

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

FATAL AT-802A, N802NZ ACCIDENT
NEAR KRUGER ROCK-ESTES PARK,
COLORADO, ON NOVEMBER 19, 2021

Accident No.: CEN22FA035

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Interview of: CURTIS AND LIZ BOWER
Witnesses to Accident

Saturday,
November 18, 2021

APPEARANCES:

MITCHELL GALLO, Investigator
National Transportation Safety Board

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I N T E R V I E W

(3:37 p.m. MST)

MR. GALLO: All right. So let's just start. It's, let's see, November 18 and at 3:37 Mountain Standard Time, and this is an interview with Curtis and Liz Bower. Okay, Mr. Bower, can you just go back and -- first of all, do I have your permission and Liz's permission to record the conversation?

MR. BOWER: Yes, you do.

MR. GALLO: Okay. And then, also --

MS. BOWER: Yes, you do.

MR. GALLO: And also during interviews you can have a representative, but that's your choice. I mean, it could be anybody, but if you want one, you could have one. If not, we can just continue the conversation then.

MR. BOWER: No, we're fine.

MR. GALLO: Okay.

INTERVIEW OF CURTIS BOWER

BY MR. GALLO:

Q. And, Mr. Bower, going back to what you mentioned, can you go back when you first saw the airplane on the day of the accident?

A. Okay. It was in the afternoon. There was plenty of daylight. We noticed the plane come up here. It was different looking, had really long wings on it. It was red and white, a long nose so to speak with a (indiscernible) at the end of it, and it did some high circles around the fire so to speak, not right

1 over it, but it was pretty high up. He actually came closer to
2 our house on one of his passes and when he turned back into the
3 wind, you could hear a different pitch in the engine because he
4 was going against the wind. After he did that a few times, we saw
5 him go from basically Estes Park, so to speak, over the ridge
6 where --

7 MS. BOWER: Hermit Park.

8 MR. BOWER: Hermit Park is, came down and he made a drop. I
9 believe it was a water drop. You could see, you know, everything
10 come out. He took off, went, I believe, down towards Loveland and
11 Denver area. Later on that day, you know, it was dark so it was,
12 you know, 6:00-ish or later, a little bit.

13 MS. BOWER: It was dark, but not too dark. It was like dusk
14 because we could still -- but it was pretty dark.

15 MR. BOWER: It was getting dark.

16 MS. BOWER: It was wispy.

17 MR. BOWER: And so he made more passes up high, a lot of big
18 circles going one way, coming back another way, and then when it
19 was, I would say, you know, really dark, we could see him come up.
20 There's the south end of Hermit Park. He was pretty low down so I
21 called Liz, my wife, over and I said I think he's going to make
22 another drop. She got up and she looked and he was -- he had,
23 well, a flood light or spotlight under the plane and he moved that
24 from not vertical down, but he probably moved that to a 45 degree
25 angle in front of him. Shortly after that, I have never seen a

1 plane do a 90 that fast. He was flying along and all of a sudden
2 it was a sharp, sharp 90 coming right back towards us. You could
3 see he was at 90 degree angle. You could see the white light of
4 both wings up and above. To me looking through the binoculars it
5 looked like he rolled over and might have rolled twice. My wife,
6 when you talk to her, she had the naked eye on there, and she saw
7 it, and she saw it go over, but then it was just flopping all over
8 the place, and then it disappeared. That was it.

9 MS. BOWER: It went down.

10 MR. BOWER: There was no light, like if it fell out of the
11 sky you could see something fall. It was just a second or two
12 after he flipped he was gone. That was it, and we looked for
13 maybe 10 second like, maybe he'll get out of this. Obviously he
14 didn't. We didn't see any explosion, we didn't see anything like
15 that, so we called the --

16 MS. BOWER: Police.

17 MR. BOWER: -- police department and they relayed the
18 information to people looking for him. I guess his -- not
19 (indiscernible), but his signal was going off over by Keeley Camp,
20 so they had people over there, so we saw after about five minutes
21 after we had talked to them, there were three or four cars going
22 up the Hermit Park road, and then later actually somebody from the
23 fire department, two guys came up and they -- we were pinpointing
24 where we had seen the plane go down, and I believe they had found
25 it over on this side, and that's about all I can tell you. My

1 wife can give you her story, too, if you want that, also.

2 BY MR. GALLO:

3 Q. And let me -- before we do that, let me ask you a couple of
4 questions. The second time when you saw the airplane it was in
5 the evening. How many approaches did it make to the area prior to
6 it descending into the ground?

7 A. It really didn't make any approaches. It was up high. I
8 mean, it was up, you know, 1,000 or so feet or plus higher than,
9 you know, the top of Kruger Peak and everything. It was circling,
10 looking, you know -- I mean it had a good view looking down. It
11 only made one approach, I believe, you know. Hopefully I'm right
12 on that, but one approach going up from the south end of Hermit
13 Park. That was the only approach I saw him make. It was low
14 down. He was below the back ridge line, and going up the valley,
15 so to speak, up towards the fire, so my recollection is he only
16 made one, and that's when I thought he was going to make his drop
17 because, wow, he's really low, Liz, get out here, you know, and
18 take a look.

19 Q. Okay. And then can you again describe the motion? You said
20 he went 90 degrees. Is that a 90 degree bank or a turn 90
21 degrees? A change of heading of 90 degrees.

22 A. It was so fast, it's like, I mean, you know, we used to live
23 in Alaska, and, you know, we've flown in Beavers and different,
24 you know, all the airplanes up there, and small Cessnas, you know,
25 as passengers, you know, not piloting, but when I was looking at

1 it through the binocs, it was one second he was heading, you know,
2 up towards the fire and the next second all I saw was the lights
3 coming to me, and he was, you know, the wings were vertical, up
4 and down. I mean, it was that fast. It wasn't a slow, okay, he's
5 banking, he's turning like that. He was -- I mean, it was 90
6 degrees up and down the wing structures.

7 Q. Okay. So the wings sort of, let's say, one wing was pointed
8 to the sky, the other wing -- the opposite wing was pointing to
9 the ground.

10 A. That's correct.

11 Q. And then did it go further than that? Did he actually go
12 upside down or 90 degrees was the limit there?

13 A. No, he went upside down. When he turned -- or when, you
14 know, it came like that towards up, it went all the way over, and
15 that's when I thought he did, you know, a couple barrel rolls.
16 Liz, she'll tell you, she saw it go over, but then it seemed to be
17 going all over the place, you know, up, down, left, right, this
18 and that, and then, boom, it disappeared.

19 Q. All right. And just prior to the impact to the ground during
20 the descent, did it look like it stopped rolling and it was just
21 descending straight down?

22 A. We couldn't see that. We just saw it turn, you know, on its
23 side and within the next second it disappeared. That was it. No
24 lights, no plane -- I mean, I had the binocs on it, and all of a
25 sudden it's like it's gone. There's -- from our house looking

1 over, there's a ridge. He might have gone below that, and that's
2 why we didn't see it, but we didn't see him descend. We didn't
3 see any trail of lights going down or so to speak any, you know,
4 explosion on the ground. It was just dark from then on.

5 Q. Okay. In what direction was the airplane heading just prior
6 to when you saw the wings go a 90 degrees and then he started
7 rolling?

8 A. Well, I don't quite know the direction. I know looking out
9 the window here it was heading up. There is a big meadow up there
10 in Hermit Park. It's like an amphitheater. They have some
11 buildings there. He was coming up the ravine, the valley from
12 down below, let's say, I mean, you know, from -- which way is
13 that. That's south, so that's southeast, kind of south, southeast
14 coming up, heading towards Estes. If he had gone over Kruger Peak
15 and kept going, he would have, you know, been close to Estes Park
16 there, so not exactly, you know, east to west or north to south,
17 kind of in between there.

18 Q. So he was heading towards Estes Park then or Hermit?

19 A. Yes.

20 Q. He was heading -- okay, he was heading towards Estes Park
21 then.

22 A. Yes.

23 Q. Okay. And then the altitude --

24 A. But he was low down to the ground, I mean, you know, he was,
25 you know, like, okay, I'm going to drop what I have in my system

1 and take off. He wasn't up like we've seen him circling around
2 for 20 minutes or whatever. I mean, you know, he was low down
3 there, and in that valley.

4 Q. So as far as low down in the valley right before the bank of
5 90 degrees, was he at the ridge line or at the ridge line? How
6 would you compare it to the ridge line?

7 A. Well, there's three -- one, two -- there's three ridge lines
8 from our house -- or two to where I believe he went down. He had
9 to have been higher than the second ridge line because we saw him
10 come in, you know, make his (indiscernible) and when he -- when,
11 you know, he banked at 90, it was maybe three seconds or so, and
12 disappeared. That was it. So he was in between that valley and
13 this ridge over towards us and he was low enough down that, as I
14 said, we didn't see anything, any trail or lights or anything
15 coming out of the sky. It was just flipped over, did whatever for
16 a second or two, gone. That was it.

17 Q. Okay. And on the second time when you saw him in the area,
18 how long did he spend, and this is in the evening, the second
19 flight, how long did he spend over that area prior to descending
20 lower on his pass, the spray pass let's call it?

21 A. I don't -- I mean, the first time, I mean, he flew around, I
22 don't know, maybe 20 minutes, a half hour. I mean, I wasn't, you
23 know, we would see him come and then he would, you know, be on the
24 back side of Hermit Park and you kind of lose him, you know. I
25 wasn't, I mean, we were just watching by the eye and doing

1 something else, and then you could see on each end of his wings he
2 had some bright, you know, the white lights, not flood lights or
3 anything, just the white lights, and, okay, here he comes again,
4 and you'd watch him and he'd, you know, circle, come to us and
5 then do a straight across over the fire, and then come the other
6 way, so I would say maybe on the second time it was 20 minutes to
7 a half hour at the most. I didn't keep track of that or look at
8 the watch or anything. I mean, you know, he did do maybe two or
9 three it seemed like, you know, pass overs of the whole fire area,
10 not just here, this run, you know, he lost himself in, but the
11 last time you could see him coming, he went from so to speak the
12 east or the west to the east, and you could see he was getting
13 lower. He made a big wide circle and then he dropped down below
14 the back ridge so he was below a ridge and came in and it's like,
15 okay, he's going to make this drop and, you know, it didn't work
16 out that way.

17 Q. Okay. And then I have your address, but aside from your
18 address can you give me an estimate how far you are from the
19 accident site and which direction from the accident site?

20 A. I think we're about at the most two miles or, you know, so
21 the way the crow flies. We're looking --

22 MS. BOWER: As the bird flies it would be less than that.

23 MR. BOWER: Oh, less?

24 MS. BOWER: Instead of going up and down.

25 MR. BOWER: Yeah. I mean, pretty close, so between a mile

1 and two miles at the most. A little bit more than a mile, less
2 than two miles.

3 BY MR. GALLO:

4 Q. Okay.

5 A. And we're on the other side of Highway 36 directly across
6 from Hermit Park --

7 Q. Okay.

8 A. -- so if you have a map you'll be able to just go straight
9 across. We're the top road up there, so, I mean, we have a bird's
10 eye view of straight across. We weren't looking up or down, we
11 were looking just straight across, there he is, and that's how we
12 saw it.

13 Q. Okay. And were you inside your house when you were watching
14 the airplane or were you outside?

15 A. No, we were inside. We have a big picture window. It
16 overlooks the mountains and everything, and Hermit Park is, you
17 know, directly, you know, out the window, yes.

18 Q. Okay. And can you talk about a little bit what you
19 experienced as far as the weather at the time? Can you describe
20 what the weather was like?

21 A. Where we were here, it would die down and then all of a
22 sudden we have some pine trees right next to our house here in the
23 front and, you know, wind gusts would just hit it and just move
24 it, you know, bend the top over, the branches, everything. Yeah,
25 it was blowing hard and then it would slow down, but there was

1 always a small constant wind blowing, you know, anywhere between
2 -- up where we are, we're on top, you know, 10 to 15 maybe, but
3 you'd get those big gusts of, you know, 40 to 45 that would just,
4 you know, rattle the trees. The trees are only like 8 inches, 7
5 inches in diameter, so they bend pretty good in the wind, and the
6 wind would bend them really well. Over where they are, you know,
7 kind of a different scenario because you have a big valley, you
8 know, where the road is going to Estes, a big V shaped thing, the
9 wind blows there, and I'm not sure whether it was blowing over
10 there. The smoke still was all blowing downhill. It never crept
11 over towards where we were. It was always a constant where the
12 fire started. It just blew it down in the valley, and that's one
13 reason why we stayed up here because we could see it. If it crept
14 over here, we would, you know, change our minds and leave. The
15 first time he made his drop, he had the wind behind us, and the
16 second time he came in low like this, he was going into the wind.
17 Q. Okay. And so the way you just described, that was for the
18 second flight right before the accident, is that correct?

19 A. Yes.

20 Q. Okay. And then you mentioned something about the smoke, and
21 is the smoke that you're talking about near the accident site that
22 you were describing?

23 A. No, he was below the end of the fire. The fire was mostly on
24 top of Kruger Rock and there's a ridge going down. That's where,
25 you know, the fire was. His first drop was between Kruger Rock

1 and towards our house, but still maybe, I don't know, 100 yards, a
2 couple hundred yards from the top down towards us. That's where
3 he made his first drop, and the second one I'm not, you know --
4 there -- maybe he was doing some prevention. Maybe he had, you
5 know, the red chemical in there instead of water, I don't know,
6 but he wasn't in the fire line yet. He was getting close to it,
7 but he definitely wasn't in it.

8 Q. So can you describe the smoke, what you were witnessing what
9 the smoke was doing and where that location of smoke was for the
10 second flight?

11 A. All the smoke, I mean, the whole hillside had burned, but the
12 wind had slowed down a bit and there are a lot of red spots, you
13 know. You could look out the window and you could see 20, 30, 50,
14 you know, glows of trees that were, you know, burning, but the --
15 was the smoke really bad? I don't think the smoke was bad.

16 MS. BOWER: Yeah, because we get these gusts, that whole
17 ridge. I mean you could use the binoculars and you could see the
18 smoke heading down that way.

19 MR. BOWER: Yeah, but it wasn't like when it first came over
20 the other side.

21 MS. BOWER: I just remember the smoke because I was keeping
22 an eye on the smoke --

23 MR. BOWER: Yeah.

24 MS. BOWER: -- and then all the fires because we want to make
25 sure --

1 MR. BOWER: I mean, the plane wasn't in the smoke at all.

2 MS. BOWER: He was going in the direction of that.

3 MR. BOWER: Yeah, he was -- the smoke -- as he was coming up
4 towards the fire, the smoke and everything was on his left hand
5 side.

6 MS. BOWER: Yes.

7 MR. BOWER: Everything from where he was over towards us
8 there wasn't any smoke. The wind kept it at a constant, you know,
9 X far down from the mountain heading down the valley. It wasn't
10 swirling around, like coming over here and going backwards. It
11 was just a constant, you know, going one direction and one
12 direction only.

13 BY MR. GALLO:

14 Q. And that's what I'm interested in is the direction of the
15 smoke. So it sounds like the smoke was going down rather than up,
16 or down -- and down the valley, is that correct?

17 A. Yes. Yeah. Maybe after all this I could send you a picture
18 of what we see --

19 MS. BOWER: Yeah.

20 MR. BOWER: -- and --

21 MS. BOWER: Can I add something?

22 MR. BOWER: Yeah.

23 MS. BOWER: Occasionally we'd get some right over the ridge,
24 you know, it'd come down a little bit, but the majority of the
25 time it was really strong wind just blowing it down the valley,

1 and that for us, that was a good thing.

2 MR. BOWER: And where this clearing is right there at the
3 park, it's a huge metal, as I said, with that pavilion and
4 whatever it is up there. It -- that never got blocked with smoke.
5 I mean, the smoke was always on the other side of the valley
6 coming, you know -- they have the firefighters there and
7 everything, too. They can, you know, verify that that, you know,
8 there wasn't any smoke. It was all up high. Why don't you get
9 your phone and see which way southeast and everything is?

10 MS. BOWER: Okay.

11 MR. BOWER: We can -- my -- we'll get a compass out and give
12 you a better idea of, you know, which way it was blowing or
13 degrees or whatever you want there.

14 BY MR. GALLO:

15 Q. Yeah, and I'll give you some contact information and we can
16 talk again. Let me just go back. And then you said the smoke was
17 going down the valley at this point. Do you know what, or can you
18 kind of give a direction of what down the valley means? Where's
19 it going?

20 A. Hold on one second. She's -- all right. Right there. We
21 have the compass. Okay. So -- it's not working. Okay. No, I
22 just want the compass. Okay. So down in the valley would be, you
23 know, we're looking out our window, and if we go over there, let's
24 say we're standing on Kruger Rock and looking down the valley, the
25 smoke, it's going just about east.

1 Q. Okay.

2 A. Yup.

3 Q. All right. All right. And then you said when he was --
4 right before the accident the wind, he had a tail wind and before
5 he had -- in the first flight he had a head wind?

6 A. Yeah, the first time he flew over, he came over the back side
7 of Kruger Rock. He was going with the wind, yeah. So he had a
8 tail wind blowing him, and he came over, came down and made his
9 drop and the second time he came up from east to west and he was
10 going in the wind. He had a head wind for sure.

11 Q. Okay. All right.

12 A. Then he had the spotlight, too, you know. It was stationed,
13 you know, not vertical down, but down, and then it was like, oh,
14 the spotlight, and he raised the spotlight to maybe a 45 degree
15 and then shortly after that is, you know, when the trouble
16 started.

17 Q. Okay. I think that's all the questions I have unless I
18 missed something, if you want to add anything or any concerns that
19 you have.

20 A. Well, let me -- Liz will tell you, you know, what she saw
21 when the plane veered towards us. I had binocs strictly on the
22 plane and she was next to me looking out with a naked eye, so she
23 had a broad view of it. I just had that narrow view of the
24 airplane. The binocs I was using, you know, from where we are,
25 they're 750 so, you know, I got pretty close to him and everything

1 like that, but she'll -- if you want her explanation of what she
2 saw when the plane did a 90 and rolled, she can give that to you,
3 also.

4 Q. Okay. Before we do that, I have one more question. Since
5 you're -- I know you were inside the house. Were you able to hear
6 engine noises?

7 A. No.

8 Q. Okay.

9 A. The only time we heard an engine noise is when he came up by
10 -- and then he turned into the wind, you could hear the plane
11 labor. I mean, you know, it was going into the wind, so you could
12 hear the pitch get louder. That's the only time here that we
13 heard the plane engine.

14 MS. BOWER: But it was closer to the house.

15 MR. BOWER: Yeah.

16 MR. GALLO: Well, Mr. Bower, thank you.

17 INTERVIEW OF LIZ BOWER

18 BY MR. GALLO:

19 Q. And, Ms. Bower, if you'd like to add anything, I'd certainly
20 appreciate it.

21 A. Okay. It'll be short.

22 Q. Okay.

23 A. Anyhow, yeah, so I -- he just told you lots of detail, and he
24 had the binoculars on it, and I came to look at it, and I went,
25 oh, and I thought why is -- for me, I thought why he is flying at

1 that height and it's so windy, and I saw him, and then I thought
2 why is he so low, but I was just making comments, and then what I
3 saw him do is beyond that little ridge, I just saw all of a sudden
4 this plane kind of sway way to the right, then way to the left,
5 and then he was gone, like he kind of went down behind the ridge,
6 and was gone. And Curtis was watching it with his binoculars so
7 he saw the detail and then he said he crashed, and that's when I
8 called the police, so that's -- I could see -- I was looking at
9 everything with my eyes, so I could see the mountains and I could
10 pinpoint right now right where I saw it go down that way because I
11 wasn't the binoculars. He was really up close.

12 Q. Okay. All right.

13 MR. GALLO: I'll give you my cell --

14 MS. BOWER: And --

15 MR. GALLO: Go ahead.

16 MS. BOWER: Are you --

17 MR. BOWER: And then we had a -- I think I told you, the two
18 people from the fire department came up here and we explained the
19 same thing to them. Okay. I think I said that at the very
20 beginning.

21 MS. BOWER: Yeah.

22 MR. BOWER: Okay. So we're set.

23 MR. GALLO: All right. I'll give you my cell phone number,
24 my email if you want to follow up with anything.

25 MS. BOWER: Yeah, I'm ready.

1 MR. GALLO: Okay. Cell phone number is 630-450-4655.

2 MS. BOWER: Okay.

3 MR. GALLO: And then the email --

4 MS. BOWER: Okay.

5 MR. GALLO: -- is M like in Mike, Gallo, [REDACTED]

6 MS. BOWER: Okay. So your email [REDACTED]

7 [REDACTED] and then I missed something there.

8 MR. GALLO: [REDACTED]

9 MS. BOWER: Okay. @, yup, [REDACTED]

10 MR. GALLO: Right.

11 MS. BOWER: Okay. So [REDACTED], right? [REDACTED].

12 MR. GALLO: Correct.

13 MS. BOWER: Okay.

14 MR. GALLO: Well, I certainly appreciate your

15 time --

16 MS. BOWER: And what was your first name again?

17 MR. GALLO: First name is Mitchell, and then Gallo is the
18 last name.

19 MS. BOWER: Okay. Mitchell Gallo.

20 MR. BOWER: We can send him a picture of --

21 MS. BOWER: If you want us to send any pictures, we have --
22 we did take because we always take pictures up here anyhow, but we
23 were taking pictures of the fire and the smoke. I mean, I use
24 binoculars a lot, too, during the smoke times so I could see all
25 the fires, Your Honor.

1 MR. GALLO: Would you have --

2 MS. BOWER: I didn't have binoculars then.

3 MR. GALLO: Would you have any photos around the time of the
4 first flight of the accident airplane and maybe of the second
5 flight?

6 MR. BOWER: Yes.

7 MS. BOWER: Definitely the first -- yeah, the first one for
8 sure.

9 MR. BOWER: It would show --

10 MS. BOWER: Yeah.

11 MR. BOWER: -- how the smoke was going.

12 MS. BOWER: Yeah.

13 MR. BOWER: Earlier when he was here, but it would show you
14 that straight line of smoke and you could --

15 MS. BOWER: Yeah.

16 MR. BOWER: -- see the metal.

17 MS. BOWER: And the photo has a time on it anyhow when we
18 took the photo.

19 MR. GALLO: That would be very helpful, then.

20 MS. BOWER: Okay.

21 MR. GALLO: I appreciate your time and thank you for
22 contacting the Sheriff's Department, so --

23 MS. BOWER: Yes.

24 MR. GALLO: All right. Well, thank you very much, then.

25 MS. BOWER: Thank you.

1 MR. GALLO: Take care. Bye.

2 MS. BOWER: Yeah, you're welcome.

3 MR. GALLO: All right.

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 AT-802A, N802NZ ACCIDENT
 NEAR KRUGER ROCK-ESTES PARK, COLORADO
 ON NOVEMBER 19, 2021
 Interview of Curtis and Liz Bower

ACCIDENT NO.: CEN22FA035

DATE: November 18, 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.



Lois D. Rush
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

FATAL AT-802A, N802NZ ACCIDENT
NEAR KRUGER ROCK-ESTES PARK,
COLORADO, ON NOVEMBER 19, 2021

Accident No.: CEN22FA035

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Interview of: DERICK ROSENQUEST
Witness to Accident

Saturday,
November 20, 2021

APPEARANCES:

MITCHELL GALLO, Investigator
National Transportation Safety Board

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Derick Rosenquest: By Mr. Gallo		4

I N T E R V I E W

MR. GALLO: All right. Great. All right. We're going to go on the record, and Mr. Derick Rosenquest, do I have your permission to record this conversation?

MR. ROSENQUEST: Yes, you do.

MR. GALLO: And you can have a representative if you'd like. Do you choose to have one or not?

MR. ROSENQUEST: No, I'm good.

MR. GALLO: Okay.

INTERVIEW OF DERICK ROSENQUEST

BY MR. GALLO:

Q. And I understand you witnessed the airplane accident. Can you tell me what you saw?

A. Yeah. So basically he was making a pass for a drop. He flew over top of me. As I watched him based on the lights on the wing tips, there's a little bit of a wobble. He started a complete roll to the left, another roll, wing tip over wing tip to the left. I lost him behind some trees and then I heard an impact about a second or two later. Prior to that when he flew over he made a high pass. I can't remember if it was that one or the second high pass he made as we were discussing things. A little wobble in the wings that based on the wing tip lights, but he corrected that extremely quickly I thought, and I didn't see any other wobbling in his previous two flights.

Q. Okay. And then when you're talking about -- so he made two

1 approaches prior to the accident approach which would have been
2 the third approach?

3 A. Correct. Yeah, the first approach was just, you know, kind
4 of normal, high level orbit of the area just to discuss what we
5 were looking at as potential drop sites. The second one I believe
6 was a little bit lower. At that point he reported a little bit of
7 turbulence. We discussed, you know, he felt comfortable to make
8 the drop once we established the target and he said he -- if I
9 recall correctly, we discussed he'd make the drop, go back to
10 Fort Collins Loveland Airport and sit down until about 10:00
11 because the winds were supposed to subside just a little bit a
12 little later in the evening.

13 Q. And going back to the approaches, can you describe the
14 estimated altitude of all three approaches and in the headings?
15 So -- and maybe you can reference it to the elevation of the
16 ridge.

17 A. Okay. I know the first approach was again -- so it was dark
18 so I didn't really have a whole lot of, especially to my north and
19 east reference on the ridges, and all I could see was the fire.
20 There was a little bit of fire on ridgetop so I had that for
21 ridge. First -- and I'll be very honest, I'm a bad judge of
22 elevation over stuff at distances. But do you remember where we
23 were parked?

24 Q. Yes. The parking lot there.

25 A. So if you were parked there, and I'm doing my best to

1 remember to try to kind of give a reference. If you held your
2 fist out at arm's length and put your fists, bottom of the fist on
3 the ridge top, okay, are you with me there?

4 Q. Yes.

5 A. Okay. His first pass would have been above the top of the
6 fist.

7 Q. Okay.

8 A. Does that make sense to you?

9 Q. Yes.

10 A. Okay. Second pass honestly I can't quite remember how high
11 above, but he was above ridge line. I do know that. Maybe level
12 with the top of the fist if that makes sense.

13 Q. Okay.

14 A. One of the things I'll do when I'm chatting with aircraft is
15 establish some reference points on the ground and like call it one
16 stick, you know, however many sticks because I'm just -- I'm kind
17 of bad at distances over long distances.

18 Q. Okay.

19 A. So that's kind of the reference that I'm -- where I'm talking
20 there. His final pass, maybe 3, 400 feet above my truck and then
21 -- yeah, so it would be -- do you remember those two trees that I
22 pointed out to you from where we were sitting?

23 Q. Vaguely I remember that.

24 A. Okay. So again kind of using the fist reference, if we
25 looked at those trees, two fists above the top of the tree.

1 Q. Okay.

2 A. And I'm sorry I can't do better for you, but that's the best
3 way I can try to describe his elevation above where I was at.

4 Q. Okay. Let me just go back. Was the second pass lower than
5 the first and was the third pass lower than the second?

6 A. Second pass was slightly lower than the first and third pass
7 about the same or maybe a little bit lower.

8 Q. Okay. And in all three passes did you see the wings rocking
9 back and forth or how would you --

10 A. No.

11 Q. Okay.

12 A. First pass when he was to my west over the ridge and he may
13 have been on the west side of the ridge, I saw one little wobble
14 in the wings that was immediately corrected, and on that I didn't
15 -- I don't recall any wobbling or any mention of issues on his
16 second pass. Third pass as he was coming over, and I'm used to
17 radio silence at that point with the whole sterile cockpit
18 concept, I did not see any issues until I saw that initial dip and
19 then he did the few rolls.

20 Q. And can you describe the rolling motion?

21 A. Okay. Yup. From my vantage point the -- and I can't
22 remember the initial wobble if the -- we'll call it the starboard
23 wing, if the starboard wing went up or down. I can't remember
24 that initial wobble, but there was a little bit of one, and then
25 starboard wing went up and over, completed a complete 360 and it

1 looked like he attempted to make a correction because when I would
2 say -- I'm not saying he was flying level, but when he, you know,
3 came back into what looks level, there is again a little bit of a
4 wobble back and forth, and he did that second complete 360 degree
5 roll, and then I lost him behind the trees.

6 Q. Okay. And now you're inside your truck when you're observing
7 this or outside?

8 A. I was inside the truck leaning out the window.

9 Q. Okay. And did you hear engine noise throughout all the
10 passes and during the descent?

11 A. Throughout all of the passes and then as soon as I started --
12 as soon as those rolls started, I honestly don't remember if I was
13 hearing engine noises and my guess is just got total vision on
14 what I was actually seeing and the, you know, auditory exclusion.

15 Q. And the -- was the airplane equipped with any kind of
16 spotlight to illuminate the area, or can you describe what kind of
17 lights were coming off the airplane?

18 A. Okay. Yeah, I can see what appeared to be two spotlights
19 from the wing tip flying forward or pointing forward. From the
20 video that I had seen in the past from some of their tests that
21 they had done from the pilot's vision with the night vision
22 goggles and then those -- I believe those spotlights were also
23 infrared equipped and so, you know, it was filmed with a night
24 vision camera and so what I remember seeing in those videos was a
25 really good view of the ground with the infrared spotlights.

1 Q. And that video that you saw, was it a view out of the cockpit
2 or is it a view looking at the airplane from the ground?

3 A. Shoot, I -- honestly I can't remember, but I think it --
4 Colorado Fire Aviation might have pushed that video out. I think
5 that was done in the spring. I can't remember where that was,
6 where -- who published that video. I could try to track that down
7 for you.

8 Q. Okay. That would help. Going back to the -- let's talk to
9 pass number one, two, and then the third which was the accident
10 approach, did the -- were you in communication with the pilot?

11 A. I was.

12 Q. And can you describe those communications and when they
13 occurred and what I guess the plan was going to be?

14 A. Okay. Yup. Hang on. Let me -- so as he flew over, as he
15 let me know he was coming in, he asked what my winds were on the
16 ground. I didn't have a wind gauge with me. I was estimating
17 approximately 15 mile -- so I step out of the truck, stepping away
18 from my truck. I was estimating approximately 15 miles with gusts
19 to 20, and I estimated that just based on -- I have trouble
20 standing, but I can definitely feel a little bit of a rock with
21 that gust which I know happens at about 20 miles per hour, and
22 those winds on my side of the ridge were coming from the
23 northeast. Then we discussed priorities and priority was what
24 ended up being that long finger pointing down towards that parking
25 lot we were sitting at when we came out the other day. I thought

1 that was in the Hermit Park property, so he made his passes kind
2 of looking at that. He mentioned that he did have some
3 turbulence, but he sounded fine with it. He figured he'd make the
4 drop and he would return to base until about 2200 hours when the
5 winds were predicted to subside, and, you know, we'd take another
6 look. So then he made his final pass over me and once I started
7 getting all the radio communication out that taker was down, I
8 needed the FRCC notified, FAA notified and try to start looking
9 for an ELT beacon, stepped out of the truck, tried to align myself
10 as best I could with my last sighting of him in the direction he
11 was travelling and took a magnetic bearing of 230 degrees was his
12 direction of travels over me.

13 Q. All right. And so on each pass did he tell you -- prior to
14 each pass did he tell you what the purpose of that -- what the
15 purpose of the pass was? So did he say prior to doing a first
16 pass something like I'm going to just do a recon flight on my
17 first pass and then --

18 A. Yeah, yeah. It's, you know, kind of pretty standard. What
19 we'll do is first pass will be kind of a high overhead so that
20 we're all looking at the same stuff. Second pass will be he flies
21 over the intended target to confirm that is the target and then
22 third pass as he was coming in, he asked if the ground was clear
23 which basically means there's no ground resources in the area that
24 might be hit by any retardant drops or anything like that, so,
25 yup, coming in on his third pass, is the ground clear? Ground is

1 clear, he went in, and then that's when he started to roll.

2 Q. So is it typical for them to do two passes prior to the drop
3 pass?

4 A. When they first come out, yes.

5 Q. Okay.

6 A. Yeah, the first is kind of the big overview of the area
7 trying to describing what we're looking for, and once he thinks --
8 once the pilot thinks he knows what we're looking at, most times
9 they'll make another pass over that and say, hey, this is where
10 you want it, correct, you know, yes or no, and then they'll ask if
11 the line is clear and make that third pass. Subsequent passes,
12 you know, usually they'll return to base, fill back up, come back
13 out and, you know, obviously with retardants during the day, you
14 know, there's not red on the ground and it's -- you just tack onto
15 your last drop, so, yeah, usually when they first come out it's
16 two or three passes, discussions, making sure we know exactly we
17 want the drop to be.

18 Q. Okay. And did he at any time communicate any problems with
19 the airplane, any difficulties he was having with the approaches?

20 A. No problems with the airplane. He did mention a little bit
21 of turbulence, but he did not say that it was -- no indication
22 that it was bad turbulence or unusual, just a little bit of
23 turbulence.

24 Q. Now have you worked with this pilot before?

25 A. Most likely yes. I never really know the pilot's names. I

1 just go with the tanker number so if he's switching between
2 aircraft, but it's a high probability that I have worked with him
3 before.

4 Q. Okay. I don't know if you could tell me about what this
5 communication sounded like on the first, second and third passes,
6 but did his voice sound stressed at all or --

7 A. No. No, he was perfectly calm.

8 Q. Okay. Then he asked you about the winds on the ground, and I
9 just want to confirm, you're in the parking lot there that you
10 provided the (indiscernible) to me, is that --

11 A. Correct, yup.

12 Q. And you mentioned you didn't have your portable wind --

13 A. No, I had lost that earlier in the day so I was kind of going
14 off of the, kind of sort of the Buford wind scale, and I know that
15 about 20 miles per hour you start to get, you know, even standing
16 still or difficulty walking into the wind, so standing out there
17 had good winds, but it was not moving me at all except for that
18 one gust and it was -- I did not have to step or anything, I just,
19 you know, braced for maybe half a second.

20 Q. Okay.

21 A. Does that make sense?

22 Q. Yes.

23 A. And, yeah, didn't have a whole lot of gravel hitting me or
24 anything like that. I didn't have any gravel from the surface of
25 the parking lot coming up and hitting me in the legs or in the

1 face. You know, the one gust there might have been, you know,
2 where I had to brace myself. I don't recall any gravel or
3 anything, dirt hitting me, but, you know, I did just have to brace
4 for a second.

5 Q. And with the winds, can you describe the motion of the smoke
6 coming off the fire?

7 A. I was not able to see any smoke from the dark. All I could
8 see was the fire that was on the ground.

9 Q. Was there a gust period that you could estimate?

10 A. A gust period?

11 Q. A gust period. So would the gust occur every 5 seconds?
12 Would it occur every minute?

13 A. No, there was no regular gusting. It was all intermittent.

14 Q. Okay. So random, right? Intermittent, random?

15 A. Yes.

16 Q. Okay. Now I understand that this was the second flight of
17 the day.

18 A. Correct.

19 Q. There was one earlier. Can you describe when that earlier
20 one began?

21 A. Let me see. I would have to -- I think the earlier one was
22 -- I didn't write down the time because I was running back to ICP
23 at the time. Let me see if I did write that. That's a search
24 call. I want to say the earlier drop, sometime between 15 and
25 1600 possibly.

1 Q. Okay. And that's Mountain Standard Time, right?

2 A. Correct.

3 Q. Okay.

4 A. Call at 1430 to 1600, somewhere in that time.

5 Q. Okay. And were you -- at that time were you also there on
6 scene and/or in communication with the pilot?

7 A. So that one I was actually -- I was in communication with the
8 pilot, but I was driving back to ICP, so he had good daylight, so
9 described the area we were looking at which was a cell on the
10 north end of the fire. He described it for me. It matched up
11 exactly with what I was thinking about, and he made his drop. One
12 of my coworkers, Justin Whitsell had pulled into the parking lot
13 to watch the drop, and he just stayed off the radio so that
14 there's no confusion with the pilot, and he confirmed with the
15 pilot that that was what we were looking for, and that it was a
16 good drop.

17 Q. Okay. My understanding the first drop was water, and the
18 second drop the plan was to put retardant down, fire --

19 A. Well, not retardants, fire suppressants, where it's water
20 mixed with a wetting agent.

21 Q. Okay. So why -- so is that correct that the first drop was
22 just water and the second one was the fire suppressant mixed with
23 water?

24 A. Correct.

25 Q. All right. So do you know why the first drop would be water

1 and the second one would have the fire suppressant mix?

2 A. I do not. I would have thought that the first one would have
3 been suppressant. I thought that was standard. It could have
4 been they didn't have the mixing system for the suppressant set up
5 quite yet, and so just trying to get some water on the fire to try
6 to keep it coming through that saddle.

7 Q. Okay. And I think in going back to dropping the applicant,
8 whether it's water or fire suppressant mixed with water, how many
9 drops typically can they do?

10 A. So these single engine air tankers, that model, they can do
11 -- depending -- so they carry 700 gallons, and they can either do
12 one continuous trail drop or they can split it into at least two
13 drops.

14 Q. Okay.

15 A. The first drop in the afternoon was a complete drop or a
16 full, you know, whatever he was carrying with him based on, you
17 know, altitude and the weight and all of that, he released his
18 full load on that first one in the afternoon.

19 Q. So how is the -- how is it determined how many drops to make
20 and the direction of the drop? Does the ground personnel make
21 that determination or is it --

22 A. Well, so --

23 Q. -- Colorado Fire?

24 A. So it's a combination of the person talking on the ground
25 with what they would like to, you know, where they want the

1 retardant, suppressant, whatever, where they would like that put,
2 and then there's also the factor of what kind of fuels there are.
3 If it's a -- just a small area or smaller area and light flashy
4 fuels, they may do one long continuous drop or it could be if it's
5 tighter fuel, like tree canopies and what not, they may do two
6 drops to try to get more of the retardant, suppressant down
7 through the canopy, and then they can come around and tack onto
8 that next drop and get more of it down instead of, you know, 700
9 gallons at whatever speed they're flying. If it's a tight canopy
10 it may not penetrate real well in, spread out over that instance,
11 so chopping the drops up a little bit or we just need a little bit
12 of retardants or suppressants in one spot and then out ahead on an
13 active area, you know, get another load on that and start slowing
14 that down to allow ground resources some time to get in there.

15 Q. All right. So going to the planning of this, did you talk to
16 the pilot prior to the first flight, before his departure? Is
17 there like a briefing of the day's plan with anybody?

18 A. So I believe my coworker Justin Whitsell was talking to the
19 pilot and the company on the phone about what we were looking for,
20 and then once the pilot was -- the first time I spoke with the
21 pilot was once he was overhead of the fire.

22 Q. Okay. Maybe you could provide me contact info for Dustin, is
23 it?

24 A. Justin. Hang on one second. Let me pull that up for you.

25 Q. Okay.

1 A. Are you ready?

2 Q. Go ahead.

3 A. [REDACTED]

4 Q. Okay.

5 A. [REDACTED]

6 Q. Okay.

7 A. [REDACTED]

8 Q. All right. Thank you. As far as your communications with
9 the pilot, how come you're the one -- I'm just trying to
10 understand how the operation works. Why are you the one
11 communicating with the pilot? Does everybody share the same
12 frequency and how is that role assigned?

13 A. Okay. So I was division supervisor, and also -- so as a
14 division supervisor, I'm in charge of all of the activities on
15 that division.

16 Q. Okay.

17 A. So that's the reason I was chatting with the pilot.

18 Q. Okay.

19 A. In other instances, you know, it could be the ground
20 resource's request a C-drop. I may be on the complete other end
21 of the division. I order the plane, the plane comes over, makes
22 contact with the division supervisor because in this case we did
23 not have aero tack up overhead, and I would let the pilot know,
24 hey, you need to contact, you know, crew X, and then the pilot
25 would contact crew X, and then they would direct the pilot.

1 Q. Okay. And on the day of the accident, where was the pilot
2 staging from? Where was he going back and forth from?
3 Fort Collins Airport or from Fort Morgan? If you know.

4 A. I believe -- so they're based out of Fort Morgan so his
5 initial flight in the afternoon came out of Fort Morgan, and then
6 he sat down at Fort Collins Loveland Airport, and then that's
7 where he came from on his second flight, his return flight.

8 Q. So was he -- so is he getting applicant at Fort Collins
9 Airport, then, if you know?

10 A. I don't know. That would be my guess.

11 Q. Okay.

12 A. Yeah, because Fort Collins Loveland Airport, they do run
13 single engine air tankers out of there, especially during the
14 summertime. This time of year usually it is not staffed, so, you
15 know, they'll come out of Fort Morgan and then get staff over to
16 the Fort Collins Loveland Airport.

17 Q. Okay.

18 A. I believe that's what happens.

19 Q. Can you give an estimate of how many times you worked with
20 Colorado Fire Aviation before this time?

21 A. You know, I honestly don't know where all these single engine
22 air tankers, who owns those companies.

23 Q. Okay.

24 A. I know they have worked with Division of Fire Prevention and
25 Control, they have a contract with them, so, you know, over the

1 year -- and I don't know how long Fort Collins -- or Colorado Fire
2 Aviation's been in business, but I have worked with single engine
3 air tankers, (indiscernible) County at least eight or nine times
4 over the past six years.

5 Q. Okay.

6 A. Again, are they Colorado Fire Aviation air -- single engine
7 air tankers? That I don't know.

8 Q. Okay. Did the pilot during the course of the day say
9 anything about the weather from, you know, the beginning of the
10 day to the first flight, to the second flight?

11 A. Not in -- the only -- talked about the weather that he and I
12 had on the radio was just the mention of the little bit of
13 turbulence on his first or second orbit and then the talk of, hey,
14 you know, I'll make this drop and then I'll go sit down and, you
15 know, come back up and check things again around 10:30 or so when
16 the winds were supposed to die down.

17 Q. Okay.

18 A. That was the only weather conversations that I can recall
19 with him.

20 Q. So after the accident occurred were there any changes in
21 weather that you experienced?

22 A. No.

23 Q. So after the accident and this is -- as far as the search and
24 rescue, how long --

25 A. (Indiscernible.)

1 Q. I'm sorry?

2 A. Can I -- let me qualify that with changes in weather. Once
3 we started getting search and rescue resources deployed, I left my
4 position and came back down to ICP, so I was in a building for the
5 rest of the night.

6 Q. Okay.

7 A. So that's why if I -- while I was up there, I did not notice
8 any changes in the weather, and that happened at about 6:30. I
9 think I made it back down to ICP probably around 2000, 2030.

10 Q. Okay.

11 A. But while I was still up in the parking lot, I did not notice
12 any changes in the weather, and those wind -- the wind changes
13 were supposed to happen at around 2200.

14 Q. Going back to the weather, during any of the approaches for
15 the second flight and even after the accident occurred, did you
16 see any cloud formations to the west or overhead?

17 A. I didn't. I did not, and quite honestly, once he went in, I
18 was not paying attention to the sky as much as trying to start
19 coordinating search and rescue.

20 Q. Okay. And the search and rescue I understand took about an
21 hour for them to find the airplane?

22 A. Correct, and do you want me to kind of walk you through some
23 of that?

24 Q. Yeah, I'm interested in the difficulties, difficulties or
25 what were some of the hindrances in trying to locate the airplane.

1 A. Okay. No worries. Yeah, because one part of it I did not
2 see where he crashed. Then there is no explosion or anything.
3 First possible location we got was from the ELT, and if you want,
4 I can give you all of -- we've got photos of the coordinates of
5 all the different places, but I can also give you those as well if
6 you want those on record.

7 Q. You could email those at some later point.

8 A. Okay. And -- but they were written in all of the notes that
9 you guys took pictures of.

10 Q. Okay. I have the notes, then.

11 A. Yeah. So the ELT one, just so you know, that placed it up in
12 Little Valley. Radar forensics placed it inside the burn over
13 kind of near the point of origin of the fire. Flight Aware placed
14 it -- when I was plotting that, Flight Aware placed it, you know,
15 about 300 feet in front of my truck so I knew that was not it, and
16 then working with -- oh, I forget the commander's name, but part
17 of the International Guard here and working through AFRCC, Aireon,
18 A-i-r-e-o-n, coordinates which was the actual location of the
19 crash. Once we got those, people were able to hike immediately to
20 that.

21 Q. Okay. You mentioned you returned and it's an acronym ICP.
22 What does that stand for?

23 A. Oh, I'm sorry, ICP, Incident Command Post.

24 Q. Okay. All right. And that's located in Estes, Colorado,
25 correct?

1 A. Yeah, in Estes Park, right down by their fairgrounds.

2 Q. Okay.

3 A. Right across from the lake.

4 Q. I think that's all the questions I have. I mean, I'll turn
5 it over to you. Do you have anything that I haven't discussed or
6 anything that you want to share that may be of importance?

7 A. No, I've been going through this over in my head the past
8 several days, but just also knowing that, you know, it's possible
9 to start creating your own story. I'm trying to stick with those
10 notes that I took as much as I can so that I'm not giving you bad
11 information or something that I accidentally convinced myself
12 happened.

13 Q. Okay.

14 A. Does that make sense to you?

15 Q. Yes, it does. And I just thought of one more question. I
16 want to go back --

17 A. Yeah.

18 Q. -- to the airplane motion. You said it rolled 360. How many
19 rolls did you see?

20 A. I witnessed two.

21 Q. Okay. And then after the second roll, can you describe the
22 motion of the airplane?

23 A. Right about when he was, I would call it, three-quarters of
24 the way through his second roll I lost him behind the trees.

25 Q. Was the rate of roll or the speed of the roll, was it

1 constant, was it increasing or decreasing from when it started to
2 -- up to the second roll?

3 A. It appeared constant to me.

4 Q. Okay. All right. Well, Mr. Rosenquest, I appreciate your
5 time on this, and the discussion. So that's all I have then.

6 A. Okay.

7 MR. GALLO: We're off the record, then.

8 (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 AT-802A, N802NZ ACCIDENT
NEAR KRUGER ROCK-ESTES PARK, COLORADO
ON NOVEMBER 19, 2021
Interview of Derick Rosenquest

ACCIDENT NO.: CEN22FA035

DATE: November 20, 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.



Lois D. Rush
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL AT-802A, N802NZ ACCIDENT
NEAR KRUGER ROCK-ESTES PARK,
COLORADO, ON NOVEMBER 19, 2021

Accident No.: CEN22FA035

* * * * *

Interview of: JUSTIN WHITESELL, Emergency Operations Director
Larimer County Sheriff's Office

Via telephone

Monday,
November 29, 2021

APPEARANCES:

MITCHELL GALLO, Investigator
National Transportation Safety Board

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By Mr. Gallo		4

I N T E R V I E W

MR. GALLO: All right, this is an interview with Justin Whitesell on November 29th in regards to the accident involving N802NZ. And Mr. Whitesell, do I have your permission to record this conversation?

MR. WHITESELL: Yes.

MR. GALLO: All right, and you can also have a representative during this. Do you choose to have one or not?

MR. WHITESELL: No.

MR. GALLO: Okay.

INTERVIEW OF JUSTIN WHITESELL

BY MR. GALLO:

Q. To start out, can you just describe what your position was on November 16th, the day of the accident?

A. My position on the fire was just a representative for the Sheriff's Office, making sure that the fire was going well with evacuations and resources that we were bringing in.

Q. Okay, and my understanding is the accident airplane had two passes -- or two flights and I think you were a witness to the first flight. Is that correct?

A. Yeah, I watched the first flight and briefly had a radio conversation with the pilot, just letting him know that the drop looked good and letting him know that if -- and letting him know that we would like to have load and return.

Q. Okay, and what time was the first flight at approximately?

1 A. So, this is just a guess off the top of my head, it had to
2 have been around 4:30, 5:00 because it was just getting -- the sun
3 was starting to go down.

4 Q. Okay, and can you describe what you saw during the first
5 flight?

6 A. Yeah, I saw him make a few passes over the fire. There was
7 conversations on the radio about where he was going to drop. The
8 U.S. Forest Service had some concerns with him dropping on Forest
9 Service land. So, it took a little longer than normal to get him
10 to drop where we needed it because the Forest Service said
11 after -- then the Forest Service came back and said after -- as
12 long as the sun was up, he could drop on Forest Service land. So,
13 we went ahead and had him drop on the -- I guess it would be the
14 left flank of the fire, but the north side of the fire closer to
15 Kruger Mountain is where he made his first drop with water. And
16 everything seemed to go well, the passes he made and the drop he
17 made was a good drop and helped suppress the fire a bit where he
18 actually dropped it.

19 Q. And did he make any approaches prior to that drop over the
20 area?

21 A. Yeah, he made several approaches to the drop. He flew over
22 that one specifically -- well, not right before he dropped, but he
23 made several passes over the fire before he made his drop. Yeah,
24 I don't know how many because I wasn't there the whole time. I
25 got there just right before he made the drop.

1 Q. Okay, and so did you see the passes themselves, or you just
2 saw part of the passes -- a portion?

3 A. I saw the last pass and then actually dropped the water.

4 Q. All right, and then during the last pass, can you provide an
5 estimate of altitude before he dropped the water?

6 A. It had to have been at least 800 feet, maybe more -- maybe
7 500 feet, I guess.

8 Q. Okay, and is that above the ridge or kind of above the
9 parking lot leading the --

10 A. Yeah, above the tree line.

11 Q. Okay, and what direction was he going during the pass and
12 then during the actual drop?

13 A. The passes, he would fly -- the first pass I saw him make,
14 well, he was high going west to east and then he made his kind of
15 approach, he was going west to east. And then when he did the
16 final drop, he came back around and was flying west to east
17 basically over the ridge on that north side when he made the drop
18 with water.

19 Q. Okay, and can you discuss a little bit what you witnessed as
20 far as weather during the pass that you observed in the drop?

21 A. The weather, I don't know the specific temperature, but it
22 was sunny and windy and I didn't have an anemometer, so I don't know
23 the exact wind speed on the fire or above the fire. But it was
24 still pretty windy, it wasn't -- the gusts weren't significant and
25 there were some clouds in the sky, but not a significant amount.

1 Q. Okay, and can you describe the shape of the clouds -- you
2 know, what kind of clouds they were?

3 A. You know, they were definitely white (indiscernible) clouds
4 with the lenticular tops on them, but they were quite a bit higher
5 than where he was flying. So, you know, there were winds
6 aloft -- high aloft, a couple thousand feet over the fire and
7 those were mostly the clouds that were in the immediate area.

8 Q. And the lenticular clouds, were they -- what were they in
9 relation to the accident site? Were they very far west, or east,
10 or over?

11 A. The specific ones I remember, they were to the
12 south -- probably ten miles to the south.

13 Q. Okay, and you didn't have an anemometer with you, but could
14 you give an estimate of the winds, and the gusts, and also where
15 you were at when you were observing a -- when you observed a pass
16 and a drop?

17 A. I was in the equestrian parking lot when I was observing the
18 drop and I think that was the place you hiked up to see the
19 aircraft from when you came to do the investigation.

20 Q. Okay

21 A. But I would guess the wind speed was probably 12 to 20
22 sustained with gusts maybe up around 28, 30.

23 Q. Okay, and then the fire -- I guess there was smoke coming off
24 the fire, can you describe the motion of the smoke? For example,
25 was it going upwards or was it going down the valley in a

1 direction of that sort?

2 A. You know, I spent most of my day on the ridge that he
3 flew -- was flying over, which happened to be the western and, I
4 guess, southwest part of the fire and the winds all day
5 I'd been battling winds up on that ridge top. So, you'd get winds
6 out of the west, southwest, the west side of that ridge. But on
7 the east side of the ridge, you'd get a lot calmer winds kind of
8 pushing back to the south -- out of the northeast almost -- east,
9 northeast and they were really calm coming out of that direction.
10 But it was about ten -- five to ten miles an hour from the -- when
11 you get on the east side of the ridge.

12 Q. Okay, and what were the winds like on top of the ridge then?

13 A. Again, the predominant winds were out of the
14 west -- southwest, so they were predominant up there on top of the
15 ridge and they were about the same windspeed when he was flying
16 over that. Most of the day had been about that.

17 Q. Okay, were you the person that was directly in communication
18 with the pilot or was he talking to somebody else when you
19 were -- during that first flight?

20 A. He was talking with Derek Rosenquist primarily and I just
21 happened -- and Derek was out of position to see the first drop.

22 Q. Okay.

23 A. He was -- I forget he had transported somebody back around to
24 the other side of the fire and didn't have a visual. But I
25 happened to be there, so I just let him know that it was a good

1 drop and that we wanted additional if it was going to work.

2 Q. And did the pilot transmit anything regarding weather and/or
3 the quality of the flight or any problems?

4 (Audio/visual glitch)

5 BY MR. GALLO:

6 Q. Hey Justin, are you back there again? I lost you for a
7 second.

8 A. Oh, yeah, sorry.

9 Q. All right, so --

10 A. No, he didn't transmit anything over the radio.

11 Q. Okay, so nothing about the weather, nothing about the quality
12 of the flight or any concerns he had with the flight?

13 A. No.

14 Q. Okay, did you talk to anybody with Colorado Fire Aviation on
15 the day of the accident aside from the pilot?

16 A. I was in -- I talked with Kyle Scott, the owner of the
17 company, and I was in text communication with Zach Sullivan (ph.).

18 Q. Okay, what did Kyle Scott -- what did you discuss with him?

19 A. It was before the flight, just letting him know that -- I had
20 called Kyle to see if they were available to fly the fire and had
21 asked -- I'm trying to think -- if they were available. And then
22 he said that he was out-of-pocket because he was in a training,
23 but to go through Zach and Thor to work out the details on if we
24 needed them to fly the fire.

25 Q. And did they -- do you mean Zach and Marc Olson -- did they

1 discuss -- did they have, like, a preflight planning briefing with
2 you? Again, did they express any concerns about the flight?

3 A. I think -- and I don't know the times, but it was -- I want
4 to say around -- I talked to Kyle Scott around noon I want to say
5 and I told him I would call him back around 3:00 to see if the
6 winds had calmed down at all and kind of let them know where we
7 were at with requesting their aircraft. And then at 3:00 I called
8 Zach -- I texted Zach -- I can't remember if I called or texted.
9 But -- no, I called Zach and talked with him directly and asked
10 them what they thought about the winds and they said that the
11 crosswinds looked good.

12 I asked then if they'd be able to fly with the current
13 conditions and they said yeah, it can't be a problem. And they
14 went through a bunch of -- he didn't say a preplan specifically,
15 he just said that him and Marc Olson had gone over looking at the
16 fire and looked at the weather, and they were comfortable with
17 everything they were seeing and didn't have any issues. Marc
18 would fly from Fort Morgan with water for the first drop and would
19 land at Fort Collins-Loveland to get the suppressant for the next
20 drop and that was basically our conversation on the phone at 3:00.

21 Q. Okay, and then did you know Marc Olson prior to this accident
22 flight?

23 A. I had never met him. I knew him just by name and I had
24 talked to him on the phone after the first flight, an
25 hour -- about an hour before the crash occurred.

1 Q. Okay, and then so as a comparison since you talked to him
2 prior -- I guess on the ground prior to his taking off, did you
3 notice any heightened stress level in his voice between -- during
4 the approaches of the first flight or first drop as opposed to
5 when you talked to him on the phone when he was on the ground?

6 A. No, I did not. Not at all.

7 Q. And was the timed planning of the first drop and the second
8 drop, was that made during your initial phone call in the morning,
9 or was -- did that plan change at all during the course of the
10 day?

11 A. The biggest thing, as I just said, I'd get back with him
12 around 3:00 to check in and that the -- and then after I talked to
13 him at 3:00, they said they would launch, come up, see how
14 things -- the conditions were. And then -- no, that was kind of
15 the plan from the beginning and -- yeah, that was the plan from
16 the beginning.

17 Q. Okay, and then prior to the day of the accident, did you ever
18 meet with anybody from Colorado Fire Aviation at all? Did they
19 come out and present anything to you?

20 A. Yes. So, they did a demonstration of the capabilities of the
21 aircraft and the night vision and I can't remember -- they did it
22 for several agencies just west of Loveland before you get in Big
23 Thompson Canyon.

24 Q. Okay, and was this an actual flight that was --

25 A. And then I met with them -- yeah, they did an actual flight

1 and -- yes.

2 Q. And do you recall when that was?

3 A. (Indiscernible) I can look at my calendar if you want?

4 Q. Okay.

5 A. Let me look here. All right, it's going to take a minute.

6 Q. Okay.

7 A. I can't find the actual date. I want to say it was August or
8 September, maybe.

9 Q. Okay, and during that presentation, it was an actual drop,
10 what was the weather like during that presentation and was it at
11 night or during the day?

12 A. No, it was at night. They made -- I want to say they made
13 several drops that, I want to say four -- maybe four or six drops
14 that night. And the weather that night, I don't know
15 specifically, it wasn't -- the winds were pretty calm and it was
16 definitely dark and the temperatures were probably -- I'm guessing
17 in the 70's -- 60's, 70's.

18 Q. Okay, and do you know who the pilot was during that
19 demonstration?

20 A. I want to say it was Chris Doyle and Thor was flying in a
21 support plane -- Marc Olson was flying in a support plane, so
22 there were two planes flying that night.

23 Q. Okay. All right, I think that's all the questions I had. Do
24 you have anything else that you'd like to talk about that I missed
25 or you had any other concerns that you'd like to point out to me?

1 A. Yeah, just was going to say even after that demonstration, I
2 think I meant (indiscernible) Kyle and Zach at least two more
3 times to discuss the contract between us and them, not that that
4 has anything to do with the flight. And then the only other thing
5 I had was about an hour before the crash, I talked to Marc Olson
6 on the phone. I just checked in with him to ask him what the
7 conditions were like when he did the first drop and to make sure
8 everything was okay. I let him know -- I specifically said
9 don't -- there's no need to push it if the conditions aren't
10 right, it's not a big deal and I said he had to let me know
11 because I'm not a pilot -- if the winds were too strong. And he
12 said that between Fort Collins and the fire, it was pretty windy,
13 but over the actual fire it was pretty calm is what he told me.

14 Q. Okay, and did he talk --

15 A. He said the first drop went really well -- oh, sorry, go
16 ahead.

17 Q. Oh, did he talk about what his wind limitations
18 were -- Marc Olson?

19 A. No, he did not.

20 Q. Okay. All right, is there anything else that you would like
21 to add?

22 A. I'm just trying to think of that conversation. Oh, and he
23 said that he was going to load the suppressant up and that he
24 would be up in a few -- in a little bit over the fire and that was
25 the last I had talked to Marc.

1 Q. And when you last talked to Marc at I think 3:00, where was
2 he had at that time, do you know?

3 A. It was later than 3:00, it was after the first drop, so it
4 had to have been around -- I want to say it was, like,
5 6:00 -- maybe 5:30, 6:00 -- somewhere around 5:30, 6:00. And what
6 did you ask, I'm sorry?

7 Q. Oh, do you know what his location was on the ground, was he
8 had Fort Collins at that time?

9 A. Yeah, he was at the Northern Colorado -- the Fort Collins-
10 Loveland airport.

11 MR. GALLO: Okay. All right, I think that's all I had then
12 unless you wanted to add anything else. But we're going to go off
13 the record.

14 MR. WHITESELL: Nope, that's all I can think of.

15 MR. GALLO: All right, then we're off the record here, thank
16 you.

17 (Whereupon, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

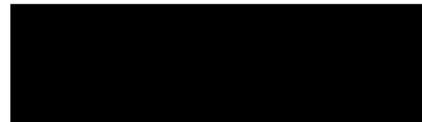
IN THE MATTER OF: FATAL AT-802A, N802NZ ACCIDENT
NEAR KRUGER ROCK-ESTES PARK, COLORADO
ON NOVEMBER 19, 2021
Interview of Justin Whitesell

ACCIDENT NO.: CEN22FA035

PLACE: Via telephone

DATE: November 29, 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.



Carolyn Hanna
Transcriber