in the new OAR applicable to Waldo Lake.

The Director informed the Board that “[t]he Governor’s Office has directed [him] to sign a Memorandum of Understanding.”



The Board chairman noted that the situation was “the intersection of politics and [the Board’s] charge as Board members. It has been made very clear to him that the Board serves at the pleasure of the Governor.”

In a few weeks we expect to see the response brief from the State of Oregon Attorney General’s office. We will continue to offer to sit down and negotiate “reasonable” rules for floatplane access to Waldo Lake, but it appears that the State wants to take this fight to court. Based on the record, and the content of the issue, we are, I believe, on the “high road.” We are only defending the most fundamental of travelling rights, listed in the founding document of our great state of Oregon: *navigable waters of said State, shall be common highways and forever free.*

Please call or send an email to me, if you have any comments or suggestions for this work on behalf of the seaplane community.

Aron Faegre, President

How Not to Depart a Fishing Spot

By John Chlopek

Recently I had the pleasure of showing a couple of new seaplane pilots around some of my favorite spots up in BC. We had an enjoyable week flying, fishing, camping, and learning the finer points of seaplane handling in the Tweedsmuir Provincial Park.

At one of my favorite spots, where a narrow lake empties out into a tumbling creek, we parked our planes just above a small waterfall and hiked down the creek for some great fly fishing for big fat rainbows. After having our fill of the fishing action, we began departure procedures. Being upstream, I taxied out first and began a long taxi downwind for take off. I thought my friends were right behind me, so I was a little surprised to see them just getting into the plane as I flew over on my way back to our cabin. Everything looked okay so I proceeded back to the cabin. I began preparing dinner and was not surprised when they did not arrive quickly, as they were known to take scenic detours and do lots of exploring. However, after an hour, a good steak, and glass of wine, I started to get worried. Just before dark they showed up wet and with a great story.

It seems that my friends, who were flying a super cub, had loaded into the cub while it was still heeled up on the logs

along the shore, and started the engine to depart. It took some power to get off the log, so when they broke free, the pilot reduced power to idle to slow the plane so as not to approach the far side of the narrow lake. What he failed to account for was the wind. As soon as he throttled back, the cub weather-cocked into the wind, leaving him facing downstream about 30 ft above the waterfall. With the wind in his face and the current at his back, he was essentially helpless. A few awkward moments passed. Luckily for them, the lead-in to the falls was shallow. The pilot, after making a quick assessment, did the honorable thing and jumped into the chest-deep freezing water to stop the cub from running the rapids.

With a little tiptoeing in the current, he was able to maneuver the cub to the shore and salvage the situation. Had the current been any stronger or the water deeper, this attempt would have ended much differently. My only regret of the trip was that I was not there to video the scene as it would have made the best seaplane training video ever.

Beware the wind and current when slow speed maneuvering!

Names withheld to protect the privacy of the wet and inexperienced.



Making a Big Splash in the Hudson

Take a minute to watch this animated re-creation of Capt. Sullenbergers Hudson landing. Note the airspeed control and the calm focus of a true pro. At: http://www.youtube.com/watch_popup?v=tE_5eiYnoDo#t=109

Check in With Us!

The board of Directors of the CSPA would like to hear from our members. What would you like to see from CSPA in the future? Where do you see the future of seaplane flying in the coming years, how can we as a group promote seaplane aviation in Oregon? Send your comments to: info@c-spa.org.

Legal battle won in Washington State

WSPA has been successful in their negotiations with the Washington Dept. of Ecology over a proposed Seaplane dock on Lake Whatcom near Bellingham. We have included the link to the story thru the AOPA eBrief to save space. Click on the link to AOPA below. You can also read more by clicking on the WSPA newsletter attachment. .

The effort was funded thru member contributions and the SPA and Seaplane Pilots Foundation and pro bono contributions of Pacific Legal Foundation and attorneys Ken Berger and Joe Brogan. Thanks to all the hard working WSPA officers, other associations and volunteers that made this possible.

For those of you email challenged (receiving a print copy only) you can type in:
<http://www.aopa.org/advocacy/articles/2011/111020seaplanes-welcome-at-lake-whatcom.html> to see the story.

News from Down Under

Read the latest from Down Under. They really outdid them selves with this issue. Browser folks use: www.seaplanes.org.au You will also find an active link on page 9 to the Swiss SPA, or browse: www.seaplanes.ch.

Here is a Christmas Gift Idea

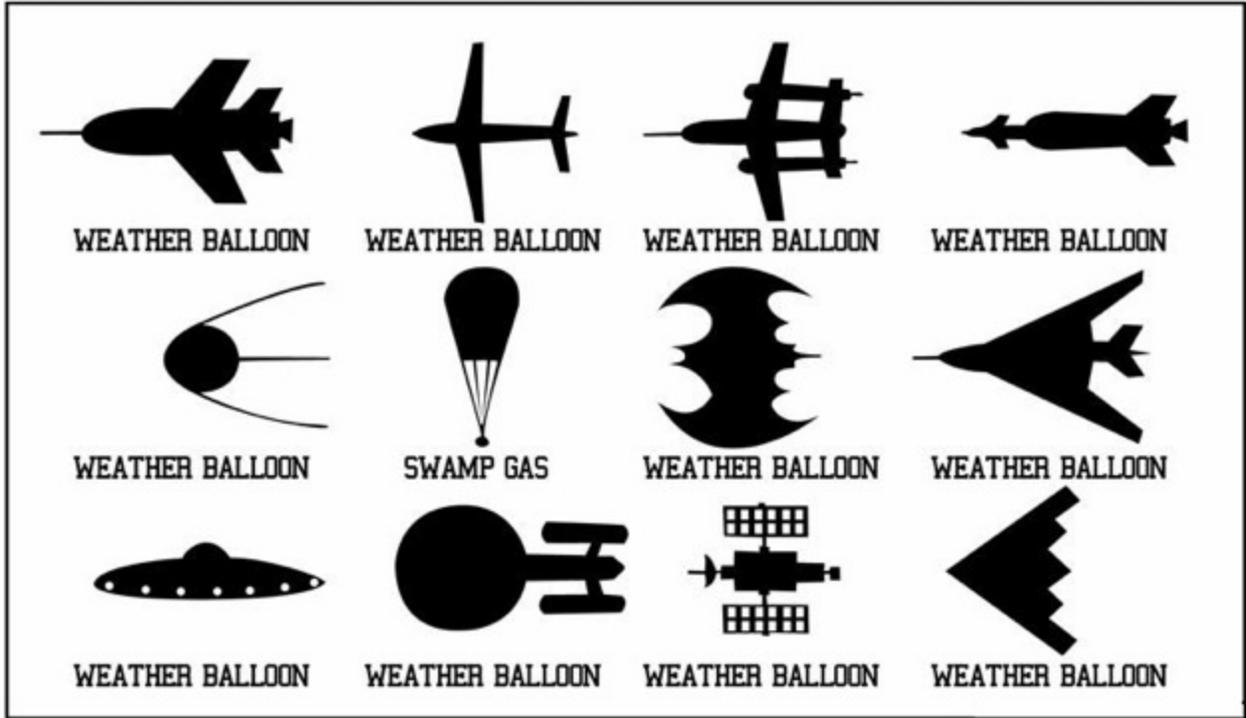
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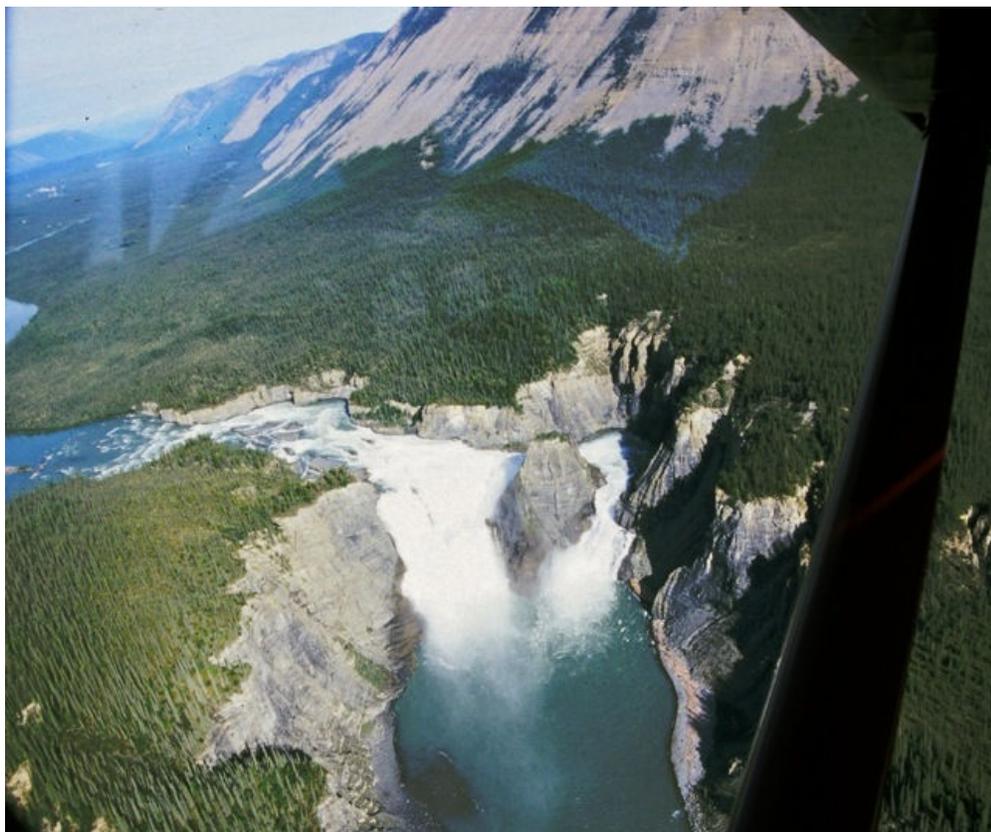
U.S. AIR FORCE AIRCRAFT IDENTIFICATION CHART



My Life as a Nervous Passenger, Virginia Falls Edition

By Mary Chlopek

In the planning stages for a weeks-long floatplane trip to B.C., the Yukon, and Nunavut, John and I had spoken with Ted and Michelle, couple from Portland who were experienced floatplane travelers and had gone to many of the areas we were planning to visit. They gave us many good suggestions and had told us that this spectacular sight was not to be missed. In my view, they are at the pinnacle of floatplane adventuring, and it felt like John and I were just novices in comparison. During this discussion of Virginia Falls, which are twice as high as Niagara, they relayed how unnerving it had been to land on such a fast-moving river, not all that far upstream from the falls. They indicated that as a result, their nerves were a little frayed and they weren't able to enjoy the falls as much as they'd hoped. The truth of the matter is that I rarely require more than just a little encouragement to talk myself into a nervous condition and can almost always progress quickly and seamlessly to the logical end point in the worst case scenario.



With word of potential disaster lurking ahead, all the crucial elements needed to launch one of my better anxiety attacks were falling into place.

After leaving Little Doctor Lake, we flew back up the Nahanni and passed over the falls from downriver, with John banking the plane way over in a steep turn to assist me as I attempted to capture the falls, and possibly our last moments on earth, on film. We flew on toward the floating dock and landed without incident. As we taxied toward the dock, now with all available adrenaline having been deployed, I threw off my headphones and seatbelt in a frenzy, being very sure in my determination that I WAS jumping off this plane one way or another - either onto the dock or into the river with enough of a head start to swim for shore if engine trouble developed and we started floating toward the falls. In retrospect I can see now that I may have over-reacted a little, but a close look at the falls convinced me that a good plan to get clear was definitely in order.

Once the adrenaline had worn off and my fight-or-flight mechanism had been brought under control, we had a lovely nature stroll on what looked like a brand new boardwalk over to the falls, glad then we had risked almost certain death to see this natural wonder.

After our hike and a quick lunch, we re-planned and taxied upstream to begin our take-off run - the wind and current making it necessary that we taxi a good distance upstream before we turned and headed toward the falls at top speed, hoping to God that we could get airborne before the rocks and big pour-over area started.

It is apparently a common practice among pilots when taking off in conditions such as these to visually pick out a "no-go" marker - if not airborne when passing the marker, the power is pulled and the take-off run aborted. For some reason I didn't have the ability to devote all the adrenaline to this situation that it would normally have called for - it's possible my reserves were low. As we zipped by our no-go marker still on the water and in full "go" mode, I reflected that we probably could have started our run quite a ways farther back, and I tried to remain calm and accept my fate in a dignified manner, relieved now that I'd gotten my affairs in order before we left Portland. Somehow we eventually lifted off the water, probably with more of a safety margin than I was imagining, and made another pass over the spectacular falls before heading on our way back home.

DUES ARE DUE FOR 2012

Dues or Donations can also be made on-line via Paypal: www.c-spa.org. Click on "JOIN US".

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